



# Commission Agenda Report

To: Chair Hill and Members of the Planning Commission

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Approved by: Richard Mollica, Planning Director

Date prepared: May 25, 2022 Meeting date: May 31, 2022

Subject: Malibu Middle and High School Specific Plan - Final Environmental Impact Report No. 20-001, Local Coastal Program Amendment No. 21-002, General Plan Map Amendment No. 21-002, Zoning Map Amendment No. 22-001, and Zoning Text Amendment No. 22-002 - An application to redevelop and modernize the existing Malibu Middle and High School campus and former Juan Cabrillo Elementary School campus

Location: 30215 Morning View Drive, within the appealable coastal zone

APNs: 4469-017-900, 4469-018-900, and 4469-018-904

Owner: Santa Monica-Malibu Unified School District

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**RECOMMENDED ACTION:** Adopt Planning Commission Resolution No. 22-40 (Attachment 1) making a recommendation to the City Council on the adequacy of the Final Environmental Impact Report (SCH No. 202008350), the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations; and Local Coastal Program Amendment (LCPA) No. 21-002 adding the Malibu Middle and High School (MMHS) Campus Specific Plan to the Local Coastal Program and corollary amendments including General Plan Map Amendment (GPMA) No. 21-002, Zoning Map Amendment (ZMA) No. 22-001, and Zoning Text Amendment (ZTA) No. 22-002 (Santa Monica-Malibu Unified School District)

DISCUSSION: The MMHS Campus Specific Plan (Specific Plan) establishes the development standards and plans for the redevelopment of the former Juan Cabrillo Elementary School (JCES) campus and the existing MMHS Campus to be implemented in four phases over the next 10 to 15 years. The existing MMHS campus was constructed as Malibu Park Junior High School in 1963, and in 1992 the school was converted for use as a high school. In the last 15 years, three bond measures have been passed and utilized to modernize and build new buildings and athletic fields, including the newly completed administration/library building (Buildings A and B) and a two-story classroom building (Building E). The Specific Plan area where redevelopment is proposed is defined by three of nine contiguous parcels owned by the Santa Monica-Malibu Unified School District (SMMUSD): Assessor Parcel Numbers (APNs) 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4469-018-904 (2.57 acres). The total acreage of the project site is 52.03 acres.

Apart from the recently completed Buildings A, B, and E, SMMUSD has indicated that many of the existing buildings no longer meet SMMUSD's needs to support 21st-century learning, including technology improvements and flexible classrooms that allow for multiple learning modalities. The Specific Plan would result in the demolition of 18 existing buildings on the combined campuses; only the existing athletic fields and the recently completed Buildings A, B, and E on the MMHS campus would remain, and the construction of a new campus with dedicated spaces for the middle and high schools. The Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of new building space, providing the MMHS campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space. While the Specific Plan will upgrade the MMHS campus, it does not increase floor area ratio (FAR) nor does it allow for an increase in the maximum student population.

The Specific Plan proposes changes to several development standards to implement the campus plan. These changes include:

1. Increased building heights for the proposed high school building (36 feet), MMHS gymnasiums (36 feet), and theater/performing arts center (45 feet) where 28 feet is required;
2. Pool safety lighting will likely exceed the threshold established by the Malibu Dark Sky Ordinance;
3. New electronic message center (EMC) signs which are currently prohibited by the MMC;
4. Reduction of the 100-foot environmental sensitive habitat area (ESHA) setback to 50 feet to accommodate new permeable parking areas, teaching platforms, and fuel modification; and
5. Maximum quantities for cut and fill grading and increased heights of cut and fill grading in excess of 12 feet where the buildings function as retaining walls.

A detailed discussion of these changes is provided below in Section 4 – Specific Plan Overview.

Since the adoption of the Specific Plan requires legislative changes to the LCP, the General Plan Land Use Map, and the Malibu Municipal Code (MMC), the City Council and the California Coastal Commission (CCC) would be the final decision-makers on the proposed Specific Plan and the legislative changes. The project entitlements before the Planning Commission for recommendation to the City Council include an LCPA, GPMA, ZMA, and ZTA. SMMUSD, who serves as the lead agency under CEQA, prepared a Final EIR for the Specific Plan by the School District in accordance with the California Environmental Quality Act (CEQA).

### Proposed Legislative Amendments

If approved, the following legislative amendments are required to implement the Specific Plan:

- a. LCPA No. 21-002: 1) add Section 3.4.6 to Local Implementation Plan (LIP) Section 3.4 to incorporate the MMHS Campus Specific Plan into the LIP, 2) exempt the MMHS from the prohibition of EMC signs required by LIP Section 3.15.3, 3) amend LCP Map No. 2 to add a boundary line around the MMHS Campus Specific Plan area, and 4) amend the LCP Land Use Plan (LUP) to add the following new ESHA policy.

“The following types of new development and substantial redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan, may provide a 50-foot ESHA buffer, if it does not significantly disrupt the ESHA habitat values:

- a. Habitat creation, restoration, and/or enhancement activities;
- b. Public accessways, trails, and associated minor improvements;
- c. Directional, educational, and interpretive signs;
- d. ESHA and creek-related educational uses and viewing platforms;
- e. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
- f. Fuel modification required by the Los Angeles County Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
- g. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
  1. Limited exterior lighting for safety purposes; and

2. Fences necessary for safety, restoration, and protection of habitat.”

- b. GPMA No. 21-002: Amend the General Plan Land Use Policy Map, Section 3, to add the Specific Plan land use designation on the MMHS property.
- c. ZMA No. 22-001: Amend the Zoning Map to add a boundary line around the MMHS property denoting the boundaries of the MMHS Campus Specific Plan area.
- d. ZTA No. 22-002: 1) amend Section 17.42.020 in the MMC to add subsection “M.” to incorporate the MMHS Campus Specific Plan into the MMC consistent with the proposed LCPA language and 2) exempt the MMHS from the prohibition of EMC signs required by MMC Section 17.52.040.

After several months of discussions between City staff and SMMUSD, on December 21, 2021, SMMUSD submitted the proposed legislative amendments and the required coastal development permit (CDP) application for Phase 1 of the campus plan, which includes abatement and demolition of the school facilities associated with the former JCES, construction of a new two-story high school building (Building C), a lot merger, new parking areas, ESHA restoration, and associated development. City staff determined the most efficient and streamlined approach was to process all entitlements concurrently which means the development proposed in Phase 1 cannot commence until the LCPA is certified by the CCC. SMMUSD has found that the timing to address the incomplete items for the CDP application was taking longer than anticipated. The additional processing time required by the California Coastal Commission (CCC) to certify the LCPA could jeopardize the campus plan implementation. At SMMUSD’s request, City staff agreed to allow the draft Specific Plan and the associated legislative entitlements to proceed through the City’s public hearing process in advance of the CDP application.

Upon completion of the CDP application for Phase 1, the CDP will be scheduled for a Planning Commission public hearing and, if the CDP is approved, no work could commence until final CCC approval of the Specific Plan. In addition, since the western portion of the project site is located within the Appealable Jurisdiction of the CCC as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map, the CDP for Phase 1 is appealable to the CCC.

The required entitlements for development proposed in subsequent phases will be reviewed for compliance with the Specific Plan, MMC, and LCP.

#### Final Environmental Impact Report Determination

As discussed in detail in Section 6 (Environmental Review) of the staff report, a Draft EIR was prepared for the project and the Final EIR was certified by SMMUSD on January 26, 2022. The Final EIR determined the following resource areas could be mitigated to a level of less than significant: air quality, biological resources, cultural resources, geology/soils, hazardous materials, hydrology/water quality, and wildfire. The Final EIR also concluded

that the project would cause two unavoidable significant impacts to aesthetics (light and glare from new pool lighting and noise (construction noise impacts on sensitive receptors). City staff concurs with the conclusion related to the potential impacts of construction noise on sensitive receptors. However, after further consideration of the aesthetic impact analysis, City staff does not agree with the use of the City's Dark Sky Ordinance as a threshold for assessing aesthetic impacts. As part of the project, the existing 25-meter pool would be replaced with a new Olympic-size 50-meter pool. As noted in the EIR, the duration of illumination of the proposed pool would be the same as the existing use and operation. The pool would be lit for an annual total of 524 hours during evening hours, as detailed in Table 16, *Pool Lighting* in the EIR. In addition, pool lights are currently used during morning hours three days a week (Tuesday, Thursday, and Saturday) for two hours (5:30 a.m. to 7:30 a.m.), for a total of 310 hours. This results in a total lighting time of 834 hours in the current condition, which would continue in the same manner under the proposed Specific Plan.

Staff is recommending a revision to the draft Specific Plan which would require the pool lighting to be consistent with the Dark Sky Ordinance or require a site plan review approval from the Planning Commission pursuant to MMC Section 17.41.070 if it is demonstrated that compliance is not possible due to safety regulations. This would be consistent with the Environmental Review Board (ERB) recommendation (See Section 6), which recommended denial of the requested deviation from the Malibu Dark Sky Ordinance. The ERB believes that since the pool will be designed during Phase 4, which is anticipated to begin in 2030, new technology may likely allow the pool lighting to meet the City's Dark Sky Ordinance. SMMUSD's preference is to allow the pool lighting to exceed the Dark Sky Ordinance in the Specific Plan since future available lighting technology is unknown at this time. However, requiring approval of an SPR prior to construction of the pool, pursuant to MMC 17.41.070, will allow a review of the available technology. Staff recommends the following revision to LIP Chapter 3 (Zoning and Permitted Uses) and MMC Section 17.42.020 (Overlay districts) subsection (M):

a. ~~Prior to construction of the pool and pool deck, approval of a site plan review is required to determine consistency with the City's Dark Sky Ordinance. with the Illuminating Engineering Society of North America (IESNA) standards for a Class II pool facility. Lighting shall be a minimum of 50-foot candles over the pool and 20-foot candles over the deck, as measured at the water level. for improved safety. Consistent with IESNA recommendations, lighting shall also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). All pool lighting shall also be consistent with the California Building Code and section 3115B.1, where the pool must have underwater and deck lighting such that lifeguards or other persons may observe, without interference from direct and reflected glare from the lighting sources, every part of the underwater area and pool surface, all diving boards or other pool appurtenances.~~

Since the pool lighting impacts were specifically related to the potential for the proposed pool lighting to exceed the illumination standards required by City's Dark Sky Ordinance, staff further recommends that the EIR Findings of Fact and Mitigation Monitoring Plan be updated to remove the finding that pool lighting is a significant unavoidable impact.

## **Staff Report Organization**

This report is organized as follows:

1. Project Chronology
2. Site Description and Surrounding Land Use
3. Project Overview and Description
4. Specific Plan Overview
5. Proposed Legislative Amendment Findings.
  - a. Specific Plan
  - b. Local Coastal Program Amendment (LCPA)
  - c. General Plan Map Amendment (GPMA)
  - d. Zoning Map Amendment (ZMA)
  - e. Zoning Text Amendment (ZTA)
6. Environmental Review (EIR and Environmental Review Board (ERB))

### **1. Project Chronology**

SMMUSD conducted a stakeholder engagement process that included teachers, administrative staff, students, parents, community surveys, community meetings, and focused interviews to develop the Malibu Middle and High School Campus Plan (Campus Plan). Over 50 community engagement meetings were held to develop the Campus Plan. Section 1.2 in the Specific Plan provides further details on the stakeholders involved in the development of the Campus Plan. The overall objective of the Campus Plan was to align education program goals with proposed facility improvements. The Campus Plan, which was approved by the Board of Education (Board) in November 2019, serves as the basis for the Specific Plan.

As a first step in complying with the procedural requirements of CEQA following the Board's approval of the Campus Plan, the District, which serves as the lead agency pursuant to CEQA Guidelines Section 15367, prepared an Initial Study (IS) to determine whether any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment and, if so, to narrow the focus (or scope) of the environmental analysis. The IS indicated that an EIR would be the appropriate type of environmental document to address potential environmental impacts resulting from the project.

After completion of the IS, the District filed a Notice of Preparation (NOP) with the California Office of Planning and Research and the County of Los Angeles indicating that

an EIR would be prepared. The IS/NOP, as well as the scoping comment letters and verbal comments, are included in Section 2 of the Final EIR.

On August 20, 2020, the District issued a Notice of Preparation of a Draft EIR and the project's IS for public review and comment. The comment period ended on September 21, 2020. Comment letters/emails were received that raised concerns, which the District addressed.

On September 9, 2020, District staff held a public scoping meeting. The Environmental Consultant and District staff considered all of these comments in preparing the project's Draft EIR.

On October 15, 2021, the District issued a Notice of Availability and the project's Draft EIR for public review and comment. The Notice of Availability was also published on the District's website and directly mailed to each commenter on the IS and affected public agencies, as well as community members within a 500-foot radius of the MMHS Campus. The Draft EIR was made available on the District's website and at the District's Offices, Malibu Public Library, City of Malibu Planning Counter, and the MMHS Administration Building. The comment period for the Draft EIR ended on November 29, 2021 (a total of 45 days).

On November 2, 2021, District staff conducted a community presentation on the project and the Draft EIR.

On December 28, 2021, responses to the commenters were delivered to each commenter.

On January 26, 2022, the SMMUSD certified the EIR with two statements of overriding significance finding that the project would cause two unavoidable significant impacts: light and noise. Since no feasible mitigation was deemed available for these two significant impacts, a Statement of Overriding Considerations was prepared.

## **2. Site Description and Surrounding Land Use**

The project site is located in the Malibu Park neighborhood in west Malibu. The campus includes MMHS, the former JCES, the Boys and Girls Club, several outdoor sports fields and courts, support facilities and infrastructure, the Malibu Equestrian Center, and approximately ten acres of undeveloped land. As depicted in Figure 1, the campus is located on Morning View Drive, approximately one-quarter mile northeast of both Pacific Coast Highway (PCH) and Zuma Beach and generally between Merritt Drive to the west, Via Cabrillo Street to the east, and Harvester Road to the north. Residential properties along Via Cabrillo and Floris Heights, the Boys & Girls Club, and other recreational fields are located west of the project site. The Malibu Equestrian Center is located east of the project site behind a large berm separating the equestrian use from the school's main

sports field. The Malibu United Methodist Church/Nursery School and residences along Morning View Drive are located south of the project site.

**Figure 1 – Vicinity Map**



Source: Malibu GIS

### Former JCES Campus

The former JCES campus covers approximately six acres and is on the western end of the Specific Plan Area to the north of Morning View Drive, west of the MMHS campus. JCES formerly served elementary school grades K-5. As part of SMMUSD’s wider Malibu Schools Alignment Project, the JCES student population combined with the former Point Dume Marine Science School student population and moved to the Point Dume Marine Science School campus, renamed Malibu Elementary School, at the beginning of the 2019-20 school year. Currently, middle school students utilize the portable classrooms, and Boys & Girls Club utilizes the former library as the Wellness Center. No other JCES rooms are currently being used.

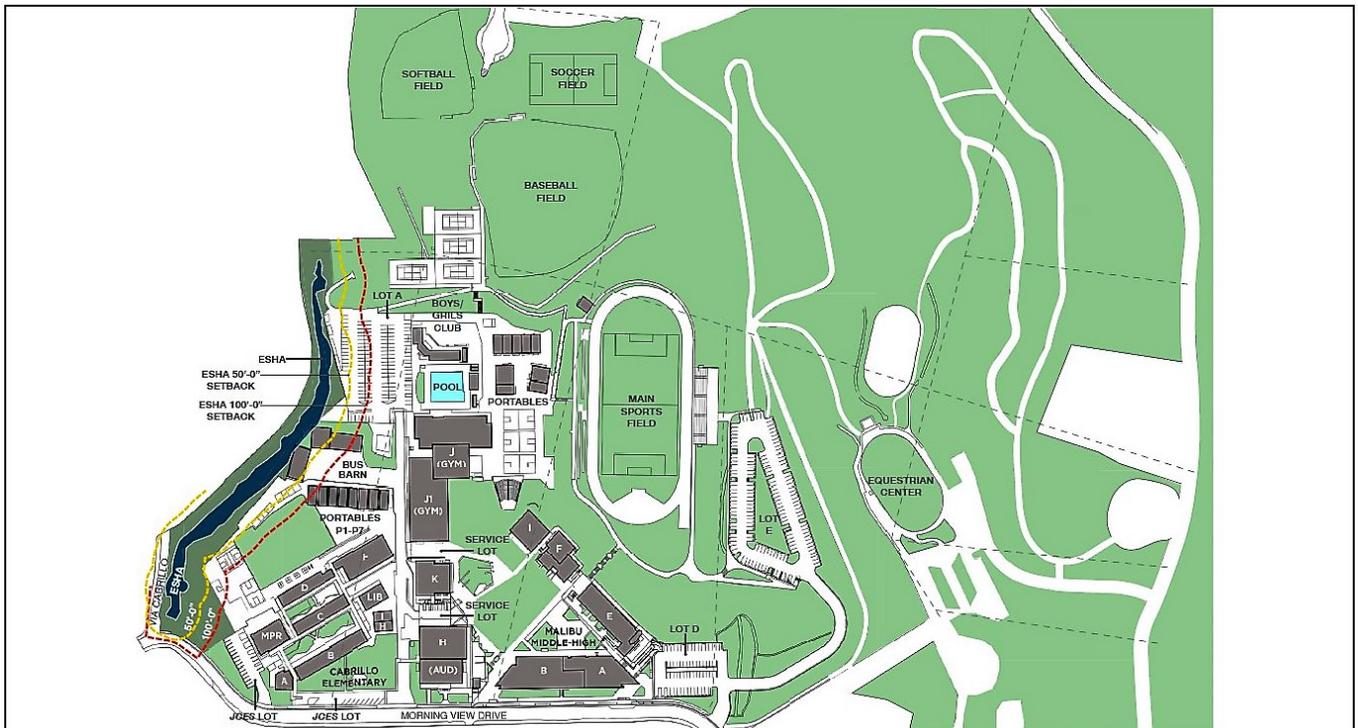
### MMHS Campus

The MMHS campus covers approximately 34 acres of the overall District property and operates as a sixth- through twelfth-grade public school with a 2018-19 enrollment of 939 students and 134 staff. Presently, the MMHS campus has 60 classrooms (including 12 portable classrooms), a library, auditorium, administrative offices, athletic field, two

gymnasiums, pool, nine basketball courts, and four tennis courts, and parking for 282 vehicles in three parking lots. Additionally, the recently constructed Buildings A, B, and E would remain, with no work on these buildings identified in the Specific Plan.

The Specific Plan Area is located in the southwestern portion of the Santa Monica Mountains. Maximum topographic relief onsite is approximately 94 feet, with elevations ranging from 86 to 180 feet above mean sea level. The campus consists of several near-level pad areas with generally ascending slopes to the north and descending slopes to PCH to the south. There is limited natural vegetation onsite consisting primarily of grasses, ivy, brush, shrubs, and scattered trees, with some patches of disturbed and isolated coastal sage scrub in and around the main sports field. LCP ESHA Overlay Map delineates a blueline stream along the campus' west property line. The stream consists of an underground pipe that flows under the school property south of Clover Heights Avenue which daylight into a natural streambed near Juan Cabrillo Elementary. Drainage from the campus flows overland and along parking lots and driveways in a southerly direction to Morning View Drive, where it collects into existing storm drains. The campus is accessed from PCH via Morning View Drive from the east or via Guernsey Avenue from the west. Figure 2 illustrates the existing MMHS campus layout.

**Figure 2 - Existing Site Plan**



Source: MMHS Specific Plan

### 3. Project Overview and Description

The Specific Plan establishes development standards for the Specific Plan area, which includes modifications to existing development standards for the environmentally sensitive

habitat area setback, building height, lighting, and grading quantities. Once adopted, the standards in the Specific Plan would become the regulations against which later phases of the project would be reviewed by the City. The Specific Plan would be constructed in four phases.

As detailed in the Specific Plan, school enrollment is not projected to increase, as lower grades have been tracking below historic levels, indicating that a projected decrease in future enrollment at middle and high school grades may occur. The existing MMHS campus can seat approximately 1,200 students, as evidenced by the 2006 enrollment, but no longer meets the District's educational requirements due to the buildings' age and overall condition. The proposed Specific Plan would not increase the capacity of the MMHS campus but would be designed to support the regrowth of the community from the Woolsey Fire.

School hours would remain the same as existing, from 8:00 AM to 3:00 PM, with staff and students of the middle/high school arriving on campus between approximately 7:00 AM and 8:00 AM and leaving between approximately 3:00 PM and 5:00 PM, with occasional special events and athletic events during weeknights and/or weekends. Additionally, the Visual and Performing Arts program uses the auditorium after school typically until 6:00 PM, and the Boys & Girls Club on the campus is open Monday through Friday from 9:00 AM to 6:30 PM.

When the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, the Civic Center Act permits certain community organizations and members to utilize school facilities for their events by obtaining a Civic Center Permit from the SMMUSD or the City of Malibu Master Facilities Use Agreement with SMMUSD. Permitted events may include community and/or City use of the playfields, common areas, and classrooms, as permitted in the 2019 Master Agreement between SMMUSD and the City of Malibu Regarding the Joint Use of School District Facilities (SMMUSD/City of Malibu 2019).

### *Other Permits and Approvals*

Additional permits and approvals are also required from the following departments and agencies:

1. City of Malibu
  - Public Works Department (*encroachment permits*)
2. County of Los Angeles
  - Fire Department (*fuel modification; fire access, hydrant location, and fire flow approved*)
  - Department of Public Works (*Waterworks District No. 29*)
3. Regional Agencies

- Los Angeles Regional Water Quality Control Board (RWQCB)(*issuance of waste discharge requirement (WDR) due to coverage under the regional OWTS WDR; coverage under the construction general National Pollution Discharge Elimination System (NPDES) permit; and coverage under the Regional Dewatering General WDR*)
- South Coast Air Quality Management District (SCAQMD) (*Rule 1166 VOC Contaminated Soil Mitigation Plan*)

4. State of California

- Division of State Architect (DSA)(*approval of construction drawings*)
- California Department of Fish and Game (CDFG)

#### 4. Specific Plan Overview

A specific plan is a planning tool that provides for the systematic implementation of the general plan for all or part of the area covered by a city's general plan. Specific plans, which may be adopted either by ordinance or resolution, are in common use throughout California. A specific plan is a legislative act through which area-specific development standards may be established. This makes the specific plan a straightforward way to entitle a large, multi-phased project, such as the Malibu Middle and High School Campus Plan. The procedures for adoption and the required contents of specific plans are set forth in Government Code Sections 65450 through 65457.

Under Government Code Section 65451, a specific plan must include:

- 1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan;
- 2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;
- 3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable; and
- 4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

The specific plan must also include a statement of the relationship of the specific plan to the general plan. The specific plan may also address any other subjects which are necessary or desirable for the implementation of the general plan. One advantage of a specific plan is the opportunity to customize development and use standards applicable to the project to address site- or project-specific considerations, so long as the standards are

consistent with the general plan. In this way, the specific plan provides a comprehensive description of the intended project development.

The Specific Plan sets forth the following objectives:

1. Create unique and separate identities for the Malibu Middle School and Malibu High School campuses.
2. Advance educational facilities to support 21st Century learning and properly support the projected enrollment.
3. Improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses.
4. Provide enhanced, modern, and functional support spaces, such as libraries, cafeterias, labs, maker spaces, and other student services, that promote whole child development.
5. Improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.
6. Reorganize open space and foster intercampus circulation.
7. Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety.
8. Respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.
9. Adopt development standards for the MMHS allowing for the educational design requirements of many of the buildings.
10. Increase District resiliency, protect and maximize the learning environment, and maximize energy and operational savings through a photovoltaic solar array and battery backup system.
11. Remove hazardous buildings and structures.

As shown in Table 1, the Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of building space, providing the MMHS campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space, including the existing Buildings A, B, and E that would remain. No changes to the existing football/track baseball or softball fields would occur except for the development of new

field houses and additional parking adjacent to the softball field.

<b>Table 1 - Summary of New Development</b>					
<b>Building</b>	<b>Status</b>	<b>Classroom</b>	<b>Lab</b>	<b>Square Footage</b>	<b>Maximum Height</b>
<b>Middle School Core</b>					
Building D: Gymnasium/ Fitness/ PE and Student Activities and Food Services	New	2	0	22,376	36 ft
<b>Middle School Core Subtotal</b>		<b>2</b>		<b>22,376</b>	
<b>High School Core</b>					
Building C: Classrooms, Student Support Services, Administrative and Campus Support	New	23	8	68,019	36 ft
Building J: Gymnasium/ PE	New	2	0	36,708	45 ft
<b>High School Core Subtotal</b>		<b>25</b>	<b>8</b>	<b>104,727</b>	
<b>Shared Amenities</b>					
Building I: Special Education and Campus Wellness Center	New	1	0	5,094	28 ft
Building H: Visual and Performing Arts (VAPA)	New	4	0	30,094	45 ft
Building L: Aquatics Center/Field House	New	0	0	9,249	28 ft
Building M: Upper Field House	New	0	0	2,055	28 ft
<b>Shared Amenities Subtotal</b>		<b>5</b>		<b>46,492</b>	
<b>Subtotal – New Development</b>		<b>32</b>	<b>8</b>	<b>173,595</b>	
<b>Existing Buildings A/B and E</b>					
Building A/B: Administration/Library	Existing	7	4	35,315	28 ft
Building E: Classroom Building	Existing	15	0	13,515	28 ft
<b>Subtotal - Existing Buildings</b>		<b>19</b>	<b>4</b>	<b>48,830</b>	
<b>Total</b>		<b>51</b>	<b>12</b>	<b>222,425</b>	

Source: SMMUSD 2021

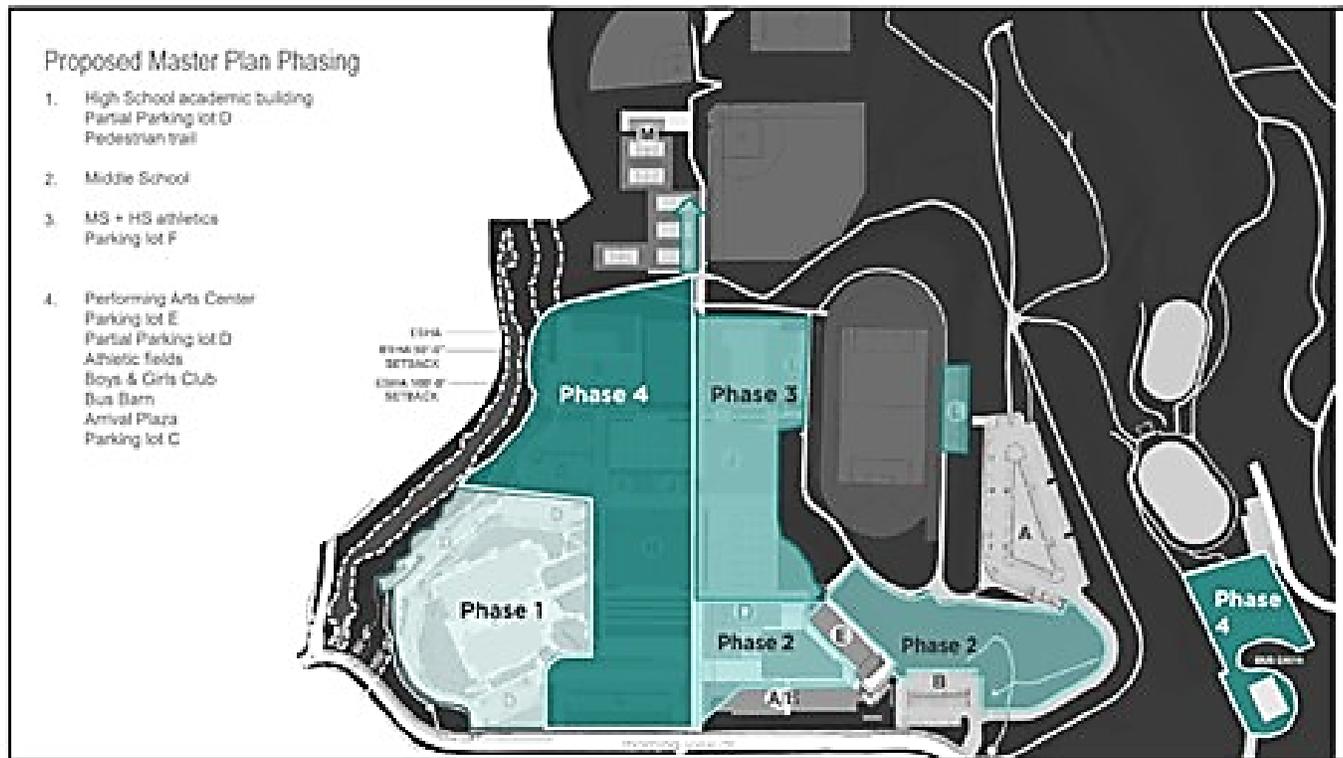
The buildout of the Specific Plan is shown in Figures 3 and 4 – Proposed Site and Phasing Plans, which are also included in the Draft MMHS Campus Specific Plan (Attachment 2).

**Figure 3 – Proposed Site Plan**



Source: MMHS Specific Plan

**Figure 4 – Proposed Phasing Plan**



Source: MMHS Specific Plan

The Specific Plan would be constructed in four phases:

Phase 1: Phase 1 would consist of the demolition of all existing former JCES campus buildings and portables P6 and P7 and construction of Building C, Parking Lot C, Parking D, and the Drop-off/Pick-up area Phase 1, which was anticipated to begin in Fall 2022 and be completed by Summer 2024. This timeline would be moved based on the date the CCC approves the Specific Plan.

Phase 2: Phase 2 would consist of the construction of Building D and the Middle School Quad. Phase 2 is anticipated to begin in Fall 2024 and be completed by Fall 2026, a new bond is required before subsequent phases can move forward.

Phase 3: Phase 3 would consist of the demolition of MMHS Buildings F, I; the existing field house; and the modular buildings adjacent to the existing pool, and the construction of Buildings J, L, and M and Parking Lots E and F. Phase 3 is anticipated to begin in Fall 2028 and be completed by Fall 2030.

Phase 4: Phase 4 would involve the demolition of MMHS Buildings K, J, J1; the pool and pool building; and Bus Barn, and the demolition and/or relocation of the Boys & Girls Club and construction of the new Buildings H and I. This phase would also require the demolition of the existing MMHS Building H. Phase 4 is anticipated to begin in Spring 2030 and be completed by summer 2031.

As noted previously, the Specific Plan proposes to change several development standards, including the ESHA setback, building height, signage, grading quantities and height of cut and fill. Once adopted, the standards in the Specific Plan would become the regulations against which later phases of the project would be reviewed by the City. It is important to note that the project is not requesting variances but rather creating new development standards unique to the Campus Plan. Currently, the development standards in the Institutional Zone are not specific to schools and do not address the needs of specific institutional uses such as large modern school campuses. An additional explanation of the proposed development standards can be found in Chapter 5 of the Specific Plan and are discussed below.

**Table 2 - Changes to Existing Development Standards**

	Specific Plan Specifications		Current LIP/ and MMC Requirements
Maximum Building Height <sup>1</sup>	Building J: Gym/PE	45 feet (with SPR approval)	LIP Section 3.9.A1a and MMC Section 17.40.110 A.1.a:  Structures shall not exceed a maximum height of 18 feet above natural or finished grade, except for chimneys, rooftop antenna, and light standards. The maximum height of the structure may be increased up to 28 feet for a flat or pitched roof if approved through a site plan review pursuant to LIP Section 13.27.
	Building H: Theater/ Performing Arts	45 feet (with SPR approval)	
	Building D:	36 feet (with SPR approval)	

**Table 2 - Changes to Existing Development Standards**

	Specific Plan Specifications		Current LIP/ and MMC Requirements
	Middle School Gym/MPR		
	Building C: High School Building	36 feet (Fume Hood 41 feet) (with SPR approval)	
Rooftop Equipment Height	Building C: High School Building	Science Labs require exhaust hoods with stacks placed at a minimum of 10 feet above the roof surface.	LIP Section 3.9A.1b and MMC Section 17.40.110 A.1.b:  Roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included) if approved through a site plan review pursuant to LIP Section 13.27.
	Building C: High School Building	Parapets and/or Guardrails that project up to 42 inches in height above the surface of the roof.	
Lighting	Nighttime pool lighting will be installed.		LIP Section 3.9.A1d and MMC Section 17.40.110 A.1.d:  Sports field lighting shall be limited to the main sports field at Malibu High School and subject to the standards of LIP Sections 4.6.2 and 6.5.G.
Signage	Two new 15-foot, 6-inch x 7-foot, 6-inch electronic marquee signs, with a 10 feet x 4 feet LED Display Screen. One sign each at the Middle and High schools.		LIP Section 3.15.3.J and MMC Section 17.52.040.J:  Except for those signs allowed under the provisions of LIP Section 3.15.4 (E), "Special permits," the following signs are prohibited:  Automatic changing signs or electronic message center signs, except for public service, time, and temperature
Setback	The Specific Plan will remove existing parking and drive aisles located near ESHA and will maintain a 50-foot buffer		LIP Section 4.6:  New development adjacent to the riparian habitats shall provide native vegetation buffer areas of no less than 100 feet to serve as transitional habitat and provide distance and physical barriers to human

**Table 2 - Changes to Existing Development Standards**

	Specific Plan Specifications	Current LIP/ and MMC Requirements
	from ESHA with the exception of a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations and parking. All new buildings will be set back 100-feet.	intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect. Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in LIP Sections 4.6.1 (E) or (F).
Maximum Grading Quantity	The Specific Plan, as shown in Table 11, will exceed the grading limitations.	LIP Section 8.3.B. and MMC Section 17.40.110 A.4.a:  Maximum Quantity of Grading. Notwithstanding any other provisions of the Malibu LIP, grading per lot of residential development, per acre of commercial development, or per acre of institutional development (total cut and fill) is limited to 1,000 cubic yards (per items a, b, c, and d).
Maximum Height of Cuts and Fills	Certain buildings may serve as a retaining wall.	LIP Section 8.3.C and MMC Section 17.40.110 A.4.b:  Maximum Height of Cuts and Fills with Retaining Walls. 6 feet in height for any one wall, or 12 feet for any combination of walls, where a minimum 3-foot separation exists between walls, except single cuts up to 12 feet in height which are an integral part of the structure are permitted. Retaining walls shall be designed with smooth, continuous lines that conform to the topography.

Development Standard Deviations and Analysis

The Specific Plan proposes to change the following existing development standards to accommodate the project:

Building Height

As noted in the Specific Plan, the modernization of the high school includes the creation of flexible and creative classroom spaces that are characterized by higher ceilings. The additional height requested provides room for improved ventilation, noise attenuation, and natural lighting. With higher interior ceilings, the exterior dimensions of the buildings are also higher. Generally, there are between 6 to 8 feet between the interior ceiling and the exterior roofline to provide for internal wiring, lighting, and ventilation. Ventilation equipment and other rooftop architectural features would extend above the roofline.

Moreover, the District has indicated that in order to meet the standards established by the District's Educational Specifications, the California Interscholastic Federation, the National Federation of State High School Association, Buildings D, C, H and J must be 36 feet on average, with the science lab hood ventilation equipment for the science classrooms extending to 41 feet. The gymnasium and theater buildings are proposed at a maximum height of 45 feet. These building heights would exceed the current maximum height of 28 feet required by the LCP and MMC. Consistent with current requirements, building heights would be measured from natural or finished grade, whichever produces the lowest building height.

Chapter 5 in the Specific Plan provides the following detailed reasons for the needed height increase.

- ***Building J:*** *Gymnasiums must meet the National Federation of State High School Associations (NFHS) minimum interior height requirement of 23 feet from floor to ceiling for California Interscholastic Federation (CIF) Volleyball, the Specific Plan plans for 25 feet for adequate tolerance in design and construction and an additional 10 feet for long-span structure and 5 feet for roof slope and parapet.*

The proposed 36-foot-tall high school gymnasium is sited where a 48-foot-tall gymnasium building currently exists. In order to comply the NFHS, the minimum ceiling height must be 25 feet, while CIF recommends a ceiling height of 30-feet for volleyball. The site cross-sections provided by SMMUSD (Attachment 3 – MMHS Campus Site Cross Sections) indicate the proposed building height is consistent with the existing bulk and massing of buildings on site. City staff has not reviewed the structural plans for the gymnasium building and therefore, we are not able to determine whether the roofing material, including parapet, can fit within a 3-foot vertical space in order for the building to maintain a height of 28 feet or at a minimum reduce the proposed height of 36-foot.

- ***Building H:*** *High School Performing Arts facilities require a vertical stage opening of 25 feet (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5 feet for roof slope and parapet. This equates to a total height of 45 feet, providing for the school to produce the types of theatrical performances expected in a high school theater curriculum.*

The proposed 40-foot-tall performing arts center is sited where a 34-foot-tall gymnasium building currently exists. The industry standard for theater design includes a ceiling height range from 25 feet to over 80 feet for theaters that include fly tower/loft. The site cross-sections provided by SMMUSD (Attachment 3 – MMHS Campus Site Cross Sections) indicate that although the proposed building would increase bulk and massing to this part of the campus, the development would be compatible with the existing development pattern.

- **Building D:** *The Middle School gymnasium and multipurpose room (MPR) must meet the National Federation of State High School Association, (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for competitive Volleyball, the Specific Plan plans for 24 feet for adequate tolerance in design and construction.*

The proposed 36-foot-tall middle school is sited in an area where the recently completed 28-foot-tall middle school building. The site cross-sections provided by SMMUSD (Attachment 3 - MMHS Campus Site Cross Sections) indicate that although the proposed building would increase bulk and massing to this part of the campus, the development would be compatible with the existing development pattern. Comments provided for Building J above also apply in that City staff has not fully explored other options for a lower gymnasium height.

- **Building C:** *High School Building north wing second floor contains high bay/high volume spaces to house educational uses. These high bay spaces are required to provide the students with adequate functioning spaces conducive to 21st Century learning as defined in the Campus Plan Education Specifications. The Student Union is programmed with a central space of 4,000 square feet. The interactive, collaborative nature of this space requires an appropriate high-volume ceiling. A high school library, based on the District's Educational specifications, requires a variety of spaces within the library, including a large 3,000 square feet area that can double as Staff Development space.*

Although the proposed high school classroom building results in increased bulk and massing compared to the former JCES buildings proposed for demolition, the modernization of the high school classrooms with flexible and creative spaces require an increased ceiling height. As discussed earlier, the additional height requested provides room for improved ventilation, noise attenuation, and natural lighting. The proposed high school building includes architectural articulation to break up the building's massing and bulk. Some or all of these design amenities can be compromised should the building height be required to comply with 28 feet.

- Required rooftop equipment will exceed the two-foot maximum height above the roof plane for the science lab exhaust hood, as required by the American National Standard for Laboratory Ventilation (ANSI) Z9.5 as well as the National Fire Protection Association Standard NFPA 45, Chapter 7, section 7.2.
- Parapets and or Guardrails will project up to 42 inches in height above the surface of the roof.

The roof top will be occupied by students to support outdoor learning, including visual observation of ESHA. With student access to the roof deck, higher parapets or Guards are required to be 42 inches minimum height per California Building

Code, Part 2, Volume 1, Chapter 10, section 1015. Alternatively, building roofs can be restricted from students and only made available to maintenance workers.

### Lighting

According to SMMUSD, the pool lighting will be installed to meet the requirements of a Class II facility as identified by the Illuminating Engineering Society of North America (IESNA) (10th ed.), where lighting should be a minimum of 50 foot-candles over the pool and 20 foot-candles over the deck, as measured at the water level. Consistent with IESNA recommendations, lighting would also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). When the pool is not in use, accessible paths, including along the pool deck, would be lit with a minimum of 2 foot-candles until lights are turned off campus-wide. By meeting these standards, the pool lighting would also meet the requirements of California Building Code § 3115B.1

As stated earlier, Staff is recommending a revision to the draft Specific Plan which would require the pool lighting to be consistent with the Dark Sky Ordinance or require a site plan review approval from the Planning Commission pursuant to MMC Section 17.41.070 if it is demonstrated that compliance is not possible due to safety regulations.

### Signage

The LCP and MMC currently prohibit the use of EMC signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs. The EMC signs for MMHS, which are typical for institutional uses, are requested by the District to improve communications with the Students/Community. EMC signs serve a multitude of communication needs including emergency and safety communications.

### ESHA Setback

The current District development including the vacated JCES, District Bus Barn facilities, parking lots, drive aisles and fencing site structures extend up to the edge of the ESHA and in some instances into the ESHA, with no setback.

All new buildings would maintain the required 100-foot ESHA buffer. The Specific Plan proposes a 50-foot ESHA buffer for the construction of a pedestrian path, elevated outdoor learning spaces, and permeable paved parking areas. SMMUSD has explored alternatives to siting the proposed parking area beyond the required 100-foot ESHA setback and found that the required fire department access and service road that runs down the middle of the campus and the need for the existing school buildings to remain operable during the implementation of the Specific Plan limits the location for parking areas to be sited.

To mitigate these impacts, the project includes a phased restoration plan for the ESHA within the District's property. The restoration plan would include removing of all hardscape

within the proposed 100-foot buffer of the ESHA boundary. The District would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the proposed 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18 in the Specific Plan.

During Phase 1 of the Specific Plan, demolition of the hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock, and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1 of the project, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connected to existing trails on the campus.

Each phase of the Specific Plan would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acre of hardscape and structures.

A proposed trail outside of the 50-foot ESHA buffer creates accessible pedestrian access from Morning View Drive along the restored upland ESHA and the campus beyond. The trail is proposed to be decomposed granite paving, which is composed of natural, locally sourced, and permeable materials. The trail would connect users to outdoor education overlooks, small areas located for their views into the ESHA. These areas may include relevant interpretive signage dependent on the location.

The 100-foot ESHA buffer is anticipated to contain large areas of restored native landscape, after the removal of existing asphalt and lawn. It will also contain a small amount of vehicular circulation, which includes required fire access, and parking. The parking areas are proposed to be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems are also proposed below

the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. These systems not only provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

### Grading (Quantities and Height of Cut and Fill)

The LIP limits grading per acre of institutional development (total cut and fill) to 1,000 cubic yards per acre of institutional development and the maximum height of cuts and fills with retaining walls to 6 feet in height for each wall, or 12 feet for any combination of walls, where a minimum 3-foot separation exists between walls, except single cuts up to 12 feet in height which are an integral part of the structure are permitted.

The campus has varied topography within which several large buildings and plazas will be developed. To meet student safety and accessibility requirements, the buildings and areas surrounding them need to be as even as possible minimizing ramps, stairs, and abrupt elevation changes. This will result in site grading and a change in the topography to accommodate the buildings. In some cases, the existing grade is such that entry will occur at one level and exit at a different level.

The Specific Plan provides for the grading allowed for Phase 1 and the maximum cut and fill grading quantities for all other phases which would be considered as part of the development review process for the subsequent CDPs. After further analysis for the projected grading for all four phases of the Specific Plan, Staff believes that since the redevelopment occurs in areas where the existing building pads are nearly level, buildout of the Specific Plan will likely comply with current grading standards. Accordingly, staff recommends this development standard be removed from the Specific Plan.

The draft Specific plan also includes a request for the maximum height of cut and fill to be allowed to exceed 12 feet for buildings that will serve as retaining walls. The maximum 12-foot height for cut and fill applies to those areas where retaining walls are required and is not applicable to buildings. Accordingly, staff recommends this development standard be removed from the Specific Plan.

### Solar Panel System

The District is proposing, as part of the Specific Plan, a ground-mount photovoltaic (PV) solar array system. The solar array would be treated to reduce glare and have battery storage and an energy control center. The District has indicated a solar panel system is needed to protect the learning environment, and maximize energy and operational savings. Like the rest of the City, the MMHS Campus is located in a very high fire hazard severity zone (VHFHSZ) with increased severity of wildfire risks in recent years. Mandated public safety utility shutdowns have led to approximately 20 days of lost instruction at the MMHS Campus. In addition, the cost of utility provision continues to rise in California.

The proposed solar panel system includes an approximately 422 kilowatt (KW) PV system that would be installed on the sloping hillside to the south of the existing Lot A and the Main Sports Field and to the north/northwest of the new Middle School Building E (core classrooms building). A 500 KW/1,000 KW hour battery storage system would be installed. The existing approximately 118 KW of PV located on the newly constructed Building A/B would connect with the larger system. The solar panel system as shown in Figure 21 in the Specific Plan, would be installed as part of Phase 2.

The purpose of the Specific Plan is to establish modified development standards for the implementation of the Campus Plan. Since the installation of the solar panel system doesn't appear to require modified development standards, Staff recommends the removal of the solar panel discussion from the list of modified development standards.

## **5. Proposed Legislative Amendment Findings**

### Specific Plan Findings.

*Finding A. The proposed MMHS Campus Specific Plan is consistent with and implements the following General Plan policies, objectives, and implementation measures:*

**LU Policy 1.1.1:** The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.

**Consistent.** Implementation of the MMHS Campus Specific Plan would not result in a new land use onsite that would be incompatible with the natural environment. Instead, the MMHS Campus Specific Plan would redevelop and modernize the existing MMHS campus and former JCES campus to provide increased resources for the campus.

As discussed earlier, the existing MMHS campus includes structures that extend up to the edge of the ESHA and in some instances into the ESHA, with no setback. The Campus Plan includes removal of development within the ESHA and ESHA buffer and construction of new buildings that would maintain the required 100-foot ESHA buffer. The Specific Plan proposes a 50-foot ESHA buffer for the construction of a pedestrian path, elevated outdoor learning spaces, and permeable paved parking areas. To mitigate these impacts, the project includes a phased restoration plan for the ESHA within the District's property.

The restoration plan would include removal of all hardscape within the proposed 100-foot buffer of the ESHA boundary. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18 in the Specific Plan.

**LU Policy 1.1.4:** The City shall preserve the City's rural residential character.

**Consistent.** Implementation of the MMHS Campus Specific Plan would redevelop and modernize buildings within an existing school site. The institutional land use would remain the same. The MMHS Campus Specific Plan would not impede upon the surrounding rural residential character. The MMHS Campus Specific Plan's lighting program would be consistent with the existing lighting program on the MMHS campus and the City of Malibu's Dark Sky Ordinance. All campus lighting would be designed to provide for the security and safety of students, staff, and visitors.

As proposed, the Campus Plan will maintain the terraced development pattern that is consistent with the existing topography, thereby preserving the rural character of the area.

**LU Policy 1.2.1:** The City shall prohibit development in Environmentally Sensitive Habitat Areas (ESHA) unless no feasible alternative is available.

**Consistent.** The MMHS Campus Specific Plan proposes to remove existing parking and drive aisles and maintain a 100-foot buffer from ESHA except for a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations, permeable parking areas, and fuel modification. Therefore, no development would occur in the ESHA.

**LU Policy 1.4.1:** The City shall preserve significant ridgelines and other significant topographic features (such as canyons, knolls, hills, and promontories).

**Consistent.** The MMHS campus is set amongst rolling hills and its buildings and athletic fields are terraced into its hillside setting. The existing topography of the site would be maintained, and no significant topographic features would be altered because of the Specific Plan's implementation.

**LU Policy 2.1.4:** The City shall require development to be landscaped so that the project blends in with the environment and neighborhood.

**Consistent.** The MMHS Campus Specific Plan is a redevelopment and modernization of an existing public educational use. New development would be designed and landscaped in a manner that preserves the existing topography, incorporates sustainable building practices, maintains open spaces, and reflects the rural community character of Malibu. Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas.

**LU Policy 2.2.1:** The City shall require adequate infrastructure, including but not limited to roads, water, and wastewater disposal capacity, as a condition of proposed development.

**Consistent.** The MMHS Campus Specific Plan will include adequate infrastructure to serve the Malibu Middle and High School Campus. The future on-site utilities would connect to existing facilities serving the site. The MMHS Campus Specific Plan

modifications to the wastewater and drainage system will adequately serve the Malibu Middle and High School Campus.

**LU Policy 2.3.1:** The City shall protect and preserve the unique character of Malibu's many distinct neighborhoods.

**Consistent.** Implementation of the MMHS Campus Specific Plan would modernize and renovate buildings within an existing school site. The MMHS Campus Specific Plan is consistent with similar modern school facilities and the design limits its scale and massing to blend with the surrounding topography and buildings.

The existing MMHS Campus is on several split-level building pads to retain the natural topography of the area. The distribution of existing development along the hillside and complementary design elements, such as brick façades and blue trims and accents, coupled with vegetation contribute to a high visual quality on and around the Project Site. Development on campus is most visible from Morning View Drive, where the main entrance to campus is located. As such, changes in the visual character of the campus would be most evident from the perspective of Morning View Drive. Views of the campus from other nearby vantage points consist primarily of building outlines and rooftops.

The redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would conform to the slopes and would be terraced like the existing topography, while integrating the buildings with the landscape.

**LU Policy 2.4.6:** The City shall avoid improvements which create a suburban atmosphere such as sidewalks and streetlights.

**Consistent.** The MMHS Campus Specific Plan would not create new sidewalks. However, the MMHS Campus Specific Plan would include lighting on the existing and new campus parking lots, pedestrian pathways, pool lighting, and other nighttime security- and safety-required lighting, consistent with existing conditions. Pool lighting would be regulated by the requirements of California Building Code (CBC) Section 3115B.1, requiring sufficient illumination that lifeguards have direct view of all areas of the pool surface and diving appurtenances. The MMHS Campus Specific Plan's lighting program would be consistent with the City of Malibu's Dark Sky Ordinance. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

*Finding B. The MMHS Campus Specific Plan will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood.*

The Specific Plan will 1) create unique and separate identities for the Malibu Middle and High School campuses which will advance educational facilities to support 21<sup>st</sup> Century learning; 2) improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses; 3) provide enhanced, modern, and functional support spaces, such as libraries, cafeterias, labs, maker spaces, and other student services, that promote whole child development; 4) improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement; 5) Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and 6) respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.

#### Local Coastal Program Amendment Findings.

A. The amendments to the LCP meet the requirements of, and are in conformance with the goals, objectives and purposes of the LCP. Development standards specific to the Malibu Middle and High School Campus ensure that development of the school campus will allow for the modernization of the school while maintaining standards to require that uses within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources.

B. As a part of the LIP, the MMHS Campus Specific Plan ensures that future development projects and land uses within the Specific Plan conform to applicable LCP policies, goals, and provisions, while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for the build out of the MMHS Campus achieves LIP Sections 1.2(D) and (G) (guides future growth and development), LIP Section 1.2(F) (promotes public health, safety, and general welfare), and LIP Section 1.2(K) (assures adequate public uses, facilities, and improvements).

#### General Plan Map Amendment Findings

A. The subject General Plan Map Amendment will make the land use designation for the subject property consistent with the LCP Land Use Map as adopted with the MMHS Specific Plan.

#### Zoning Text/Map Amendment Findings.

A. The subject zoning text and map amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu's natural and cultural resources.

B. The Planning Commission finds that the subject zoning text and map amendments are in compliance with the City of Malibu General Plan, MMC and the LCP.

## **6. Environmental Review (EIR and ERB)**

Acting as the lead agency in accordance with CEQA and CEQA Guidelines Section 15051, on January 26, 2022, the District Board adopted a Final EIR for the project (State Clearinghouse No. 202008350). A Draft EIR was prepared for the project to assess potential environmental impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the project, as required by CEQA. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on September 9, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potential significant environmental impacts that would result from the project; however, the Board found that the inclusion of certain mitigation measures as part of the project approval would reduce most potentially-significant impacts to a less-than-significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the project and included in the Final EIR. The EIR identified significant and unavoidable impacts with respect to Lighting and Construction Noise. Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the project, including the specific economic, legal, social, and technological benefits, against the unavoidable lighting and construction noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Board acting as lead agency for the project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for Specific Plan the City will consider the Final EIR prior to acting upon or approving the project and will have to certify that the information contained in the EIR is adequate for such approval. Otherwise, the City may consider a method of relief pursuant to CEQA Guidelines Section 15096(e) if the City finds that the EIR is not adequate for use by the responsible agency (City).

CEQA Guidelines Section 15096(e) states:

(e) Decision on Adequacy of EIR or Negative Declaration. If a responsible agency believes that the final EIR or negative declaration prepared by the lead agency is not adequate for use by the responsible agency, the responsible agency must either:

(1) Take the issue to court within 30 days after the lead agency files a notice of determination;

- (2) Be deemed to have waived any objection to the adequacy of the EIR or negative declaration;
- (3) Prepare a subsequent EIR if permissible under Section 15162; or
- (4) Assume the lead agency role as provided in Section 15052(a)(3).

On September 19, 2019, the City accepted the District as the lead agency pursuant to CEQA Guidelines §15051 for the project and the City confirmed its role as a responsible agency. On January 27, 2022, a Notice of Decision for the Final EIR was filed by the District with the State Clearinghouse (No. 202008350).

### Final EIR Summary – Significant and Unavoidable Impacts

A summary of all environmental issues studied in the Final EIR and their identified level of significance is included as Attachment 4. The MMRP associated with the Final EIR will be part of the conditions of approval and are included in Exhibit A to Planning Commission Resolution No. 22-40 (Attachment 1).

The project would cause one unavoidable significant impact to construction noise. Although mitigation measures would be implemented to lessen the impacts, there are no other feasible mitigation measures available to reduce the noise impacts to less significant impacts. As a result, the Planning Commission may consider recommending that the City Council certify the adequacy of the Final EIR and adopt a Statement of Overriding Considerations, explaining that certain economic, legal, social, technological, or other benefits of the project outweigh the unavoidable significant environmental impacts, which make them nonetheless acceptable. The project will provide many generations of students with safe and secure facilities that maximize their learning environment. This long-term social benefit outweighs the significant, unavoidable impacts related to construction noise. These noise impacts would only occur during the construction of each of the phases.

#### **Noise**

**Impact 5.11-1** Construction-related activities would result in temporary noise increases in the vicinity of the project in excess of established standards.

Potential noise impacts during construction to on- and off-site sensitive receptors would be reduced to the extent feasible. Specifically, the effective use of temporary noise barriers, as required under Mitigation Measure N-1, can achieve up to 15 dBA of noise reduction when breaking the line-of-sight between the construction site and the receptor (Bies et al. 2017). Implementation of Mitigation Measure N-1 would ensure that interior noise levels in classrooms do not exceed 50 dBA Leq.

During Phase 1, with the installation of temporary noise barriers along the southern boundary of the phase area adjacent to Morning View Drive, construction noise would be reduced to approximately 70 dBA Leq, which would be below the threshold of 80 dBA Leq. Although project-level details for Phases 2 through 4 are not known at this time, Mitigation Measure N-1 would ensure that temporary noise barriers are erected when construction

activities would be within the screening distance of 100 feet from the sensitive receptor property line.

Due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction. Therefore, the use of temporary noise barriers would not be as effective in reducing construction noise. Also, because of the anticipated construction duration over multiple years for full buildout, construction noise impacts associated with the implementation of the project are considered significant and unavoidable for off-site receptors.

Pursuant to CEQA Guidelines Section 15096(g)(2), within its powers as the recommending body for the subject MMHS Campus Specific Plan, the Planning Commission finds that there are no feasible alternatives or feasible mitigation measures that would substantially reduce the project's impacts on resource areas identified in the EIR. Pursuant to CEQA Guidelines section 15096(h), the Planning Commission finds that the CEQA Findings of Fact, prepared by the District's environmental consultant, attached as Exhibit B, are the findings of the Planning Commission. If the Commission determined the three findings below can be made, the Commission may recommend certifying the adequacy of the FEIR to the City Council.

The required findings are:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the Planning Commission, and the Commission has reviewed and considered the information in the Final EIR prior to making its recommendation on the project.
3. The Final EIR reflects the City's independent judgment and analysis.

The Planning Commission may recommend that the City Council certify the adequacy of the Final EIR, with the Findings of Fact in support of findings and adopt the Statement of Overriding Considerations and the MMRP, as discussed in Resolution No. 22-40.

### Environmental Review Board (ERB)

Pursuant to LUP Policy 5.5, the Planning Director determined that the project required review by the ERB due to the project's proximity to ESHA. ERB's recommendations are summarized below, followed by the course of action taken.

1. *Planted infiltration areas (rain gardens) around the portions of the parking areas between the proposed parking areas and the 50-foot stream buffer to reduce runoff to the stream and Zuma Beach, which is an Area of Special Biological Significance (ASBS) should be considered.*

A modular suspended pavement system is proposed for the parking areas adjacent to ESHA to manage stormwater runoff. Similar to a rain garden or biofiltration planting areas,

this system captures stormwater runoff and provides storage and filtration capability. It is used in conjunction with permeable pavement and tree planting areas that capture runoff. The result is a stormwater management system above and below grade that also promotes healthy root growth for parking lot shade trees. A condition of approval to this effect will be included in the required CDP for Phases 1 and 4.

2. *Before the demolition of the existing Bus Barn as part of Phase 4, landscape contours should be assessed to consider the potential for toxic runoff and/or flooding due to the low elevation of the drainage area.*

The District has agreed to assess the landscape contours carefully during the demolition phases to ensure that excess erosion does not occur. A condition of approval to this effect will be included in the required CDP for Phase 4.

3. *The boundary of the restoration plan should be modified to remove encroachment into Zone B of the required fuel modification plan.*

SMMUSD continues to work with the LACFD to achieve compliance with the applicable fire code regulations. If the project requires fuel modification, as currently designed, the ESHA restoration plan will be modified to remove encroachment into Zone B.

4. *The request to deviate from the Malibu Dark Sky Ordinance should be denied until Phase 3 when Santa Monica-Malibu Unified School District (SMMUSD) has had an opportunity to design the pool lighting to comply with the current code.*

Despite concerns raised by City staff and the ERB, SMMUSD insists that the Specific Plan allow pool lighting to exceed the illumination threshold established by the Malibu Dark Sky Ordinance because it will streamline the permitting process in the event that compliant pool lighting technology is unavailable. As stated previously, staff recommends that the pool lighting be designed to comply with the Dark Sky Ordinance and an SPR be used to seek for deviations should it be determined later that compliance is not feasible due to safety standards.

CORRESPONDENCE: Past correspondence on the project was submitted in reference to the project's EIR and was incorporated into the project's Draft and Final EIRs. Staff has received letters of opposition to the construction of Parking F, citing concerns about potential noise, lighting, and circulation impacts (Attachment 5).

Staff also received comments regarding concerns about unpermitted tilling within the blueline stream on SMMUSD-owned property (APN: 4469-017-900). According to SMMUSD, the work performed was part of recurring fuel modification authorized in a CCC-issued CDP. To date, Staff has not been able to confirm the CCC authorization for this work to occur and continues to work with SMMUSD to ensure compliance with the LCP and MMC.

PUBLIC NOTICE: On May 5, 2022, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 1000-foot radius of the subject property, all interested parties on file for this project, and all homeowners/property owners' associations, on file with the City of Malibu Planning Department, in the City (Attachment 6).

CONCLUSION: Staff recommends that the Planning Commission provide feedback to the City Council regarding the proposed project and considers the adoption of Planning Commission Resolution No. 22-40 (Attachment 1) for a recommendation to the City Council to certify the Final EIR (SCH No. 202008350), Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations and adopt LCPA No. 21-002, GPMA No. 21-002, ZMA No. 22-001, and ZTA No. 21-002, approving the MMHS Campus Specific Plan and adding the MMHS Campus Specific Plan to the LCP and MMC.

ATTACHMENTS:

1. Planning Commission Resolution No. 22-40  
Exhibit A (Mitigation and Monitoring Reporting Program)  
Exhibit B (CEQA Findings of Fact and Statement of Overriding Considerations)  
Exhibit C (Proposed Local Coastal Program No. 21-002)  
Exhibit D (Proposed Zoning Text Amendment No. 22-002)
2. Applicant's Draft MMHS Specific Plan, date January 2022
3. MMHS Campus Site Cross SectionsA
4. Summary of Final EIR Conclusions
5. Correspondence
6. Public Hearing Notice

The complete EIR and Statement of Overriding Considerations for the Malibu Middle and High School Specific Plan are available on the City's website at <https://www.malibucity.org/397/Malibu-Middle-High-School-Improvements>

CITY OF MALIBU PLANNING COMMISSION  
RESOLUTION NO. 22-40

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU MAKING A RECOMMENDATION TO THE CITY COUNCIL ON THE ADEQUACY OF THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 202008350), THE MITIGATION MONITORING AND REPORTING PROGRAM, AND THE STATEMENT OF OVERRIDING CONSIDERATIONS; AND LOCAL COASTAL PROGRAM AMENDMENT NO. 21-002 ADDING THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN TO THE LOCAL COASTAL PROGRAM AND COROLLARY AMENDMENTS INCLUDING GENERAL PLAN MAP AMENDMENT NO. 21-002, ZONING MAP AMENDMENT NO. 22-001, AND ZONING TEXT AMENDMENT NO. 22-002 (SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT)

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

Section 1. Recitals.

A. On August 20, 2020, the Santa Monica-Malibu Unified School District (SMMUSD) issued a Notice of Preparation of a Draft Environmental Impact Report (EIR) and the Proposed Project's Initial Study (IS) for public review and comment. The comment period ended on September 21, 2020.

B. On September 9, 2020, SMMUSD held a public scoping meeting.

C. On October 15, 2021, SMMUSD issued a Notice of Availability and the Proposed Project's Draft EIR for public review and comment. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and ended on November 29, 2021.

D. On November 2, 2021, SMMUSD staff conducted a community presentation on the Project and Draft EIR.

E. On December 28, 2021, the response to comments on the Draft EIR was circulated to all of those who submitted comments.

F. On January 26, 2022, SMMUSD certified the Final EIR.

G. On December 21, 2021, the SMMUSD submitted an application for a specific plan for the Malibu Middle and High School Campus along with a coastal development permit for Phase 1 of the Specific Plan, which includes abatement and demolition of the school facilities associated with the former Juan Cabrillo Elementary School (JCES), construction of a new two-story high school building, a lot merger, new parking areas, Environmentally Sensitive Habitat Area (ESHA) restoration, and associated development.

H. In April 2022, SMMUSD expressed a concern that the timing to address the incomplete items in the pending Coastal Development Permit (CDP) application for Phase 1 was taking longer than anticipated and the additional processing time required by the California Coastal Commission (CCC) to certify the Local Coastal Program Amendment (LCPA) could jeopardize the campus plan implementation. At SMMUSD's request, City staff agreed to allow the draft

Specific Plan and the associated legislative entitlements to proceed through the City's public hearing process in advance of the CDP application.

I. On May 5, 2022, the project Environmental Review Board (ERB) reviewed the proposed project and made recommendations. Staff recommends all feasible recommendations be incorporated into the final project.

J. On May 5, 2022, a Notice of Availability of Local Coastal Program (LCP) Documents and a Notice of Planning Commission Public Hearing were published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

K. On May 31, 2022, the Planning Commission held a duly noticed public hearing on the Final EIR, LCPA No. 21-002, General Plan Map Amendment (GPMA) No. 21-002, Zoning Map Amendment (ZMA) No. 22-001, and Zoning Text Amendment (ZTA) No. 22-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

## Section 2. Environmental Review.

Acting as the lead agency in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15051, on January 26, 2022, the District Board adopted a Final EIR for the project (State Clearinghouse No. 202008350). A Draft EIR was prepared for the project to assess potential environmental impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the project, as required by CEQA. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on September 9, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potential significant environmental impacts that would result from the project; however, the Board found that the inclusion of certain mitigation measures as part of the project approval would reduce most potentially-significant impacts to a less than significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the project and included in the Final EIR. The EIR identified significant and unavoidable impacts with respect to Lighting and Construction Noise. Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the project, including the specific economic, legal, social, and technological benefits, against the unavoidable lighting and construction noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Board acting as lead agency for the project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for Specific Plan the City will consider the Final EIR prior to acting upon or approving the project and will have to certify that the information contained in the EIR is adequate for such approval. Otherwise, the City may consider a method of relief pursuant to CEQA Guidelines Section 15096(e) if the City finds that the EIR is not adequate for use by the responsible agency (City).

On September 19, 2019, the City accepted the District as the lead agency pursuant to CEQA Guidelines §15051 for the project and the City confirmed its role as a responsible agency. On January 27, 2022, a Notice of Decision for the Final EIR was filed by the District with the State Clearinghouse (No. 202008350).

Section 3. Adoption of CEQA findings.

Pursuant to CEQA Guidelines Section 15096(g)(2), within its powers as the recommending body for the subject MMHS Campus Specific Plan, the Planning Commission finds that there are feasible alternatives and feasible mitigation measures (Exhibit A – Mitigation Monitoring and Report Program) that would substantially reduce the project's impacts on resource areas identified in the EIR. Pursuant to CEQA Guidelines section 15096(h), the Planning Commission finds that the CEQA Findings of Fact, prepared by the District's environmental consultant, attached as Exhibit B, are the findings of the Planning Commission.

Section 4. Statement of Overriding Considerations.

The Planning Commission has: (i) independently reviewed the information in the final EIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the project to the extent feasible by adopting Mitigation Measures in the EIR as conditions of approval; and (iii) balanced the project's benefits against the project's significant unavoidable lighting and construction noise impacts.

The Planning Commission finds that each of the following benefits is an overriding consideration independent of other benefits, which warrants approval of the project notwithstanding the project's significant and unavoidable construction noise impacts, but does not find significant and unavoidable aesthetic impacts related to pool lighting. The Planning Commission finds that specific economic, social, or other considerations make infeasible additional mitigation and, pursuant to Public Resource Section (PRC) Section 21081(a)(3), hereby recommends that the City Council adopt a Statement of Overriding Considerations for this impact which it determines as acceptable. The proposed project will provide many generations of students with safe and secure facilities that maximize their learning environment. Any one or a combination of the specific community benefits from the adoption of the MMHS Campus Specific Plan and related CDP would outweigh the unavoidable environmental impacts:

1. The project represents an improvement to an existing school and would reorganize open space and foster intercampus circulation; improve access, circulation, and drop-off and pick-up, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and remove hazardous buildings and structures.
2. The project will create unique and separate identities for the Malibu Middle School and Malibu High School campuses.
3. The project will improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.

## Section 5. Specific Plan Findings.

*Finding A. The proposed MMHS Campus Specific Plan is consistent with and implements the following General Plan policies, objectives, and implementation measures:*

**LU Policy 1.1.1:** The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.

**Consistent.** Implementation of the MMHS Campus Specific Plan would not result in a new land use onsite that would be incompatible with the natural environment. Instead, the MMHS Campus Specific Plan would redevelop and modernize the existing MMHS campus and former JCES campus to provide increased resources for the campus.

As discussed earlier, the existing MMHS campus includes structures that extend up to the edge of the ESHA and in some instances into the ESHA, with no setback. The Campus Plan includes removal of development within the ESHA and ESHA buffer and construction of new buildings that would maintain the required 100-foot ESHA buffer. The Specific Plan proposes a 50-foot ESHA buffer for the construction of a pedestrian path, elevated outdoor learning spaces, and permeable paved parking areas. To mitigate these impacts, the project includes a phased restoration plan for the ESHA within the District's property.

The restoration plan would include removal of all hardscape within the proposed 100-foot buffer of the ESHA boundary. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18 in the Specific Plan.

**LU Policy 1.1.4:** The City shall preserve the City's rural residential character.

**Consistent.** Implementation of the MMHS Campus Specific Plan would redevelop and modernize buildings within an existing school site. The institutional land use would remain the same. The MMHS Campus Specific Plan would not impede upon the surrounding rural residential character. The MMHS Campus Specific Plan's lighting program would be consistent with the existing lighting program on the MMHS campus and the City of Malibu's Dark Sky Ordinance. All campus lighting would be designed to provide for the security and safety of students, staff, and visitors.

As proposed, the Campus Plan will maintain the terraced development pattern that is consistent with the existing topography, thereby preserving the rural character of the area.

**LU Policy 1.2.1:** The City shall prohibit development in Environmentally Sensitive Habitat Areas (ESHA) unless no feasible alternative is available.

**Consistent.** The MMHS Campus Specific Plan proposes to remove existing parking and drive aisles and maintain a 100-foot buffer from ESHA except for a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations, permeable parking areas, and fuel modification. Therefore, no development would occur in the ESHA.

**LU Policy 1.4.1:** The City shall preserve significant ridgelines and other significant topographic features (such as canyons, knolls, hills, and promontories).

**Consistent.** The MMHS campus is set amongst rolling hills and its buildings and athletic fields are terraced into its hillside setting. The existing topography of the site would be maintained, and no significant topographic features would be altered because of the Specific Plan's implementation.

**LU Policy 2.1.4:** The City shall require development to be landscaped so that the project blends in with the environment and neighborhood.

**Consistent.** The MMHS Campus Specific Plan is a redevelopment and modernization of an existing public educational use. New development would be designed and landscaped in a manner that preserves the existing topography, incorporates sustainable building practices, maintains open spaces, and reflects the rural community character of Malibu. Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas.

**LU Policy 2.2.1:** The City shall require adequate infrastructure, including but not limited to roads, water, and wastewater disposal capacity, as a condition of proposed development.

**Consistent.** The MMHS Campus Specific Plan will include adequate infrastructure to serve the Malibu Middle and High School Campus. The future on-site utilities would connect to existing facilities serving the site. The MMHS Campus Specific Plan modifications to the wastewater and drainage system will adequately serve the Malibu Middle and High School Campus.

**LU Policy 2.3.1:** The City shall protect and preserve the unique character of Malibu's many distinct neighborhoods.

**Consistent.** Implementation of the MMHS Campus Specific Plan would modernize and renovate buildings within an existing school site. The MMHS Campus Specific Plan is consistent with similar modern school facilities and the design limits its scale and massing to blend with the surrounding topography and buildings.

The existing MMHS Campus is on several split-level building pads to retain the natural topography of the area. The distribution of existing development along the hillside and complementary design elements, such as brick façades and blue trims and accents, coupled with vegetation contribute to a high visual quality on and around the Project Site. Development on campus is most visible from Morning View Drive, where the main entrance to campus is located. As such, changes in the visual character of the campus would be most evident from the perspective of Morning View Drive. Views of the campus from other nearby vantage points consist primarily of building outlines and rooftops.

The redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would conform to the slopes and would be terraced like the existing topography, while integrating the buildings with the landscape.

**LU Policy 2.4.6:** The City shall avoid improvements which create a suburban atmosphere such as sidewalks and streetlights.

**Consistent.** The MMHS Campus Specific Plan would not create new sidewalks. However, the MMHS Campus Specific Plan would include lighting on the existing and new campus parking lots, pedestrian pathways, pool lighting, and other nighttime security- and safety-required lighting, consistent with existing conditions. Pool lighting would be regulated by the requirements of

California Building Code (CBC) Section 3115B.1, requiring sufficient illumination that lifeguards have direct view of all areas of the pool surface and diving appurtenances. The MMHS Campus Specific Plan's lighting program would be consistent with the City of Malibu's Dark Sky Ordinance. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

*Finding B. The MMHS Campus Specific Plan will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood.*

The Specific Plan will 1) create unique and separate identities for the Malibu Middle and High School campuses which will advance educational facilities to support 21<sup>st</sup> Century learning; 2) improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses; 3) provide enhanced, modern, and functional support spaces, such as libraries, cafeterias, labs, maker spaces, and other student services, that promote whole child development; 4) improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement; 5) Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and 6) respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.

#### Section 6. Local Coastal Program Amendment Findings.

LCPA No. 21-002 will 1) add Section 3.4.6 to LIP Section 3.4 to incorporate the MMHS Campus Specific Plan into the LIP, 2) exempt the MMHS from the prohibition of EMC signs required by LIP Section 3.15.3, 3) amend LCP Map No. 2 to add a boundary line around the MMHS Campus Specific Plan area, and 4) amend the LCP Land Use Plan (LUP) to add the following new ESHA policy. The full text of the amendments is attached hereto as Exhibit C.

Based on evidence in the whole record, the Planning Commission hereby finds that the proposed amendment meets the requirements of and is in conformance with the policies and requirements of Chapter 3 of the California Coastal Act.

A. The amendments to the LCP meet the requirements of, and are in conformance with the goals, objectives and purposes of the LCP. Development standards specific to the Malibu Middle and High School Campus ensure that development of the school campus will allow for the modernization of the school while maintaining standards to require that uses within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources.

B. As a part of the LIP, the MMHS Campus Specific Plan ensures that future development projects and land uses within the Specific Plan conform to applicable LCP policies, goals, and provisions, while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for the build out of the MMHs Campus achieves LIP Sections 1.2(D) and (G) (guides future growth and development), LIP Section 1.2(F) (promotes public health, safety, and general welfare), and LIP Section 1.2(K) (assures adequate public uses, facilities, and improvements).

#### Section 7. General Plan Map Amendment Findings.

Planning Commission hereby makes the following finding and recommends to the City Council that GPMA No. 21-002 to amend the General Plan Land Use Policy Map, Section 3, to add the Specific Plan land use designation on the MMHS property be approved.

A. The subject General Plan Map Amendment will make the land use designation for the subject property consistent with the LCP Land Use Map as adopted with the MMHS Specific Plan.

Section 8. Zoning Text/Map Amendment Findings.

Pursuant to MMC Section 17.74.040, the Planning Commission hereby makes the following findings and recommends to the City Council that ZMA No. 22-001 and ZTA 22-002 to 1) amend Section 17.42.020 in the MMC to add a new “M.” to incorporate the MMHS Campus Specific Plan into the MMC consistent with the proposed LCPA language, 2) exempt the MMHS from the prohibition of EMC signs required by MMC Section 17.52.040, and 3) amend the Zoning Map to add a boundary line around the MMHS property denoting the boundaries of the MMHS Campus Specific Plan be approved. The full text of the amendments is attached hereto as Exhibit D.

A. The subject zoning text and map amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu’s natural and cultural resources.

B. The Planning Commission held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan, Malibu Municipal Code and the Malibu Local Coastal Program, and finds that the zoning text amendment is consistent and recommends approval.

Section 9. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby recommends the City Council certify the adequacy of Environmental Impact Report (State Clearinghouse No. 2020080350), adopt the Mitigation Monitoring and Reporting Program, and adopt the Findings of Fact required by the California Environmental Quality Act and approval of LCPA No. 21-002, GPMA No. 21-002, ZMA No. 22-001, and ZTA No. 21-002 to implement MMHS Campus Specific Plan.

Section 10. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 31<sup>st</sup> day of May, 2022.

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DENNIS SMITH, Planning Commission Vice Chair

ATTEST:

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REBECCA EVANS, Recording Secretary

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 22-40 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 31<sup>st</sup> day of May 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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REBECCA EVANS, Recording Secretary

Exhibit A:	Mitigation Monitoring and Reporting Program
Exhibit B:	Findings of Fact/Statement of Overriding Considerations
Exhibit C:	Proposed Local Coastal Program Amendment No. 21-002
Exhibit D:	Proposed Zoning Text Amendment No. 22-002

January 2022 | Mitigation Monitoring and Reporting Program  
State Clearinghouse No. 2020080350

# MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN PROJECT

for Santa Monica-Malibu Unified School District

*Prepared for:*

**Santa Monica-Malibu Unified School District**  
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# 1. Introduction

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## 1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020080350. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and Santa Monica-Malibu Unified School District (SMMUSD or District) Monitoring Requirements. Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
  - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
- (b) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based. A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- (c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation

## 1. Introduction

measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

The Mitigation Monitoring and Reporting Program (MMRP) will serve to document compliance with adopted/certified mitigation measures that are formulated to minimize impacts associated with development under the Malibu Middle and High School Campus Specific Plan Project (Proposed Project).

## 1.2 PROJECT LOCATION

The Santa Monica–Malibu Unified School District (SMMUSD or District) property is located at 30215 Morning View Drive (Assessor’s Parcel Map Numbers (APN) 4469-017-900, 4469-018-900, 4469-018-901, 4469-018-902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902) in the city of Malibu, Los Angeles County, California. The SMMUSD property consists of approximately 87 acres over nine parcels that includes the existing Malibu Equestrian Park in the eastern part of the property, the existing Malibu Middle and High School (MMHS) campus in the center, and the former Juan Cabrillo Elementary School (JCES) campus in the west (Project Site). The Project Site is situated on three of nine parcels: APN 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4459-018-904 (2.57 acres). The total acreage of the Project Site is 52.03 acres. The majority of the Malibu Middle and High School Campus Specific Plan Project (Proposed Project) would be developed within the existing MMHS campus and the former JCES campus, with one component of the Proposed Project in the Malibu Equestrian Park. The Project Site is set amid rolling hills, and its buildings and athletic fields are terraced into the hillside setting. The Project Site is in the City of Malibu Institutional (I) Zoning District that authorizes public educational institutions with a conditional use permit.

The Project Site is approximately 0.25-mile northeast of the Pacific Coast Highway (PCH) and Zuma Beach, and is bounded by Merritt Drive to the east, Via Cabrillo Street to the west, and Morning View Drive to the south. Single-family homes border the Project Site to the north.

## 1.3 PROJECT SUMMARY

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create generally three separate and distinct areas: Middle School Core, High School Core, and shared facilities. Implementation of the Proposed Project would result in demolition of all 7 buildings and 9 portables on the former JCES campus and 6 buildings and associated amenities on the MMHS campus, totaling 154,904 square feet of demolition. The existing 25-meter lighted, outdoor pool complex would be demolished, and new 50-meter lighted, outdoor pool complex would be developed. The existing Building E and Buildings A/B at the Project Site would remain, and all other structures would be removed. No changes to the existing main

## 1. Introduction

football/track sports field, baseball, or softball fields would be made with the exception of minor improvements, including the development of new field houses and additional parking adjacent to the softball field. The Proposed Project would relocate the existing on-campus Bus Barn to a disturbed location on the adjacent, District-owned Malibu Equestrian Park. It would also include restoration in the campus-adjacent Environmentally Sensitive Habitat Area (ESHA) and establishment of a new trail along the ESHA that would connect to the existing, larger trail network around the campus. The Proposed Project would result in 32 classrooms, 8 labs and maker spaces, and support spaces—a total of 173,595 square feet of building space, providing the middle/high school campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space.

### 1.1 ENVIRONMENTAL IMPACTS

#### 1.1.1 Impacts Considered Less Than Significant

During preparation of the Initial Study, SMMUSD determined that four environmental impact categories would not be significantly affected by the proposed Malibu Middle and High School Campus Specific Plan Project. These categories are not discussed in detail in this DEIR.

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Tribal Cultural Resources

The DEIR determined that eight environmental factors would have less than significant impacts if the Proposed Project is implemented.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Recreation
- Transportation
- Utilities and Service System

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- Wildfire

### 1.1.2 Potentially Significant Adverse Impacts That Can Be Mitigated

The DEIR determined that seven environmental factors would have potentially significant impacts without mitigation.

- Air Quality
  - Construction-related pollutants
- Biological Resources
  - Impact to sensitive species
  - Loss of sensitive habitat types
  - Impact approximately 0.033 acres of USACE, RWQCB and CDFW Jurisdiction
  - Require compliance with the local tree ordinance
- Cultural Resources
  - Impacts on archaeological resources
- Geology and Soils
  - Hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils
  - Impact to paleontological resources or unique geologic feature
- Noise
  - Permanent operation-related noise
- Transportation
  - Potentially hazardous conditions and potential conflicting uses
- Wildfire
  - Exacerbate wildfire risks
  - Exposure to risks, including downslope or downstream flooding or landslides

## 1. Introduction

### 1.1.3 Unavoidable Significant Adverse Impacts

This DEIR identifies two significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the Proposed Project. Unavoidable adverse impacts may be considered significant on a project-specific, cumulatively significant, and/or potentially significant basis. If a project is determined to have a significant impact, the District must prepare a “statement of overriding considerations” before it can approve the project, where in the decision-making body must find and determine whether the benefits of the Proposed Project were balanced against the project’s unavoidable significant environmental effects outweigh the adverse effects, and therefore the adverse effects are considered acceptable. The impact that was found in the DEIR to be significant and unavoidable is:

- Aesthetics
  - Additional light and Glare
- Noise
  - Construction-generated noise



## 2. Monitoring and Reporting Requirements

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### 2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Pub. Resources Code, § 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the DEIR, specifications are made herein that identify the action required and the monitoring and reporting that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program. To effectively track and document the status of mitigation measures, a mitigation matrix has been prepared (see Table 2-1, *Mitigation Monitoring Requirements*).

## 2. Mitigation Monitoring Process

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## 2. Mitigation Monitoring Process

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>5.1 AESTHETICS</b>				
<b>AES-1</b> To minimize spill lighting and glare impacts, all lighting from the Proposed Project, including from pool lighting, shall be LED, have full-cutoff shielding, be aimed specifically to direct areas.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District	
<b>AES-2</b> Atmospheric lighting pollution shall be reduced by using full cut-off shielded lighting fixtures that eliminate light directed to the sky. Marquee sign lighting shall be dimmable in the evenings when not required for student/community communication.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District	
<b>AES-3</b> Santa Monica-Malibu Unified School District (SMMUSD) shall minimize the effects of new sources of night lighting. Such measures, which may include the following and/or other measures, will be incorporated into each phase of the Proposed Project's design and operation: <ul style="list-style-type: none"> <li>All exterior lighting shall be delineated as either "night lighting" or "security lighting" and controlled by separate automatic timers. Lights delineated as security lighting shall be determined by the campus principal, security, and facility manager.</li> <li>All lighting delineated as "night lighting" shall be shut off automatically at 10:00 p.m. on school nights. This includes pool lights.</li> <li>When operation of "night lighting" is necessary after 10:00 p.m., SMMUSD as operator of the Project Site shall provide notice to the community by posting such notice on the campus website and the school message board and marquee.</li> <li>When school is not in session (such as summer and winter break and weekends), "night lighting" shall not be permitted, and only required security lighting shall be illuminated.</li> </ul>	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District	
<b>AES-4</b> All structures shall incorporate nonreflective exterior building materials in their designs, and the use of reflective glass shall be prohibited.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District	
<b>AES-5</b> The pool lighting shall be designed to meet safety requirements of 30 foot candles over the pool and 20 foot candles over the deck as measured at the water level, while also minimizing light spill, glare, and skyglow to the extent feasible to ensure proper lighting levels necessary for competitive water polo play. Pool lighting shall be turned off within ½ hour of aquatic use and the 2-	Construction Contractor, Santa Monica-Malibu Unified School District	During design of the pool phase (before construction and operation)	Santa Monica-Malibu Unified School District	

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foot candle safety perimeter lighting shall be turned off with all other automatic campus lighting.				
<b>5.2 AIR QUALITY</b>				
<p><b>AQ-1</b> Construction bids for Phase 1 through 4 activities at the Project Site shall specify use of offroad equipment that meets the United States Environmental Protection Agency (US EPA) Tier 4 interim emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated that such equipment is not available. In the event the equipment is not available, as demonstrated by the contractor, Tier 3 equipment retrofitted with a California Air Resources Board's Level 3 Verified Diesel Emissions Control Strategy (VDECS) shall be used. The following shall be specified in the construction bid:</p> <ul style="list-style-type: none"> <li>• Construction contractors shall use engines that meet US EPA Tier 4 Interim emission standards for equipment over 50 horsepower.</li> <li>• Construction contractors shall maintain a list of all operating equipment in use on the Project Site in use for more than 20 hours for verification by the District. The construction equipment list shall state the makes, models, and number of construction equipment on-site.</li> <li>• Construction contractors shall ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.</li> <li>• Construction contractors shall communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to five minutes or less in compliance with CARB Rule 2449. Construction contractors shall be responsible for ensuring that this requirement is met.</li> </ul>	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
<b>5.3 BIOLOGICAL RESOURCES</b>				
<p><b>BIO-1</b> <b>Pre-Construction Burrowing Owl Surveys and Avoidance:</b> In the year prior to initiation of Proposed Project activities in Phase 4, <u>and/or before recommencing construction activities if suspended/delayed for six months or more</u>, a qualified biologist shall conduct pre-construction burrowing owl surveys in accordance with the 2012 CDFW Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines (CDFW 2012). If wintering or</p>	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of Phase 4 of the Project	Santa Monica-Malibu Unified School District	

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Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
breeding burrowing owl are observed adjacent to the impact area, mitigation shall be conducted in accordance with the CDFW guidelines (CDFW 2012).				
<p><b>BIO-2 Pre-Construction Nesting Bird Surveys:</b> To the extent possible, vegetation removal shall be conducted during the non-breeding season (i.e., September 1 to January 31) in order to minimize direct impacts on nesting birds and raptors. If construction activities would be initiated during the breeding season for nesting birds/raptors (i.e., February 1–August 31), a pre-construction survey will be conducted by a qualified Biologist within three days prior to the initiation of construction (including demolition of structures). If construction activities are delayed or suspended for more than 7 days during the breeding season, nesting bird surveys shall be repeated before construction activities can begin or restart. In addition, nesting bird surveys shall be conducted prior to starting phased Project construction and activities. The absence of nesting birds and raptors shall be considered valid only until the following breeding season. The area will be surveyed for 2 hours between dawn and 10:00 AM on five occasions with at least one week between surveys. If there is appropriate habitat for owls on site, on at least three of the surveys, surveys will also be conducted during the period immediately before nightfall. The nesting bird/raptor Survey Area will include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors (including burrowing owl). If the Biologist does not find any active nests in or immediately adjacent to the impact area, construction activities can proceed.</p> <p>If the Biologist detects an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted by increased activity around the nest, the Biologist shall determine an appropriate protective buffer around the nest depending on the sensitivity of the species and the nature of the construction activity. The protective buffer shall be between 25 to 300 feet for nesting birds; 300 to 500 feet for nesting raptors. The active nest will be protected within the designated buffer until nesting activity has ended. Any protective buffers will be mapped on construction plans and designated as “Environmentally Sensitive Areas”. Construction can proceed within the</p>	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

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**Table 2-1 Mitigation Monitoring Requirements**

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<p>protective buffer when the qualified Biologist has determined that the nest is no longer active (i.e., fledglings have left the nest or the nest has failed).</p>				
<p><b>BIO-3 Vegetation Assessments:</b> Vegetation types shall be verified prior to work activities occurring in Phases 2 and 4 if seven years have elapsed from the latest point in time the vegetation mapping described in this Biological Assessment was conducted (April 15, 2021). Vegetation types in the BSA shall be assessed during a field visit and compared to the vegetation types mapped and described herein. Any changes shall be documented in a revised vegetation map and provided to the City of Malibu and the District. Special status vegetation types shall be identified, and if impacts are anticipated, the Proposed Project shall comply with Mitigation Measure, BIO-4.</p>	<p>Construction Contractor, Santa Monica-Malibu Unified School District</p>	<p>Prior to construction of Phases 2 and 4 of Project</p>	<p>Santa Monica-Malibu Unified School District</p>	
<p><b>BIO-4 Special Status Vegetation Types:</b> The loss of special status vegetation types within the impact area is considered a significant impact. These vegetation types will be restored onsite or, if appropriate, offsite at a ratio of not less than 1:1, as agreed to by the City of Malibu and the District. A revegetation program shall be implemented in accordance with a City-approved landscape palette on all graded areas not utilized for improvements or structures. The revegetation program will be submitted to the City of Malibu for review and approval by a qualified biologist prior to issuance of grading permits. Restoration will consist of seeding and container planting of appropriate species. Impacts are considered less than significant after implementation of the following measures: A detailed restoration program will be developed prior to map recordation and implemented, and will contain the following items:</p> <ul style="list-style-type: none"> <li>• <i>Responsibilities and qualifications of the personnel to implement and supervise the plan.</i> The responsibilities of the landowner, specialists, and maintenance personnel that will supervise and implement the plan will be specified.</li> <li>• <i>Site selection.</i> The site(s) for mitigation will be determined in coordination with the District and the City of Malibu. The site will be located in a dedicated open space area and will be contiguous with other natural open space areas.</li> </ul>	<p>Construction Contractor, Santa Monica-Malibu Unified School District</p>	<p>Prior to construction of each phase of Project</p>	<p>Santa Monica-Malibu Unified School District</p>	

## 2. Mitigation Monitoring Process

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Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>• <i>Site preparation and planting implementation.</i> The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) erosion control measures (i.e., rice or willow wattles), and 6) native seed mix application.</li> <li>• <i>Schedule.</i> Establishment of restoration/revegetation sites will be conducted between October 1 and January 30. Seeding and planting of container plants will take place immediately after preparation of the restoration sites.</li> <li>• <i>Maintenance plan/guidelines.</i> The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.</li> <li>• <i>Monitoring Plan.</i> The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the City, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the City for three to five years. The monitoring will be conducted for three to five years, depending upon the performance of the mitigation site.</li> <li>• <i>Long-term preservation.</i> Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.</li> <li>• <i>Performance standards will be identified and will apply for the revegetation of special status vegetation types.</i> Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing, restored, and created habitat areas.</li> </ul> <p>In addition, earth-moving equipment will avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas</p>				

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<p>that will remain undeveloped. Prior to grading, the construction boundary limits will be marked by the construction supervisor and the Project biologist. These limits will be identified on the grading plan. The District will submit a letter to the City of Malibu verifying that construction limits have been flagged in the field. No earth-moving equipment will be allowed outside of the construction boundary.</p>				
<p><b>BIO-5 RWQCB and CDFW Jurisdiction Areas:</b> Upon completion of construction activities, impacts to approximately 0.033 acre of non-wetland RWQCB and CDFW jurisdictional waters will be mitigated within the Proposed Project boundaries at a minimum ratio (i.e., no less than) of 1:1 through the creation of 0.033 acre of non-wetland jurisdictional waters. Acquisition of a § 1602 “lake or streambed alteration” agreement from the CDFW and waste discharge requirements from the RWQCB would be required. Prior to the final submittal of a Report of Waste Discharge from the RWQCB, and/or CDFW notification of lake or streambed alteration, the District will develop a mitigation plan for the RWQCB, CDFW, and City of Malibu. The objective of the mitigation is to ensure no net loss of habitat values as a result of the Proposed Project. The detailed restoration program shall contain the following items:</p> <ul style="list-style-type: none"> <li>• <i>Responsibilities and qualifications of the personnel to implement and supervise the plan.</i> The responsibilities of the landowner, specialists and maintenance personnel that would supervise and implement the plan will be specified and shall include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.</li> <li>• <i>Site selection.</i> The site(s) for the mitigation will be determined in coordination with the Project Applicant and resource agencies. The site will be located in a dedicated open space area and will be contiguous with other natural open space.</li> </ul>	<p>Construction Contractor,                      Santa Monica-Malibu Unified                      School District</p>	<p>Prior to construction of each                      phase of Project</p>	<p>Santa Monica-Malibu Unified                      School District</p>	

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Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>• <i>Site preparation and planting implementation.</i> The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) temporary irrigation installation, 6) erosion control measures (i.e., rice or willow wattles), 7) native seed mix application, and 8) native container species.</li> <li>• <i>Schedule.</i> A schedule will be developed which includes planting and seeding to occur in late fall and early winter, between October 1 and January 30 in order to optimize the successful establishment and germination of native plants and seeds.</li> <li>• <i>Maintenance plan/guidelines.</i> The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.</li> <li>• <i>Monitoring Plan.</i> The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the resource agencies for three to five years. Coordination will take place on a regular basis between the biological monitor, landscape contractor and irrigation specialist with regard to non-native species targeted for removal as well as irrigation schedule to ensure that the restoration is on track for achievement of performance criteria. In addition, remedial as well as contingency measures shall also be specified should the site not meet specified performance standards. The site will be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the District may request from RWQCB and CDFW to be released from monitoring requirements.</li> <li>• <i>Long-Term Preservation.</i> Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.</li> </ul>				

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**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>Performance standards will be identified and will apply for the restoration of riparian habitat. Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing and restored and/or created habitat areas. The qualifications of the personnel to implement and supervise the plan would include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.</li> </ul>				
<p><b>BIO-6 Adherence to City of Malibu Tree Protection Ordinance:</b> Prior to initiation of Proposed Project activities in each Phase of the Proposed Project, the tree survey map created for the Proposed Project (Appendix C) shall be consulted and if impacts to any protected trees are anticipated, the Proposed Project shall comply with mitigation included in the Malibu Local Coastal Program Native Tree Protection Ordinance.</p>	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
<b>5.4. CULTURAL RESOURCES</b>				
<p><b>CUL-1</b> Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project:</p> <ul style="list-style-type: none"> <li>Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural</li> </ul>	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

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Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>(prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.</p> <ul style="list-style-type: none"> <li>• In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.</li> <li>• If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.</li> <li>• If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per § 7050.5 of the California Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American</li> </ul>				

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Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinterment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</p>				
<b>5.6 GEOLOGY AND SOILS</b>				
<p><b>GEO-1</b> Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H.</p>	<p>Construction Contractor, Santa Monica-Malibu Unified School District</p>	<p>Prior to construction of each phase of Project</p>	<p>Santa Monica-Malibu Unified School District</p>	
<p><b>GEO-2</b> Design recommendations regarding future irrigation systems identified in the Geotechnical Report shall be followed to ensure that irrigation shall not be allowed within at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-grade. Details of these recommendations are included in Appendix H.</p>	<p>Construction Contractor, Santa Monica-Malibu Unified School District</p>	<p>Prior to construction of each phase of Project</p>	<p>Santa Monica-Malibu Unified School District</p>	
<b>5.11 NOISE</b>				
<p><b>N-1</b> Construction contractors shall implement the following measures for construction activities conducted at the Project Site during each phase of construction. Construction plans submitted to the District shall identify these measures on demolition, grading, and construction plans. The District shall verify that grading, demolition, and/or construction plans submitted include these notations prior to demolition, grading, and/or building construction.</p>	<p>Construction Contractor, Santa Monica-Malibu Unified School District</p>	<p>Prior to construction of each phase of Project</p>	<p>Santa Monica-Malibu Unified School District</p>	

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<ul style="list-style-type: none"> <li>• During the active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) wherever feasible.</li> <li>• Impact tools (e.g., jack hammers and hoe rams) shall be hydraulic- or electric-powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.</li> <li>• Stationary equipment such as generators and air compressors shall be located as far as feasible from noise-sensitive uses.</li> <li>• The District's construction contractors and subcontractors shall be required through contract specifications to locate construction staging areas, construction worker parking, and material stockpiling as far away from vibration- and noise-sensitive sites as possible. Additionally, these activities shall be located away from occupied buildings on campus, occupied residential dwellings adjacent to the campus, and other sensitive receptors, where feasible. Prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours as well as the contact information of the District's and contractor's representatives who are authorized to respond in the event of a noise or vibration complaint. If the contractor's authorized representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the District.</li> <li>• Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than 5 minutes.</li> <li>• During the entire active construction period and to the extent feasible, the use of noise producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the</li> </ul>				

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<p>background noise level, or to utilize human spotters when feasible and in compliance with all safety requirements and laws.</p> <ul style="list-style-type: none"> <li>Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the street from the Proposed Project Site providing a schedule for major construction activities through the duration of the construction period. When construction activity would occur within 100 feet of nearby receptor property lines, contractors shall erect temporary noise barriers where feasible. The temporary noise barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be (a) a ¾-inch-thick plywood wall OR (b) a hanging acoustical blanket/curtain with a surface density or at least 1.5 pounds per square foot.</li> <li>Prior to construction, the contractor shall submit to the District a list of equipment and activities required during construction to ensure proper planning of the most intense construction activities during time periods that would least impact campus operations. When construction activity would occur within 150 feet of active classrooms, contractors shall ensure that interior classroom noise levels do not exceed 50 dBA Leq. Feasible methods to achieve this include those listed above, scheduling work during less sensitive time periods when the classroom is not in use, and classroom use rescheduling to move active classes away from high noise construction activities, as necessary. Construction activities within 50 feet of occupied classrooms would be prohibited during preparation and testing for National Standardized testing days of students at MMHS.</li> </ul>				
<p><b>N-2</b> The proposed bus barn shall be an enclosed structure constructed of wood, masonry, concrete, or other similar solid material (e.g., not corrugated metal). The structure will have no gaps and minimal window area. All bus testing shall be conducted inside the enclosed bus barn.</p>	<p>Construction Contractor, Santa Monica-Malibu Unified School District</p>	<p>During design of the relocated bus barn</p>	<p>Santa Monica-Malibu Unified School District</p>	
<p><b>5.14 TRANSPORTATION</b></p>				
<p><b>T-1</b> During each phase of construction activity, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Construction</p>	<p>Construction Contractor, Santa Monica-Malibu Unified School District</p>	<p>Prior to construction of each phase of Project</p>	<p>Santa Monica-Malibu Unified School District</p>	

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<p>Traffic Mitigation Plan that is specific to the needs of each phase and shall include the following:</p> <ul style="list-style-type: none"> <li>Haul trucks and vendor truck traffic ingress and egress to/from the construction area shall not occur 30 minutes before or after student arrival and dismissal times—8:30 am Monday through Friday, 1 pm to 3 pm Monday through Thursday, and 12 pm to 1:30 pm on Friday.</li> <li>The plan shall eliminate curbside parking on the south side of Morning View Drive south of the construction staging area to provide adequate turn radius and site distance to access for trucks entering and leaving work sites. This would apply to construction Phases 1, 2, and 3 only, which would have access via the segment of Morning View Drive adjacent to the school frontage.</li> <li>The plan shall include a Traffic Education Program to assist in educating parents, students, and staff on drop-off/pick-up procedures specific to each phase of construction. Informational materials shall be disseminated regarding student drop-off and pick-up procedures via regular parent/school communication methods and shall be posted on the school website.</li> <li>The use of portable message signs and information signs at construction sites shall be employed as needed.</li> <li>Construction activities for each phase shall be coordinated with the responsible agency departments, including the City of Malibu Public Works and Planning Departments, and the Los Angeles County Sheriff and Fire Departments no less than 10 days prior to the start of the work for each phase. Notification shall specify whether any temporary vehicle, pedestrian, or bicycle construction detours are needed, if construction work would encroach into the public right-of-way, or if temporary use of public streets surrounding the Project Site is needed.</li> </ul>				
<p><b>T-2</b> To facilitate safe and efficient vehicular and pedestrian circulation during student drop-off and pickup, times during Phase 1, prior to initiation of construction activities, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Traffic and Parking C Plan to include the following:</p>	<p>Construction Contractor,                      Santa Monica-Malibu Unified                      School District</p>	<p>Prior to construction of each                      phase of Project</p>	<p>Santa Monica-Malibu Unified                      School District</p>	

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**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>Designation of vehicular drop-off and pick-up areas outside Morning View Drive at off-street Parking Lots A, D, and E. Vehicular access to these lots shall allow vehicles to enter and return from the area from the intersection of Morning View Drive at PCH.</li> <li>Student drop-off and pick-up shall be implemented in a counterclockwise circulation pattern. Figure 7 (see Appendix L) depicts vehicular circulation patterns that shall be used in Parking Lots A, D, and E during Phase 1 construction.</li> <li>The school shall educate students and parents on drop-off and pick-up routes and procedures. This may be achieved with a combination of information bulletins shared with students and parents.</li> </ul>				
<p><b>T-3</b> Construction scheduling during Phases 2 to 4 shall be scheduled such that any activities that would result in potential lane closures along Morning View Drive, including, but not limited to, reconstruction of the student drop-off/pick-up area and sidewalks along Morning View Drive, shall be limited to summer months when school is not in session to eliminate conflicts with local traffic and pedestrian activities.</p>	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of Phases 2 and 4 of Project	Santa Monica-Malibu Unified School District	
<p><b>T-4</b> The SMMUSD shall coordinate with the City of Malibu Public Works Department to relocate crosswalks and school-area signage in relation to the proposed access driveways according to City of Malibu and applicable State criteria. Crossing guards shall be relocated as necessary, based on the ultimate location of crosswalks.</p>	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
<b>5.16 WILDFIRE</b>				
<p><b>W-1</b> The District and its general contractor will prepare a Construction Fire Protection Plan (CFPP) that shall be implemented during all phases of construction activity. The CFPP will be approved by the County of Los Angeles Fire Department (LACoFD) prior to building construction and may also be reviewed and approved in phases based on the phased development of the Proposed Project.</p> <p>The CFPP shall include, but not be limited to, guidance for:</p> <ul style="list-style-type: none"> <li>Prevention, control, and extinguishment of fires during construction activities.</li> <li>Smoking- and fire-related rules, storage, and parking area.</li> </ul>	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

## 2. Mitigation Monitoring Process

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>• Delineating work areas from natural/open space areas and establishing sufficient setbacks.</li> <li>• Vegetation management prior to and during construction activity, consistent with LACoFD protocols.</li> <li>• Requirement to use spark arrestors on construction equipment.</li> <li>• Limiting the type and duration of construction activities during red flag warning events issued by the National Weather Service covering the project area.</li> </ul>				
<p><b>GEO-1</b> Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H.</p>	<p>Construction Contractor,                      Santa Monica-Malibu Unified                      School District</p>	<p>Prior to construction of each                      phase of Project</p>	<p>Santa Monica-Malibu Unified                      School District</p>	

## 2. Mitigation Monitoring Process

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**CEQA FINDINGS OF FACT  
REGARDING THE  
FINAL ENVIRONMENTAL IMPACT REPORT  
FOR THE  
MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN PROJECT  
STATE CLEARINGHOUSE NO. 2020080350**

**Exhibit A B**

**I. BACKGROUND**

The California Environmental Quality Act (CEQA) requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to sections 15091 and 15093 of the CEQA Guidelines and section 21081 of the Public Resources Code. This document provides the findings required by CEQA and the specific reasons for considering the project acceptable even though the project has significant impacts that are infeasible to mitigate.

The lead agency is responsible for the adequacy and objectivity of the EIR. The Santa Monica-Malibu Unified School District (SMMUSD or District), as lead agency, has subjected the Draft EIR (DEIR) and Final EIR (FEIR) to the agency's own independent review and analysis.

**A. PROJECT LOCATION**

The District's property is located at 30215 Morning View Drive (Assessor's Parcel Map Numbers (APN) 4469-017-900, 4469-018-900, 4469-018-901, 4469-018-902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902) in the city of Malibu, Los Angeles County, California. The SMMUSD property consists of approximately 87 acres over nine parcels that includes the existing Malibu Equestrian Park in the eastern part of the property, the existing Malibu Middle and High School (MMHS) campus in the center, and the former Juan Cabrillo Elementary School (JCES) campus in the west (Project Site). The Project Site is situated on three of nine parcels: APN 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4459-018-904 (2.57 acres). The total acreage of the Project Site is 52.03 acres. The majority of the MMHS Campus Specific Plan Project (Proposed Project) would be developed within the existing MMHS campus and the former JCES campus, with one component of the Proposed Project in the Malibu Equestrian Park. The Project Site is set amid rolling hills, and its buildings and athletic fields are terraced into the hillside setting. The Project Site is in the City of Malibu Institutional (I) Zoning District that authorizes public educational institutions with a conditional use permit.

The Project Site is approximately 0.25-mile northeast of the Pacific Coast Highway (PCH) and Zuma Beach, and is bounded by Merritt Drive to the east, Via Cabrillo Street to the west, and Morning View Drive to the south. Single-family homes border the Project Site to the north.

**B. PROJECT SUMMARY**

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create generally three separate and distinct areas: Middle School Core, High School Core, and shared facilities. Implementation of the Proposed Project would result in demolition of all 7

buildings and 9 portables on the former JCES campus and 6 buildings and associated amenities on the MMHS campus, totaling 154,904 square feet of demolition. The existing 25-meter lighted, outdoor pool complex would be demolished, and new 50-meter lighted, outdoor pool complex would be developed. The existing Building E and Buildings A/B at the Project Site would remain, and all other structures would be removed (see Figure 3-4, *Proposed Site Plan*). No changes to the existing main football/track sports field, baseball, or softball fields would be made with the exception of minor improvements, including the development of new field houses and additional parking adjacent to the softball field. The Proposed Project would relocate the existing on-campus Bus Barn to a disturbed location on the adjacent, District-owned Malibu Equestrian Park. It would also include restoration in the campus-adjacent Environmentally Sensitive Habitat Area (ESHA) and establishment of a new trail along the ESHA that would connect to the existing, larger trail network around the campus. As shown in Table 3-2, *Summary of Total Development*, the Proposed Project would result in 32 classrooms, 8 labs and maker spaces, and support spaces—a total of 173,595 square feet of building space, providing the middle/high school campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space.

### **C. ENVIRONMENTAL REVIEW PROCESS**

In conformance with CEQA and the CEQA Guidelines, the District conducted an extensive environmental review of the Proposed Project. The environmental review process has included:

- Completion of an Initial Study (IS)/Notice of Preparation (NOP) on August 20, 2020. The public review period extended from August 20, 2020 to September 21, 2020. Copies of the IS were made available for public review at the Santa Monica-Malibu Unified School District Office and MMHS.
- Completion of the scoping process where the public was invited by the District to participate in a scoping meeting held virtually on September 9, 2020, due to current orders and guidance to minimize the spread of COVID-19. The notice of a public scoping meeting was included in the NOP.
- Preparation of a DEIR and supporting technical appendices, which was made available for a 45-day public review period beginning October 15, 2021 and ending September 29, 2021. The scope of the DEIR was determined based on the IS/NOP, comments received in response to the NOP, and comments received at the scoping meeting conducted by the SMMUSD. Section 2.3, *Scope of this DEIR*, of the DEIR describes the issues identified for analysis in the DEIR. In compliance with sections 15085(a) and 15087(a)(1) of the CEQA Guidelines, the SMMUSD, serving as the Lead Agency, has published a Notice of Completion (NOC) and Notice of Availability (NOA) of the DEIR, which indicates that the DEIR and all associated technical appendices can be viewed at the following locations:
  - Santa Monica–Malibu Unified School District, 1651 16th Street, Santa Monica, CA 90404
  - Malibu Middle and High School Administrative Offices “Lobby”, 30215 Morning View Drive, Malibu, CA 90265
  - City of Malibu Planning Counter, 23825 Stuart Ranch Road, Malibu, CA 90265
  - City of Malibu Public Library, 23555 West Civic Center Way, Malibu, CA 90265

- In addition, the DEIR is available online at the SMMUSD website <https://www.smmusd.org/cms/lib/CA50000164/Centricity/Domain/4188/Malibu-HS/DEIR0921.pdf> and the City of Malibu website ([www.malibucity.org](http://www.malibucity.org)).

The NOC and NOA were transmitted to the State Clearinghouse and County Clerk and were distributed to all property owners within 500 feet of the Project Site and/or those who have previously requested such notice.

- A public informational meeting was held on November 2, 2021 to present an overview of the CEQA process, the project description, and the conclusions in the DEIR. The meeting was conducted in-person at the Former JCES Campus Multipurpose Room and virtually due to COVID-19. Attendees were given the option to present verbal and written comments during the meeting.
- Preparation of a Final EIR (FEIR), including the Responses to Comments to the DEIR, the Findings of Fact, Mitigation Monitoring and Reporting Plan (MMRP), and the Statement of Overriding Considerations. The FEIR/Response to Comments contains comments on the DEIR and responses to those comments.
- The FEIR was posted to the SMMUSD website on December 28, 2021 (INSERT LINK). A 10-day notification of the FEIR was sent to commenting agencies electronically on that same day.
- A public hearing on the Proposed Project and the FEIR was held before the Santa Monica-Malibu Unified School District Board of Education on January 13, 2022.

#### **D. RECORD OF PROCEEDINGS**

For purposes of CEQA and these Findings, the Record of Proceedings the Proposed Project includes, but is not limited to, the following documents and other evidence:

- The NOP, NOA, and all other public notices issued by the District in conjunction with the Proposed Project.
- The DEIR and FEIR for the Proposed Project.
- All timely written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All timely written and verbal public testimony presented during a noticed public hearing for the Proposed Project.
- The Mitigation Monitoring and Reporting Program.
- The reports and technical memoranda included or referenced in the DEIR and FEIR.

- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and FEIR.
- The Resolutions adopted by the District’s Board of Education in connection with the Proposed Project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the District, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- The District’s file for the Proposed Project.

**E. CUSTODIAN AND LOCATION OF RECORDS**

The documents and other materials that constitute the administrative record for the District's actions related to the Proposed Project are at the following locations:

- Santa Monica–Malibu Unified School District, 1651 16th Street, Santa Monica, CA 90404
- Malibu Middle and High School Administration Offices, 30215 Morning View Drive, Malibu, CA 90265
- City of Malibu Planning Counter, 23825 Stuart Ranch Road, Malibu, CA 90265
- City of Malibu Public Library, 23555 West Civic Center Way, Malibu, CA 90265

The District is the custodian of the administrative record for the Proposed Project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the District.

Santa Monica-Malibu Unified School District  
 Attn: Carey Upton - FIP Department  
 1651 16th Street  
 Santa Monica, California 90404  
 cupton@smmusd.org

This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

**II. FINDINGS AND FACTS AND OVERRIDING CONSIDERATIONS**

The District, as lead agency, is required under CEQA to make written findings concerning each alternative and each significant environmental impact identified in the DEIR and FEIR.

Specifically, regarding findings, CEQA Guidelines section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings

for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.
  2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
  3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in section 15091(a)(1) may include a wide variety of measures or actions as set forth in CEQA Guidelines section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

## **A. FORMAT**

This section summarizes the significant environmental impacts of the Proposed Project, describes how these impacts are to be mitigated, and discusses various alternatives to the Proposed Project, which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

The remainder of this section is divided into the following subsections:

**Section B, Summary of Environmental Impacts**, presents the summary of impacts of the Proposed Project.

**Section C, Findings on Impacts Determined to Be Less Than Significant**, presents the impacts of the Proposed Project that were determined in the DEIR to be less than significant without the addition of mitigation measures and presents the rationales for these determinations.

**Section D, Findings on Impacts Mitigated to Less Than Significant**, presents significant impacts of the Proposed Project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

**Section E, Findings on Significant Unavoidable Impacts**, presents significant impacts of the Proposed Project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, the findings for significant impacts, and the rationales for the findings.

**Section F, Findings on Project Alternatives**, presents alternatives to the Proposed Project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

## **B. SUMMARY OF ENVIRONMENTAL IMPACTS**

The following is a summary of the environmental topics considered in the Initial Study to have no impact, a less than significant impact, a less than significant impact with incorporation of mitigation measures, and a significant and unavoidable impact.

It should be noted that topics identified as significant and unavoidable contain individual impacts that would be less than significant or less than significant with mitigation.

### **Less than Significant Impact (Before Mitigation) or No Impact**

- Aesthetics)
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Recreation
- Transportation
- Utilities and Service System
- Wildfire

### **Less Than Significant Impact with Mitigation Incorporated**

- Air Quality
  - Construction-related pollutants
- Biological Resources
  - Impact to sensitive species
  - Loss of sensitive habitat types
  - Impact approximately 0.033 acres of USACE, RWQCB and CDFW Jurisdiction
  - Require compliance with the local tree ordinance
- Cultural Resources
  - Impacts on archaeological resources
- Geology and Soils
  - Hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils
  - Impact to paleontological resources or unique geologic feature
- Noise
  - Permanent operation-related noise
- Transportation
  - Potentially hazardous conditions and potential conflicting uses
- Wildfire
  - Exacerbate wildfire risks
  - Exposure to risks, including downslope or downstream flooding or landslides

## **Significant and Unavoidable Impact**

- ~~Aesthetics~~
  - ~~Additional light and Glare~~
- Noise
  - Construction-generated noise

### **C. FINDINGS ON IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT**

#### **Initial Study**

An IS was prepared by the District to identify the potential significant effects of the Proposed Project. The Initial Study was completed and distributed with the NOP for the Proposed Project, dated August 20, 2020. The IS determined that the Proposed Project would have no impact or less than significant impacts to the following topics: Agriculture and Forestry Resources, Population and Housing, Mineral Resources, and Tribal Cultural Resources. All other topical areas of evaluation included in the Environmental Checklist were determined to require further assessment in an EIR.

#### **DEIR**

It was determined that several potential environmental effects would not result from the Proposed Project or would result but would not have a significant impact on the environment. This determination was made based on the findings of the DEIR prepared for the Proposed Project. The following summary briefly describes those environmental topics that were found not to be significant with implementation of existing regulations, as detailed in each respective topical section of Chapter 5 of the DEIR.

#### **1. Aesthetics**

##### **Impact 5.1-1: The Proposed Project would not have a substantial adverse effect on a scenic vista.**

Support for this environmental impact conclusion is fully discussed starting on page 5.1-57 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letters A5 (see A5-7 and A5-8).

The Project Site is not located in the viewshed of a designated vista point. The nearest vista point recognized in the City of Malibu's General Plan Conservation Element is the Point Dume Vista Point, which does not afford views of the Project Site or surrounding neighborhood. Other protected scenic vistas in the City of Malibu include views of the Pacific Ocean and other scenic areas from public viewing areas, which include public roads, trails, parklands, and beaches, considered to be public viewing areas. Public viewing areas in the vicinity of the Project Site include nearby roads and trails, including Morning View Drive (also a designated trail), Merritt Drive, Busch Drive and Pathway (a roadway and designated trail), Clover Heights Avenue, and nearby trails including the Equestrian School Trail (located on the Project Site), and Busch Pathway.

Views afforded from public viewing areas, located in elevations equal to or greater than the Project Site and to the north and east, which excludes Morning View Drive (because it is at the base of the slope and bound by development), consists mostly of rolling hills, ridgelines, vegetation, structures, and panoramic views of the Pacific Ocean and the Santa Monica Mountains, in the horizon. Distant ridgelines, mountains, and the Pacific Ocean typically dominate views. Partial views of the developed campus on the Project Site are available from a number of public viewing areas to the north of the Project Site that offer scenic vistas of the Pacific Ocean and mountains.

Views of the Pacific Ocean, mountains, and other scenic features such as ridges, hillsides, and vegetation would continue to be widely available from all selected public viewing points, consistent with section 30251 of the CCA, which requires that all new development be sited to preserve views of scenic resources.

The Proposed Project would adhere to design standards of the MMHS Campus Site Design Guidelines to incorporate colors and exterior materials that are compatible with the surrounding landscape. For instance, furnishings and fixtures would be incorporate natural tones and features such as seating terraced into the hillside, built-in wooden benches, boulder-shaped seating; hardscape materials would include accent paving, natural tones; walls and fencing would include materials that relate to the architectural form of the proposed Campus; signage would use topography, materials, and form to adapt to the conditions on the Project Site; landscape design would incorporate native or locally adapted drought-tolerant species to play a functional role such as framing views. With compliance to applicable policies of the LUP, development of the Proposed Project would not degrade or obstruct scenic vistas available from public viewing areas. In addition, construction of the Proposed Project would not significantly obstruct or otherwise degrade scenic vistas, that consist of views of scenic resources, including the ocean, mountains, ridges, hills, and vegetation from public viewing areas.

### **Finding:**

Impacts to scenic vista would be less than significant and no mitigation measures are necessary.

### **Impact 5.1-2: The Proposed Project would not alter scenic resources within a state scenic highway.**

Support for this environmental impact conclusion is fully discussed starting on page 5.1-71 of Section 5.1, *Aesthetics* of the DEIR.

The Project Site is not within the viewshed or corridor of a state-designated scenic highway. The only road in Malibu that has been officially designated as an eligible scenic highway by Caltrans is PCH, located 0.25-mile southwest of the Project Site. Although primary access to Morning View Drive is from PCH, no views of the developed portions of the Project Site are available from PCH because of the presence of low bluffs and hillsides that screen views into the canyon. Signage for the school is positioned on Morning View Drive at PCH and would remain with implementation of the Proposed Project. Morning View Drive has been designated by the City of Malibu as a neighborhood trail but has not been classified as a scenic highway and is not subject to regulations and policies relating to scenic highways.

No scenic resources, as defined by the City of Malibu's General Plan Conservation Element, are located on or near to the Project Site. As such, the Proposed Project does not have the potential to substantially

damage a scenic resource within the viewshed of a State-designated scenic highway, or any other identified scenic resource.

**Finding:**

No impacts to scenic resources within a state scenic highway would occur and no mitigation measures are necessary.

**Impact 5.1-3: The Proposed Project would not substantially degrade the existing visual character or quality of public views of the Project Site and its surroundings.**

Support for this environmental impact conclusion is fully discussed starting on page 5.1-71 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letter A5 (see A5-7 and A5-8).

The existing visual character of the Project Site is of a school campus in a rural residential neighborhood. Existing development on campus is on several split-level building pads in order to retain the natural topography of the area. The distribution of existing development along the hillside and complementary design elements, such as brick façades and blue trims and accents, coupled with the abundance of vegetation both native and non-native, and the scenic resources on the Project Site and surrounding areas contribute to a high visual quality on and around the Project Site. Development on campus is most visible from Morning View Drive, where the main entrance to campus is located. As such, changes in the visual character of the campus would be most evident from the perspective of Morning View Drive. Views of the campus from other nearby vantage points consist primarily of building outlines and rooftops.

As the Project Site is already developed with campus uses along Morning View Drive, the redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would conform to the slopes and would be terraced like the existing topography, in order to integrate the buildings with the landscape.

Development of the Proposed Project would be subject to the policies contained in the City of Malibu's LUP. Compliance with these policies, as listed above, would ensure that implementation of the Proposed Project would not result in the significant degradation of the visual character and quality of the Project Site and surrounding area.

**Finding:**

Impacts to the existing visual character or quality of public views of the Project Site and its surroundings would be less than significant and no mitigation measures are necessary.

## 2. Air Quality

### **Impact 5.2-1: The Proposed Project would be consistent with the applicable air quality management plan.**

Support for this environmental impact conclusion is fully discussed starting on page 5.2-27 of Section 5.2, *Air Quality* of the DEIR.

Changes in population, housing, or employment growth projections have the potential to affect SCAG's demographic projections and therefore the assumptions in South Coast AQMD's AQMP. Based on the scope and nature of the Proposed Project in that student capacity, staffing, and community event use would not increase, the Proposed Project would not substantially affect housing, employment, or population projections within the region. Finally, the long-term emissions generated by the Proposed Project would not produce criteria air pollutants that exceed the South Coast AQMD significance thresholds for Proposed Project operations (see Impact 5.2-3). South Coast AQMD's significance thresholds identify whether a project has the potential to cumulatively contribute to the SoCAB's nonattainment designations. Because the Proposed Project would not exceed the South Coast AQMD's regional significance thresholds (see Impact 5.2-2 and Impact 5.2-3) and growth is consistent with regional growth projections, the Proposed Project would not interfere with South Coast AQMD's ability to achieve the long-term air quality goals identified in the AQMP. Therefore, the Proposed Project would be consistent with the AQMP, and impacts would be less than significant.

#### **Finding:**

Impacts to applicable air quality management plans would be less than significant and no mitigation measures are necessary.

### **Impact 5.2-2: Construction activities associated with the Proposed Project would not generate short-term emissions in exceedance of South Coast AQMD's threshold criteria.**

Support for this environmental impact conclusion is fully discussed starting on page 5.2-28 of Section 5.2, *Air Quality* of the DEIR.

Construction of the Proposed Project would generate criteria air pollutants associated with construction equipment exhaust and fugitive dust from demolition and debris haul, grading and soil haul, utilities trenching, building construction, architectural coating, pavement of asphalt and non-asphalt surfaces, and finishing and landscaping of the site. Air pollutant emissions from construction activities on-site would vary daily as construction activity levels change.

The SoCAB is designated nonattainment for O<sub>3</sub> and PM<sub>2.5</sub> under the California and National AAQS, nonattainment for PM<sub>10</sub> under the California AAQS, and nonattainment for lead (Los Angeles County only) under the National AAQS. According to South Coast AQMD methodology, any project that does not exceed or can be mitigated to less than the daily threshold values would not add significantly to a cumulative impact (South Coast AQMD 1993). The maximum daily emissions for VOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> from construction-related activities for Phase 1 and Phases 2 through 4 would be less than their respective South Coast AQMD regional significance threshold values.

Therefore, short-term air quality impacts from Proposed Project-related construction activities would be less than significant.

**Finding:**

Short-term construction-related impacts to air quality would be less than significant and no mitigation measures are necessary.

**Impact 5.2-3: Long-term operation of the Proposed Project would not generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria.**

Support for this environmental impact conclusion is fully discussed starting on page 5.2-30 of Section 5.2, *Air Quality* of the DEIR.

Following full buildout of the four phases of the Proposed Project, operation would generate a net increase in criteria air pollutant emissions from area sources (e.g., landscaping equipment, architectural coating) and energy (i.e., natural gas used for heating and cooking). The maximum daily operation emissions would be less than their respective South Coast AQMD regional significance threshold values. Projects that do not exceed the South Coast AQMD regional significance thresholds would not result in an incremental increase in health impacts in the SoCAB from Project-related increases in criteria air pollutants. Therefore, impacts to the regional air quality associated with operation of the Proposed Project would be less than significant.

**Finding:**

Long-term construction-related impacts to air quality would be less than significant and no mitigation measures are necessary.

**Impact 5.2-5: The Proposed Project would not expose sensitive receptors to substantial pollutant concentrations during operation.**

Support for this environmental impact conclusion is fully discussed starting on page 5.2-35 of Section 5.2, *Air Quality* of the DEIR.

**Operational Phase LSTs**

Operation of the Proposed Project would not generate substantial quantities of emissions from on-site, stationary sources. Land uses that have the potential to generate substantial stationary sources of emissions require a permit from South Coast AQMD, such as chemical processing or warehousing operations where substantial truck idling could occur on-site. Emissions from uses such as chemistry labs would be minimal and would not be greater than emissions from current uses on-site. Overall, the Proposed Project does not fall within these categories of uses. Therefore, net localized air quality impacts from Proposed Project-related operations would be less than significant.

**Operational Health Risk – Bus Barn**

A potential source of TACs from operation of the Proposed Project would be from school buses associated with the relocated bus barn. As noted in MATES V previously, regional DPM emissions represent approximately 72 percent of the potential health risk from air toxics. However, the District

bus fleet is not diesel fueled, but consists of 8 compressed natural gas (CNG) buses and 17 gasoline buses. In general, the TACs emitted from CNG and gasoline-fueled vehicle produce much lower health risks than diesel-fueled vehicles despite that gasoline vehicles account for over 95 percent of the vehicle population in Los Angeles County (CARB 2021c). In addition, the Proposed Project would not increase the amount of bus activity occurring at the relocated bus barn. Therefore, the Proposed Project would not expose sensitive receptors to substantial concentrations of TACs during operation. Impacts would be less than significant.

### **Carbon Monoxide Hotspots**

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 ppm or the eight-hour standard of 9.0 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Hot spots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. The SoCAB has been designated in attainment of both the National and California AAQS for CO. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—to generate a significant CO impact (BAAQMD 2017). The Proposed Project would generate a net increase of 651 AM peak-hour trips, which is substantially below the incremental increase in peak-hour vehicle trips needed to generate a significant CO impact. Implementation of the Proposed Project would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the Project Site, therefore, impacts would be less than significant.

### **Finding:**

Impacts to sensitive receptors from substantial pollutant concentrations would be less than significant and no mitigation measures are necessary.

## **3. Biological Resources**

### **Impact 5.3-4: The Proposed Project would not affect wildlife movement.**

Support for this environmental impact conclusion is fully discussed starting on page 5.2-27 of Section 5.3, *Biological Resources*, of the DEIR and contained within Responses to Comment Letter A3 (see A3-39) and A5 (see A5-21).

### **Wildlife Movement and Habitat Fragmentation**

The Project Site does not represent an area of important regional movement. The existing structures and paved parking lots, adjacent PCH, and surrounding residential streets and structures present a barrier to movement for wildlife moving through the area. Wildlife looking to move through the foothills would likely utilize canyons in the open space north of the Project Site. Proposed Project activities would not impact these open space areas. The adjacent canyons would continue to be available for movement; thus, regional wildlife movement would not be disrupted, and impacts on regional wildlife movement would be considered less than significant.

Construction activities would create dust and noise within and adjacent to the impact area; however, dust control required by SCAQMD Rule 403 would be implemented. During active construction, wildlife movement may be deterred by noise and human activity; however, most wildlife movement would occur at night while construction activities would occur during the day. Should any temporary fencing be needed during construction, it would meet the requirements of the LCP and LUP, and would be wildlife permeable. Proposed Project implementation would not isolate any native habitats or create any bottle necks for wildlife movement because small amounts of native vegetation, on the edges of disturbance or development, would be impacted. Therefore, construction impacts on local wildlife movement would be considered adverse, but less than significant.

**Finding:**

Impacts to wildlife movement would be less than significant and no mitigation measures are necessary.

#### **4. Cultural Resources**

**Impact 5.4-1: There are no historical resources in the Project Site; development pursuant to the Proposed Project would not result in an impact on identified historic resources.**

Support for this environmental impact conclusion is fully discussed starting on page 5.4-14 of Section 5.4, *Cultural Resources* of the DEIR.

There are currently no locally, state-, or federal- designated historic resources in the Project Site. Additionally, the Project Site was not listed in any of the following state or federal resources: NRHP, CRHR, California Points of Historical Interest, California Historical Landmarks, National Historic Landmarks, Los Angeles Conservancy, and Los Angeles Historic Resources Inventory.

However, there are historic-period buildings located within both MMHS and former JCES Campuses. Therefore, all historic-era buildings within the Project Site were evaluated, both as individual resources and as a historic complex, using CRHR eligibility criteria. However, due to lack of associated significance, none of the historic buildings and structures within the Project Site are recommended as eligible for listing at the local, state, or national level and are not considered historically significant. The buildings are not associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States and, therefore, not recommended as eligible for listing under Criterion 1. They are not associated with the lives of persons important to local, California, or national history and, therefore, not recommended as eligible for listing under Criterion 2. They do not embody the distinctive characteristics of a type, period, region, or method of construction or represent the work of a master or possess high artistic values and therefore, not recommended as eligible for listing under Criterion 3. Lastly, they have not yielded, nor have the potential to yield, information important to the prehistory or history of the local area, California, or the nation and therefore are not recommended as eligible for listing under Criterion 4. Therefore, impacts to historic resources as a result of implementation the Proposed Project, including demolition and removal of structures, are considered less than significant.

**Finding:**

Impacts to historical resources would be less than significant and no mitigation measures are necessary.

## 5. Energy

### **Impact 5.5-1: The Proposed Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.**

Support for this environmental impact conclusion is fully discussed starting on page 5.5-8 of Section 5.5, *Energy* of the DEIR.

#### **Short-Term Construction Impacts**

During each of the four phases of construction of the Proposed Project, there would be temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term transportation-related energy use.

##### *Electrical Energy*

Construction of the Proposed Project would not require electricity to power most construction equipment. Electricity use during construction would vary during different phases of construction. The majority of construction equipment during demolition and grading would be gas- or diesel-powered, and the later construction phases would require electricity-powered equipment for interior construction and architectural coatings. Overall, the use of electricity would be temporary and would fluctuate according to the phase of construction. Additionally, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities. Therefore, Project-related construction activities would not result in wasteful or unnecessary electricity demands, and impacts would be less than significant.

##### *Natural Gas Energy*

It is not anticipated that construction equipment used for the Proposed Project would be powered by natural gas, and no natural gas demand is anticipated during construction. Therefore, impacts would be less than significant with respect to natural gas usage.

##### *Transportation Energy*

Energy consumption for each of the four phases of construction was calculated using the CalEEMod (Version 2020.4) computer model and data from the EMFAC2017 (Version 1.0.3) and OFFROAD2017 (Version 1.0.1) databases. The use of energy resources by construction vehicles would fluctuate according to the phase of construction and would be temporary. It is anticipated that the majority of off-road construction equipment, such as those used during demolition and grading, would be gas or diesel powered. In addition, all construction equipment would cease operating onsite upon completion of Project construction. Thus, impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Furthermore, to limit wasteful and unnecessary energy consumption, the construction contractors are anticipated to minimize nonessential idling of construction equipment during construction, in accordance with section 2449 of CCR, Title 13, Article 4.8, Chapter 9, which limits nonessential idling of diesel-powered off-road equipment to 5 minutes or less.

The Proposed Project would not result in wasteful, inefficient, or unnecessary use of energy during construction. It is anticipated that the construction equipment would be well maintained and meet the appropriate tier ratings per US EPA emissions standards, so that adequate energy-efficiency level is achieved. Construction trips would not result in unnecessary use of energy since the Project Site is centrally located and is served by numerous regional circulation systems that provide the most direct routes from various areas of the region. Thus, energy use during construction of the Proposed Project would not be considered inefficient, wasteful, or unnecessary. Impacts would be less than significant.

### **Long-Term Impacts During Operation**

Operation of the Proposed Project would generate additional demand for electricity and natural gas on the Project Site beyond current uses. The Project Site currently contains 203,734 total square feet of buildings that use energy. Following buildout of the Project, there would be a total of 222,425 square feet of building space. Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems; use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

#### *Electrical Energy*

As with the existing school facilities, operation of the Proposed Project would consume electricity for various purposes, including, but not limited to, heating, cooling, and ventilation of buildings, water heating, operation of electrical systems, lighting, and use of on-site equipment and appliances. Electrical service to the Proposed Project would continue to be provided by SCE through connections to existing off-site electrical lines and new on-site infrastructure as needed for each phase. For all existing buildings to remain following Phase 1 buildout and full buildout of the Proposed Project, energy use from electricity were based on historical electricity consumption default data from CalEEMod 2020.4. Electricity use from new buildings were based on CalEEMod 2020.4 non-historical electricity default data.

While the Proposed Project would generate new electricity demand on-site, it would be required to comply with the current Building Energy-Efficiency Standards and CALGreen. In addition, the new buildings to be constructed would be more energy efficient than the existing school buildings energy to be replaced. Furthermore, the proposed and existing photovoltaic (PV) systems would further reduce electricity consumption on the Project Site. Therefore, the Proposed Project would not result in wasteful or unnecessary electricity demands and would result in a less-than-significant impact related to electricity.

#### *Natural Gas Energy*

The Proposed Project would generate an average natural gas demand of 2,306,942 kilo British thermal units per year (kBTU/year) following Phase 1 buildout and 2,820,413 kBTU/year following full buildout of the Proposed Project. This would result in a net increase of 231,224 kBTU/year following Phase 1 and 744,695 kBTU/year after full buildout of the Proposed Project as compared to existing conditions. While the Proposed Project would generate new natural gas demand on-site, it would be required to comply with the current Building Energy Efficiency Standards and CALGreen. In addition, the new buildings to be constructed would be more energy efficient than the existing school buildings energy to be replaced. Therefore, the Proposed Project would not result in wasteful or unnecessary

natural gas demands. Operation of the Proposed Project would result in less-than-significant impacts with respect to natural gas usage.

#### *Transportation Energy*

The Proposed Project would consume transportation energy during operations from the use of motor vehicles. The efficiency of these motor vehicles is unknown, such as the average mpg. Estimates of transportation energy use are based on the overall VMT and its associated transportation energy use. The Project-related VMT would primarily come from students and staff. However, because student capacity and staffing levels would not increase, the Proposed Project would not result in additional trips or an increase in VMT. Therefore, there would be no impact with respect to operation-related fuel usage.

#### **Finding:**

Impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation would be less than significant and no mitigation measures are necessary.

#### **Impact 5.5-2: The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.**

Support for this environmental impact conclusion is fully discussed starting on page 5.5-13 of Section 5.5, *Energy* of the DEIR.

#### **California Renewables Portfolio Standard**

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers, such as SCE, which is the utility that would provide all of the electricity needs for the Proposed Project. Compliance of SCE in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. The Proposed Project also would be subject to the Building Energy-Efficiency Standards and CALGreen. Because the new school buildings associated with the Proposed Project would comply with the latest 2019 energy standards, it would offer an improvement over the existing buildings on-site. In addition, the District has an adopted Districtwide Plan for Sustainability. The plan incorporates sustainability into education services and all aspects of student learning and integrates climate protection, resource efficiency, waste management, and other sustainability practices into District operations. The Proposed Project would also include installation of additional solar PV systems. Therefore, implementation of the Proposed Project would not conflict with or obstruct plans for renewable energy and energy efficiency and no impact would occur.

#### **Finding:**

Impacts to a state or local plan for renewable energy or energy efficiency would not occur and no mitigation measures are necessary.

## 6. Geology and Soils

### **Impact 5.6-1: Future development in the Project Site, pursuant to the Proposed Project would not expose increased numbers of persons and structures to strong ground shaking from active faults in the region.**

Support for this environmental impact conclusion is fully discussed starting on page 5.6-16 of Section 5.6, *Geology and Soils* of the DEIR and contained within Responses to Comment Letter A5 (see A5-33 through A5-28).

The Project Site is not at a greater risk of seismic activity or impacts than other sites in southern California. Seismic shaking is a risk throughout Southern California. Additionally, California and the City regulate development in Malibu through a variety of tools that reduce geologic and seismic hazards, including earthquakes. The CBC, adopted by reference in the City's municipal code, contain provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic hazards. The design and construction of the Proposed Project would be required to adhere to the provisions of the CBC, which are imposed on project developments by the City's Planning Department during the development review and building plan check process. Compliance with the requirements of the CBC for structural safety during a seismic event would reduce hazards from strong seismic ground shaking.

Furthermore, future development accommodated by the Proposed Project would be required to have site-specific geotechnical investigation reports prepared by the District's geotechnical consultant, in accordance with the CBC. The geotechnical investigations would determine seismic design parameters for the site and the proposed building type per CBC requirements. Thus, compliance with the provisions of the CCR and CBC and required implementation of the recommended design recommendations outlined in the geotechnical reports would reduce hazards arising from strong seismic ground shaking. Therefore, impacts resulting from strong ground shaking would be less than significant.

#### **Findings:**

Impacts resulting from strong ground shaking would be less than significant would be less than significant and no mitigation measures are necessary.

### **Impact 5.6-2: Future development in the Project Site would not result in substantial soil erosion or the loss of topsoil.**

Support for this environmental impact conclusion is fully discussed starting on page 5.6-18 of Section 5.6, *Geology and Soils* of the DEIR.

Each phase of the Proposed Project would be required to comply with NPDES permit requirements to control pollutants from being discharged into the water. Under the NPDES permit, which applies to grading activities of more than one acre and is administered under the Regional Water Quality Control Board (RWQCB), the SMMUSD would be required to prepare and implement a SWPPP, including a best management practices (BMP) program to address construction-related discharges. BMPs include, but are not limited to, the implementation of erosion and sediment controls. Because construction would occur throughout the year, erosion-control BMPs must be implemented to ensure

that sediment is confined to the construction area and not transported off-site. During construction, all stormwater runoff would be diverted to the appropriate catch basins and drainage channels subject to all applicable regulatory statutes and permits, including those found in Title 15 (Building and Construction) of the Malibu Municipal Code, which adopts Title 26 (Building Code) of the Los Angeles County Code. Soil erosion during the operation of the Proposed Project would be controlled by implementation of an approved landscape and irrigation plan, installation, and maintenance of post-construction BMPs, and paving of surface parking areas. Therefore, the Proposed Project would have a less than significant impact associated with soil erosion or loss of topsoil. No mitigation is required.

### **Findings:**

Impacts to soil erosion or loss of topsoil would be less than significant and no mitigation measures are necessary.

### **Impact 5.6-4: Soil conditions at the Project Site could adequately support proposed septic tanks.**

Support for this environmental impact conclusion is fully discussed starting on page 5.6-20 of Section 5.6, *Geology and Soils* of the DEIR and contained within Responses to Comment Letter A5 (see A5-36 and A5-37).

The Proposed Project would result in seven total septic systems. The Proposed Project would remove septic systems 6 through 11 and would add five septic systems.

Results of the Geotechnical Investigation indicated that the near-surface soils are considered severely corrosive to ferrous metals (metals that contain mostly iron) and moderate sulfate attack of concrete. Water-soluble sulfates in soil can react adversely with concrete. As referenced in the 2019 CBC, section 1904A, concrete subject to exposure to sulfates shall comply with requirements in American Concrete Institute (ACI) 318. Based on testing results of the on-site soils from recent and prior investigations, concrete structures in contact with the on-site soil would likely have “negligible” to “moderate” exposure to water-soluble sulfates in the soil. Therefore, common Type II Portland cement may be used for concrete construction in contact with site soils. Consistent with the recommendations of the Geotechnical Investigation, subgrade soil should be tested for water-soluble sulfate content prior to final design of the concrete structures once grading is complete. Import fill soil should be geotechnically tested for corrosivity and sulfate attack before import to the site. Further testing of import soils should include analytical testing for chemicals of concern prior to import and acceptance.

Ferrous pipe buried in moist to wet site earth materials should be avoided by using high-density polyethylene (HDPE), polyvinyl chloride (PVC), and/or other nonferrous pipe when possible. Ferrous pipe can also be protected by polyethylene bags, tap or coatings, di-electric fittings, or other means to separate the pipe from on-site soils. The Proposed Project would comply with the 2019 CBC and requirements in the site-specific Geotechnical Investigation. Thus, soil conditions at the Project Site would adequately support the proposed septic tanks relocations. Therefore, impacts would be less than significant.

## **Findings:**

Impacts to soil conditions at the Project Site would be less than significant and no mitigation measures are necessary.

## **7. Greenhouse Gas Emissions**

### **Impact 5.7-1: Implementation of the Proposed Project would not generate a net increase in GHG emissions, either directly or indirectly, that would have a significant impact on the environment.**

Support for this environmental impact conclusion is fully discussed starting on page 5.7-20 of Section 5.7, *Greenhouse Gas Emissions* of the DEIR.

Since student capacity, staffing, and other community-related uses on the campus would not increase or change after full buildout of the four phases, the Proposed Project would not result in an increase in emissions from mobile sources, solid waste generation, water use, or wastewater generation. In addition, because older buildings would be replaced and the Proposed Project would include energy saving features such as a PV system, the overall water use, wastewater and solid waste generation, and energy use would be further reduced. The Proposed Project would generate a net increase in GHG emissions from energy use (indirectly from purchased electricity use and directly through fuel consumed for building heating) and area sources (e.g., landscaping equipment used on-site, consumer products, coatings). Annual average construction emissions were amortized over 30 years and included in the emissions inventory to account for one-time GHG emissions from the construction of Phase 1, Phase 2, Phase 3, and two sets of Phase 4 activities of the Proposed Project. Overall, construction and operation of the Proposed Project would not generate annual emissions that exceed the South Coast AQMD bright-line threshold of 3,000 MTCO<sub>2e</sub> per year. Therefore, the Proposed Project's cumulative contribution to GHG emissions would be less than significant.

## **Findings:**

A net increase in GHG emissions as a result of the Proposed Project would be less than significant and no mitigation measures are necessary.

### **Impact 5.7-2: Implementation of the Proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.**

Support for this environmental impact conclusion is fully discussed starting on page 5.7-21 of Section 5.7, *Greenhouse Gas Emissions* of the DEIR.

Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and SCAG's RTP/SCS. A consistency analysis with these plans is presented below.

#### CARB Scoping Plan

CARB's Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32, which is to return to 1990 emission levels by year 2020. The CARB Scoping Plan is applicable to state agencies and is not directly applicable to cities/counties and

individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Since adoption of the 2008 Scoping Plan, state agencies have adopted programs identified in the plan, and the legislature has passed additional legislation to achieve the GHG reduction targets. Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy standards, and other early action measures as necessary to ensure the state is on target to achieve the GHG emissions reduction goals of AB 32. New buildings are required to comply with the latest applicable Building Energy Efficiency Standards and CALGreen. On December 24, 2017, CARB adopted the Final 2017 Climate Change Scoping Plan Update to address the new 2030 interim target to achieve a 40 percent reduction below 1990 levels by 2030, established by SB 32 (CARB 2017b). While measures in the Scoping Plan apply to state agencies and not the Proposed Project, the Proposed Project's GHG emissions would be reduced by statewide compliance with measures that have been adopted since AB 32 and SB 32 were adopted. Therefore, the Proposed Project would not obstruct implementation of the CARB Scoping Plan, and impacts would be less than significant.

#### SCAG's Regional Transportation Plan / Sustainable Communities Strategy

SCAG adopted the 2020-2045 RTP/SCS (Connect SoCal) in September 2020 for the purpose of transportation conformity. Connect SoCal finds that land use strategies that focus on new housing and job growth in areas rich with destinations and mobility options would be consistent with a land use development pattern that supports and complements the proposed transportation network. The overarching strategy in Connect SoCal is to plan for the southern California region to grow in more compact communities in transit priority areas and priority growth areas; provide neighborhoods with efficient and plentiful public transit; establish abundant and safe opportunities to walk, bike, and pursue other forms of active transportation; and preserve more of the region's remaining natural lands and farmlands (SCAG 2020). Connect SoCal's transportation projects help more efficiently distribute population, housing, and employment growth, and forecast development is generally consistent with regional-level general plan data to promote active transportation and reduce GHG emissions. The projected regional development, when integrated with the proposed regional transportation network in Connect SoCal, would reduce per-capita GHG emissions related to vehicular travel and achieve the GHG reduction per capita targets for the SCAG region.

The Connect SoCal Plan does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency to governments and developers. The Proposed Project would provide new facilities for the existing and future students of MMHS. The Proposed Project would serve the local population within the nearby surrounding communities. However, because the Proposed Project would not result in an increase in student capacity, it would not generate an increase in VMT. Therefore, the Proposed Project would not interfere with SCAG's ability to implement the regional strategies in Connect SoCal, and impacts would be less than significant.

## **Findings:**

Impacts to an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs would be less than significant and no mitigation measures are necessary.

## **8. Hazards and Hazardous Materials**

### **Impact 5.8-1: The Proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.**

Support for this environmental impact conclusion is fully discussed starting on page 5.8-22 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.

#### **Construction**

The Project Site has been investigated under the oversight of the DTSC, and no significant hazardous materials are being used or stored that would be removed during construction. No routine transport, use, or disposal of hazardous materials currently occurs on-site, and no new or expanded handling of hazardous materials would result from Project implementation. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during construction of each phase of the Proposed Project would be less than significant.

#### **Operation**

Operation of the Proposed Project would involve the use of small amounts of hazardous materials for cleaning and maintenance purposes typical of janitorial staff, and pesticides by school maintenance staff. The use, storage, transport, and disposal of hazardous materials by school staff would be required to comply with existing regulations of several agencies, including DTSC, EPA, Occupational Safety and Health Administration, Los Angeles Regional Water Quality Control Board, and the Los Angeles County Department of Public Works. The Proposed Project would continue to operate in the same manner as current conditions as a school. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during operation of the Proposed Project would be less than significant.

## **Findings:**

Impacts to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant and no mitigation measures are necessary.

### **Impact 5.8-2: The Proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.**

Support for this environmental impact conclusion is fully discussed starting on page 5.8-22 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.

PEAs were prepared in 2009 and 2015 for the Project Site due to RECs identified in the 2009 Phase I ESA. The PEAs investigated the possibility of residual pesticides in soil from termiticide usage, lead in soil from lead-based paint, residual petroleum hydrocarbons from the former USTs and bus wash in

the vicinity of the bus barn, and the potential for hazardous materials from the laboratories, woodshop, art studio, and photography darkroom being released to the septic system within the redevelopment area and adjacent to the development area. The PEA evaluated historical information for indications of the past use, storage, disposal, or release of hazardous waste/substances at the site; evaluated available information for indications of naturally occurring hazardous materials at the site; established the nature of hazardous wastes/substances that may be present in soil at the site, their concentration, and general extent; and estimated the potential threat to public health and/or the environment posed by hazardous constituents, if any, at the site using a residential land-use scenario.

A human health risk assessment that was included in the PEA determined that an approximately 0.66-acre area of the bus barn area posed an unacceptable human health risk using a residential land use risk scenario but was appropriate for school-based use. The remainder of the Project Site did not have an unacceptable risk for unrestricted residential land use, and it was determined that no further action was needed. The 2015 PEA concluded that there are no current environmental concerns, and no significant risks due to exposure to chemicals in soil and soil vapor are expected for the current or future students and staff. If land use in the bus barn area should ever change to residential, soil vapor may need to be reevaluated at that time. Based on the PEA finding and LUC, it is anticipated that the Proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

ACMs would need to be removed from the campus if present and transported to a licensed disposal facility. ACMs were used in building materials from approximately the 1930s to 1977. Although it is anticipated that ACMs from the school buildings were removed, the Proposed Project may encounter previously unidentified ACMs during demolition. Additionally, the potential for encountering lead-based paint (LBP) during construction also exists. However, the District is required to implement regulatory requirements outlined in the Title 8 CCR Subchapter 4, section 1529 (pertaining to asbestos) and section 1532.1 (pertaining to lead-based paint); 29 CFR section 1926, Subpart Z; 40 CFR section 61, Subpart M (pertaining to asbestos); and 29 CFR section 1926, Subpart D (pertaining to lead) to ensure that all removal and disturbance of ACM and LBP and subsequent waste disposal are performed in accordance with these rules and regulations that provide exposure limits, exposure monitoring, respiratory protection, and good working practice by trained workers.

All removal and disturbance of ACM and subsequent waste disposal shall be performed by an asbestos abatement contractor, using 40-hour asbestos trained workers (Asbestos Worker trained as outlined in 40 CFR section 763). The abatement contractor's workforce shall be supervised by experienced trained workers, knowledgeable and qualified in the techniques of asbestos abatement, handling, and disposal of asbestos-containing and/or asbestos-contaminated materials, and the subsequent cleaning of contaminated areas, including, at a minimum, Competent Person/Contractor Supervisor training as outlined in 40 CFR section 763. All removal and disturbance of lead-based paints and subsequent waste disposal shall be performed by a state-licensed contractor using workers certified by the California Department of Public Health (CDPH) and at least one CDPH-certified Supervisor. The abatement contractor's workforce shall be supervised by experienced trained workers, knowledgeable and qualified in the techniques of lead abatement, handling, and disposal of lead-containing and/or lead-contaminated materials, and the subsequent cleaning of contaminated areas. All construction work concerning ACMs and LBP would be performed in accordance with all applicable and relevant laws and regulations. The Proposed Project would not create a significant hazard to the public or the

environment through reasonably foreseeable upset and accident conditions involving release of hazardous materials into the environment, and impacts would be less than significant.

**Findings:**

Impacts to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant and no mitigation measures are necessary.

**Impact 5.8-3: The Proposed Project would not be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code section 65962.5 and, as a result, would create a significant hazard to the public or the environment.**

Support for this environmental impact conclusion is fully discussed starting on page 5.8-25 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.

The Project Site was not on state and federal hazardous materials sites, except for having a former release from a UST, but that case was granted closure and therefore no significant hazard to the public or the environment would occur. Additionally, the site has been investigated under the oversight of the DTSC for use as a school, and a 0.66-acre area was identified as being acceptable for use as a school but not for residential. A land use covenant is in effect for the 0.66-acre area near the former USTs that is annually inspected by the District and the LUC Inspection Report is approved by the DTSC, and no significant hazard to the public or the environment would occur. Therefore, impacts related to being located on a listed hazardous materials site compiled pursuant to Government Code section 65962.5 would be less than significant.

**Findings:**

Impacts a site which is included on a list of hazardous materials compiled pursuant to Government Code section 65962.5 would be less than significant and no mitigation measures are necessary.

**Impact 5.8-4: Project development would not affect the implementation of an emergency responder or evacuation plan.**

Support for this environmental impact conclusion is fully discussed starting on page 5.8-25 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR and contained within Responses to Comment Letter A2 (see A2-1) and R3-8.

**Construction**

During each of the four phases of Project construction, construction vehicles including employees, vendors, and equipment would be traveling to and from the Project Site. Construction activities may occur during the school year, and therefore all construction staging areas and access locations must be well identified so that access for pick-up/drop-off as well as emergency responders is maintained. The Proposed Project would implement Mitigation Measure T-1 to ensure that access is sufficiently maintained during construction activities. Implementation of this measure would ensure impacts remain less than significant regarding emergency access and response during construction.

## **Operation**

The Proposed Project would not substantially change the access configurations, and the Proposed Project would not result in more trips or a change in traffic patterns. The access and configurations of the parking lots would not worsen traffic conditions or emergency access in the study area. The configuration of the new Parking Lots C, D, and E would improve traffic conditions because access to Lots D and E are farther west and away from the drop-off and pick-up area adjacent to the school on Morning View Drive, and Parking Lot C provides better on-site circulation and vehicular storage than the existing JCES parking lot. Additionally, Parking Lot F would improve emergency response and access to the athletic fields at the north part of the campus. Therefore, full buildout of all phases of the Proposed Project would not affect the implementation of an emergency responder or evacuation plan, and impacts would be less than significant.

## **Findings:**

Impacts to an emergency responder or evacuation plan would be less than significant and no mitigation measures are necessary.

### **Impact 5.8-5: The Proposed Project Site would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.**

Support for this environmental impact conclusion is fully discussed starting on page 5.8-26 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR and contained within Responses to Comment Letter A1 (see A1-4).

The Project Site is in a Very High Fire Hazard Severity Zone in a local response area. The Proposed Project would be required to comply with current CBC standards, CFC standards, Title 5 regulations, and local fire code requirements, including fire protection features. These features include fuel modification requirements for landscape and highly ignition-resistant buildings to minimize the likelihood of exposing students, visitors, staff, and structures to a significant risk related to wildfires.

The Proposed Project would create greater setbacks from the environmentally sensitive habitat area (ESHA) and would not introduce large amounts of nonnative vegetation on-site. The Proposed Project would result in demolition of structures within the ESHA buffer area, such as the bus barn, the playfield at the former JCES, and surface parking. The District would implement a restoration plan for the ESHA that would include weed abatement, establish invasive plant controls, and implement erosion prevention and bank stability improvements. Several plants suitable for consideration for ESHA restoration efforts would be fire-resistant species. Fuel modification zones would be included as part of project design. Fire-resistant landscape plants would act as a defensible space to gradually reduce fire intensity and flame lengths from advancing fire by strategically placing thinning zones and irrigated zones next to each other.

An “islandable microgrid,” or ground-mounted PV solar array system with battery storage and energy control center, would be constructed to avoid loss of instruction at MMHS due to mandated public utility shutdowns to prevent fires. A 500- to 1,000-kW-hour battery storage system would be installed. The battery storage system would have a fire rating in conformance with CBC and CFC standards and local fire codes. The structure would also have cooling systems to maintain cool temperatures within

the unit. Therefore, the battery storage structure would not exacerbate fire risk at the Project Site. With implementation of fire protection building and design features and compliance with existing current standards, regulations, and code requirements, the Proposed Project would not result in a significant risk of loss, injury, or death involving wildland fires, and impacts would be less than significant.

### **Findings:**

Impacts to significant risk of loss, injury, or death involving wildland fires would be less than significant and no mitigation measures are necessary.

## **9. Hydrology and Water Quality**

### **Impact 5.9-1: The Proposed Project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.**

Support for this environmental impact conclusion is fully discussed starting on page 5.9-39 of Section 5.9, *Hydrology and Water Quality* of the DEIR and contained within Responses to Comment Letter A5 (see A3-34 through A3-38).

#### **Construction**

Construction of the Proposed Project would likely involve the use of some hazardous materials, such as vehicle fuels, lubricants, greases, and transmission fluids in construction equipment, and paints and coatings in building construction that could affect water quality. Construction of the Proposed Project would not create a significant hazard through the transport, use or disposal of hazardous materials during construction. No significant hazardous materials are being used or stored that would be removed during construction. The use and storage of hazardous materials during construction would comply with U.S. Occupational Safety and Health Administration regulations, which ensure that such hazardous materials are properly handled on-site and would not enter stormwater or waterways.

Earthwork activities during construction may also cause erosion and generate sediment that can enter waterways. Prior to construction of each phase of the Proposed Project, the District would be required to prepare and implement site specific BMPs consistent with its Construction General NPDES Permit, Construction SWPPP, and MMC section 13.04.100, which are in place to control sediment and pollution from entering waterways. Additionally, each phase of the Proposed Project would be required to adhere MMC sections 13.04.050 and 13.04.120, which require compliance with the Federal Clean Water Act and Municipal NPDES Permit. Groundwater is not anticipated to be encountered. While not anticipated, if dewatering during construction is needed, the Proposed Project would also be required to obtain a general permit for construction dewatering issued by the RWQCB. The construction of the Proposed Project therefore would not violate water quality standards or waste discharge requirements and would not otherwise substantially degrade water quality; a less than significant impact would occur.

#### **Operation**

The Project Site Hydrology Report (Psomas 2021c) evaluated existing stormwater drainage on-site to determine the capacity of the existing infrastructure and proposed on-site stormwater infrastructure to

accommodate stormwater from rain events. The Proposed Project would incorporate adequate stormwater treatment capacity as specified by the Project Site Hydrology Report.

The Project Site Hydrology Report further reviewed storm drain hydraulics in the ESHA to establish existing water surface elevations and existing flow velocities for various storm events. Under existing conditions, erosive velocities average six feet per second with an average depth of three feet during the 2-year storm event and eight feet per second with an average depth of five feet during the 50-year event. The model also indicates that flows for the design storm event are contained by the channel banks and do not overtop. The Proposed Project would not substantially contribute to stormwater velocities in the ESHA, and restoration of the ESHA as part of the Proposed Project would reduce stormwater velocities in the ESHA.

The phased storm drains would be designed to accommodate 50-year design storm peak flow rates. Therefore, the stormwater system on-site and stormwater improvements conducted as part of the Proposed Project would ensure that stormwater is adequately conveyed and would not violate water quality standards.

Operation of the Proposed Project would have the potential to discharge sediment and pollutants to storm drains and receiving waters, thereby leading to a potential water quality impact. However, the Proposed Project includes the implementation of a stormwater system that would capture and treat stormwater on-site prior to being released to public storm drain systems. Stormwater infrastructure on-site would be constructed along with each phase of the Proposed Project, which would ensure that each phase of the Proposed Project is adequately served by on-site stormwater system. Consistent with the MMC 13.04.120, prior to construction of each phase, a water quality management plan would be prepared, which would identify BMPs to ensure that on-site infrastructure and stormwater meet the stormwater on-site retention requirements and discharge requirements. The Proposed Project would be required to comply with the City's MS4 Permit and Municipal Code Chapter 13.04 (Stormwater Management and Discharge Control), which requires reduction of pollutants in stormwater to the maximum extent practical and prohibits the discharge of non-stormwaters unless covered by a separate NPDES permit or Water Board's conditional discharge exemption (13.04.030(A)(1) and 13.04.060(D)). The operation of the Proposed Project therefore would not violate water quality standards or waste discharge requirements and would not otherwise substantially degrade water quality; a less than significant impact would occur.

### **Septic Upgrades**

The Proposed Project would require decommissioning of existing septic systems and sizing and replacement with new septic system infrastructure. The decommissioning and installation of new septic systems would comply with all applicable state and local guidelines, including the Los Angeles County Department of Public Health and MMC. Chapter 15.40 of the MMC establishes standards for the siting, design, installation, operation, and maintenance of OWTS, which are adopted in compliance with the City's LCP and LIP to protect the overall quality of coastal waters and resources in the City and consistent with California Water Resources Control Board OWTS Policy and Los Angeles Regional Water Quality Control Board's Basin Plan. These standards apply to all existing, new, or replacement OWTS in the City. Additionally, plans for the on-site wastewater system would be submitted for review and approval by the County Department of Public Health (LADPH 2018).

Compliance with regulatory requirements would ensure that no potential sewage or related contaminants are released from this activity.

The Proposed Project would include adequate infrastructure to serve the Project Site, including the reconfiguration of existing septic systems. The proposed septic systems would include an appropriately sized two-compartment fiberglass septic tank. The location of the septic tanks and associated leach fields would be reviewed as part of each phase. However, the proposed septic systems would be designed and sited to avoid impacts to the ESHA, as all septic systems would be located more than 100 feet from the ESHA.

Decommissioning and modifications of the existing septic systems, and the addition of the replacement infrastructure would not be anticipated to disrupt service on the Project Site. Modifications to the wastewater and drainage system would have the capacity to adequately serve the Project Site during all phases of the Proposed Project, and Project-generated wastewater would be adequately treated. Therefore, the septic system upgrades would not violate any water quality standard or waste discharge requirements and would not substantially degrade surface or ground water quality; a less than significant impact would occur.

### **Findings:**

Impacts to water quality standards or waste discharge requirements would be less than significant and no mitigation measures are necessary.

### **Impact 5.9-2: The Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Proposed Project may impede sustainable groundwater management of the basin.**

Support for this environmental impact conclusion is fully discussed starting on page 5.9-41 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Proposed Project's potable water use, and fire water lines would connect to an existing public water main on Morning View Drive. Los Angeles County Waterworks District No. 29 provides potable water to the City of Malibu, including the Project Site. Following full buildout of the Project, water demands would not change from current conditions as operational characteristics (enrollment, staffing, fire needs) would be the same as current operation. Therefore, operation of the Proposed Project would not substantially decrease groundwater supplies.

The MMHS and JCES campuses are largely developed with limited pervious surfaces. The Project Site is underlain by low permeability clay soil. Therefore, limited amounts of rainwater currently percolate to the groundwater on-site. Existing stormwater on the Project Site currently flows southward towards a network of storm drain systems and catch basins that outlet through the curb face to the adjacent Morning View Drive and to the existing ESHA. The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions. However, the minor increase in impervious surfaces would not interfere substantially with groundwater recharge. Similar to existing conditions, the stormwater generated under the Proposed Project would be directed to on-site stormwater infrastructure and be discharged to Morning View Drive and the ESHA. Additionally, the likelihood of encountering groundwater during construction such that dewatering is necessary is low, since groundwater was not encountered during the maximum depth drilled of approximately 46.5 feet

bgs and depth of groundwater is measured to be 77.4 feet bgs with depth of static water level at 58.7 feet bgs. As such, the Proposed Project would not interfere substantially with groundwater recharge.

Therefore, the Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge during operation or construction, and a less than significant impact would occur.

### **Findings:**

Impacts to groundwater supplies or groundwater recharge during operation or construction would be less than significant and no mitigation measures are necessary.

### **Impact 5.9-3: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would result in a substantial erosion or siltation on- or off-site.**

Support for this environmental impact conclusion is fully discussed starting on page 5.9-42 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

### **Construction**

Soils in the Project Site could experience erosion during construction of each phase due to natural processes, such as wind and rain, or by earthwork activities, such as grading and excavation. Prior to construction of each phase of the Proposed Project, the District would be required to prepare and implement site specific BMPs consistent with its Construction General NPDES Permit, Construction SWPPP, and MMC section 13.04.100, which are in place to control sediment and pollution from entering waterways. Additionally, each phase of the Proposed Project would be required to adhere MMC sections 13.04.050 and 13.04.120, which require compliance with the Federal Clean Water Act (CWA) and Municipal NPDES Permit. While not anticipated, if dewatering during construction is needed, the Proposed Project would also be required to obtain a general permit for construction dewatering issued by the RWQCB. Therefore, compliance with federal, state, and local regulations would ensure that the Proposed Project would not result in substantial erosion or siltation on or off-site. A less than significant impact related to substantial erosion or siltation would occur during each phase of construction.

### **Operation**

During operation, the Proposed Project would result in a minor increase to impervious surfaces compared to existing conditions and would result in alteration of the existing site's drainage patterns but not in a manner that would result in substantial erosion or siltation on or off-site. The Proposed Project would install new stormwater retention basins that would be developed to infiltrate and treat runoff from the Proposed Project. Stormwater from the Proposed Project would either drain to the existing ESHA via Clover Heights Avenue and the on-site drainage channel or to Morning View Drive, similar to existing conditions. ESHA restoration activities would include removal of all hardscape within the 100-foot buffer for the ESHA. The District would conduct weed abatement, establish invasive plant controls, and introduce native seed and plant species within the ESHA and the proposed 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. For the parking areas and trails within the ESHA's 100-foot buffer, the District would use permeable surface materials to increase infiltration.

The Project Site would be divided into seven drainage management areas (DMA) that would coordinate drainage to Morning View Drive. New stormwater retention basins would be developed to infiltrate and treat runoff from the Proposed Project. Stormwater infrastructure on-site would be developed as part of each phase, such that DMA A and B would be developed during Phase 1; DMA C would be developed during Phase 2; DMA D would be developed during Phase 3; and DMA E through G would be developed during Phase 4 (see Figure 3-8, Conceptual Storm Drain and Water Quality: Phase 1, and Figure 3-9, Conceptual Storm Drain Water Quality: Phases 2–4). Drainage from the proposed bus barn site would direct flows to the existing storm drain system in the equestrian center. All DMAs and the drainage for the proposed bus barn site would be required to comply with local and federal permits governing water quality and on-site stormwater capture and drainage, such as Los Angeles County Municipal Stormwater NPDES Permit and MMC sections 13.04.050, -090, -110, and -120. The proposed Parking Lot F would be designed specifically to ensure minimal impacts related to stormwater flows/drainage and resulting erosion. Therefore, operation of each phase would be adequately served by stormwater infrastructure for the respective DMA. No discretionary permit be issued until the City’s authorized enforcement officer confirms that the Project plans comply with the applicable stormwater mitigation plans and design criteria requirements.

Implementation of the proposed stormwater infrastructure, ESHA restoration (e.g., the erosion prevention and bank stability improvements), and compliance with federal, state, and local regulations would ensure that the Proposed Project would not result in substantial erosion or siltation on or off-site. A less than significant impact related to substantial erosion or siltation would occur during the operation of the Proposed Project.

### **Findings:**

Impacts to existing drainage pattern that would result in a substantial erosion or siltation on- or off-site would be less than significant and no mitigation measures are necessary.

### **Impact 5.9-4: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would substantially increase the rate or amount of surface runoff which would result in flooding on- or off-site.**

Support for this environmental impact conclusion is fully discussed starting on page 5.9-44 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions and would install stormwater infrastructure on the Project Site. The Proposed Project would include a new stormwater system that would retain, infiltrate, and treat stormwater on the Project Site. Similar to existing conditions, the Proposed Project would continue to drain stormwater to the ESHA and to storm water infrastructure on Morning View Drive. Project design features, such as stormwater pipe sizing and stormwater treatment capacities, and restoration of the ESHA, including permeable surface material within the ESHA’s 100-foot buffer, would ensure that the Proposed Project does not substantially increase the rate or amount of surface runoff in a manner that leads to on- or off-site flooding.

The Proposed Project would also be required to comply with all local, state, and federal regulations governing stormwater runoff. Pursuant to MMC section 13.04.120, the Proposed Project would be designed to

control runoff volume and would be required to implement a water quality mitigation plan that retains stormwater runoff on-site from either an 85 percentile 24-hour runoff event or the volume of runoff produced from a three-quarter inch, 24-hour rain event, whichever is greater. The Proposed Project would implement a WQMP and a SWPPP during construction and operation consistent with state and local regulations, including the County's NPDES permit, that would include the installation of BMPs. Each phase of Proposed Project would be required to meet the standards and requirements for stormwater retention, treatment, and discharge. The Proposed Project would not result in flooding on or off-site. A less than significant impact related to flooding on- or off-site would occur.

### **Findings:**

Impacts to the existing drainage pattern of the site would be less than significant and no mitigation measures are necessary.

### **Impact 5.9-5: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.**

Support for this environmental impact conclusion is fully discussed starting on page 5.9-43 of Section 5.9, *Hydrology and Water Quality* of the DEIR and contained within Responses to Comment Letter A5 (see R5-34 and R5-35).

### **Construction**

Construction of the Proposed Project would temporarily introduce potential sources of pollution on-site, such as oils, paints, solvents, and gasoline, that are typical of construction activities. Equipment and potentially hazardous materials would be maintained and stored in accordance with manufacturer instructions. The Proposed Project would be required to prepare and implement a BMPs consistent with its Construction General NPDES Permit, Municipal NPDES Permit, Construction SWPPP. BMPs include structural and non-structural strategies to minimize pollution of stormwater. Therefore, compliance with federal, state, and local regulations and implementation of best management practices would ensure that the Proposed Project would not result in substantial additional sources of polluted runoff during construction. A less than significant impact related to substantial additional sources of polluted runoff would occur during each construction phase.

### **Operation**

The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions and would implement a stormwater system on-site that would alter the existing drainage pattern on the Project Site. The Proposed Project would have a stormwater drainage system on-site, which would include stormwater retention basins that would be developed to infiltrate and treat runoff from the Proposed Project consistent with MCC section 13.04.120 requirement of either an 85 percentile 24-hour runoff event or the volume of runoff produced from a three-quarter inch, 24-hour rain event, whichever is greater. The Proposed Project would adhere to a WQMP and SWPPP prepared for the operation of the Proposed Project, which would incorporate best management practices. As such, stormwater entering the ESHA and storm drains on Morning View Drive would be treated. Each phase of the Proposed Project would be required to comply with the standards and requirements of

MCC section 13.04.120 for all of its phases by designing a system to satisfy the standards and requirement for the entire site during the first phase and implementing these standards and requirement for each phase of development or redevelopment of the site during the first phase or prior to commencement of construction of a later phase to the extent necessary to treat the stormwater from such later phase. Additionally, in compliance with SUSMP requirements, the Proposed Project's on-site stormwater drainage system would be designed to adequately store and convey stormwater runoff from the Project Site and there would be no net increase in stormwater runoff to the off-site storm drain system.

The Proposed Project would include potential sources of pollution typical of school uses, such as chemicals used for educational purposes; oils, gasoline, chlorine, paints, and solvents for ongoing maintenance of the campus and buses, and pesticides and fertilizers landscaping on-site. These potential materials would be stored and handling in accordance with manufacturer specifications and is not expected to generate substantial new sources of pollution. Additionally, the operation and use of the new septic systems on-site would comply with the City and County's requirements and procedures for septic systems and OWTS. Compliance with local and state requirements would ensure that on-site septic systems would not generate pollution which could enter stormwater runoff.

Therefore, compliance with federal, state, and local regulations and implementation of best management practices would ensure that the Proposed Project would not alter existing drainage patterns in a manner that would result in substantial additional sources of polluted runoff during operation. A less than significant impact related to substantial additional sources of polluted runoff would occur during the operation of the Proposed Project.

### **Debris/Mud Flow**

During certain rain events in existing conditions, debris and mud flows emanate from the main and tributary canyon upslope of the Project Site located approximately 2,400 feet north of the Project Site and transported down gradient. Two rainfall events that occurred in November and early December 2018 after the Woolsey Fire resulted in debris flows such that there is limited unconsolidated soil remaining on the slopes north of the Project Site in this area. Since the December 2018 debris flow the slopes have revegetated with light grasses, homes are being rebuilt, and drainage pathways corrected, all of which minimize potential debris flows during rain events. The District installed emergency drainage improvements on the campus following the mudflow events, including earthen berm, gravel bag barriers, concrete channel with side walls, and debris rack cage. Additionally, the District will install K-rails on Clover Heights Avenue prior to any forecast significant rain event. Construction of the Proposed Project would install new stormwater and drainage system on-site and incorporate best management practices. The Proposed Project would not contribute to a substantial additional source of polluted runoff due to debris or mudflow, and a less than significant impact would occur.

### **Findings:**

Impacts to existing drainage pattern of the site or area in a manner that would create or contribute runoff water would be less than significant and no mitigation measures are necessary.

**Impact 5.9-6: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would impede or redirect flood flows.**

Support for this environmental impact conclusion is fully discussed starting on page 5.9-46 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Project Site is located within an area of minimal flood hazard but would not be subject to flooding from a 100-year or 500-year storm event. Therefore, construction and operation of the Proposed Project would not impede or redirect flood flows, and impacts would be less than significant.

**Findings:**

Impacts to flood flows during construction and operation would be less than significant and no mitigation measures are necessary.

**Impact 5.9-7: The Proposed Project would not risk release of pollutants due to Project inundation due to flooding, tsunami, or seiche.**

Support for this environmental impact conclusion is fully discussed starting on page 5.9-46 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Project Site is located within an area of minimal flood hazard but would not be subject to flooding from a 100-year or 500-year storm event. The Project Site is also not within an area subject to tsunami nor seiches. All chemicals and potentially hazardous materials on-site would be stored, used, and transported in compliance with local, state, and federal regulations. Therefore, the Proposed Project would result in no impact related to release of pollutants due to Project inundation from flooding, tsunami, and seiche.

**Findings:**

No impact related to release of pollutants due to Project inundation from flooding, tsunami, and seiche would occur and no mitigation measures are necessary.

**10. Land Use and Planning**

**Impact 5.10-1: Project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.**

Support for this environmental impact conclusion is fully discussed starting on page 5.10-8 of Section 5.10, *Land Use and Planning* of the DEIR.

The Project Site is designated Institutional (I), which accommodates existing public and quasi-public facilities, such as educational facilities. The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create three distinct areas: Middle School Core, High School Core, and shared facilities. The existing Building E and Buildings A/B at the MMHS Campus would remain, with all other structures removed.

The Proposed Project would be consistent with the goals and policies identified in the General Plan's Land Use Element, the City's LCP, and the City's Municipal Code that have been adopted for the

purposes of avoiding or mitigating environmental impacts. Additionally, to meet the standards established by the District's Education Specifications, the California Interscholastic Federation, and the National Federation of State High School Association, Buildings D, C, H, and J would exceed the LCP and City's 28-foot height requirements. Development of the Proposed Project would conform to all existing development standards under section 17.40.110 of the City's Municipal Code for Institutional Development and section 3.9 of the City's LIP. The table outlines the Proposed Project's specifications along with the current City's LIP and Municipal Code and reasoning for exceeding current City regulations. Therefore, implementation of the Proposed Project would result in less than significant impacts relating to land use.

## **Findings:**

Impacts to applicable plans adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant and no mitigation measures are necessary.

## **11. Noise**

### **Impact 5.11-3: The Proposed Project would not generate excessive groundborne vibration or groundborne noise levels.**

Support for this environmental impact conclusion is fully discussed starting on page 5.11-23 of Section 5.11, *Noise* of the DEIR.

#### **Construction Vibration**

Potential vibration impacts associated with development projects are usually related to the use of heavy construction equipment during the demolition and grading phases of construction. Construction can generate varying degrees of ground vibration, depending on the construction procedures and equipment. The effect on buildings in the vicinity varies depending on soil type, ground strata, and receptor-building construction. The effects from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches the levels that can damage structures.

For reference, a peak particle velocity of 0.2 in/sec PPV is used as the limit for nonengineered timber and masonry buildings (which would apply to the surrounding residential structures) (FTA 2018). Vibration levels for typical construction equipment at a reference distance of 25 feet and at the nearest sensitive-receptor buildings 120 feet to the south. During construction of the Proposed Project, vibration would not exceed the threshold of 0.2 in/sec PPV, and impacts would be less than significant.

#### **Operational Vibration**

The Proposed Project would include bus movement activity at the Project Site. However, since the Project's bus movements would be at lower speeds than freeways and over smooth surfaces (not roadways in poor conditions), project-related vibration associated with bus activity would not result in excessive groundborne vibrations—no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial groundborne vibration associated with the project, such as rail or subways. The Proposed Project would not create or cause any vibration impacts due to operations.

## **Findings:**

Impacts related to vibration annoyance would be less than significant and no mitigation measures are necessary.

## **12. Public Services**

### **Impact 5.12-1: The Proposed Project would not affect response times or other performance objectives that would result in the need for new or physically altered fire protection facilities, the construction of which would cause significant environmental impacts.**

Support for this environmental impact conclusion is fully discussed starting on page 5.12-10 of Section 5.12, *Public Services* of the DEIR and contained within responses to Comment Letter A1.

#### **Construction**

According to the California Department of Forestry and Fire Protection, the Project Site is in a very high fire hazard severity zone (VHFHSZ) in a local responsibility area (LRA); the likelihood is high that it would be exposed to a wildland fire and secondary effects of wildland fires.

Project construction activities could result in exacerbated fire risks due to sparks, dry vegetation, smoking, and weather, particularly in areas where construction activities are in proximity to surrounding open space areas (i.e., Phases 1, 2, and 4). Mitigation Measure W-1, would ensure fire prevention requirements are in place during all phases of construction activities. The Proposed Project would be required to comply with the most currently adopted fire codes, building codes, and nationally recognized fire and life safety standards of Malibu, Los Angeles County, and the State of California. Compliance with these codes and standards is ensured through the City's and LACoFD's development review and building plan check process.

Additionally, in the event of an emergency at the Project Site that requires more resources than Station 71 could provide, LACoFD would direct resources to the site from other nearby stations, including Fire Station 99 (3.9 miles from the Project Site), Fire Station 88 (8.9 miles from the Project Site), and Fire Station 70 (11.1 miles from the Project Site). If necessary, LACoFD could request assistance from other nearby fire departments, including the City of Los Angeles Fire Department and the Ventura County Fire Department. Therefore, construction of the Proposed Project would not affect response times or other performance objectives that result in the need for new or physically altered fire protection facilities, the construction of which would cause significant environmental impacts. Construction impacts would be less than significant.

#### **Operation**

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus and would not introduce new uses to the Project Site. According to the LACoFD's Planning Division, the fire services need in the City of Malibu are currently being met, and there are no plans for additional resources, personnel, and equipment in the Project Area. Additionally, though new development projects may create greater demands on existing resources, the Proposed Project would have a negligible effect on service standards (LACoFD 2020) (see Appendix L). Therefore, operation of the Proposed Project would not increase the requirement for fire protection facilities and personnel,

would not adversely affect the LACoFD's ability to provide adequate service, and would not require new or expanded police facilities that could result in adverse environmental impacts. Operational impacts of the Proposed Project would be less than significant.

### **Findings:**

Impacts to LACoFD response times or other performance objectives would be less than significant and no mitigation measures are necessary.

### **Impact 5.12-2: The Proposed Project would not affect response times or other performance objectives that result in the need for new or physically altered police protection facilities, the construction of which would cause significant environmental impacts.**

Support for this environmental impact conclusion is fully discussed starting on page 5.12-12 of Section 5.12, *Public Services* of the DEIR and contained within Responses to Comment Letter A2.

### **Construction**

Access to the Project Site and the surrounding areas could be affected by construction of the Proposed Project. Temporary construction-related traffic could delay or obstruct the movement of LASD vehicles within or through the project area. However, construction traffic would be scheduled in concert with the operations of the school, ensuring that trucks are not moving in or out during drop-off or pick-up times. Additionally, designated construction staging areas would be implemented for stockpiling and storage of construction equipment, and all workers would be expected to park within the site limits. The District would provide notice of construction activities that would affect access to emergency facilities. Any disruptions in access would be temporary and short term. Therefore, the Proposed Project would not adversely affect the LASD's ability to provide adequate service during construction of the Proposed Project and would not require new or expanded police facilities that could result in adverse environmental impacts. Impacts would be less than significant.

### **Operation**

The Malibu/Lost Hills Station currently has 130 sworn personnel and 30 professional staff, and the station can serve the Proposed Project with existing facilities. Implementation of the Proposed Project is not anticipated to significantly increase LASD's response times to either to the Project Site or the surrounding vicinity; however, in the event of an emergency at the Project Site that requires more resources than the Malibu/Lost Hills Station could provide, LASD would direct resources to the site from other nearby stations, including the Marina Del Rey Sheriff's Station and the West Hollywood Sheriff's Station. If necessary, LASD can request assistance from other nearby police/sheriff's departments, including the Santa Monica Police Department, the Los Angeles Police Department, and the Ventura County Sheriff's Department.

The Proposed Project is intended to modernize the campus facilities and retain the existing capacity of 1,200 students (750 high school students and 450 middle school students). The Proposed Project would not include a residential component that would directly increase the residential population in the area, so the student and staff populations of the school are not anticipated to increase. Thus, according to the LASD's Facilities and Planning Bureau, the Malibu/Lost Hills Station would be able to serve the Proposed Project with existing facilities. Although the Proposed Project would be open

to community use in addition to the student population, which could pose the need for additional resources, the station could meet the increased needs with the existing resources and personnel (LASD 2020) (see Appendix L). Implementation of the Proposed Project would comply with all applicable building codes and safety standards of Malibu, Los Angeles County, and the State of California. Therefore, the Proposed Project would not adversely affect the LASD's ability to provide adequate service and would not require new or expanded police facilities that could result in adverse environmental impacts. Impacts would be less than significant.

### **Findings:**

Impacts to LASD response times or other performance objectives would be less than significant and no mitigation measures are necessary.

## **13. Recreation**

### **Impact 5.13-1: Project implementation would not result in environmental impacts to provide new and/or expanded recreational facilities.**

Support for this environmental impact conclusion is fully discussed starting on page 5.13-9 of Section 5.13, *Recreation* of the DEIR.

The Proposed Project includes the improvement of existing publicly available recreational facilities and amenities within the Project Site, including the middle school gymnasium/fitness center (Building D), and the high school gymnasium (Building J). Additionally, new recreational shared facilities would be developed, including an aquatics center/field house (Building L) and pool, and the upper field house (Building M). The improved shared facilities would be built to the north of the Middle School and High School Cores and west of the existing Main Sports Field. The Boys & Girls Club building would be relocated from its current location north of the pool and the existing Building J to the northwestern portion of the campus, north of Parking Lot E and south of the tennis courts.

A new field house (Building M) would be constructed for the existing baseball and softball fields, and one for the existing athletic field (Building L). Additionally, the Proposed Project would add two new tennis courts to the existing tennis court area on the northern side of the Project Site. The Proposed Project would also extend pedestrian trails throughout the campus that would start along the ESHA on the west and connect to a larger system of existing walking trails around the Equestrian Park and surrounding hills to improve pedestrian circulation and connect to the larger existing pedestrian trail network on District property. The pedestrian trails along the ESHA would include turnouts, which would be used as outdoor learning spaces overlooking the ESHA within 50 feet of the ESHA boundaries. No changes to equestrian uses or trails would occur as part of the Proposed Project.

The Proposed Project would not involve any construction of recreational facilities beyond what is proposed to serve the existing and future students. Additionally, when the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, use of the playfields, common areas, and classrooms would be available for public use, as permitted in the 2019 Master Agreement between SMMUSD and the City of Malibu Regarding the Joint Use of School District Facilities. Development and operation of new recreational facilities and amenities in the Project Site may have an adverse physical effect on the environment, including impacts relating to air quality,

lighting, noise, and traffic. As demonstrated in this DEIR, the development of recreational facilities and amenities in the Project Site would not result in significant impacts to the environment. Therefore, implementation of the Proposed Project would result in less than significant impacts related to new and/or expanded recreational facilities.

### **Findings:**

Impacts to recreational facilities would be less than significant and no mitigation measures are necessary.

## **14. Transportation**

### **Impact 5.14-1: The Proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.**

Support for this environmental impact conclusion is fully discussed starting on page 5.14-16 of Section 5.14, *Transportation* of the DEIR and contained within Responses to Comment Letter R3 (see A3-40 and A3-41). The Proposed Project would be confined to the Project Site and would not construct or modify the surrounding circulation network, including roads transit, bicycle, and pedestrian facilities. Therefore, the Proposed Project would not conflict with any regulations set forth by the City of Malibu's General Plan and/or LCP. Therefore, the Proposed Project would not conflict with a program, plan, ordinance, or policy regarding public transit, roadway, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Impacts would be considered less than significant.

### **Findings:**

Impacts to a program, plan, ordinance, or policy addressing the circulation system would be less than significant and no mitigation measures are necessary.

### **Impact 5.14-2: The Proposed Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).**

Support for this environmental impact conclusion is fully discussed starting on page 5.14-23 of Section 5.14, *Transportation* of the DEIR.

#### **Construction Vehicle Miles Traveled**

Construction of the Proposed Project would require the mobilization of workers, vendors, equipment, and haul trucks to and from the Project Site, which would generate a temporary increase in traffic and may cause delays on roadways adjacent to the Project Site. However, the increase in trips and the subsequent increase in VMT to the Project Site would be temporary and vary with the level of effort necessitated by each phase of construction. To further reduce the amount of VMT to the Project Site, the construction management team can include strategies to encourage workers to carpool or use transit when possible and source materials and equipment locally. Thus, increases to VMT during construction activities would be considered negligible and construction-related VMT impacts would be considered less than significant.

Construction traffic during Phases 2 through 4 would add vehicle trips to the Project Site; however, construction activities would not establish permanent traffic patterns that would contribute to ongoing VMT increases. The nature of construction activities requires employee and truck trips from one phase work area to the next as construction suppliers and employees work on different phases. Any subsequent increase in VMT to the Project Site during construction would be temporary. Therefore, impacts would be considered less than significant.

### **Operation**

The Proposed Project would not increase the student or employment population at MMHS, and the attendance boundaries of the school would not change; the Proposed Project would not result in more vehicle trips to and from the school during operation of the Proposed Project when compared to existing conditions. In addition, the Proposed Project would not modify primary site access locations and traffic patterns—which could potentially result in an increase in the average trip lengths. Because total VMT is a function of the total number of trips multiplied by the average trip lengths, the Proposed Project would not result in a VMT increase. Therefore, impacts related to VMT associated with full buildout of the Proposed Project would be considered less than significant.

### **Bus Barn Relocation Assessment**

The existing bus barn would be relocated to the east of Parking Lot A within the District-owned Malibu Equestrian Park as part of Phase 4 of the Project. The relocated bus barn would hold up to five buses; however, three buses would typically be in operation, and would operate from 6:45 a.m. to 6:00 p.m. every weekday. No refueling or maintenance will occur at the new bus barn. Due to the operation of three buses, bus access would continue to come from Morning View Drive, and the impacts to the circulation network and changes in VMT would be negligible. Therefore, impacts related to VMT as a result of the new bus barn, would be considered less than significant.

### **Findings:**

Impacts to CEQA Guidelines section 15064.3, subdivision (b) would be less than significant, and no mitigation measures are necessary.

## **15. Utilities and Services Systems**

### **Impact 5.15-1: Existing and/or proposed water, wastewater, stormwater, electric, natural gas, and telecommunication facilities would be able to accommodate Project-generated utility demands.**

Support for this environmental impact conclusion is fully discussed starting on page 5.15-19 of Section 5.15, *Utilities and Services Systems* of the DEIR and contained within Responses to Comment Letter A3 (see A3-36).

All utility infrastructure improvements (specifically water, electrical, natural gas, telecommunications) would be developed internal to the Project Site during each phase of construction. Therefore, the environmental effects of these upgraded infrastructures are evaluated in each chapter of this DEIR and mitigation is required where necessary.

Following full buildout of the Proposed Project, the school would operate under the same staffing and enrollment capacity as under current conditions. Larger off-site improvements to connecting facilities would not be necessary. Additionally, the new structures would be developed with modernized building materials and fixtures meeting current code requirements, resulting in a more efficient use of utilities. Impacts associated with the replacement of the existing on-site wastewater treatment systems (the 10 septic systems) are addressed in Impact 5.6-4. Impacts associated with stormwater drainage are discussed in Impact 5.9-4. Therefore, the Proposed Project would result in less than significant impacts regarding the relocation or construction of new or expanded utilities.

### **Findings:**

Impacts to existing and/or proposed water, wastewater, stormwater, electric, natural gas, and telecommunication facilities would be less than significant, and no mitigation measures are necessary.

### **Impact 5.15-2: Available water supplies are sufficient to serve the Proposed Project and reasonably foreseeable future development during normal, dry, and multiple dry years.**

Support for this environmental impact conclusion is fully discussed starting on page 5.15-19 of Section 5.15, *Utilities and Services Systems* of the DEIR.

The Proposed Project would not increase the student or staff population within the proposed high school or middle school; thus, there would be no net change in indoor water supply as a result of the Proposed Project. Additionally, the majority of the Project Site that would require irrigation, including the sports fields and landscaped areas throughout the campus, would remain unchanged; thus, there would be no net change in outdoor water supply.

The Proposed Project would be designed using applicable green building practices, including those of the most current Building Energy Efficiency Standards (Title 24, CCR, Part 6) and California Green Building Standards Code (CALGreen; Title 24, CCR, Part 11). The Building Energy Efficiency Standards contain water efficiency requirements for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Therefore, the Project Site would have sufficient water supplies available to serve the students, staff, and MMHS campus and reasonably foreseeable future development during normal, dry, and multiple-dry years; and impacts to available water supplies would be less than significant.

### **Findings:**

Impacts to available water supplies would be less than significant and no mitigation measures are necessary.

### **Impact 5.15-3: Project-generated wastewater could be adequately treated by the wastewater service provider for the Proposed Project.**

Support for this environmental impact conclusion is fully discussed starting on page 5.15-20 of Section 5.15, *Utilities and Services Systems* of the DEIR and contained within Responses to Comment Letter A3 (see A3-36).

The Proposed Project would include adequate infrastructure to serve the Project Site, including the reconfiguration of existing septic systems. The Project Site currently has 10 onsite waste treatment systems on the former JCES and MMHS campuses. The Proposed Project would result in 7 total septic systems. The Proposed Project would remove septic systems 6 through 11 and would add five septic systems that would be developed under the Proposed Project in the following locations:

Proposed septic systems would include an appropriately sized, two-compartment, fiberglass septic tank. The location of the septic tanks, and associated leach fields would be reviewed as part of each phase. However, the proposed septic systems would be designed and sited to avoid impacts to the ESHA, and all septic systems would be more than 100 feet from the ESHA.

Decommissioning and modifications of the existing septic systems and the addition of the replacement infrastructure would not be anticipated to disrupt service on the Project Site. Modifications to the wastewater and drainage system would have the capacity to adequately serve the Project Site during all phases of the Proposed Project, and Project-generated wastewater would be adequately treated. Therefore, impacts would be less than significant.

### **Findings:**

Impacts to wastewater would be less than significant and no mitigation measures are necessary.

## **16. Wildfire**

### **Impact 5.16-2: Future development on the Project Site pursuant to the Proposed Project could require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or result in temporary or ongoing impacts to the environment.**

Support for this environmental impact conclusion is fully discussed starting on page 5.16-21 of Section 5.16, *Wildfire* of the DEIR.

The Proposed Project would not require the installation of new power lines or other off-site utilities, including infrastructure for emergency/fire water lines. The proposed domestic and fire water lines would connect to the existing 12-inch public water main on Morning View Drive, and water would be supplied by the Los Angeles County Waterworks District No. 29.

An “islandable microgrid,” or ground-mounted PV solar array system with battery storage and energy control center would be constructed to avoid loss of instruction at MMHS due to mandated public utility shutdowns to prevent fires. The PV system would be installed on the sloping hillside to the south of the existing Lot A and the main sports field and to the north and northwest of Building E (core classrooms building). A 500 to 1,000 kW-hour battery storage system would be installed. Though battery storage systems generally burn with difficulty, they can burn or become damaged by fire and generate fumes and corrosive gases. Dry chemicals, carbon dioxide, and foam are the preferred methods for extinguishing a fire involving batteries—water is not effective. Class D extinguishers are used for lithium-metal fires only. To further increase safety, the battery units are usually low voltage, encased in a steel enclosure, and set apart from combustible materials. The battery storage system

would have a fire rating in conformance with CBC and CFC standards and local fire codes. The structure would also have cooling systems to maintain cool temperatures within the unit.

Compliance with all applicable laws, regulations, and design standards would minimize the potential impacts to the public or environment due to the installation or maintenance of associated infrastructure that may exacerbate fire risk. Impacts would be less than significant.

### **Findings:**

Impacts that may exacerbate fire risk would be less than significant and no mitigation measures are necessary.

## **D. FINDINGS ON IMPACTS MITIGATED TO LESS THAN SIGNIFICANT**

The following summary describes impacts of the Proposed Project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the DEIR, these impacts would be considered less than significant.

### **1. Air Quality**

#### **Impact 5.2-4: The Proposed Project could expose sensitive receptors to substantial pollutant concentrations during construction.**

Support for this environmental impact conclusion is fully discussed starting on page 5.2-32 of Section 5.2, *Air Quality* of the DEIR.

#### **Construction-Phase LSTs**

Screening-level LSTs (pounds per day) are the amount of Project-related mass emissions at which localized concentrations (ppm or  $\mu\text{g}/\text{m}^3$ ) could exceed the AAQS for criteria air pollutants for which the SoCAB is designated nonattainment. The screening-level LSTs are based on the Project Site size and distance to the nearest sensitive receptor and are based on the California AAQS, which are the most stringent AAQS, established to protect sensitive receptors most susceptible to respiratory distress. Construction of the Proposed Project would not generate construction-related on-site emissions that would exceed the screening-level LSTs. Thus, Project-related construction activities would not have the potential to expose sensitive receptors to substantial pollutant concentrations. Therefore, localized air quality impacts from construction activities would be less than significant.

#### **Construction Health Risk**

The Proposed Project would elevate concentrations of TACs (i.e., DPM) in the vicinity of sensitive land uses during construction activities. The nearest sensitive receptors to the Project Site are the on-site students who will be on campus during periods of construction activity and the single-family residence to the northwest on Via Cabrillo Street. Consequently, a site-specific construction HRA of TACs was prepared. The results of the HRA are based on the maximum receptor concentration over an approximately nine-year construction exposure duration for off-site receptors.

- Cancer risk for the maximum exposed off-site resident from construction activities related to the Proposed Project were calculated to be 19.0 in a million and would exceed the 10 in a million-significance threshold.
- Cancer risk for the maximum exposed on-site student receptor from construction activities would be 10.3 in a million and would also exceed the 10 in a million-significance threshold.
- For non-carcinogenic effects, the chronic hazard index identified for each toxicological endpoint totaled less than one for all the off-site sensitive receptors. Therefore, chronic non-carcinogenic hazards are less than significant.

Because cancer risks for the off-site residential MER and the student MER would exceed South Coast AQMD significance threshold, construction activities associated with the Proposed Project are potentially significant. Mitigation Measure AQ-1 in Section 5.2.4 would ensure that air quality-related impacts associated with health risk in sensitive populations would be reduced.

### ***Mitigation Measures***

AQ-1 Construction bids for Phase 1 through 4 activities at the Project Site shall specify use of off-road equipment that meets the United States Environmental Protection Agency (US EPA) Tier 4 interim emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated that such equipment is not available. In the event the equipment is not available, as demonstrated by the contractor, Tier 3 equipment retrofitted with a California Air Resources Board's Level 3 Verified Diesel Emissions Control Strategy (VDECS) shall be used. The following shall be specified in the construction bid:

- Construction contractors shall use engines that meet US EPA Tier 4 Interim emission standards for equipment over 50 horsepower.
- Construction contractors shall maintain a list of all operating equipment in use on the Project Site in use for more than 20 hours for verification by the District. The construction equipment list shall state the makes, models, and number of construction equipment on-site.
- Construction contractors shall ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.
- Construction contractors shall communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to five minutes or less in compliance with CARB Rule 2449. Construction contractors shall be responsible for ensuring that this requirement is met.

### ***Findings:***

Implementation of Mitigation Measure AQ-1 would reduce potential impacts associated with air quality below the South Coast AQMD cancer risk threshold of 10 in a million. Therefore, the Proposed Project would not expose off-site nor on-site sensitive receptors to substantial concentrations of air pollutant emissions during construction and impacts would be reduced to a level that is less than significant with mitigation. Therefore, no significant unavoidable adverse impacts relating to air quality have been identified.

## **2. Biological Resources**

### **Impact 5.3-1: Development of the Proposed Project could impact sensitive species.**

Support for this environmental impact conclusion is fully discussed starting on page 5.3-70 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A3 (see entire letter).

#### **Common Wildlife**

The Proposed Project would result in the loss of approximately 0.60 acre of native habitat over all phases. The Proposed Project would also impact approximately 16.87 acres of developed/ornamental vegetation and a total of approximately 1.97 acres of impacts to disturbed areas. A total of 1.01 acres of non-native or weedy vegetation (turf and upland mustards) would be impacted. A total of 0.29 acre of ornamental – planted habitat would be impacted by the Proposed Project. Removing or altering non-native habitats on the Project Site would result in the loss of small mammals, reptiles, amphibians, and animals of slow mobility that live in the Proposed Project's direct impact area. More mobile wildlife species now using the Project Site would be forced to move into remaining areas of open space, consequently increasing competition for available resources in those areas. This situation may result in the loss of individuals that cannot successfully compete. The loss of native and non-native vegetation that provides wildlife habitat is considered an adverse impact. However, the loss of a small pocket of native habitat (0.60 acre) and disturbed, developed, and/or non-native habitat (20.14 acres) would not be expected to reduce wildlife populations below self-sustaining levels because the combined 20.74 acres of degraded habitat are expected to support small numbers of individuals due to the existing habitat's marginal suitability for resident wildlife based on its fragmented nature, lack of species diversity and connectivity to adjacent native habitat, combined with existing developed areas surrounding the Proposed Project. Therefore, impacts to these areas are considered adverse but less than significant, and no mitigation would be required.

#### **Special Status Plants**

No impacts to special status plants would occur through Project implementation because no special status plants currently occur and are not expected to occur in the future within the Project impact area for all Phases. Habitat suitability for special status plants is expected to stay at baseline or degrade further in the future due anticipated future development in the surrounding area. Therefore, no impacts to special status plants would occur with Project implementation, and no mitigation would be required.

#### **Special Status Wildlife**

One special status reptile has the potential to occur in the Project impact area, the San Diegan tiger whiptail. Project implementation would result in the loss of 0.31 acre of potentially suitable habitat types (e.g., California sagebrush scrub, coyote brush – California sagebrush scrub/upland mustards, and riparian herb) for this species. This 0.31 acre would support very small numbers of individuals and the loss is considered very small due to the fragmented and degraded nature of this habitat. These impacts would be considered adverse but not substantial enough to cause regional populations to drop below self-sustaining numbers. Therefore, these impacts are considered less than significant, and no mitigation would be required.

A burrowing owl was incidentally observed to be wintering on the Project Site in the north-central portion of the site (outside of the Project impact area). Potentially suitable burrowing owl habitat occurs in Phase 3, Parking Lot F. Implementation of Phase 3 may directly impact 0.17 acre of because no potentially suitable habitat for the burrowing owl, while implementation would be directly impacted. of Phases 2 and 4 may indirectly impact the burrowing owl, if present in adjacent potentially suitable habitat. Any impacts to burrowing owl would be considered potentially significant. No breeding burrowing owls have ever been observed. Implementation of Mitigation Measure, BIO-1, which requires adherence to the CDFW Burrowing Owl Mitigation Guidelines, would reduce potential impacts to less than significant.

If construction is initiated during nesting season for passerines and raptors (i.e., February 1–August 31), it could impact nesting birds protected by the MBTA and California Fish and Game Code sections 3503, 3503.5, and 3513. Common raptor species including owls have the potential to nest on the Project Site. Should an active raptor nest be found on the Project Site, the loss of an active nest would be considered a violation of the California Fish and Game Code sections 3503, 3503.5, and 3513. The loss of any active bird or raptor nest would be considered a potentially significant impact. Implementation of Mitigation Measure BIO-2 requiring nesting bird surveys and protection would reduce this impact to a less than significant level.

The western mastiff bat has the potential to occur in the BSA for foraging. There is no suitable roosting habitat in the BSA. Construction activities would only occur during daylight hours; therefore, nocturnal foraging would continue to be available over the Project impact area throughout the duration of construction and would remain unchanged following completion of the Proposed Project. There are no impacts to western mastiff bat would occur with Project implementation and mitigation would not be required.

### **Noise Impacts**

During construction and operation, temporary noise impacts have the potential to disrupt foraging, nesting, roosting, and/or denning activities for wildlife species occurring within or adjacent to Project Work Areas. Although final use may slightly increase noise over ambient, it would be less than construction. Wildlife species stressed by noise may disperse from the habitat located in the immediate vicinity of the Proposed Project. Because the Proposed Project disturbance areas are limited in extent, this impact is considered adverse but less than significant and no mitigation would be required. However, if raptor species are nesting in the vicinity of the Proposed Project during construction, they may be temporarily displaced by construction noise. Indirect noise impacts on these species would be considered significant because nesting birds are protected by the California Fish and Game Code. Impacts on active nests would be reduced to a less than significant level with implementation of Mitigation Measure BIO-2 requiring nesting bird surveys and protection.

### **Mitigation Measures**

BIO-1 Pre-Construction Burrowing Owl Surveys and Avoidance: In the year prior to initiation of Proposed Project activities in Phase 4, and/or before recommencing construction activities if suspended/delayed for six months or more, a qualified biologist shall conduct pre-construction burrowing owl surveys in accordance with the 2012 CDFW Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines (CDFW 2012). If wintering

or breeding burrowing owl are observed adjacent to the impact area, mitigation shall be conducted in accordance with the CDFW guidelines (CDFW 2012).

BIO-2 Pre-Construction Nesting Bird Surveys: To the extent possible, vegetation removal shall be conducted during the non-breeding season (i.e., September 1 to January 31) in order to minimize direct impacts on nesting birds and raptors. If construction activities would be initiated during the breeding season for nesting birds/raptors (i.e., February 1–August 31), a pre-construction survey will be conducted by a qualified Biologist within three days prior to the initiation of construction (including demolition of structures). If construction activities are delayed or suspended for more than 7 days during the breeding season, nesting bird surveys shall be repeated before construction activities can begin or restart. In addition, nesting bird surveys shall be conducted prior to starting phased Project construction and activities. The absence of nesting birds and raptors shall be considered valid only until the following breeding season. The area will be surveyed for 2 hours between dawn and 10:00 AM on five occasions with at least one week between surveys. If there is appropriate habitat for owls on site, on at least three of the surveys, surveys will also be conducted during the period immediately before nightfall. The nesting bird/raptor Survey Area will include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors (including burrowing owl). If the Biologist does not find any active nests in or immediately adjacent to the impact area, construction activities can proceed.

If the Biologist detects an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted by increased activity around the nest, the Biologist shall determine an appropriate protective buffer around the nest depending on the sensitivity of the species and the nature of the construction activity. The protective buffer shall be between 25 to 300 feet for nesting birds; 300 to 500 feet for nesting raptors. The active nest will be protected within the designated buffer until nesting activity has ended. Any protective buffers will be mapped on construction plans and designated as “Environmentally Sensitive Areas”. Construction can proceed within the protective buffer when the qualified Biologist has determined that the nest is no longer active (i.e., fledglings have left the nest or the nest has failed).

### **Findings:**

Implementation of Mitigation Measure BIO-1 and BIO-2 would reduce potential impacts to special status species to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

### **Impact 5.3-2: Development of the Proposed Project would result in the loss of sensitive habitat types.**

Support for this environmental impact conclusion is fully discussed starting on page 5.3-72 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A3 (see entire letter).

#### **Direct Impacts to Sensitive Habitat Types**

The vegetation types including California sagebrush, coyote brush, upland mustard, riparian herb, California sycamore, and ornamental-native planting are all common throughout the region. The

special status vegetation type that occurs in the BSA, arroyo willow thicket, would not be impacted during Project implementation, therefore mitigation would not be required. Vegetation types in the BSA may change over the course of time. In order to ensure no special status vegetation types are impacted during the course of the Proposed Project, Mitigation Measure BIO-3 is included which requires future assessments of vegetation types to ensure conditions remain the same. If impacts to special status vegetation types are anticipated, Mitigation Measure, BIO-4, which requires habitat restoration, would be implemented to ensure impacts are reduced to less than significant.

#### *Environmentally Sensitive Habitat Area*

During the early stages of the specific planning process, among other Project objectives, the District recognized that the ESHA offered opportunities to enhance their educational goals of providing for outdoor learning spaces and interpretive opportunities; as well as providing an opportunity to restore the natural environment and improve campus connectivity through the development of the proposed pedestrian pathways. The District recognized that the existing conditions included incompatible development into the edge of the ESHA bank as well as the degraded nature of the ESHA itself. In discussions with the CCC, the District decided that it could restore the degraded drainage comprised of approximately 0.7 acres as well as 1.35 acres of upland areas within the ESHA's 50-foot buffer, and still meet the educational and design goals for the campus. In addition, within the remaining 100 feet beyond the 50-foot ESHA buffer, the Proposed Project would include land uses compatible with the natural habitat that would not incur in significant impacts to the natural habitat, including a looping trail, and interpretive stations overlooking the ESHA.

The ecological benefits of the restoration will increase the diversity and cover of native riparian and upland plants within the ESHA and its 50-foot buffer by the removing non-native species (including those rated by the California Invasive Plant Council); improve conditions for wildlife species including pollinator species that rely on wetland, riparian, and adjacent upland habitats for food and shelter; and reduce erosion and sedimentation. Additional benefits include the use of permeable material for the trails and parking stalls within the 100-foot buffer to provide a more natural hydrologic balance and reduce the runoff volume by trapping and slowly releasing precipitation into the ground instead of allowing it to flow into receiving waters as effluent.

The restoration of the degraded 0.7 acre of drainage and 1.35 acres of upland areas within the ESHA's 50-foot buffer does not constitute mitigation for any significant impact to a biological resource, but rather is a voluntary effort on the part of the District that would be implemented during Phase 1 construction of the Proposed Project as well as Phase 4A construction planned for the future. Therefore, impacts to the ESHA would be less than significant.

#### **Mitigation Measures**

BIO-3      Vegetation Assessments: Vegetation types shall be verified prior to work activities occurring in Phases 2 and 4 if seven years have elapsed from the latest point in time the vegetation mapping described in this Biological Assessment was conducted (April 15, 2021). Vegetation types in the BSA shall be assessed during a field visit and compared to the vegetation types mapped and described herein. Any changes shall be documented in a revised vegetation map and provided to the City of Malibu and the District. Special status vegetation types shall be identified, and if impacts are anticipated, the Proposed Project shall comply with Mitigation Measure, BIO-4.

BIO-4 Special Status Vegetation Types: The loss of special status vegetation types within the impact area is considered a significant impact. These vegetation types will be restored onsite or, if appropriate, offsite at a ratio of not less than 1:1, as agreed to by the City of Malibu and the District. A revegetation program shall be implemented in accordance with a City-approved landscape palette on all graded areas not utilized for improvements or structures. The revegetation program will be submitted to the City of Malibu for review and approval by a qualified biologist prior to issuance of grading permits. Restoration will consist of seeding and container planting of appropriate species. Impacts are considered less than significant after implementation of the following measures:

A detailed restoration program will be developed prior to map recordation and implemented, and will contain the following items:

- Responsibilities and qualifications of the personnel to implement and supervise the plan. The responsibilities of the landowner, specialists, and maintenance personnel that will supervise and implement the plan will be specified.
- Site selection. The site(s) for mitigation will be determined in coordination with the District and the City of Malibu. The site will be located in a dedicated open space area and will be contiguous with other natural open space areas.
- Site preparation and planting implementation. The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) erosion control measures (i.e., rice or willow wattles), and 6) native seed mix application.
- Schedule. Establishment of restoration/revegetation sites will be conducted between October 1 and January 30. Seeding and planting of container plants will take place immediately after preparation of the restoration sites.
- Maintenance plan/guidelines. The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.
- Monitoring Plan. The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the City, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the City for three to five years. The monitoring will be conducted for three to five years, depending upon the performance of the mitigation site.
- Long-term preservation. Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.
- Performance standards will be identified and will apply for the revegetation of special status vegetation types. Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing, restored, and created habitat areas.
- In addition, earth-moving equipment will avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas that will remain undeveloped. Prior to grading, the construction boundary limits will be marked by the construction supervisor and the Project biologist. These limits will be identified on the grading plan. The District will submit a letter to the City of Malibu

verifying that construction limits have been flagged in the field. No earth-moving equipment will be allowed outside of the construction boundary.

**Findings:**

Implementation of Mitigation Measure BIO-3 and BIO-4 would reduce potential impacts to sensitive habitat types to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

**Impact 5.3-3: The Proposed Project would impact approximately 0.033 acres of USACE Jurisdiction, 0.033 of RWQCB Jurisdiction, and 0.033 of CDFW Jurisdiction waters.**

Support for this environmental impact conclusion is fully discussed starting on page 5.3-80 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A3 (see A3-15 through A3-19).

**Jurisdictional Resources**

The Proposed Project would impact a total of 0.033 acres of waters under the jurisdiction of RWQCB. Phase 4A of the Proposed Project would impact a total of 0.033 acres of waters under the jurisdiction of CDFW. No other Phase of the Project impacts jurisdictional features. Jurisdictional resources are protected by sections 401 and 404 of the CWA and by the California Fish and Game Code sections 1600 through 1616. Impacts on jurisdictional resources would be significant and would require permitting with each of the resource agencies. Implementation of Mitigation Measure, BIO-5 would reduce this impact to less than significant.

**Mitigation Measures**

BIO-5 RWQCB and CDFW Jurisdiction Areas: Upon completion of construction activities, impacts to approximately 0.033 acre of non-wetland RWQCB and CDFW jurisdictional waters will be mitigated within the Proposed Project boundaries at a minimum ratio (i.e., no less than) of 1:1) through the creation of 0.033 acre of non-wetland jurisdictional waters. Acquisition of a section 1602 “lake or streambed alteration” agreement from the CDFW and waste discharge requirements from the RWQCB would be required.

Prior to the final submittal of a Report of Waste Discharge from the RWQCB, and/or CDFW notification of lake or streambed alteration, the District will develop a mitigation plan for the RWQCB, CDFW, and City of Malibu. The objective of the mitigation is to ensure no net loss of habitat values as a result of the Proposed Project. The detailed restoration program shall contain the following items:

- *Responsibilities and qualifications of the personnel to implement and supervise the plan.* The responsibilities of the landowner, specialists and maintenance personnel that would supervise and implement the plan will be specified and shall include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.

- *Site selection.* The site(s) for the mitigation will be determined in coordination with the Project Applicant and resource agencies. The site will be located in a dedicated open space area and will be contiguous with other natural open space.
- *Site preparation and planting implementation.* The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) temporary irrigation installation, 6) erosion control measures (i.e., rice or willow wattles), 7) native seed mix application, and 8) native container species.
- *Schedule.* A schedule will be developed which includes planting and seeding to occur in late fall and early winter, between October 1 and January 30 in order to optimize the successful establishment and germination of native plants and seeds.
- *Maintenance plan/guidelines.* The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.
- *Monitoring Plan.* The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the resource agencies for three to five years. Coordination will take place on a regular basis between the biological monitor, landscape contractor and irrigation specialist with regard to non-native species targeted for removal as well as irrigation schedule to ensure that the restoration is on track for achievement of performance criteria. In addition, remedial as well as contingency measures shall also be specified should the site not meet specified performance standards. The site will be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the District may request from RWQCB and CDFW to be released from monitoring requirements.
- *Long-Term Preservation.* Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.
- *Performance standards will be identified and will apply for the restoration of riparian habitat.* Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing and restored and/or created habitat areas. The qualifications of the personnel to implement and supervise the plan would include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.

**Findings:**

Implementation of Mitigation Measure BIO-5 would reduce potential impacts to jurisdiction waters to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

### **Impact 5.3-5: The Proposed Project would require compliance with the local tree ordinance**

Support for this environmental impact conclusion is fully discussed starting on page 5.3-81 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A1 (see A1-5).

The Project Site is not located within any other adopted Habitat Conservation Plan, Natural Community Conservation Plan, Environmentally Sensitive Habitat Area (ESHA), or similar plan and does not conflict with the provisions of any local guidelines or plans (Malibu LUP) for environmentally sensitive habitat areas. The Project Site is not located within, or proximate to, any Significant Ecological Area (SEA), Land Trust, or Conservation Plan (City of Malibu 2021cc).

#### **Trees**

The Malibu Local Coastal Program Native Tree Protection Ordinance protects five native tree species (oak [*Quercus* sp.], California walnut [*Juglans californica*], western sycamore [*Platanus racemosa*], alder [*Alnus rhombifolia*], and toyon [*Heteromeles arbutifolia*]) that have at least one trunk measuring six inches or more in diameter, or a combination of any two trunks measuring a total of eight inches or more in diameter. A number of protected trees have been mapped in the BSA. Protected tree species may occur within close proximity to Proposed Project activities. Impacts to protected trees may be potentially significant. Implementation of Mitigation Measure, BIO-6, which requires adherence to the Malibu Local Coastal Program Native Tree Protection Ordinance prior to the commencement of each Phase of construction, would reduce any potentially significant impacts to less than significant.

#### ***Mitigation Measures***

BIO-6     **Adherence to City of Malibu Tree Protection Ordinance:** Prior to initiation of Proposed Project activities in each Phase of the Proposed Project, the tree survey map created for the Proposed Project (Appendix C) shall be consulted and if impacts to any protected trees are anticipated, the Proposed Project shall comply with mitigation included in the Malibu Local Coastal Program Native Tree Protection Ordinance.

#### ***Findings:***

Implementation of Mitigation Measure BIO-6 would reduce potential impacts to local protected trees to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

### **3. Cultural Resources**

#### **Impact 5.4-2: Development of the Proposed Project could result in an impact on archaeological resources.**

Support for this environmental impact conclusion is fully discussed starting on page 5.4-15 of Section 5.4, *Cultural Resources* of the DEIR.

No archaeological resources were identified within the Project Site; however, the soils underlying the Project Site (Pleistocene and Holocene alluvial sediments) and the records search results indicate that there are buried pre-contact resources near the vicinity of the Project Site. Therefore, there is a

moderate to high potential for buried pre-contact resources to be uncovered during ground-disturbing activities, and impacts are considered potentially significant. Mitigation Measure CUL-1 requires a Qualified Archaeologist to conduct sensitivity training in advance of ground-disturbing activities for each phase and be retained and available during ground disturbance. It also provides measures to be taken in the event cultural resources are inadvertently discovered during construction.

### **Mitigation Measures**

CUL-1 Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project:

- Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.
- In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.
  - If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.
  - If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per section 7050.5 of the California Health and Safety Code). The provisions of section 7050.5 of the California Health and Safety Code, section 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (section 5097.98 of the PRC). The designated MLD will have

48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

***Findings:***

Implementation of Mitigation Measure CUL-1 would reduce potential impacts to archaeological resources to less than significant. Therefore, no significant unavoidable adverse impacts relating to cultural resources have been identified.

#### **4. Geology and Soils**

##### **Impact 5.6-3: Future development in the Project Site could subject persons or structures to hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils.**

Support for this environmental impact conclusion is fully discussed starting on page 5.6-19 of Section 5.6, *Geology and Soils* of the DEIR.

##### **Landslides, Mud/Debris Flows, and Lateral Spreading**

The potential for seismically induced landslides and lateral spreading at the Project Site are considered low and impacts would be less than significant. The potential for mud flow depends on soil type, water content, and degree of vegetation in the source zone. Mud flows have occurred in the Project area as a result of the 2018 Woolsey Fire, which burned and stripped vegetation and structures from the surrounding slopes. The loss of surficial support provided by vegetation combined with the accumulation of moisture from prolonged rain events in the loose and disturbed soil resulted in mud flows. Since the December 2018 mud flow event, the slopes above the campus have revegetated with light grasses, homes are being rebuilt, and drainage pathways corrected. A number of drainage diversion devices have been installed on-site, including K-rail barriers, earthen berm, gravel bag barriers, concrete channel with side walls, and debris rack cage to redirect stormwater and debris flows on-site. Thus, based on the relatively gentle slope inclination (approximately 5 degrees) and long depositional zone (1,100 feet), which has a defined flow path, the likelihood of a debris flow from the source area causing significant structural damage to the MMHS campus is low. Although mud flows should be expected to impact the Project Site, the Proposed Project would use existing and improved drainage diversion devices such as sandbags, K-rails, and hydro barriers placed along the known flow paths to divert runoff to the west side channel. Therefore, impacts associated with mud flows would be less than significant.

### **Subsidence, Collapsible, Expansive, and Corrosive Soils**

Since the geologic units encountered at the site are moderately hard to hard and are stiff to very stiff, overlying bedrock of the Monterey Formation, the risk of land subsidence or collapse is considered low. Therefore, impacts associated with subsidence and collapsible soils would be less than significant.

The composition of on-site materials is in the high to very high expansion range with an Expansion Index (EI) of 116 to 134. The Proposed Project would implement Mitigation Measure GEO-1, which would follow design recommendations listed in the geotechnical report prepared for the Proposed Project. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, use of nonexpansive soils, etc. Additionally, implementation of standard engineering and earthwork construction practices, such as proper foundation design and proper moisture conditioning of earthen fills, would reduce the effects associated with expansive soils. In addition, the Proposed Project would implement Mitigation Measure GEO-2, to prevent irrigation from being at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-grade. Therefore, with the implementation of Mitigation Measure GEO-1 and GEO-2, impacts would be less than significant.

### **Mitigation Measures**

- GEO-1 Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H.
- GEO-2 Design recommendations regarding future irrigation systems identified in the Geotechnical Report shall be followed to ensure that irrigation shall not be allowed within at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-grade. Details of these recommendations are included in Appendix H.

### **Findings:**

Implementation of Mitigation Measures GEO-1 and GEO-2 would reduce potential impacts of landslide, lateral spreading, subsidence, collapsible soils, or expansive soils to less than significant. Therefore, no significant unavoidable adverse impacts relating to geology and soils have been identified.

### **Impact 5.6-5: Build out of the Proposed Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature**

Support for this environmental impact conclusion is fully discussed starting on page 5.6-22 of Section 5.6, *Geology and Soils* of the DEIR.

The Project Site is in an area with high paleontological sensitivity (the Monterey Formation geologic unit), and excavation into undisturbed sediments of the Monterey Formation have the potential to destroy undiscovered unique paleontological resources during construction of each of the Project phases.

Given that construction of the Proposed Project would involve ground-disturbing activities in an area of paleontological sensitivity, impacts are considered potentially significant. Implementation of Mitigation Measure CUL-1, which requires a Qualified Paleontologist to conduct sensitivity training in advance of ground-disturbing activities for each phase and to be retained and available during ground disturbance. It also provides measures to take if paleontological resources are inadvertently discovered during construction. With the implementation of Mitigation Measure CUL-1, impacts would be less than significant.

### **Mitigation Measures**

CUL-1 Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project:

- Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.
- In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.
  - If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.
  - If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per section 7050.5 of the California Health and Safety Code). The provisions of section 7050.5 of the California Health and Safety Code, section 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC),

which then will designate a Native American Most Likely Descendant (MLD) for the Project (section 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

***Findings:***

Implementation of Mitigation Measure CUL-1 would reduce potential impacts to paleontological resources to less than significant. Therefore, no significant unavoidable adverse impacts relating to geology and soils have been identified.

**5. Noise**

**Impact 5.11-2: Project implementation would not result in permanent operation-related noise that would exceed established standards.**

Support for this environmental impact conclusion is fully discussed starting on page 5.11-20 of Section 5.11, *Noise* of the DEIR contained within Responses to Comment Letter A5 (see A5-39).

**Stationary Noise**

Heating, ventilation, and air conditioning (HVAC) systems would be installed on the rooftops of various buildings, as they are now, so this type of noise already exists in the Project area. The nearest noise-sensitive receptors are residential uses to the south. Typical HVAC equipment generates noise levels ranging up to 72 dBA at a distance of 3 feet. The nearest proposed buildings with HVAC equipment (Building C) would be approximately 200 feet north of residential property lines across Morning View Drive (this is farther than existing Building C at JCES and MMHS Building A/B). At this distance, noise levels associated with HVAC equipment would attenuate to approximately 36 dBA. This would not exceed the exterior noise limit of 40 dBA for nighttime rural residential and would, therefore, be a less than significant impact.

**Student and Other Community Use Recreational Noise**

School hours would remain the same, from 8:00 am to 3:00 pm, with staff and students of the middle/high school arriving on campus between approximately 7:00 am and 8:00 am and leaving between approximately 3:00 pm and 5:00 pm, with occasional special events and community events during weeknights and/or weekends. When the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, the Civic Center Act and SMMUSD policy permit community organizations and members to use school facilities by obtaining a Civic Center Act Permit from the District or the City of Malibu. Such uses already occur—e.g., soccer and softball practice/games, use of the pool, and use by the Boys & Girls Club—and would continue under the

Proposed Project. Since the Proposed Project does not propose to increase student capacity and the daily schedule would remain the same, student- and community-related use noise is expected to be similar to existing conditions. Activities on public playgrounds or private school grounds, including school athletic and school entertainment events, are exempt from the City's noise standards. Student recreational noise would be less than significant.

### **Bus Barn**

The bus barn would be moved from its current location on campus to a District-owned location on the Malibu Equestrian Center. Operational characteristics would be the same as the existing bus barn. Bus testing begins at 6:00 am during school days. Startup testing includes momentary testing of horns and blinkers. Three buses would be in operation on a daily basis, with limited weekend operation. Buses depart the facility at 6:45 am and continuously use the facility until approximately 6:00 pm. Because of the varied bell schedules for middle and high schools, frequency and exact timing of use would vary day-to-day. Any maintenance, refueling, and washing activities happen at an off-site location, as under current conditions.

The nearest residential property lines to the proposed bus barn are approximately 30 feet to the south and west. Without mitigation, the relocation of the bus barn would exceed the nighttime noise standard of 40 dBA Leq for rural residential receiving uses and would be considered potentially significant. Implementation of Mitigation Measure N-2 would reduce this impact to a level of less than significant.

### **Traffic Noise**

The Proposed Project would not result in an increase of student or staff capacity. However, the proposed new Parking Lot F in the northern part of the campus near the athletic fields could result in a redistribution of trips and additional trips from after-school community use. The existing secured and locked gate from Clover Heights Avenue would remain locked during school hours, and this location would not serve as a drop-off/pick-up location. It would continue to give pedestrian access only during school hours. The 14 spaces in Parking Lot F would serve after-school community uses of the athletic fields only.

Project-related traffic would be less than 1.5 dBA, with the exception of Clover Heights Avenue south of Harvester Road. However, ambient noise measurements at ST 1 indicate that the existing ambient is below 60 dBA. The threshold for traffic noise increases is 5 dBA when the existing ambient is less than 60 dBA CNEL. The traffic noise increase along this roadway segment is estimated to be 2.2 dBA, which would not exceed the 5 dBA threshold. Therefore, operational traffic impacts associated with Parking Lot F would be less than significant.

### **Mitigation Measures**

N-2            The proposed bus barn shall be an enclosed structure constructed of wood, masonry, concrete, or other similar solid material (e.g., not corrugated metal). The structure will have no gaps and minimal window area. All bus testing shall be conducted inside the enclosed bus barn.

### **Findings:**

Mitigation Measure N-2 would require that all future bus testing is conducted inside an enclosed structure with open doors facing away from sensitive receptors to the south and west. This would

reduce bus barn noise levels by at least 25 dBA. With implementation of Mitigation Measure N-2, bus barn noise would be reduced to 39 dBA Leq or less at nearby residential property lines to the south and west, which would not exceed the nighttime threshold of 40 dBA Leq for rural residential uses. With implementation of Mitigation Measure N-2, impacts to operational noise from the relocated bus barn would be reduced to a level of less than significant.

## 6. Transportation

### **Impact 5.14-3: Project circulation improvements have been designed to adequately address potentially hazardous conditions (sharp curves, etc.), and potential conflicting uses.**

Support for this environmental impact conclusion is fully discussed starting on page 5.14-25 of Section 5.14, *Transportation* of the DEIR and contained within Responses to Comment Letter R3 (R3-7, R3-11, and R3-16).

#### **Construction**

Construction of Phase 1 would include the demolition of the existing JCES campus, and construction of Building C and Parking Lots C and D. The existing Parking Lots A and B would be available for student drop-off and pick-up during the construction of Phase 1; however, since the existing JCES parking lot would be demolished, vehicles that use the curbside drop-off area on Morning View Drive adjacent to the school campus would not be able to make a U-turn to head south on Morning View Drive. Drop-off on Morning View Drive would be prohibited, as there are few opportunities to make U-turns southbound on PCH. Additionally, the intersection of Guernsey Avenue at PCH is not signalized and cannot accommodate high traffic volumes on the Guernsey Avenue approach. These changes to circulation could result in increased congestion during pick-up/drop-off times, which result in potentially hazardous conditions and conflicting uses with active school and construction, and therefore potentially significant impacts. Mitigation measures T-1 and T-2 would be implemented during Phase 1 construction activities.

Similar to Phase 1, during Phases 2 through 4, the majority of construction traffic during the peak hours would consist of construction workers and vendors traveling to and from the Project Site. In addition, during Phases 2 through 4, the newly constructed drop-off and pick-up areas in Parking Lots C and D would be available, and the school would continue to use Parking Lot B and the new Parking Lots D and E that would be implemented in Phase 1 of the Proposed Project. Nevertheless, given the likelihood that construction activities would occur during active school periods, impacts related to hazardous circulation conditions would be potentially significant. Mitigation measures T-1 and T-3 would be implemented during Phases 2 through 4.

#### **Operation**

The Proposed Project would not change the land use of the Project Site, which is currently the MMHS campus. Three main changes regarding operational changes that could affect hazardous circulation conditions include the new parking lot/access locations, pedestrian circulation, and the relocation of the bus barn. These are evaluated below.

##### *New Parking Lots*

The Proposed Project would not substantially change the access configurations to and from the Project Site and the surrounding areas. The configuration of the new Parking Lots C, D, and E would improve traffic conditions because access to Lots D and E would be located farther west, away from the drop-off and pick-up area adjacent to the school on Morning View Drive. Parking Lot C, compared to the existing JCES parking lot, provides better on-site circulation and vehicular storage. The existing and future parking lots and access driveways provide several opportunities for drivers heading west on Morning View Drive to make a U-turn to return to the south via PCH. Thus, the proposed access driveways and parking lot configurations would improve circulation, as they would provide better separation from the drop-off area off Morning View Drive, and the parking lots provide better off-street queuing for vehicles. Therefore, impacts to access as a result of implementation of the new parking lots would be less than significant.

#### *Pedestrian Facilities*

All proposed circulation improvements would be wheelchair accessible via a network of ramps and elevators, connecting parking lots with athletic and educational facilities. The Proposed Project would also include a pedestrian trail system that would connect to a larger system of existing trails around the Equestrian Park and surrounding hills. Pedestrian access to the campus would remain along Morning View Drive with access at the new drop-off area, and Clover Heights Avenue, with access to the athletic fields. Access to the parking areas on the western portion of the Project Site would be further west and away from the student drop-off area on Morning View Drive. Because of the relocation of the proposed access driveways, the existing location of the crosswalks on Morning View Drive would need to be relocated. Without relocation of existing crosswalks, crossing guards, and related pedestrian safety signage in conjunction with the proposed driveways to provide vehicular access to parking areas and drop-off areas, potentially significant impacts related to hazardous conditions could occur. Implementation of Mitigation Measure T-4 would be required to ensure relocated facilities sufficiently address pedestrian safety needs.

#### *Bus Barn Relocation Assessment*

The bus barn would be relocated to the east of Parking Lot A within the District-owned Malibu Equestrian Park, as part of Phase 4 of the Proposed Project. The relocated bus barn would accommodate up to five buses (three are typically in operation), that would operate between 6:45 a.m. and 6:00 p.m., Monday through Friday. No refueling or maintenance would occur at the new bus barn, consistent with current operation.

Bus ingress and egress to and from the bus barn area would not coincide with student drop-off and pick-up times because the school buses are already running their routes during student drop-off and pick-up times. In addition, the relocated bus barn and driveway access would reroute buses away from the sections of Morning View Drive where heavy pedestrian and vehicular school activity occur. During operation of the Proposed Project, bus access would continue to come from Morning View Drive; however, the circulation network would not change as a result of the Proposed Project. Therefore, the relocation of the bus barn would not result in hazardous conditions or conflicting uses and impacts would be less than significant.

## **Mitigation Measures**

- T-1 During each phase of construction activity, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Construction Traffic Mitigation Plan that is specific to the needs of each phase and shall include the following:
- Haul trucks and vendor truck traffic ingress and egress to/from the construction area shall not occur 30 minutes before or after student arrival and dismissal times—8:30 am Monday through Friday, 1 pm to 3 pm Monday through Thursday, and 12 pm to 1:30 pm on Friday.
  - The plan shall eliminate curbside parking on the south side of Morning View Drive south of the construction staging area to provide adequate turn radius and site distance to access for trucks entering and leaving work sites. This would apply to construction Phases 1, 2, and 3 only, which would have access via the segment of Morning View Drive adjacent to the school frontage.
  - The plan shall include a Traffic Education Program to assist in educating parents, students, and staff on drop-off/pick-up procedures specific to each phase of construction. Informational materials shall be disseminated regarding student drop-off and pick-up procedures via regular parent/school communication methods and shall be posted on the school website.
  - The use of portable message signs and information signs at construction sites shall be employed as needed.
  - Construction activities for each phase shall be coordinated with the responsible agency departments, including the City of Malibu Public Works and Planning Departments, and the Los Angeles County Sheriff and Fire Departments no less than 10 days prior to the start of the work for each phase. Notification shall specify whether any temporary vehicle, pedestrian, or bicycle construction detours are needed, if construction work would encroach into the public right-of-way, or if temporary use of public streets surrounding the Project Site is needed.
- T-2 To facilitate safe and efficient vehicular and pedestrian circulation during student drop-off and pickup, times during Phase 1, prior to initiation of construction activities, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Traffic and Parking C Plan to include the following:
- Designation of vehicular drop-off and pick-up areas outside Morning View Drive at off-street Parking Lots A, D, and E. Vehicular access to these lots shall allow vehicles to enter and return from the area from the intersection of Morning View Drive at PCH.
  - Student drop-off and pick-up shall be implemented in a counterclockwise circulation pattern. Figure 7 (see Appendix L) depicts vehicular circulation patterns that shall be used in Parking Lots A, D, and E during Phase 1 construction.
  - The school shall educate students and parents on drop-off and pick-up routes and procedures. This may be achieved with a combination of information bulletins shared with students and parents.
- T-3 Construction scheduling during Phases 2 to 4 shall be scheduled such that any activities that would result in potential lane closures along Morning View Drive, including, but not limited to, reconstruction of the student drop-off/pick-up area and sidewalks along Morning View Drive, shall be limited to summer months when school is not in session to eliminate conflicts with local traffic and pedestrian activities.

T-4 The SMMUSD shall coordinate with the City of Malibu Public Works Department to relocate crosswalks and school-area signage in relation to the proposed access driveways according to City of Malibu and applicable State criteria. Crossing guards shall be relocated as necessary, based on the ultimate location of crosswalks.

***Findings:***

Implementation of Mitigation Measure T-1 through T-4 would reduce potential impacts to transportation to less than significant. Therefore, no significant unavoidable adverse impacts relating to transportation have been identified.

**7. Wildfire**

**Impact 5.16-1: Future development on the Project Site pursuant to the Proposed Project could exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.**

Support for this environmental impact conclusion is fully discussed starting on page 5.16-17 of Section 5.16, *Wildfire* of the DEIR and contained within Responses to Comment Letter A1 (see A1-4).

**Construction**

The Project Site is in an LRA VHFHSZ with a high likelihood of exposure to a wildland fire and secondary effects of wildland fires. Project construction activities could result in exacerbated fire risks due to sparks, dry vegetation, and weather, particularly in areas where construction activities are in proximity to surrounding open space areas (i.e., Phases 1, 2, and 4). Given the high potential for wildland fires and associated risks in the project area, construction-related impacts are considered potentially significant. Mitigation Measure W-1 would ensure fire prevention requirements are in place during all phases of construction activities.

**Operation**

The Proposed Project would not significantly alter the existing topography, and the new buildings would be constructed on the existing grade. The minor modifications to the existing grades on the Project Site would not be expected to exacerbate wildfire risks due to increased slope modifications, and the proposed grade would not place new structures on slopes where wildfire risk could be exacerbated. The Proposed Project would be required to comply with current CBC standards, CFC standards, Title 5 regulations, and local fire code requirements, including fire protection features. These features include fuel modification requirements for landscape and highly ignition-resistant buildings to minimize the likelihood of exposing students, visitors, staff, and structures to a significant risk related to wildfires.

Overall, the Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus and would not introduce new uses to the Project Site that would exacerbate wildfire risks. Impacts related to exacerbating wildfire risks due to slope, prevailing winds, and other factors during project operations would be less than significant.

## **Mitigation Measures**

W-1 The District and its general contractor will prepare a Construction Fire Protection Plan (CFPP) that shall be implemented during all phases of construction activity. The CFPP will be approved by the County of Los Angeles Fire Department (LACoFD) prior to building construction and may also be reviewed and approved in phases based on the phased development of the Proposed Project.

The CFPP shall include, but not be limited to, guidance for:

- Prevention, control, and extinguishment of fires during construction activities.
- Smoking- and fire-related rules, storage, and parking area.
- Delineating work areas from natural/open space areas and establishing sufficient setbacks.
- Vegetation management prior to and during construction activity, consistent with LACoFD protocols.
- Requirement to use spark arrestors on construction equipment.
- Limiting the type and duration of construction activities during red flag warning events issued by the National Weather Service covering the project area.

## **Findings:**

Implementation of Mitigation Measure W-1 would reduce potential impacts to wildfire risks to less than significant. Therefore, no significant unavoidable adverse impacts relating to wildfire have been identified.

## **Impact 5.16-3: Future development on the Project Site pursuant to the Proposed Project could expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, postfire slope instability, or drainage changes.**

Support for this environmental impact conclusion is fully discussed starting on page 5.16-22 of Section 5.16, *Wildfire* of the DEIR.

## **Construction**

The potential exists for soil erosion during Project construction of each phase, as underlying ground surfaces are exposed. Construction of the Proposed Project would result in ground surface disturbance during excavation, grading, and trenching that could create the potential for soil erosion. Site preparation would require removal of necessary vegetation, existing structures, unsuitable fill, and asphalt and concrete paving, exposing pervious surfaces to the elements.

Each phase of the Proposed Project would be required to comply with NPDES permit requirements to control pollutants from being discharged into the water. Under this permit, which applies to grading activities of more than one acre and is administered under the Regional Water Quality Control Board, the District would be required to prepare and implement a SWPPP, including best BMPs to address construction-related discharges. During construction, all stormwater runoff would be diverted to the appropriate catch basins and drainage channels, subject to all applicable regulatory statutes and permits, including those in Title 15 (Building and Construction) of the Malibu Municipal Code, which adopts Title 26 (Building Code) of the Los Angeles County Code. As a result, project construction would not

expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, postfire slope instability, or drainage changes. Impacts would be less than significant.

### **Operation**

The Proposed Project would improve on-site hydrology and would implement erosion prevention and bank stability improvements as part of the ESHA restoration plan on the District property. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1 of the Proposed Project, and demolition of the hardscape within the 100-foot buffer of the downstream area would also occur during Phase 1. Demolition of the developed areas within the 100-foot buffer of the upstream and middle-stream area would occur during Phase 4 because the bus barn and other existing structures would remain operational until Phase 4 commences. This restoration would improve existing conditions related to drainage patterns and would prevent future postfire slope instability in the event of a wildfire in the project area.

A contributing factor at the Project Site is the presence of expansive soil, which expands and shrinks during wetting and drying cycles. The expanding and shrinking of the soil could cause a ratcheting effect, where soil and relatively light surface improvements, such as concrete slabs, tend to move laterally toward the unconfined slope face during expansion and downward during periods of shrinkage. This would result in a gradual downward and lateral movement of the surficial soils (and surficial improvements). This slope creep could result in slope instability, and impacts would be potentially significant. The Proposed Project would be required to conform to the recommendations in the preliminary geotechnical evaluation and final geotechnical report for the design and construction of proposed slopes and would be monitored during construction as required by Mitigation Measure GEO-1.

### ***Mitigation Measures***

***GEO-1 Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H. Findings:***

Implementation of Mitigation Measure GEO-1 would reduce potential impacts to significant risks, including downslope or downstream flooding or landslides, to less than significant. Therefore, no significant unavoidable adverse impacts relating to wildfire have been identified.

## **E. FINDINGS ON SIGNIFICANT UNAVOIDABLE IMPACTS**

The following summary describes the unavoidable adverse impact of the Proposed Project where either mitigation measures were found to be infeasible, or mitigation would not lessen impacts to less than significant. The following impact would remain significant and unavoidable:

# 1. Aesthetics

## IMPACT 5.1-4: THE PROPOSED PROJECT COULD GENERATE ADDITIONAL LIGHT AND GLARE.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-52 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letter A5 (see A5-9 through A5-17) and R3 (R3-6, R3-18, and R3-21).

The Proposed Project would occur on the currently developed former JCES and MMHS campuses, in an area visually characterized as a rural residential neighborhood. There is a potential for the new marquee signs, pool lighting, campus lighting configuration, and new building surfaces to adversely affect nighttime views in the area and result in substantial glare. Therefore, impacts are considered potentially significant. Mitigation Measures AES- 1 and AES-2 would require that each of the light sources will be directed onto the Project Site or campus and will be equipped with a visor that will further direct the lighting downward, reducing the potential for spill lighting outside of the parking lots and the access road. Implementation of Mitigation Measure AES-3 would ensure that night lighting not required for security is restricted to 10:00 p.m. on school nights and would not be operated when school is not in session. Mitigation Measure AES-4 would require the use of nonreflective textured surfaces on building exteriors, as well as prohibiting the use of reflective glass.

### **Mitigation Measures**

- AES-1 To minimize spill lighting and glare impacts, all lighting from the Proposed Project, including from pool lighting, shall be LED, have full-cutoff shielding, be aimed specifically to direct areas.
- AES-2 Atmospheric lighting pollution shall be reduced by using full cut-off shielded lighting fixtures that eliminate light directed to the sky. Marquee sign lighting shall be dimmable in the evenings when not required for student/community communication.
- AES-3 Santa Monica-Malibu Unified School District (SMMUSD) shall minimize the effects of new sources of night lighting. Such measures, which may include the following and/or other measures, will be incorporated into each phase of the Proposed Project's design and operation:
- All exterior lighting shall be delineated as either "night lighting" or "security lighting" and controlled by separate automatic timers. Lights delineated as security lighting shall be determined by the campus principal, security, and facility manager.
  - All lighting delineated as "night lighting" shall be shut off automatically at 10:00 p.m. on school nights. This includes pool lights.
  - When operation of "night lighting" is necessary after 10:00 p.m., SMMUSD as operator of the Project Site shall provide notice to the community by posting such notice on the campus website and the school message board and marquee.
  - When school is not in session (such as summer and winter break and weekends), "night lighting" shall not be permitted, and only required security lighting shall be illuminated.
- AES-4 All structures shall incorporate nonreflective exterior building materials in their designs, and the use of reflective glass shall be prohibited.

AES-5 ~~The pool lighting shall be designed to meet safety requirements of 50 foot candles over the pool and 20 foot candles over the deck as measured at the water level, while also minimizing light spill, glare, and skyglow to the extent feasible to ensure proper lighting levels necessary for competitive water polo play. Pool and pool deck lighting shall require a site plan review to determine consistency with the Malibu Dark Sky Ordinance.~~ Pool lighting shall be turned off within ½ hour of aquatic use, and the 2-foot candle safety perimeter lighting shall be turned off with all other automatic campus lighting.

## Findings:

Mitigation Measures AES-1 through ~~AES-4~~ AES-5 would reduce potential impacts related to an increase in light and glare for the general outdoor lighting program to a level that is less than significant. However, in order to meet the required safety standards, the new pool lighting would likely continue to exceed standards set forth in the City of Malibu Dark Sky Ordinance. Therefore, impacts regarding pool lighting would remain significant and unavoidable.

## 2. Noise

### **Impact 5.11-1: Construction-related activities would result in temporary noise increases in the vicinity of the Proposed Project in excess of established standards.**

Support for this environmental impact conclusion is fully discussed starting on page 5.11-17 of Section 5.11, *Noise* of the DEIR.

#### **Construction Vehicles**

The transport of workers and materials to and from the construction site would incrementally increase noise levels along site access roadways (namely Morning View Drive). The addition of construction trips and haul trips would result in a temporary noise increase of less than 0.4 dBA CNEL or less, which would not be substantial nor permanent. Therefore, construction-vehicle noise impacts would be considered less than significant, and no mitigation measures are necessary.

#### **Construction Equipment**

Construction equipment used during each phase of construction of the Proposed Project would generate noise levels of up to 85 dBA Leq at 50 feet. However, overall noise emissions vary considerably, depending on the specific activity being performed at any given moment. Noise from construction equipment is intermittent and diminishes at a rate of at least 6 dBA per doubling of distance (conservatively ignoring other attenuation effects from air absorption, ground effects, and shielding effects), and the average noise levels at noise-sensitive receptors could vary considerably because mobile construction equipment would move around the site with different loads and power requirements. Pile driving would not be needed during any phase of Project construction.

Construction activity would comply with Malibu Municipal Code section 4.2.04(G), which limits the hours of construction to 7:00 am to 7:00 pm on weekdays and 8:00 am to 5:00 pm on Saturday; construction is not allowed on Sundays or holidays.

Construction activity could exceed the threshold of 80 dBA Leq when within 100 feet of a nearby receptor property line, and construction noise levels could exceed the threshold of 80 dBA Leq during all four phases without mitigation. Since construction activities during all phases have the potential to

occur within 100 feet of the nearest receptor property line and exceed the threshold of 80 dBA Leq, this impact would be considered potentially significant. Implementation of Mitigation Measure N-1 would reduce construction equipment-related noise impacts to off-site sensitive receptors. However, due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than proposed Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction; the use of temporary noise barriers would not be as effective in reducing construction noise.

Students would remain on campus during all phases of construction, and there is potential for construction activities during school hours. Therefore, students could be exposed to construction activity noise during this time. The CALGreen requirement for nonresidential interior spaces is 50 dBA Leq, and the typical building would provide at least 25 dBA of exterior-to-interior noise reduction. Therefore, if exterior construction noise exceeds 75 dBA Leq at the classroom building façade, interior noise levels could exceed the threshold. Based on the equipment anticipated for Project construction, construction noise could potentially exceed the interior standard of 50 dBA Leq when within 150 feet of an active classroom. Therefore, this impact is considered potentially significant. Implementation of Mitigation Measure N-1 would reduce construction equipment-related noise impacts to on-site sensitive receptors to a level of less than significant.

### **Mitigation Measures**

N-1 Construction contractors shall implement the following measures for construction activities conducted at the Project Site during each phase of construction. Construction plans submitted to the District shall identify these measures on demolition, grading, and construction plans. The District shall verify that grading, demolition, and/or construction plans submitted include these notations prior to demolition, grading, and/or building construction.

- During the active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) wherever feasible.
- Impact tools (e.g., jack hammers and hoe rams) shall be hydraulic- or electric-powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from noise-sensitive uses.
- The District's construction contractors and subcontractors shall be required through contract specifications to locate construction staging areas, construction worker parking, and material stockpiling as far away from vibration- and noise-sensitive sites as possible. Additionally, these activities shall be located away from occupied buildings on campus, occupied residential dwellings adjacent to the campus, and other sensitive receptors, where feasible.
- Prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours as well as the contact information of the District's and contractor's representatives who are authorized to respond in the event of a noise or vibration complaint. If the contractor's authorized representative receives a complaint, they

shall investigate, take appropriate corrective action, and report the action to the District.

- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than 5 minutes.
- During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the background noise level, or to utilize human spotters when feasible and in compliance with all safety requirements and laws.
- Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the street from the Proposed Project site providing a schedule for major construction activities through the duration of the construction period. When construction activity would occur within 100 feet of nearby receptor property lines, contractors shall erect temporary noise barriers where feasible. The temporary noise barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be (a) a 3/4-inch-thick plywood wall OR (b) a hanging acoustical blanket/curtain with a surface density or at least 1.5 pounds per square foot.
- Prior to construction, the contractor shall submit to the District a list of equipment and activities required during construction to ensure proper planning of the most intense construction activities during time periods that would least impact campus operations. When construction activity would occur within 150 feet of active classrooms, contractors shall ensure that interior classroom noise levels do not exceed 50 dBA Leq. Feasible methods to achieve this include those listed above, scheduling work during less sensitive time periods when the classroom is not in use, and classroom use rescheduling to move active classes away from high noise construction activities, as necessary. Construction activities within 50 feet of occupied classrooms would be prohibited during preparation and testing for National Standardized testing days of students at MMHS.

### **Findings:**

Mitigation Measure N-1 would reduce potential noise impacts during construction to on- and off-site sensitive receptors to the extent feasible. Specifically, the effective use of temporary noise barriers, as required under Mitigation Measure N-1, can achieve up to 15 dBA of noise reduction when breaking the line-of-sight between the construction site and the receptor. Implementation of Mitigation Measure N-1 would ensure that interior noise levels in classrooms do not exceed 50 dBA Leq.

During Phase 1, with installation of temporary noise barriers along the southern boundary of the phase area adjacent to Morning View Drive, construction noise would be reduced to approximately 70 dBA Leq, which would be below the threshold of 80 dBA Leq. Although Project-level details for Phases 2 through 4 are not known at this time, Mitigation Measure N-1 would ensure that temporary noise barriers are erected when construction activities would be within the screening distance of 100 feet from the sensitive receptor property line.

As discussed above, in Impact 5.11-1, due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than proposed Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction. Therefore, the use of temporary noise barriers would not be as effective in reducing construction noise. Also, because of the anticipated construction duration over multiple years for full buildout, construction

noise impacts associated with implementation of the Proposed Project are considered significant and unavoidable for off-site receptors.

## **F. FINDINGS ON PROJECT ALTERNATIVES**

### **1. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS**

The following is a discussion of an alternative considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the DEIR.

- **Off-Site Alternative** - The Proposed Project by design is intended for the MMHS campus. Consequently, an alternative off-site location is not a feasible alternative and would not meet the Project objectives. Certain impacts that are identified as being potentially significant under the Proposed Project are due primarily to construction-related activity such as air emissions and noise. These impacts would occur regardless of the Proposed Project's location. For these reasons, an alternative that is in another location within the District is not addressed in this chapter. Because the Project Site is already developed as a school, constructing a new school on a different site would likely increase environmental impacts. For these reasons, this alternative was not considered further.
- **Alternative Design** - At the beginning of planning efforts for the Proposed Project, three organizational layout concepts were presented to the public, District Steering Committee, and Campus Design Committee as Option A (The Canyon), Option B (The Park), and Option C (The Villages). Option A locates the middle school roughly at the former JCES site and the high school roughly where the new Buildings A/B and E are located. The middle school and high school would have their own dedicated quad and identity from Morning View Drive under this option. Option B organized both the middle school and high school around one main quad with less definition between the schools and more blending of high school and middle school students. Option C would locate the high school at the former JCES site and place the middle school in the recently completed Buildings A/B and E.

These options were ultimately rejected based on community, District Steering Committee, and Campus Design Committee feedback in favor of the Proposed Project's design and layout. Each option presented a variation in overall campus layout and design and would have resulted in a negligible change to the environmental impacts of the Proposed Project.

- **Alternative Location** - In 2011, the District considered an alternative location for the Proposed Project on a District-owned 24.33-acre lot. However, based on the California Department of Education's (CDE) *Guide to School Site Analysis and Development* (2000), a school with an enrollment roughly equivalent to the existing MMHS campus would require approximately 30.44 acres (Parsons 2011) in order to meet CDE's classroom and playfield size requirements. The District does not own any properties in the City of Malibu that could accommodate a new middle school and high school to replace the existing MMHS, rendering this scenario economically infeasible.

In consideration of the information provided above, the Alternative Location Alternative was eliminated from further consideration in this EIR because the construction of a new middle school

and high school as an alternative to the Proposed Project would be economically infeasible and would result in greater significant impacts to the environment, primarily due to the extent of construction that would be required, rather than avoiding significant and unavoidable impacts that would result from implementation of the Proposed Project.

- **Alternative Location for the Bus Barn** - The District considered relocating the bus barn to an alternative site. The alternative site would have been on a County-owned lot at 3637 Winter Canyon Road, which is approximately 8 miles east of the Project Site. However, the County had already entered into a lease agreement with another entity. Thus, this site could not be used for the bus barn, and this alternative was ultimately rejected. Compared to the Proposed Project, this alternative would have increased vehicle miles traveled associated with the school buses that serve MMHS, due to the distance between the alternative site and the Project Site. Overall, this alternative would have changed a minor component of the Proposed Project and would have overall resulted in a negligible change to the environmental impacts of the Proposed Project.

## **2. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS**

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the Proposed Project but avoid or substantially lessen any of the significant effects of the project.

- Alternative 1: No Project Alternative
- Alternative 2: Development of Phases 1 and 2 Only
- Alternative 3: Elimination of Parking Lot F (at Clover Heights)

### **Alternative 1: NO PROJECT Alternative**

The CEQA Guidelines require the analysis of a No Project Alternative. Under CEQA, the No Project Alternative must consider the effects of not approving the Proposed Project. The No Project Alternative describes the environmental conditions that exist at the time that the environmental analysis commences, as well as what would reasonably be expected to occur in the foreseeable future if the Proposed Project was not approved (CEQA Guidelines section 15126.6(e)(2)).

Under the No Project Alternative, the District would not approve any portion of the Proposed Project on the Project Site, and none of the mitigation measures identified within this DEIR would be necessary. No demolition would occur under the No Project Alternative, because the existing structures on the Project Site would be retained. Under the No Project Alternative, it is assumed that the reasonably foreseeable future at the Project Site would be the continued occupation of the existing buildings within the MMHS campus as in current conditions. MMHS would not be redeveloped and modernized, and buildings that are part of the former Juan Cabrillo Elementary school (JCES) would be used by existing students as needed (portable buildings and Building E, Library) or remain unoccupied. The school would continue to operate under its current conditions, and no changes would take place.

### **Finding:**

This alternative would lessen environmental impacts related to construction in all topic areas, since no construction would occur under this alternative. The No Project Alternative would avoid the significant and unavoidable lighting impact and temporary construction noise impacts identified for the Proposed Project. This alternative would not cause operational impacts associated with aesthetics, biological resources, GHG emissions, hydrology and water quality, land use and planning, noise, recreation, and transportation. Because the Proposed Project would not change operational conditions of the campus, including student enrollment and staffing, the No Project Alternative would result in similar operational impacts in the areas of air quality, energy, geology and soils, hazards and hazardous materials, public services (fire and police), and utilities and service systems.

The No Project Alternative does not meet any of the Project's objectives. Additionally, this alternative would not realize any of the environmentally beneficial outcomes of the Proposed Project, including restoration of the ESHA, enhanced recreational opportunities, and sustainability improvements (including the installation of the solar panel system). Overall, the No Project Alternative results in reduced impacts throughout all environmental topics and avoidance of the one identified significant and unavoidable impact.

## **ALTERNATIVE 2: DEVELOPMENT OF PHASES 1 AND 2 ONLY**

Under this Alternative, the Proposed Project would be limited to the activities in Phases 1 and 2 only. Phases 3 and 4 would not be developed. Phase 1 consists of demolition of all existing former JCES campus buildings and portables P6 and P7 and construction of Building C (the High School Core building that includes classrooms, student support services, and administrative and campus support), Parking Lot C, Parking Lot D, and the drop-off/pick-up area. Phase 1 would also include infrastructure improvements, including drainage management areas and septic improvements. Construction of Phase 1 is anticipated to begin in fall 2022 and be completed by summer 2024. Phase 2 would consist of construction of Building D (Gymnasium/Fitness/PE and Student Activities and Food Services) and the Middle School Quad. Phase 2 would also include infrastructure improvements, including drainage management areas, septic improvements, and development of the solar panel system. Construction of Phase 2 is anticipated to begin in fall 2024 and be completed by fall 2026 (contingent on passage of a new bond measure). Under this alternative, the project would construct a total of 90,395 square feet of new building space, which consists of 68,019 square feet under Phase 1 and 22,376 square feet under Phase 2.

**Finding:** Alternative 2 would lessen the Proposed Project's less-than-significant impacts with and without mitigation for aesthetics, air quality, biological resources, cultural resources, energy, GHG emissions, hazards and hazardous materials, hydrology and water quality, noise, recreation, and transportation. This alternative would result in similar impacts as the Proposed Project related to geology and soils, land use and planning, public services, utilities and service systems, and wildfire. Alternative 2 would eliminate the significant and unavoidable aesthetic (light and glare) impacts as the pool and associated pool lighting would not be developed. With Mitigation Measure N-1, Alternative 2 would reduce the Proposed Project's significant and unavoidable impact to a less-than-significant level.

Alternative 2 would meet Objectives 1, 8, and 9 and would only partially meet Objectives 2, 3, 6, 7, and 10 since it would only develop a portion of the Proposed Project. This alternative would not result in the full benefits of improving learning by replacing undersized and inflexible facilities with larger

flexible spaces (Objective 2), providing enhanced support spaces (Objective 3), and improving access/circulation and parking on-site (Objective 6). Additionally, since this alternative would only restore a portion of the ESHA and would not replace most of the existing, older buildings with new high-quality buildings, this alternative would not fully develop a campus that respects the natural environment through high design that is complementary to the natural landscape (Objective 7) and would not remove hazardous buildings and structures (Objective 8). The Phase 1 and 2 Only Alternative would not meet Objectives 4 and 5, since arts and athletic improvements and the reorganization of open space and intercampus circulation are largely included in Phases 3, 4a, and 4b.

### **ALTERNATIVE 3: ELIMINATION OF PARKING LOT F**

Under Alternative 3, the Proposed Project would still be developed as described with the exception of Parking Lot F on the north end of the MMHS campus. This alternative results in 14 fewer vehicle parking spaces compared to the Proposed Project. Overall ground disturbance of approximately 5,600 square feet associated with Parking Lot F would be eliminated. Parking to serve the existing sports fields on the north side of the campus, especially for after-school programmed activities, would be from Lots D and E, and they would be accessed similar as in existing conditions. Clover Heights Avenue would continue to remain limited only to pedestrian access with locked gates during school hours. Operational use of the fields would be the same during the Proposed Project and existing conditions.

**Finding:** Alternative 3 would lessen the Proposed Project's less-than-significant impacts with and without mitigation associated with aesthetics (visual and scenic resources), air quality, biological resources, cultural resources, energy, noise, and transportation. This alternative would result in similar impacts as the Proposed Project related to geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, recreation, utilities and service systems, and wildfire. The significant and unavoidable impact resulting from aesthetics (light and glare) as well as construction noise would be similar to that of the Proposed Project. This alternative would not fully meet Objective 6 since it would eliminate 14 parking spaces and would not increase campus parking on-site. This alternative would meet the other objectives for the Proposed Project.

### **III. STATEMENT OF OVERRIDING CONSIDERATIONS**

Pursuant to Public Resources Code section 21081(b) and CEQA Guidelines section 15093, the District has balanced the benefits of the Proposed Project against the following unavoidable adverse impacts associated with the Proposed Project and has adopted all feasible mitigation measures with respect to these impacts: (1) Aesthetics and (2) Noise. The District also has examined alternatives to the Proposed Project, none of which both meet the Project objectives and is environmentally preferable to the Proposed Project.

Regarding a Statement of Overriding Considerations, Guidelines section 15093 provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other

benefits of a Proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

## **A. BACKGROUND**

CEQA requires decision makers to balance the benefits of the Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (CEQA Guidelines section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (CEQA Guidelines section 15093 [b]). The agency's statement is referred to as a Statement of Overriding Considerations.

The following sections provide a description of each of the Proposed Project's significant and unavoidable adverse impacts and the justification for adopting a Statement of Overriding Considerations.

## **B. SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS**

The following adverse impacts of the Proposed Project are considered significant, unavoidable, and adverse based on the DEIR, FEIR, Mitigation Monitoring and Reporting Program, and the findings discussed in Section II, *Findings and Facts Regarding Impacts*, of this document.

### **1. Aesthetics**

- ~~■ In order to meet necessary required safety standards, the new pool lighting would likely continue to exceed standards set forth in the City of Malibu Dark Sky Ordinance.~~

### **2. Noise**

- Construction-generated noise levels during special events and games would exceed the threshold of 80 dBA Leq, and the Proposed Project would result in temporary noise level disturbances to sensitive receptors.

## **C. CONSIDERATION IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS**

After balancing the specific economic, legal, social, technological, and other benefits of the Proposed Project, the District has determined that the unavoidable adverse environmental impacts identified above may be considered “acceptable” due to the following specific considerations, which outweigh the unavoidable, adverse environmental impacts of the Proposed Project.

### **1. Environmental Benefits**

- The Proposed Project represents an improvement to an existing school and would; reorganize open space and foster intercampus circulation; improve access, circulation, and drop-off and pick-up, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and remove hazardous buildings and structures.

### **2. Social Benefits**

- The Proposed Project will create unique and separate identities for the Malibu Middle School and Malibu High School campuses
- The Proposed Project will improve the arts and athletic facilities in support of both the school and the community’s educational, cultural, and recreational enhancement, and provide pool facilities that support high-level competitive water polo.

## **D. CONCLUSION**

For the foregoing reasons, the District concludes that the Malibu Middle and High School Specific Plan Project will Provide enhanced, modern, and functional support spaces, such as a state-of-the-art theater, library, cafeteria, labs, maker spaces, pool, and other student services, that promote the highly effective modern whole child development. Implementation of the Proposed Project will also improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses; respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.; increase District resiliency, protect and maximize the learning environment, and maximize energy and operational savings through a photovoltaic solar array and battery backup system.

The District has balanced the project’s benefits against the project’s significant unavoidable impacts. The District finds that the project’s benefits outweigh the project’s significant unavoidable impacts, and those impacts, therefore, are considered acceptable in light of the project’s benefits. The District finds that each of the benefits described above is an overriding consideration, independent of the other benefits, that warrants approval of the project notwithstanding the Proposed Project’s significant unavoidable impacts.

**Exhibit C**  
**Proposed Local Coastal Program Amendment No. 21-002**

**LUP Amendments**

**C. Land Use Plan Policies**

**1. Land Resources**

**c. Areas Adjacent to ESHA and Parks**

**3.23** Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width, except for the cases addressed in Policy 3.278 and Policy 3.24.

**3.24** New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan shall only be allowed in the 50-foot ESHA buffer if it does not significantly disrupt the habitat values of ESHA and may include:

- a. Habitat creation, restoration, and/or enhancement activities;
- b. Public accessways, trails, and associated minor improvements.
- c. Directional, educational, and interpretive signs
- d. ESHA and creek-related educational uses and viewing platforms;
- e. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
- f. Fuel modification required by the City Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
- g. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
  1. Limited exterior lighting for safety purposes; and
  2. Fences necessary for safety, restoration, and protection of habitat.

Renumber existing Policy 3-24 and policies through Policy 3.155. Update the policy number references in the following policies to match renumbering.

- 3.7** Policy 3.37 to 3.38  
Policies 3.23 to 3.31 to 3.24 to 3.32

3.12 Policy 3.89 to 3.90  
3.25 Policy 3.27 to 3.28  
3.39 Policy 3.37 to 3.38  
3.40 Policy 3.38 to 3.39  
3.42 Policy 3.47 to 3.48  
3.66 Policy 3.65 to 3.66  
3.67 Policy 3.68 to 3.69 to 3.69 to 3.70  
3.119 Policy 3.50 to 3.51  
3.121 Policy 3.32 to 3.33

5.17 Policy 3.81(a) to 3.82(a)  
5.18 Policy 3.71(a) to 3.72(a)  
5.19 Policy 3.81(a) to 3.82(a)  
5.45 Policy 3.44 to 3.45  
5.56 Policy 3.52 to 3.53

6.27 Policy 3.60 to 3.61

## LIP Amendments

### **Chapter 3 – Zoning Designations and Permitted Uses**

#### LIP Section 3.4.6 – Specific Plan Overlay District

The Specific plan overlay district is intended to provide for the classification and development of a parcel or parcels of land as a coordinated, comprehensive project that will result in a more desirable development or physical environment than would be possible through the strict application of conventional zoning regulations and standards. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

#### **A. Malibu Middle and High School Campus Specific Plan**

The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plan for the Malibu Middle and High School Campus. Development on the property covered by the specific plan will be governed by the specific plan guidelines and regulations in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

The following are the development standards for the MMHS Campus Specific Plan:

1. **Height.** Except as allowed in this section structures shall not exceed eighteen (18) feet above finished or natural grade, whichever results in lower building height, except for chimneys, rooftop antenna, and light standards.
  - a. **Building C: High School Building** shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty-one (41) feet above approved grading plan.
  - b. **Building D: Middle School Gym/Multi-Purpose Room and Structures** shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty (40) feet.
  - c. **Building H: Theater/Performing Arts** and shall not exceed a maximum height of forty-five (45) feet above finished grade.
  - d. **Building J: Gym/Physical Education** shall not exceed a maximum height of forty-five (45) feet above finished grade.
  - e. **Building L:** shall not exceed a maximum height of eighteen (18) feet above finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.
  - f. For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).

g. In no event shall the maximum number of stories above grade be greater than two.

**2. Yards/Setbacks.**

a. Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.

b. Any future buildings must comply with the following:

(1) Front yard setbacks shall be ten (10) feet from the street easement.

(2) Side yard setbacks shall be five feet

(a) When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.

(b) When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.

(3) Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

**3. Site Development Criteria. All proposed construction within the MMHS Campus Specific Plan shall comply with the following site development standards:**

a. Structure Size. The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the general plan, where additional significant public benefits and amenities are provided as part of the project.

b. Landscaping and Site Permeability. Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 3.14.5 (E)(1) shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be permeable.

c. Pool and pool deck lighting shall require a site plan review to determine consistency with the Malibu Dark Sky Ordinance.

d. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G and Section 17.41 Malibu Dark Sky provisions of the municipal code.

- e. All parking areas within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

## **5. Wayfinding and Informational Signage**

The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

- a. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.
- b. Marquee signs. Two single-sided monument signs would be allowed on Morning View Drive. The monument signs would be a maximum of 15 feet 6 inches wide by 7 feet 6 inches tall and contain a 10-foot by 4-foot LED display screen, 10 mm pixel spacing with dimmable brightness. The signs would be placed on concrete wall support and have an internally illuminated logo.

## **6. Permitted Uses in ESHA Buffer**

New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan shall only be allowed in the 50-foot ESHA buffer if it does not significantly disrupt the habitat values of ESHA and may include:

- 1. Habitat creation, restoration, and/or enhancement activities;
- 2. Public accessways, trails, and associated minor improvements.
- 3. Directional, educational, and interpretive signs
- 4. ESHA and creek-related educational uses and viewing platforms;
- 5. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
- 6. Fuel modification required by the City Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
- 7. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
  - a. Limited exterior lighting for safety purposes; and
  - b. Fences necessary for safety, restoration, and protection of habitat.

## **7. ESHA Restoration Plan**

A phased restoration plan for the ESHA within the MMHS Campus Specific Plan property shall be implemented. As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.

The restoration plan would include removing all hardscape within the proposed 100-foot buffer of the ESHA boundary. The Santa Monica-Malibu Unified School District (District) would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail.

Opportunities for restoration are present at upstream, middle, and downstream areas of the ESHA as well as developed and undeveloped areas within the proposed 50-foot buffer of the ESHA boundary. During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.

Each phase of the project would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acres of hardscape and structures.”

## **Chapter 3 – Signs**

### **Modify LIP Section 3.15.3(J) – Prohibited Signs.**

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs, except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.

## **Chapter 4 – Environmentally Sensitive Habitat Area Overlay**

### **4.5. PERMITTED USES**

#### **4.5.4 Environmentally Sensitive Habitat Buffers**

1. *Public accessways and trails, including directional signs*
2. *Interpretive signage designed to provide information about the value and protection of the resources*
3. *Restoration projects where the primary purpose is restoration of the habitat.*
4. *Invasive plant eradication projects if they are designed to protect and enhance habitat values.*
5. *Uses listed in LIP Section 3.4.6(A)(6) for the Malibu Middle and High School Campus Specific Plan project.*

#### **4.6.1. Buffers**

*New development adjacent to the following habitats shall provide native vegetation buffer areas to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect.*

*Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in Section 4.6.1 (E) or (F) of the Malibu LIP. The following buffer standards shall apply:*

##### *1. Stream/Riparian*

*New development shall provide a buffer of no less than 100 feet in width from the outer edge of the canopy of riparian vegetation. Where riparian vegetation is not present, the buffer shall be measured from the outer edge of the bank of the subject stream.*

*However, in the Point Dume area, new development shall be designed to avoid encroachment on slopes of 25 percent grade or steeper and new development and substantial redevelopment of the Malibu Middle and High School Campus shall meet the standards in Section 3.46(A)(2).*

##### *2. Wetlands*

*New development shall provide a buffer of no less than 100 feet in width from the upland limit of the wetland.*

3. *Woodland ESHA*

*New development shall provide a buffer of no less than 100 feet in width from the outer edge of the tree canopy for oak or other native woodland.*

4. *Coastal Bluff ESHA*

*New development shall provide a buffer of no less than 100 feet from the bluff edge.*

5. *Coastal Sage Scrub ESHA*

*New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and C, if required) will extend into the ESHA and that no structures will be within 100 feet of the outer edge of the plants that comprise the coastal sage scrub plant community.*

6. *Chaparral ESHA*

*New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and C, if required) will extend into the ESHA and that no structures will be within 100 feet of the outer edge of the plants that comprise the chaparral plant community.*

7. *Other ESHA*

*For other ESHA areas not listed above, the buffer recommended by the Environmental Review Board or City biologist, in consultation with the California Department of Fish and Game, as necessary to avoid adverse impacts to the ESHA shall be required.*

## **Chapter 6 – Scenic and Visual Resources**

**6.7** The height of structures shall be limited to minimize impacts to visual resources. The maximum allowable height, except for beachfront lots, shall be 18 feet above existing or finished grade, whichever is lower. On beachfront lots, or where found appropriate through Site Plan Review, the maximum height shall be 24 feet (flat roofs) or 28 feet (pitched roofs) above existing or finished grade, whichever is lower. Chimneys and rooftop antennas may be permitted to extend above the permitted height of the structure. The maximum height for buildings on the MMHS Campus shall be established in the MMHS Campus Specific Plan.

**Exhibit D**  
**Proposed Zoning Text Amendment No. No. 22-002**

**Add a new “M.” 17.42.020 Overlay districts.**

“M. Specific Plan Overlay District

The specific plan overlay district is intended to provide for the classification and development of a parcel or parcels of land as a coordinated, comprehensive project that will result in a more desirable development or physical environment than would be possible through the strict application of conventional zoning regulations and standards. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

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(6) For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).

(7) In no event shall the maximum number of stories above grade be greater than two.

b. Yards/Setbacks.

(1) Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.

(2) Any future buildings must comply with the following:

(a) Front yard setbacks shall be ten (10) feet from the street easement.

(b) Side yard setbacks shall be five feet

i. When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.

ii. When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.

(c) Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

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## **Chapter 17.52 – Signs**

### **Modify MMC Section 17.52.040(J) – Prohibited Signs.**

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.



# Malibu Middle and High School Campus Draft Specific Plan

January 2022



**Prepared For:**  
Santa Monica-Malibu Unified School District  
1651 16th St.  
Santa Monica, CA 90404

**Prepared By:**  
 **PLACEWORKS**



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# MMHS CAMPUS SPECIFIC PLAN

## 1.0 Introduction

The Santa Monica-Malibu Unified School District (SMMUSD or District) is in the city of Santa Monica in Los Angeles County and serves both coastal communities of Santa Monica and Malibu. SMMUSD serves approximately 11,000 students with sixteen school sites including: nine elementary schools, three middle schools, two comprehensive high schools, a continuation high school, and a K-8 alternative school. In the City of Malibu, the District operates two elementary schools, one middle school and one comprehensive high school. The SMMUSD mission is: “Extraordinary achievement for all students while simultaneously closing the achievement gap.”

This Specific Plan addresses needed improvements at the Malibu Middle and High School (MMHS) which incorporates the adjacent Juan Cabrillo Elementary School campus and other adjacent undeveloped District-owned property as identified in the 2019 Campus Plan.

Malibu Middle and High School is a public secondary school in Malibu, California, serving grades 6-12. The school is approximately 0.25 miles from the Pacific Ocean and Zuma Beach. The campus is on land originally part of Juan Cabrillo Elementary, which was partitioned in 1963 to create Malibu Park Junior High School. In 1992, the District converted the Malibu Park Junior High School campus into the present combined middle school/high school. The SMMUSD property consists of approximately 87 acres over nine parcels that includes the existing Malibu Equestrian Park in the eastern part of the property, the existing MMHS campus in the center, and the former Juan Cabrillo Elementary School (JCES) campus in the west. The east side of the campus is adjacent to Malibu Equestrian Park, which is on District owned land. The west edge borders an Environmentally Sensitive Habitat Area (ESHA). The campus slopes toward the Pacific Ocean and is surrounded by single-family residences.

A new gymnasium and 2-story classroom building were added in 2002. In the last 15 years, three bond measures have passed and utilized to modernize and build new buildings and athletic fields., including the newly completed Administration/Library (A/B) and the 2-story Classroom Building (E).

The school has many partnerships with the City of Malibu, Pepperdine University, and the Boys & Girls Club. The school was recognized as a California Distinguished School in 2003. The school’s mission is “to be a collaborative community that respects individuals, sets high expectations, encourages critical thinking, and fosters a passion for learning and creative expression.” The school has a strong swim program, and the pool is used all day, every day by students and the community. The school also has a strong marine and environmental sciences program as well as visual and performing arts programs. Given the unique campus organization, middle school students are given the opportunity to participate in some high school electives.

### 1.1 School Design Evolution

In 1994, California Department of Education (CDE) formalized regulations governing standards on the design and construction of new school facilities. Included are requirements for the submittal of educational specifications (Facility Standards/ Design Guidelines)—see California Code of Regulations, Title 5, Section 14034. The requirements are delineated in the Education Code Section 39101 (c) and California Code of Regulations, Title 5, Section 14030 (a). Specific school design standards are contained in California Code of Regulations, Title 5, Section 14001, 14010 and 14030.

In 2009, CDE added a Plan Summary form for those projects applying for new construction funds from the State Allocation Board for a new school or additions to an existing school. In July 2010, all Educational Specifications (Facility Standards/ Design Guidelines) were required to be approved by the district's governing Board and submitted to CDE as part of any application for funding.

There is a recognition at the State level that traditional school design requires re-visioning. There is also acknowledgment that the Title 5 Education Code may restrict the new form that school designs may take to support 21st Century learners. CDE's requirement for the Plan Summary Form, provided by the local education agency, allows for dialogue about what is needed to support educational programs for today and tomorrow's learners. Ultimately the development of a lasting and sustainable vision that supports the goals of the District's educational program, depends upon a well thought out Educational Vision.

## 1.2 Development of the Campus Plan

With a history of partnership and close ties with the community, the District conducted a far-reaching stakeholder engagement process that included teachers, administrative staff, students, parents, community surveys, community meetings, and focused interviews in order to develop the Malibu Middle and High School Campus Plan (Campus Plan). The overall objective of the Campus Plan was to align education program goal with proposed facility improvements.

- Facilities District Advisory Committee (FDAC): The FDAC provided the Board of Education and District staff with the community's perspective regarding the use of bond funds for school site construction. This is a Board appointed committee and subject to the Brown Act. For the campus planning efforts, meetings were held to give process updates, seek input on the development of campus plan options, and confirm the final proposed campus plan.
- District Steering Committee (DSC): The DSC steered and coordinated the process and ensured that input from a range of stakeholders would be optimized. In addition, through regular meetings, the team was responsible for reviewing outcomes from the various groups and providing input on development of the Campus Plan and estimated budget to guide the campus planning process.
- Campus Planning Committee (CPC): The CPC was comprised of a diverse group of District Leadership, school site representatives, students, parents, and local community stakeholders. Meetings were held to discuss broad visioning concepts, develop a program, review, and provide input on the development of campus plan options, and confirm the final proposed campus plan.
- Program Focus Groups: Sub-committee meetings were held on an as-needed basis to focus on programs, including overarching topics such as Athletics and Physical Education, Special Education, and Visual and Performing Arts. Additionally, focused interviews of key District staff for Maintenance and Operations, Food and Nutrition Services, Transportation Management, and Information Services, took place to determine facilities needs within their areas of expertise.
- Community Focus Groups: Sub-committee meetings were held on an as-needed basis to seek input, answer questions and update community groups on the campus planning process.
- Community Outreach: In early late April and early May 2019, two Town Hall Meetings were held to get additional input from stakeholders. Parents and community members were invited to learn about the process, ask questions, review campus plan options, and provide input to the planning team.

After analyzing information gathered during the site walk along with various surveys and interviews on the condition of the facilities and program needs from January 2019 through late-May 2019, multiple meetings were held to review draft Campus Plan options. Stakeholders were selected to serve on a Campus Planning Committee to provide input on the proposed modifications and enhancements. Based on the feedback provided, a final proposed Campus Plan was created, which formed the basis of this Specific Plan.

The purpose of the Campus Plan was to define the long-range facility goals that support District educational goals. It is strategic in nature and illustrates the vision for the campus over the next 10 to 15 years. The plan shows a general path of how to get to the goal without providing specific design solutions and was a tool in establishing estimated budgets. The budget included in the Campus Plan is intended to be used as a “tool kit” by the District for planning purposes, to run program phasing scenarios as funding becomes available. This budget ultimately aids in decision making so that school facility improvements move toward a common, coordinated vision.

### 1.3 Level of Detail

Since implementation of the Specific Plan will occur over multiple phases, it is important to design individual projects with the overall Specific Plan in mind so that future projects may still be realized. Each project should have the ability to stand on its own without negatively impacting future projects and current school operations. As projects develop over time, the Specific Plan will be revisited and may be updated to reflect the changing needs of the District with sensitivity to changing economics and demographics. This updating process is recommended by the California Department of Education every 3 to 5 years.

#### Site Design Observation

During preparation of the Specific Plan, the following two observations helped guide design.

- The City of Malibu’s Local Coastal Program ESHA Overlay Map 2 and United States Geological Survey (USGS) Point Dume California 7.5-minute topographic quadrangle map shows an unnamed stream along the western edge of the campus. Riparian areas within developed areas are designated as ESHA. The City of Malibu maintains policies to protect environmentally sensitive habitat areas. Developments must be designed to minimize impacts to the ESHA. A development buffer between the limits of the ESHA will be required and is typically 100’ minimum. The unnamed stream is also subject to the Clean Water Act Section 404. Adequate setbacks are required to protect the ESHA from increases in water. Proposed septic systems should be designed and sited to avoid impacts to the ESHA. The existing Campus is immediately adjacent to the ESHA and development of a 100-foot setback would cut significantly into buildings, parking, and accessways that are needed for efficient use of the site.
- The City of Malibu municipal code and Local Coastal Program (LCP) have specific requirements under institutional development standards, that affect development. A few key requirements are, there is a “maximum height of eighteen (18) feet above natural or finished grade, whichever results in a lower building height, except for chimneys, rooftop antenna, and light standards. Modern classroom design requires additional height to allow higher interior ceiling heights for ventilation, natural light, and sound attenuation. Additionally, in order to meet California Scholastic Federation (CIF) athletic requirements, gymnasiums must reach higher interior ceiling heights, particularly with regards to volleyball. The exterior height increase is needed to allow required ventilation equipment and CIF requirements. The director may issue a development permit, pursuant to the site plan review process of this title, to allow structure height up to twenty-eight (28) feet for flat or pitched roofs.” In addition, “in no event shall the maximum number of stories above grade be greater than two.” And front yard setbacks shall be ten (10) feet from the street easement.” The City height limit for structures is in

conflict with school building design, and while the City’s municipal code allows for Planning Commission approval of buildings, the City pointed out that having to complete this entitlement process for each building over the next 10 – 15 years would be cumbersome for both the District and the City.

**1.4 Specific Plan**

As the design concepts in the Specific Plan are set to be developed in several phases over a long period of time, the City recommended preparation of a specific plan so that a consistent set of development standards could be adopted. Once adopted, the standards in the specific plan would become the regulations against which later phases of the project would be reviewed by the City. The Malibu Middle and High School Campus Specific Plan establishes the development standards and plan for the Malibu Middle and High School (MMHS) Campus over the next 10 to 15 years. The existing MMHS campus was constructed as Malibu Park Junior High School beginning in 1963, and in 1992 the school was converted for use as a high school. The Project Site is situated on three of nine parcels: Assessor’s Parcel Numbers (APN) 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4459-018-904 (2.57 acres). The total acreage of the Project Site is 52.03 acres.

Apart from the recently completed Buildings A/B and E, many of the existing buildings no longer meet the District’s needs to support 21st century learning, including technology improvements and flexible classrooms that allow for multiple learning modalities. This Specific Plan would result in the demolition of 18 existing buildings on the combined campuses; with only the existing athletic fields, and the recently completed Buildings A/B and E on the MMHS campus would remain, and the construction a new campus with dedicated spaces for Middle and High School. This Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of new building space, providing the MMHS campus with a total of 47 classrooms and 12 labs and a total of 222,425 square feet of building space. Table 1, *Existing and Proposed Floor Area Ratio (FAR)*, shows the existing and proposed floor area ratio (FAR) of the project.

**Table 1 Existing and Proposed Floor Area Ratios (FAR)**

Site	Acres	Existing		Proposed	
		Building Square Feet	FAR	Building Square Feet	FAR
Merged High School and Middle School <sup>1</sup>	40.06	203,734	0.095	222,425	0.103
Proposed Bus Barn	2.57	1,500	0.013	10,500	0.097
Maximum Allowable FAR <sup>2</sup>			0.150		0.150

<sup>1</sup> Merger proposed as part of this Specific Plan.

<sup>2</sup> Section 17.40.110.3.c. Malibu Municipal Code.

Development of the MMHS is subject to the City of Malibu Development Code and LCP that includes the City’s zoning and development requirements. Because of their specialized educational functions, the design of some of the buildings within the Specific Plan area would exceed the current zoning requirements and would require individual variances to be built. To avoid the need for multiple variances, the City recommended preparation of this Specific Plan that would establish the vision of the District and adopt development standards specific to the MMHS campus. The MMHS Campus Specific Plan is intended to upgrade and enhance both campus structures and facilities to meet the District’s Education Specifications and better accommodate the student population. While the Specific Plan will upgrade the MMHS campus, it does not allow for an increase in the maximum student population.

While this Specific Plan reflects the anticipated buildout condition of the MMHS campus, only Phase 1 of the Plan is designed and funded for construction. Construction of subsequent Phases will require additional financial resources before they can proceed. The Specific Plan relies on established City of Malibu land use and zoning regulations and procedures and provides development standards for the MMHS Campus Specific Plan. Both the City of Malibu Municipal Code and Local Coastal Plan (LCP) contain provisions for discretionary site plan review. The District anticipates that implementation of subsequent phases will be reviewed by the City for approval and compared to this Specific Plan and Environmental Impact Report for consistency.

### MMHS Campus Specific Plan Organization

This Specific Plan consists of eight chapters, as described below.

- **Chapter 1: Introduction.** Covers the overview and purpose of the Specific Plan.
- **Chapter 2: MMHS Campus Specific Plan Objectives.** Outlines the project objectives of the Specific Plan.
- **Chapter 3: Background and Context.** Provides background of the project location and overview of existing conditions.
- **Chapter 4: MMHS Campus Specific Plan Facilities and Phasing.** Provides details on project development and phasing.
- **Chapter 5: Development Standards.** Identifies standards such as building heights, setbacks, design standards for signs, and landscaping.
- **Chapter 6: Circulation, Mobility, & Parking.** Outlines site access, parking, and mobility improvements.
- **Chapter 7: Infrastructure.** Focuses on the major infrastructure systems including storm drain, sewer, water, lighting, and energy.
- **Chapter 8: Administration and Authority.** Provides the process for project approvals, summary of other state, regional, and local plans and programs related to this Specific Plan, review and approval process, and environmental review.

## 2.0 MMHS Campus Specific Plan Objectives

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The following objectives are developed for the MMHS Campus Specific Plan:

1. Create unique and separate identities for the Malibu Middle School and Malibu High School campuses.
2. Advance educational facilities to support 21st Century learning and properly support the projected enrollment.
3. Improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses.
4. Provide enhanced, modern, and functional support spaces, such as libraries, cafeteria, labs, maker spaces, and other student services, that promote whole child development.
5. Improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.
6. Reorganize open space and foster intercampus circulation.
7. Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety.
8. Respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.
9. Adopt development standards for the MMHS allowing for the educational design requirements of many of the buildings.
10. Increase District resiliency, protect and maximize the learning environment, and maximize energy and operational savings through a photovoltaic solar array and battery backup system.
11. Remove hazardous buildings and structures.

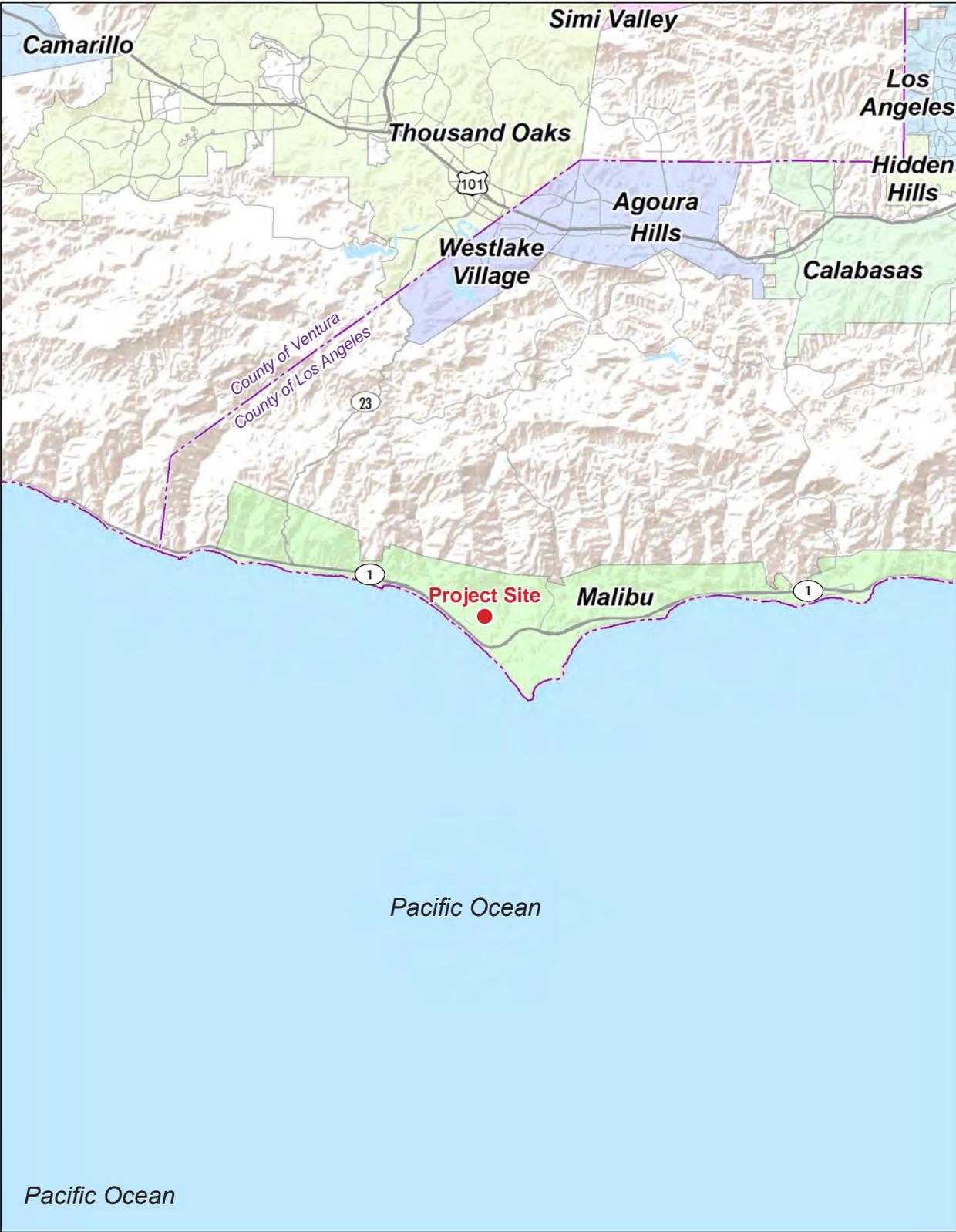
## 3.0 Background and Context

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### 3.1 Project Location

The Specific Plan area includes the entirety of the SMMUSD property that consists of the existing Malibu Equestrian Park in the eastern portion of the property, the existing MMHS campus in the center of the property, and the former Juan Cabrillo Elementary School (JCES) campus in the western portion of the property. MMHS is located at 30215 Morning View Drive (Assessor's Parcel Map Numbers 4469-017-900, 4469-018-900, 4469-018-901, 4469-018-902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902 (9 parcels)), in the City of Malibu, Los Angeles County, California (Figure 1, *Regional Location*). This Specific Plan would be developed within the existing MMHS campus and the former JCES campus. The Plan Area is set amid rolling hills, and its buildings and athletic fields are terraced into the hillside setting. The Plan Area is approximately 0.25 miles northeast of both the Pacific Coast Highway (PCH) and Zuma Beach, and bounded by Merritt Drive to the east, Via Cabrillo Street to the west, and Morning View Drive to the south. Single-family homes border the Plan Area to the north (Figure 2, *Local Vicinity*, Figure 3, *Aerial Photograph*, and Figure 4, *Existing Zoning Map*).

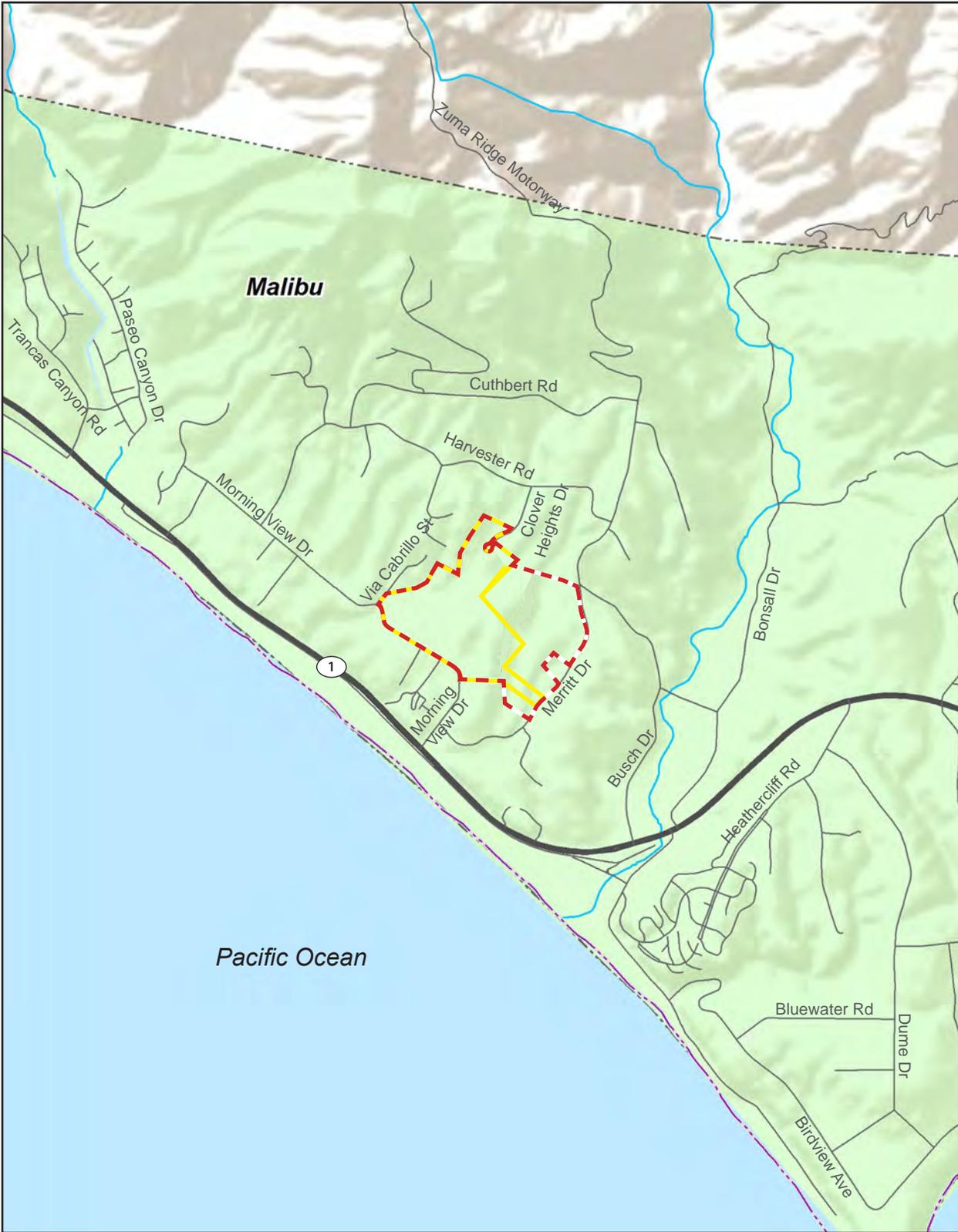
Figure 1 Regional Location



Note: Unincorporated county areas are shown in white.  
Source: ESRI, 2020



Figure 2 Local Vicinity



- - - District Owned Property
- - - Project Boundary

0 2,000  
Scale (Feet)



Source: ESRI, 2020

Note: Unincorporated county areas are shown in white.

Figure 3 Aerial Photograph

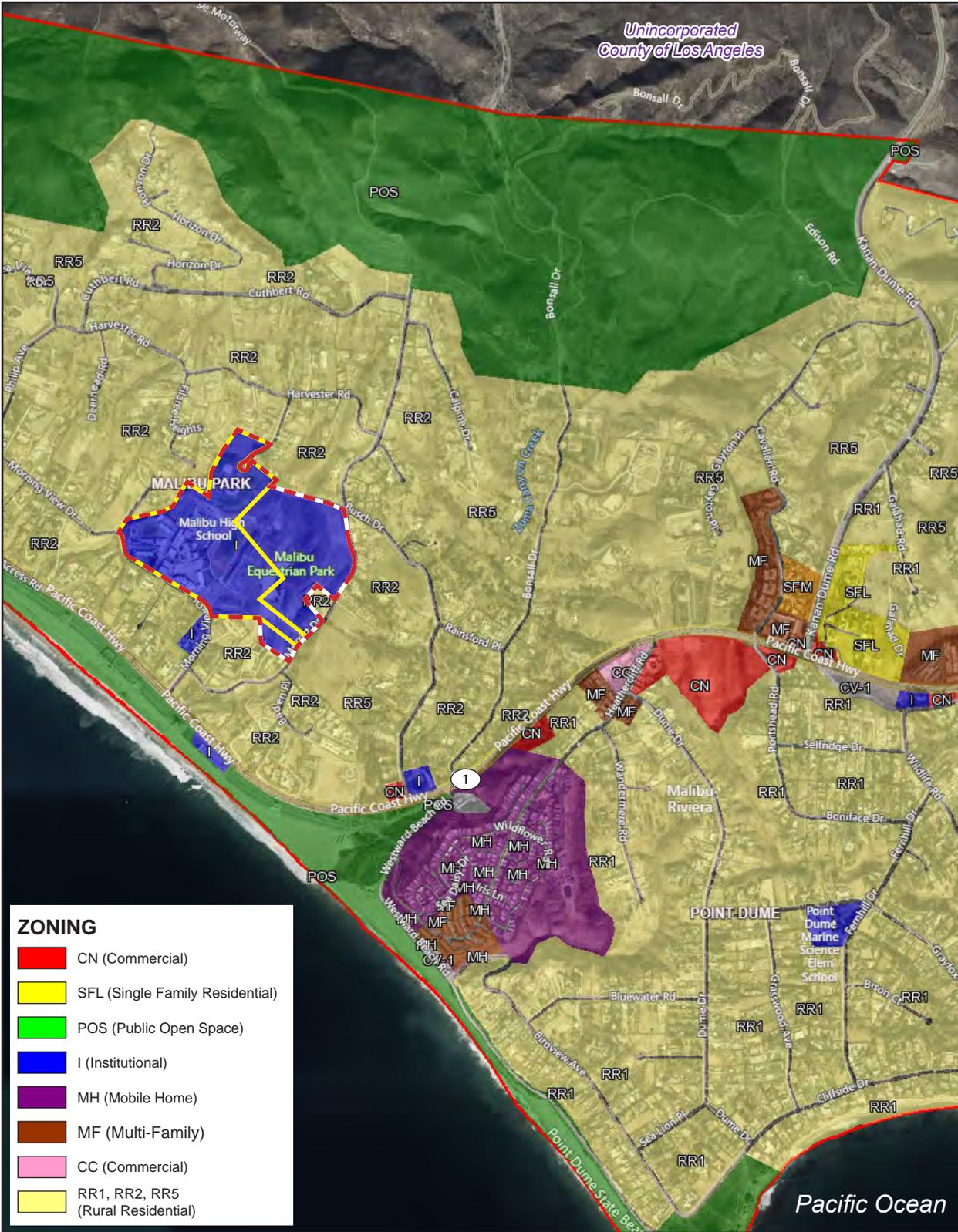


- - - District Owned Property      — Parcel Lines  
— Project Boundary      (Note: Some parcel lines are hidden underneath District Owned Property and Project Boundary lines)

Source: Nearmap, 2020

0 800  
 Scale (Feet)

Figure 4 Zoning Map



**ZONING**

- CN (Commercial)
- SFL (Single Family Residential)
- POS (Public Open Space)
- I (Institutional)
- MH (Mobile Home)
- MF (Multi-Family)
- CC (Commercial)
- RR1, RR2, RR5 (Rural Residential)

- District Owned Property
- Project Boundary

0  2,000  
Scale (Feet)



Source: City of Malibu, 2021

## 3.2 Existing Conditions

### Existing Land Use

The Plan Area is located within the Zuma Beach area in the Malibu Park neighborhood of the City of Malibu. As shown in Table 2, *Existing Assessor's Parcel Map Numbers in the Plan Area*, the approximately 87-acre Plan Area comprises the existing MMHS campus, the former JCES campus, and Malibu Equestrian Park. As part of this Specific Plan, the District will merge two parcels (4469-017-900, 4469-018-903) into a single parcel that will total 49.06 acres as shown in Appendix A. The combined former JCES and MMHS campus contain a total of approximately 50 acres with 222,425 square feet of developed structures as well as student areas, athletic fields, and parking areas. The Bus Barn will be relocated to the Equestrian Park as part of Phase 4.

**Table 2 Existing Assessor's Parcel Map Numbers in the Plan Area**

APN Number	Size
4469-017-900 To Be Merged	40.06
4469-018-900	2.49
4469-018-901	2.44
4469-018-902	2.67
4469-018-903 To Be Merged	9.40
4469-018-904 Equestrian Park (to Include Bus Barn in Phase 4)	2.57
4469-019-900	4.05
4469-019-901	5.54
4469-019-902	17.47
<b>Total</b>	<b>86.69</b>

Source: Los Angeles County Department of Regional Planning 2020

### Former JCES Campus

The former JCES campus covers approximately six acres and is on the western end of the Plan Area to the north of Morning View Drive, west of the MMHS campus. JCES formerly served elementary school grades K-5. As part of SMMUSD's wider Malibu Schools Alignment Project, the JCES student population combined with the Point Dume Marine Science School student population and moved to the Point Dume Marine Science School campus, renamed Malibu Elementary School, at the beginning of the 2019-20 school year. Currently, middle school students utilize the portable classrooms, and Boys & Girls Club utilizes the former library as the Wellness Center., No other JCES rooms are currently being used. Figure 5, *Existing MMHS Campus Buildings and Facilities*, shows the former JCES campus buildings.

### MMHS Campus

The MMHS campus covers approximately 34 acres of the overall District property and operates as a sixth- through twelfth-grade public school with a 2018-19 enrollment of 939 students and 134 staff. Presently, the MMHS campus has 60 classrooms (including 12 portable classrooms); a library, auditorium, and administrative offices; an athletic field, 2 gymnasiums, a pool, 9 basketball courts, and 4 tennis courts; and parking for 282 vehicles in three parking

lots. Additionally, the recently constructed Buildings A/B and E would remain, with no work identified for the Specific Plan. Figure 5 shows the MMHS campus buildings.

### Site Access, Circulation, and Parking

The Specific Plan area can be accessed from Morning View Drive, approximately 0.3 miles northeast of the intersection of Morning View Drive and PCH and 0.9 miles southeast of the intersection of Guernsey Avenue and PCH. Morning View Drive is a narrow, two-lane, local roadway with an open drainage system that provides direct access to single-family homes in the area as well as to the existing MMHS and former JCES campuses and the Malibu Equestrian Park. Regional access to the Plan Area is provided via PCH.

There are currently two main points of vehicular entry into the MMHS and former JCES campuses. The first entry is along the eastern edge of the campus from Morning View Drive. The second point of entry is at the access road between the former JCES campus and the MMHS campus. This entry is a service access point and provides access to the Bus Barn, Maintenance and Operations Warehouse, and Student Parking Lot A. There are currently five parking lots with a total of 375 parking spaces.

Student drop-off/pick-up for the Middle School currently occurs in Parking Lot E (150-Space Parking Lot), while drop-off/pick-up for the High School Students occurs in the JCES Parking Lot. Sidewalks are provided on both sides of Morning View Drive from PCH north to the western end of the former JCES campus. There are currently three crosswalks along Morning View Drive that provide access to the former JCES and MMHS campuses from the south side of the street. A crossing guard staffs the crosswalk in front of former JCES during the AM drop-off and PM pick-up peak periods. No parking is allowed along Morning View Drive.

### Site Topography

The Plan Area is situated on the southern flanks of the western portion of the Santa Monica Mountains. Maximum topographic relief on-site is approximately 94 feet, with elevations ranging from 86 to 180 feet above mean sea level. The campus consists of several near-level pad areas with generally ascending slopes to the north and descending slopes to the PCH to the south. On the MMHS campus, the street-level pad contains the recently constructed MMHS administration, library, and classroom buildings (Buildings A/B); the under-construction Lower Parking Lot; and an outdoor courtyard, cafeteria, and auditorium. On the former JCES campus, the pad contains the administration building, the kindergarten classroom, the special education classrooms, and the JCES Parking Lot. The next pad to the northwest contains the newer and old gymnasiums, outdoor basketball courts and swimming pool, the Boys & Girls Club of Malibu facility, and the Bus Barn and Parking Lot A on the MMHS campus, as well as the multipurpose room, the library, and three educational buildings on the former JCES campus. The third pad contains the Main Sports Field and the 150-Space Parking Lot. The fourth contains the tennis courts and baseball diamonds. The fifth and highest pad contains Parking Lot A (the 150-Space Parking Lot). Each terrace is accessible via stairs and handicap accessible ramps. From street level on Morning View Drive, views of the development on the elevated terraces are limited.

### Environmentally Sensitive Habitat Area

There is very little natural vegetation on-site, consisting primarily of grasses, ivy, brush, shrubs, and scattered ornamental and native trees. The City of Malibu's Environmentally Sensitive Habitat Area (ESHA) Map shows a stream approximately 400 feet northwest of the campus. The stream consists of an underground pipe from Floris Heights Road that flows under the school property and daylight into a natural streambed along the western boundary of the school property. The stream extends for approximately 1,088 feet and varies between

approximately 24 and 85 feet wide. the stream course is deeply incised with steep banks. The top of the southeast bank extends significantly higher than the northwest bank because it is located immediately adjacent to the campus.

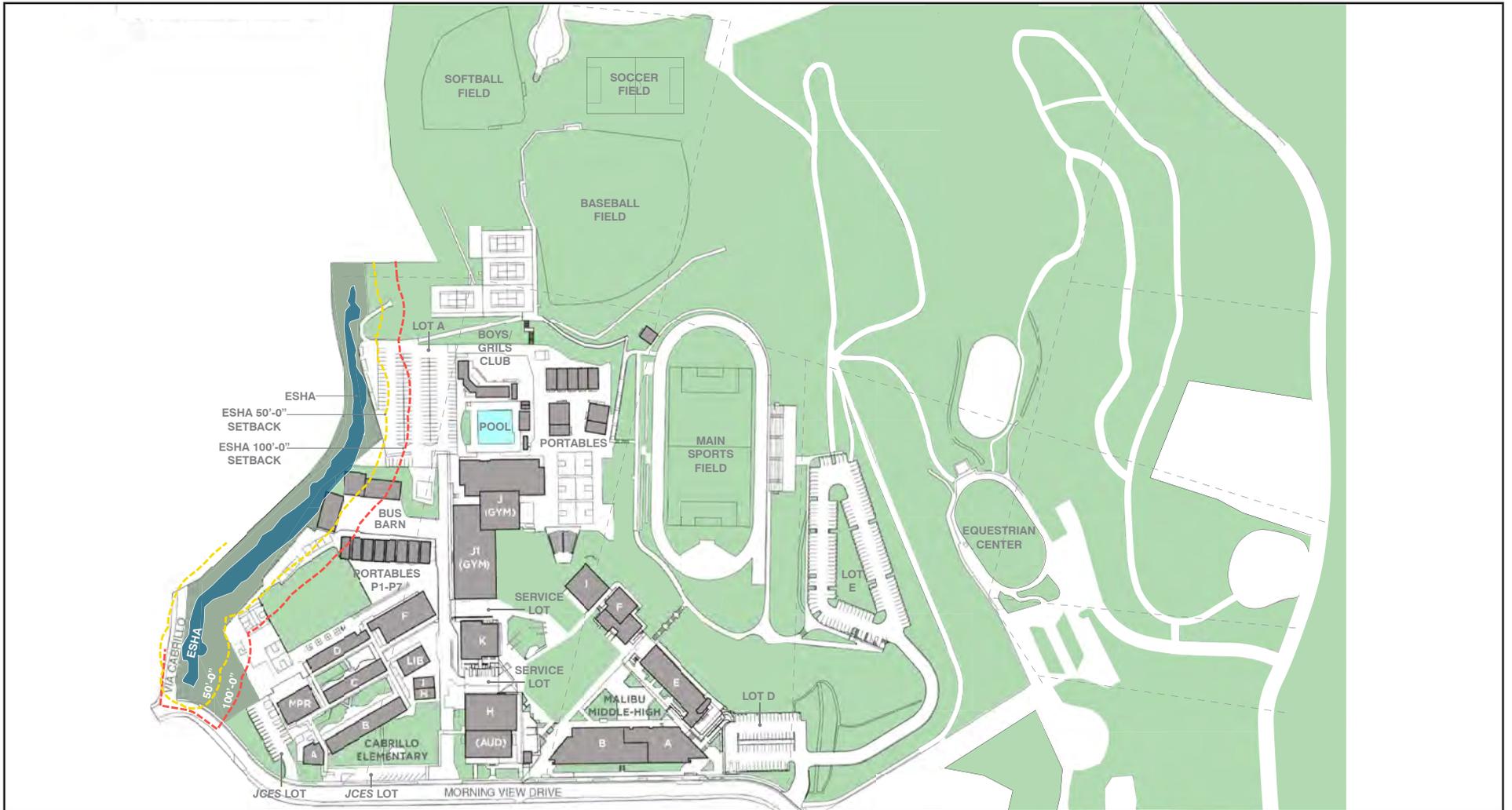
The City of Malibu maintains policies to protect environmentally sensitive habitat areas within city limits, and new developments must be sited and designed to minimize impacts to the ESHA.

Section 4.6.1(A) of the LIP provides for buffer around native stream vegetation:

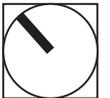
New development shall provide a buffer of no less than 100 feet in width from the outer edge of the canopy of riparian vegetation. Where riparian vegetation is not present, the buffer shall be measured from the outer edge of the bank of the subject stream.

Portions of the campus are developed within the 100-foot buffer, including the Bus Barn, the tennis courts, and portions of the former JCES yard. However, all these structures were developed prior to the certification of the LCP, which occurred in 2002, and many of the existing uses predate the Coastal Act.

Figure 5 Existing MMHS Campus Buildings and Facilities



Source: LPA, 2021



## 4.0 MMHS Campus Specific Plan Facilities and Phasing

### 4.1 MMHS Campus Specific Plan Development

As shown in Table 3, *Summary of Building Demolition*, implementation of the Specific Plan would result in demolition of all 7 buildings and 9 portables on the former JCES campus and 6 buildings and associated amenities on the MMHS campus, totaling 154,904 square feet of demolition. Building E and Buildings A/B at the MMHS Campus would remain, with all other structures removed (see Figure 6, *Proposed Site Plan*). The Bus Barn would be relocated to the east side of the site. No changes to the existing main sports field, baseball, or softball fields would occur except for the development of new field houses and additional parking adjacent to the softball field.

**Table 3 Summary of Building Demolition**

Name	Square Footage
<b>Former JCES Campus</b>	
Building A: Administration Building	2,280
Building B: Kindergarten Classroom Building	5,941
Building C: Classroom Building	4,554
Building D: Classroom Building	4,535
Building E: Library	2,694
Building F: Classroom Building	7,952
Building G: Multipurpose Room Building	4,758
Buildings H and I (Cottage Portables)	1,920 (2 x 960sf)
Portables: Portables P1 to P5	5,280 (5 x 960sf, 1 x 480sf)
Portables: P6 to P7	1,920 (2 x 96-0sf)
Restroom Portable	480
Former JCES Subtotal	42,314
<b>MMHS Campus</b>	
Building F (300 Building): Music/Band/Choral Building	6,720
Building H (600 Building): Cafetorium	14,478
Building I (400 Building): Graphic Arts	4,561
Building J (Building 700): Gymnasium	20,758
Building J1: 'New' Gymnasium	18,835
Building K: Classroom Building	12,698
Pool	Pool: 60'x75' Pool Equipment Building: 900
Field House	930
Portables (13 Interim Classrooms and Administration)	12,960 (1 @1,920sf, 8 @960sf, 1 @480sf, 3 @960sf)
Boys & Girls Club	9,120 (3@2,880, 1@480)
Bus Barn	9,700
Maintenance and Operation Warehouse	930
<b>MMHS Subtotal</b>	<b>112,590</b>
<b>Total Demolition Square Footage</b>	<b>154,904</b>

Source: SMMUSD 2021.

As shown in Table 4, *Summary of New Development*, the Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of building space, providing the MMHS campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space, including the existing Buildings A/B and E that would remain.

**Table 4 Summary of New Development**

Building	Status	Classroom	Lab	Square Footage	Maximum Height
<b>Middle School Core</b>					
Building D: Gymnasium/ Fitness/ PE and Student Activities and Food Services	New	2	0	22,376	36 ft
<b>Middle School Core Subtotal</b>		<b>2</b>		<b>22,376</b>	
<b>High School Core</b>					
Building C: Classrooms, Student Support Services, Administrative and Campus Support	New	23	8	68,019	36 ft
Building J: Gymnasium/ PE	New	2	0	36,708	45 ft
<b>High School Core Subtotal</b>		<b>25</b>	<b>8</b>	<b>104,727</b>	
<b>Shared Amenities</b>					
Building I: Special Education and Campus Wellness Center	New	1	0	5,094	28 ft
Building H: Visual and Performing Arts (VAPA)	New	4	0	30,094	45 ft
Building L: Aquatics Center/Field House	New	0	0	9,249	28 ft
Building M: Upper Field House	New	0	0	2,055	28 ft
<b>Shared Amenities Subtotal</b>		<b>5</b>		<b>46,492</b>	
<b>Subtotal – New Development</b>		<b>32</b>	<b>8</b>	<b>173,595</b>	
<b>Existing Buildings A/B and E</b>					
Building A/B: Administration/Library	Existing	7	4	35,315	28 ft
Building E: Classroom Building	Existing	15	0	13,515	28 ft
<b>Subtotal - Existing Buildings</b>		<b>19</b>	<b>4</b>	<b>48,830</b>	
<b>Total</b>		<b>51</b>	<b>12</b>	<b>222,425</b>	

Source: LPA 2019.

The plan generally organizes the campus land uses in three defined areas: Middle School core, High School core, and shared amenities. This consolidation of uses results in a more efficient use of available land while enhancing independent identities for each area and improving wayfinding. The pronounced topography found on site is also utilized to emphasize this concept by creating “terraces” for each defined area.

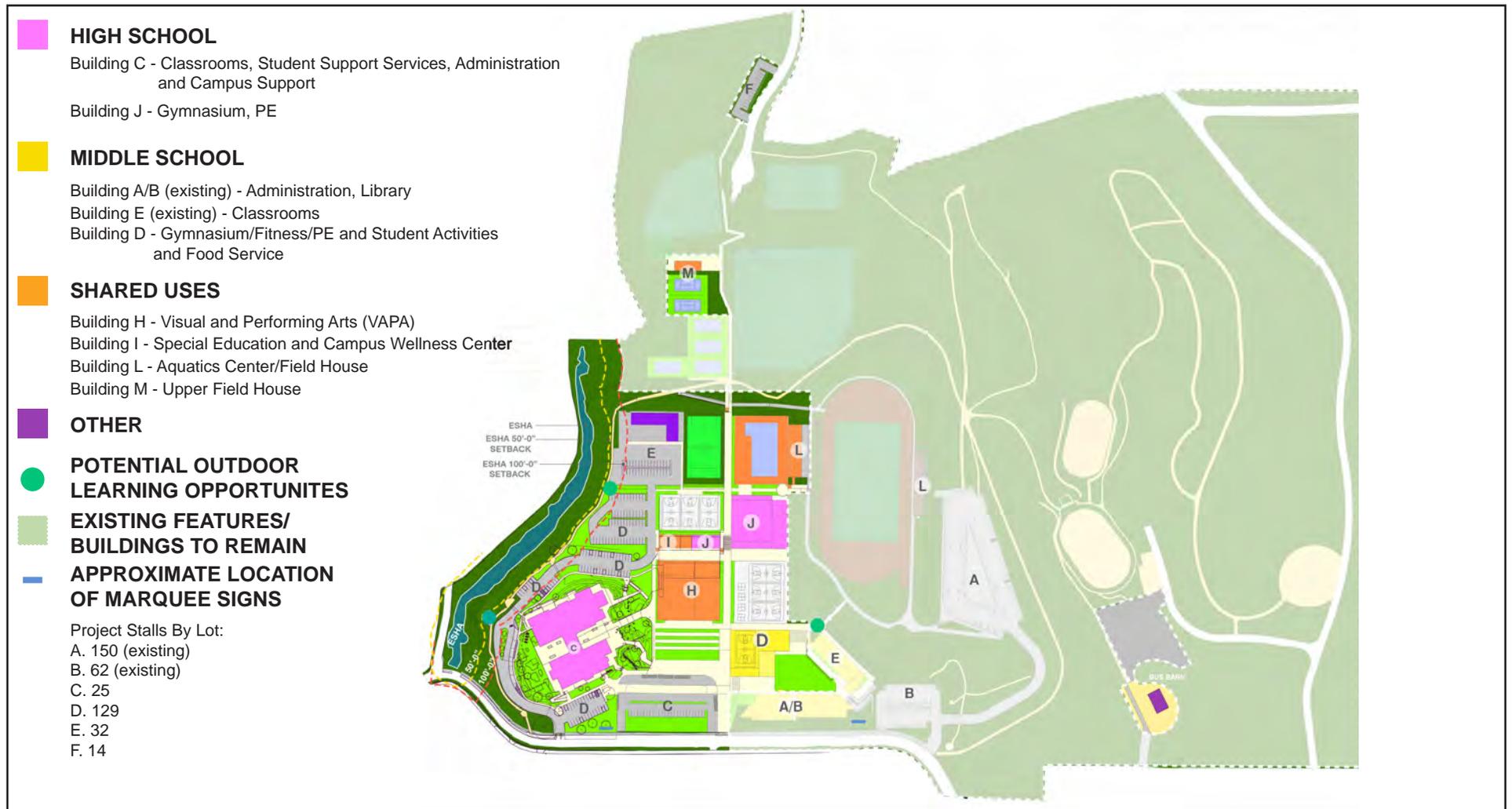
At the center of the campus, the plan proposes the Performing Art Center along with an arrival plaza to serve as a welcoming entry and as a bridge connecting both schools. A leveled academic quad is proposed for each campus and becomes the main organizing element for the academic cores. This important space will become the “heart” of each school and hub of educational and social activities while providing access to surrounding buildings.

### Middle School Core

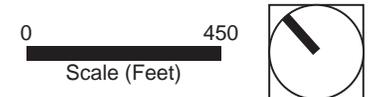
The Middle School Core would be located at the southeastern portion of the campus with a level academic quad in the middle. As shown in Table 5, *Summary of Middle School Core Development*, the Middle School Core would consist of four buildings, including the existing Building E and Buildings A/B. Building D would include a new middle school gym, student activities, and Food Services. Upon completion, the Middle School Core would result in 71,206 square feet of total development. The Middle School Core would include 21 total classrooms (12 classrooms in the existing Building E, 7 in the existing Buildings A/B, and 2 in the proposed Building D), administration offices, supportive services, a library, four science labs (in Buildings A/B), 2D art studio, lunch shelter, multipurpose room, gymnasium, and locker rooms.

The existing Buildings A/B contains Science, Technology, Engineering, and Math programs, student support services, and administration and supportive services, and has 7 classrooms and 3 labs. Buildings A/B are two stories with a maximum height of 28 feet and oriented east-west along Morning View Drive. Building E houses the humanities department and has 12 classrooms. The existing Building E is a two-story prefabricated modular building with a maximum height of 25.5 feet at the parapet, and it is located to the north of Buildings A/B.

Figure 6 Proposed Site Plan



Source: LPA, 2021



Building D would be located to the north and northwest of Buildings A/B, along the northern edge of the Middle School campus. Building D would house the physical education center and new student activities and food services. The physical education portion of the building would be one story and 16,932 square feet and would house a 50-foot by 84-foot multipurpose court with storage, 6 rows of bleachers, a lobby and restrooms, and a physical education center with a fitness studio; storage; boys’ and girls’ lockers and restrooms; and staff office, shower, and restroom. The student activities and food services portion of Building D would be two stories and 5,444 square feet and would have a maximum height of 36 feet along the northern boundary. The student activities area would include maker space and the Associated Student Body (ASB) student store and storage areas, while the food services area would include a warming kitchen, food court, restrooms, and a 3,600-square-foot exterior sheltered lunch area. Building D would serve as the gymnasium and will have a maximum height of 36 feet above grade to meet the National Federation of State High School Association, (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for competitive Volleyball. Building D would provide an accessible path to the hardcourt area on the upper level. The Middle School Core buildings would be arranged around a quad that would serve as a central gathering area for the Middle School students.

**Table 5 Summary of Middle School Core Development**

Building	Status	Classroom	Lab	Square Footage	Maximum Height
Buildings A/B: Administration/Library/ Classroom Building	Existing	7	4	35,315	28 ft
Building D: Gymnasium/ Fitness/ PE and Student Activities and Food Services	New	2	0	22,376	36 ft
Building E: Classroom Building	Existing	12	0	13,515	25.5 ft
<b>Total-Middle School Core</b>		<b>21</b>	<b>4</b>	<b>71,206</b>	

Source: LPA 2019.

**High School Core**

The High School Core would be at the southwestern portion of the campus occupying the former JCES campus. As shown in Table 6, *Summary of High School Core Development*, Building C would be two stories and would include 25 classrooms, administration offices, supportive services, a library, 8 science labs and maker spaces, Art 3D sculpture/ceramics studio, lunch shelter, and a career center. Building C would be designed to fit the natural topography of the site, such that the southern portion of the building fronting Morning View Drive would have a maximum height of 36 feet above grade. The required exhaust hoods for the science classes extend another ten feet above the main roof which is four feet above the parapet for a height of 41 feet, however the exhaust hoods are near the center of the roof area and are not visible from Morning View Drive.

In addition to Building C, the High School Core would include an approximately 36,708-square-foot main gymnasium and dance/weights rooms (Building J), which would be in the center of the campus adjacent to the hardcourts. Building J would have a maximum height of 45 feet and would include team rooms and four CIF regulation hardcourts for indoor sports. As described in Table 12 below, Building C contains high bay/ high volume spaces to house the library, student union, and career center. These high bay spaces are required to provide the students with adequate functioning spaces conducive to 21st Century learning as defined in the Campus Plan Education Specifications. The interactive, collaborative nature of this space requires an appropriate high-volume ceiling.

**Table 6 Summary of High School Core Development**

Building	Status	Classroom	Lab	Square Footage	Maximum Height
Building C: Classrooms, Student Support Services, Administrative and Campus Support	New	23	8	68,019	36 ft
Building J: Gymnasium/ PE	New	2	0	36,708	45 ft
<b>Total-High School Core</b>		<b>25</b>	<b>8</b>	<b>104,727</b>	

Source: LPA 2019.

**Shared uses**

In addition to developing the Middle School and High School Core areas, the Specific Plan would develop new shared facilities. As shown in Table 7, *Summary of Shared Uses*, these shared facilities would include a performing arts center (Building H), wellness center and spaces for special education (Building I), aquatics center/field house (Building L), and pool. As shown in Figure 6, the new shared facilities would be built to the north of the Middle School and High School Cores and west of the existing Main Sports Field. The Boys & Girls Club building, either a newly constructed building or relocation of the existing buildings, next to the tennis courts near the northwestern portion of the campus (for the purposes of this DEIR, it is assumed the existing buildings would be demolished and new facilities constructed).

*Shared Performing Arts Facilities*

Under the Specific Plan, Building H would have a maximum height of 45 feet above grade for the Theater portion, and 36 feet above grade for the remainder of the performing arts facilities. As described in detail in Table 12, High School Performing Arts facilities require a vertical stage opening of 25 feet (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5 feet for roof slope and parapet. This equates to a total height of 45 feet, allowing for the school to produce the types of theatrical performances expected in a high school theater curriculum. Buildings I, L and M would be a maximum of 28 feet above grade.

*Shared Sport and Recreational Facilities*

As part of the Project, the existing 25-meter pool would be replaced with a new Olympic-size 50-meter pool. As with the existing pool, the updated pool would serve educational sporting events such as swim and water polo as well as recreational community uses. In addition to the new gymnasium, weight room, aquatic center and locker rooms, the existing athletic field, baseball, and softball fields would receive minor improvements. A new field house (Building M) would be constructed for the baseball and softball fields, and one for the athletic field (Building L). The existing public address (PA) system and speakers at the athletic field would be relocated to the proposed ADA-compliant press box (same use as current). Additionally, the Specific Plan would add two new tennis courts to the existing tennis court area on the northern side of the Plan Area. The Specific Plan would also extend pedestrian trails throughout the campus to improve pedestrian circulation. The pedestrian trails would include turnouts/viewpoints, which would be used as outdoor classroom space.

**Table 7 Summary of Shared Uses**

Building	Status	Classroom	Lab	Square Footage	Maximum Height
Building I: Special Education and Campus Wellness Center	New	1	0	5,094	28 ft
Building H: Visual and Performing Arts (VAPA)	New	4	0	30,094	45 ft
Building L: Aquatics Center/Field House	New	0	0	9,249	28 ft
Building M: Upper Field House	New	0	0	2,055	28 ft
<b>Total-Shared Amenities</b>		<b>5</b>		<b>46,492</b>	

Source: LPA 2019.

**Student Capacity and Schedule**

Consistent with the City’s population decrease, enrollment at the campus has been steadily decreasing since 2006 from a high of approximately 1,576 (281 students at JCES and 1,295 at MMHS) to 1,142 (197 at JCES and 945 at MMHS) in 2018-2019. Enrollment since 2015 to 2020 at the campus has decrease by 15 percent. In the 2019-2020 school year after the closure of JCES, the student population at MMHS was 862, and in the current 2020-2021 school year, enrollment further declined to 784 students, as shown in Table 8, *Student Enrollment by Grade Level*.

**Table 8 Student Enrollment by Grade Level**

YEAR	SCHOOL	TK	K	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL	PERCENT DECREASE PER YEAR
2006	CABRILLO		44	40	45	52	48	52								281	
2006	MMHS								161	174	173	219	197	202	169	1295	
2006	TOTALS	0	44	40	45	52	48	52	161	174	173	219	197	202	169	1576	-
2007	CABRILLO		57	41	38	47	56	51								290	
2007	MMHS								148	162	172	177	224	188	207	1278	
2007	TOTALS	0	57	41	38	47	56	51	148	162	172	177	224	188	207	1568	1%
2008	CABRILLO		48	54	47	41	51	56								297	
2008	MMHS								140	164	164	177	174	215	173	1207	
2008	TOTALS	0	48	54	47	41	51	56	140	164	164	177	174	215	173	1504	4%
2009	CABRILLO		32	41	50	52	42	55								272	
2009	MMHS								163	156	173	178	168	170	205	1213	
2009	TOTALS	0	32	41	50	52	42	55	163	156	173	178	168	170	205	1485	1%
2010	CABRILLO		40	32	41	51	46	44								254	
2010	MMHS								145	161	150	176	174	177	177	1160	
2010	TOTALS	0	40	32	41	51	46	44	145	161	150	176	174	177	177	1414	5%
2011	CABRILLO		38	37	35	44	54	45								253	
2011	MMHS								137	161	166	153	183	175	182	1157	
2011	TOTALS	0	38	37	35	44	54	45	137	161	166	153	183	175	182	1410	0%
2012	CABRILLO		34	38	37	41	45	55								250	
2012	MMHS								157	142	162	176	151	181	175	1144	
2012	TOTALS	0	34	38	37	41	45	55	157	142	162	176	151	181	175	1394	1%
2013	CABRILLO		34	32	37	38	46	48								235	
2013	MMHS								172	153	144	177	184	151	182	1163	
2013	TOTALS	0	34	32	37	38	46	48	172	153	144	177	184	151	182	1398	0%
2014	CABRILLO		37	35	33	39	33	48								225	
2014	MMHS								157	137	158	148	170	182	148	1100	

**MMHS CAMPUS SPECIFIC PLAN**

JANUARY 2022

YEAR	SCHOOL	TK	K	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL	PERCENT DECREASE PER YEAR
2014	TOTALS	0	37	35	33	39	33	48	157	137	158	148	170	182	148	1325	5%
2015	CABRILLO		22	33	35	29	40	35								194	
2015	MMHS								127	158	147	169	154	175	175	1105	
2015	TOTALS	0	22	33	35	29	40	35	127	158	147	169	154	175	175	1299	2%
2016	CABRILLO	11	26	22	31	33	32	40								195	
2016	MMHS								99	117	161	155	158	154	159	1003	
2016	TOTALS	11	26	22	31	33	32	40	99	117	161	155	158	154	159	1198	8%
2017	CABRILLO	6	31	28	22	35	39	34								195	
2017	MMHS								113	107	116	159	153	152	152	952	
2017	TOTALS	6	31	28	22	35	39	34	113	107	116	159	153	152	152	1147	4%
2018	CABRILLO	14	20	28	32	24	35	44								197	
2018	MMHS								116	112	112	135	163	151	156	945	
2018	TOTALS	14	20	28	32	24	35	44	116	112	112	135	163	151	156	1142	0%
2019	MMHS								112	114	108	108	125	147	148	862	
2019	TOTALS	0	36	35	44	55	46	57	112	114	108	108	125	147	148	862	25% <sup>1</sup>
2020	MALIBU MIDDLE								85	125	115					325	
2020	MALIBU HIGH											111	114	123	149	497	
2020	TOTALS								85	125	115	111	114	123	149	822	5%
<b>Percent Decrease between 2006 and 2020</b>																<b>48%</b>	

Source: California Department of Education

Note: Student enrollment for the 2020-2021 school year is 784 students.

<sup>1</sup> Note that the 25 percent decrease observed in 2019 is due to the District Realignment that combined JCES with the Point Dume Marine Science School in 2019.

Moreover, enrollment is not projected to increase, as lower (feeder) grades have been tracking below historic levels, indicating a decrease in future enrollment at middle and high school grades may occur. Enrollment levels are expected to decrease over the coming decade, with a projected enrollment of 533 in 2025 (DecisionInsite 2021). Based on enrollment projections by Decision Insite LLC, the District anticipates a total enrollment of approximately 150 middle school students and 225 high school students, for a total of 375 students by 2030, which would represent a 12 percent reduction in student population compared to 2017 (Decision Insight 2021).

The existing MMHS campus has the capacity to seat approximately 1,200 students, as evidenced by the 2006 enrollment, but no longer meets the District’s educational requirements due to the building’s age and overall condition. The Proposed Project would not increase the capacity of the MMHS campus but would be designed to support the regrowth of the community from the Woolsey Fire.

School hours would remain the same as existing, from 8:00 AM to 3:00 PM, with staff and students of the middle/high school arriving on campus between approximately 7:00 AM and 8:00 AM and leaving between approximately 3:00 PM and 5:00 PM, with occasional special events and athletic events during weeknights and/or weekends. Additionally, the Visual and Performing Arts program uses the auditorium after school typically until 6:00 PM, and the Boys & Girls Club on the campus is open Monday through Friday from 9:00 AM to 6:30 PM.

*Community/Civic Center Use*

When the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, the Civic Center Act permits certain community organization and members to utilize school facilities for their events by obtaining a Civic Center Permit from the SMMUSD or the City of Malibu Master Facilities Use Agreement with SMMUSD. Permitted events may include community and/or city use of the playfields, common areas, and classrooms, as permitted in the 2019 Master Agreement between SMMUSD and the City of Malibu Regarding the Joint Use of School District Facilities (SMMUSD/City of Malibu 2019).

Operation of the school facilities for community use occurs outside normal school operating hours, generally between 3:00 PM and 10:00 PM on weekdays, and between 8:00 AM and 10:00 PM on Saturday and Sundays. Parking for Civic Center uses would be provided in the school’s on-site surface parking lots. The aquatic center is used for community and school activities from 5:30 AM - 8:00 AM on weekdays and often before 8:00 AM on weekends and breaks. As the Specific Plan would develop additional facilities, there may be a commensurate increase in community use with implementation of the Specific Plan. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030). Table 9, *Existing and Buildout Community Use Facilities*, shows the existing facilities available for community use and the proposed facilities.

**Table 9 Existing and Buildout Community Use Facilities**

Name	Square Footage
<b>Existing Community Use Facilities</b>	
MMHS Building H (600 Building): Cafetorium	14,478
MMHS Building J (Building 700): Gymnasium	20,758
MMHS Building J1: ‘New’ Gymnasium	18,835
MMHS Building K: Classroom Building	12,698
JCES Building E: Library	2,694

Name	Square Footage
JCES Building G: Multipurpose Room Building	4,758
Pool	1
Main Sports Field	1
Baseball Field	1
Softball Field	1
Tennis Courts	4
Subtotal Existing	74,221
<b>Proposed Community Use Facilities</b>	
Building D: Middle School Gymnasium/ Fitness/ PE	16,932
Building J: High School Gymnasium	36,708
Building H: Shared Visual and Performing Arts (VAPA)	30,094
Building L: Aquatics Center/Field House	9,249
Building M: Upper Field House	2,055
Pool	1
Boys & Girls Club	9,120
Main Sports Field	1
Baseball Field	1
Softball Field	1
Tennis Courts	6
<b>Subtotal Proposed (Buildout):</b>	<b>104,158</b>
<b>Net Increase</b>	<b>29,937 and Two Tennis Courts</b>

Source: SMMUSD 2019.

## 4.2 Phasing

The Specific Plan would be constructed in four phases, with construction activities anticipated to begin in fall 2022 and completed in summer 2031. Each phase would include the following activities—grading and excavation, trenching for site utilities, demolition and construction of the buildings, paving, and finishing. It is anticipated that students would occupy existing buildings on the MMHS campus during construction activities. With the completion of Phase 1, the majority of the Specific Plan’s classrooms would be constructed. Therefore, it is not anticipated that portable classrooms, beyond those currently on campus, would be used to house students or staff during construction. Table 10, *Proposed Specific Plan Phasing*, provides details for each construction phase, including timing, amount of demolition, new construction, and drainage management areas (DMA) and infrastructure improvements for each phase.

**Table 10 Proposed Specific Plan Phasing**

Phase	Demolition	Demolition Square Footage	New Construction	New Construction Square Footage	Infra-structure Improvement	Timeline
1	JCES Buildings A, B, C, D, E, F, G, H, I, P6–P7	36,544	Building C, Parking Lot D Drop-off/Pick-up, Parking Lot C	68,019	<ul style="list-style-type: none"> <li>• DMA A</li> <li>• DMA B</li> <li>• Septic 1</li> </ul>	Fall 2022 – Fall 2024
2	N/A	N/A	Building D, Middle School Quad	22,376	<ul style="list-style-type: none"> <li>• DMA C</li> <li>• Septic 2</li> </ul>	Fall 2024 – Fall 2026
3	MMHS Buildings F, I, Field House, and Portables	27,571	Buildings J, L, and M, Parking Lot E, Parking Lot F, Bus Barn	48,012	<ul style="list-style-type: none"> <li>• DMA D</li> <li>• Septic 3</li> <li>• Septic 5</li> </ul>	Fall 2026 – Fall 2028
4	MMHS Building K, J, J1, Pool, Pool Building, Boys & Girls Club (demolished or relocated), JCES Portables P1-P5, Restroom Portable, Bus Barn, M&O Warehouse	69,581	Building H and I, Boys & Girls Club (relocated)	56,816	<ul style="list-style-type: none"> <li>• DMA E</li> <li>• DMA F</li> <li>• Septic 4</li> </ul>	Fall 2028 – Fall 2030
	MMHS Building H	14,478	N/A	N/A	<ul style="list-style-type: none"> <li>• DMA G</li> </ul>	Spring 2030 – Spring 2031

SMMUSD 2020

DMA = Drainage Management Area

**Phase 1**

Phase 1 would consist of demolition of all existing former JCES campus buildings and portables P6 and P7 and construction of the Building C (see Figure 7a and Figure 7b, *Proposed Elevations*), Parking Lot C, Parking D, and the Drop-off/Pick-up area (see Figure 8, *Specific Plan Phasing-Construction*). Phase 1 is anticipated to begin in Fall 2022 and completed by Summer 2024.

**Phase 2**

Phase 2 would consist of construction of the Building D and the Middle School Quad. Phase 2 is anticipated to begin in Fall 2024 and completed by Fall 2026, a new bond is required before subsequent phases can move forward.

### Phase 3

Phase 3 would consist of demolition of MMHS Buildings F, I; the existing field house; and the portables adjacent to the existing pool, and construction of Buildings J, L, and M and Parking Lot E and F. Phase 3 is anticipated to begin in Fall 2028 and completed by Fall 2030.

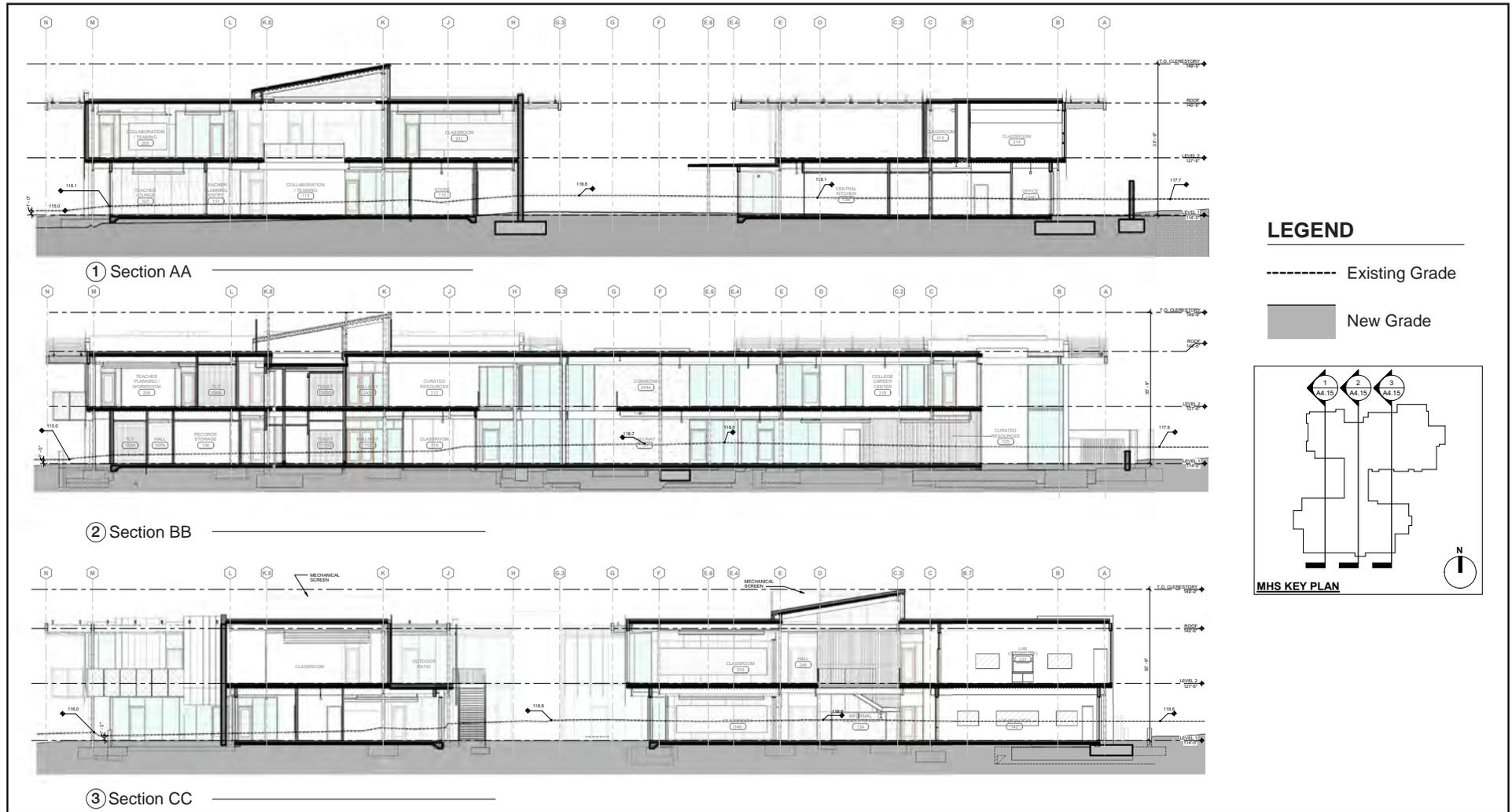
### Phase 4

Phase 4 would involve the demolition of MMHS Buildings K, J, J1; the pool and pool building; and Bus Barn, and the demolition and/or relocation of the Boys & Girls Club and construction of the new Buildings H and I. This phase would also require the demolition of the existing MMHS Building H. Phase 4 is anticipated to begin in Spring 2030 and completed by summer 2031.

### Photo Renderings

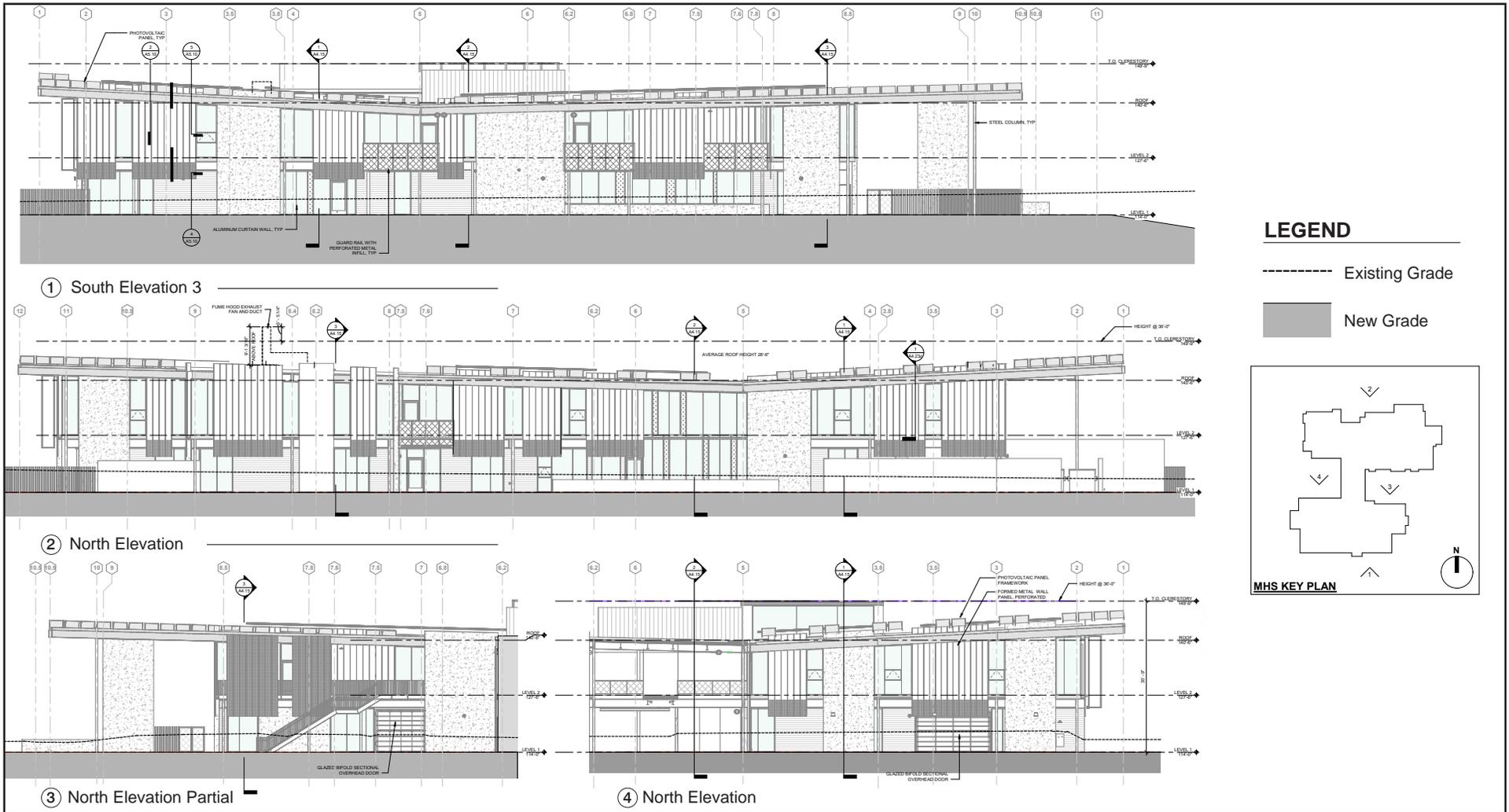
Figure 9 shows vantage points taken from public rights of way (A, B, C, and D) from which photo renderings demonstrating the change in view associated with the plan were prepared. Figures 10 through 13 provide an existing view and a proposed view from each vantage point shown in Figure 9.

Figure 7a Proposed Elevations



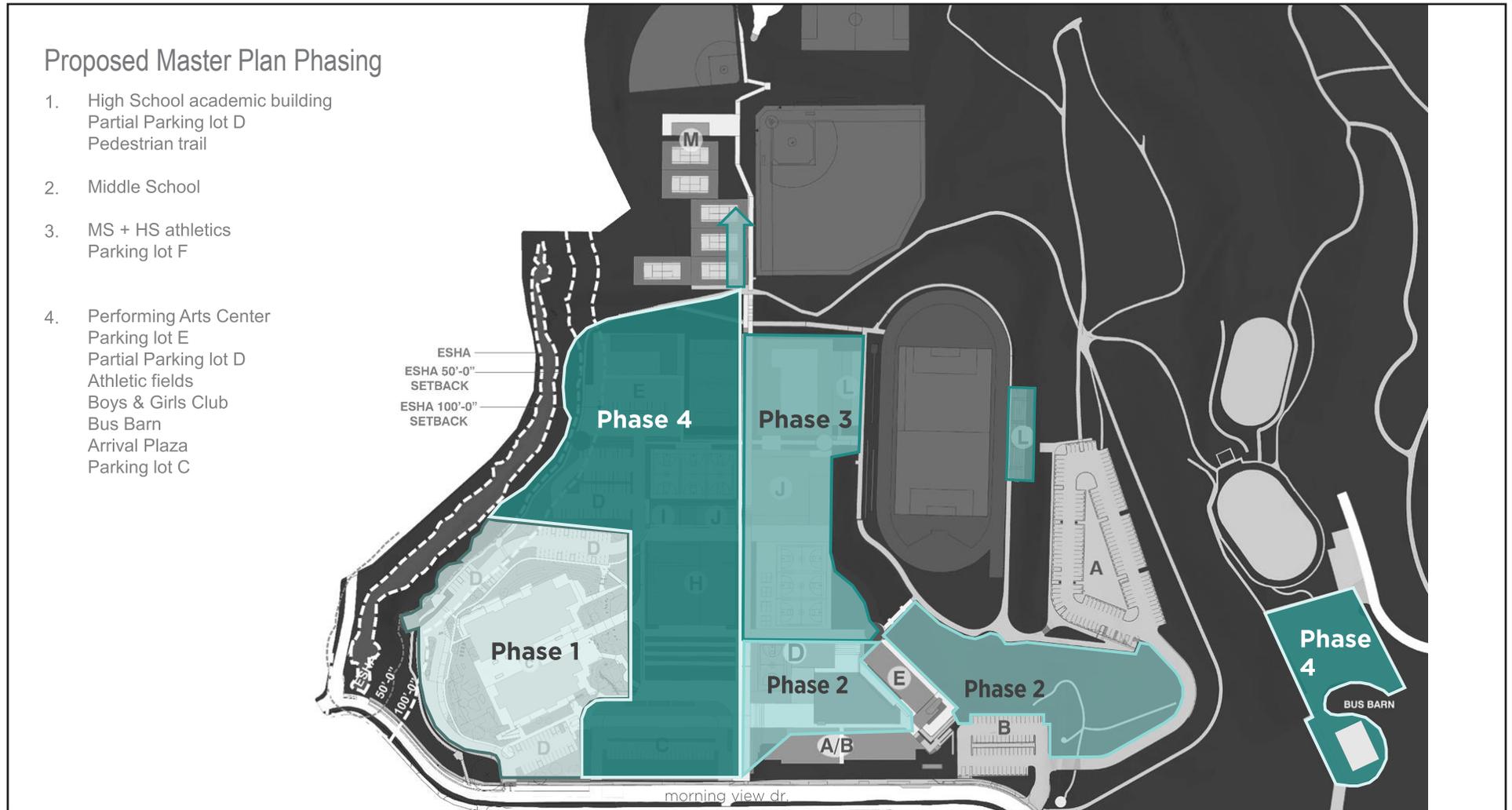
Source: NAC Architecture/Koning Eizenberg Architecture, 2021

Figure 7b Proposed Elevations



0 35  
Scale (Feet)

Figure 8 Specific Plan Phasing-Construction



Source: LPA, 2021

Figure 9 Public Vantage Points A, B, C, and D



- - - District Owned Property
- Project Boundary



Elevation View Location and Direction (4)



Source: Nearmap, 2021

Figure 10 View from Vantage Point A

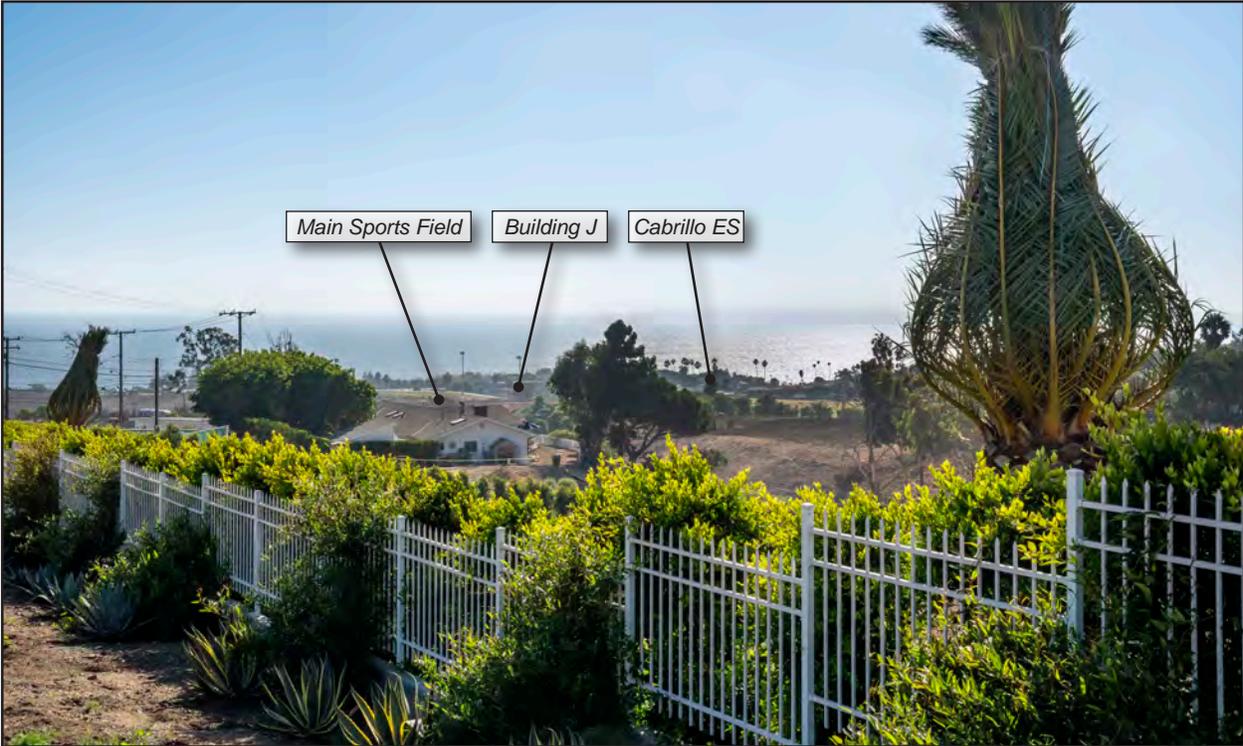


Existing



Proposed

Figure 11 View from Vantage Point B



Existing

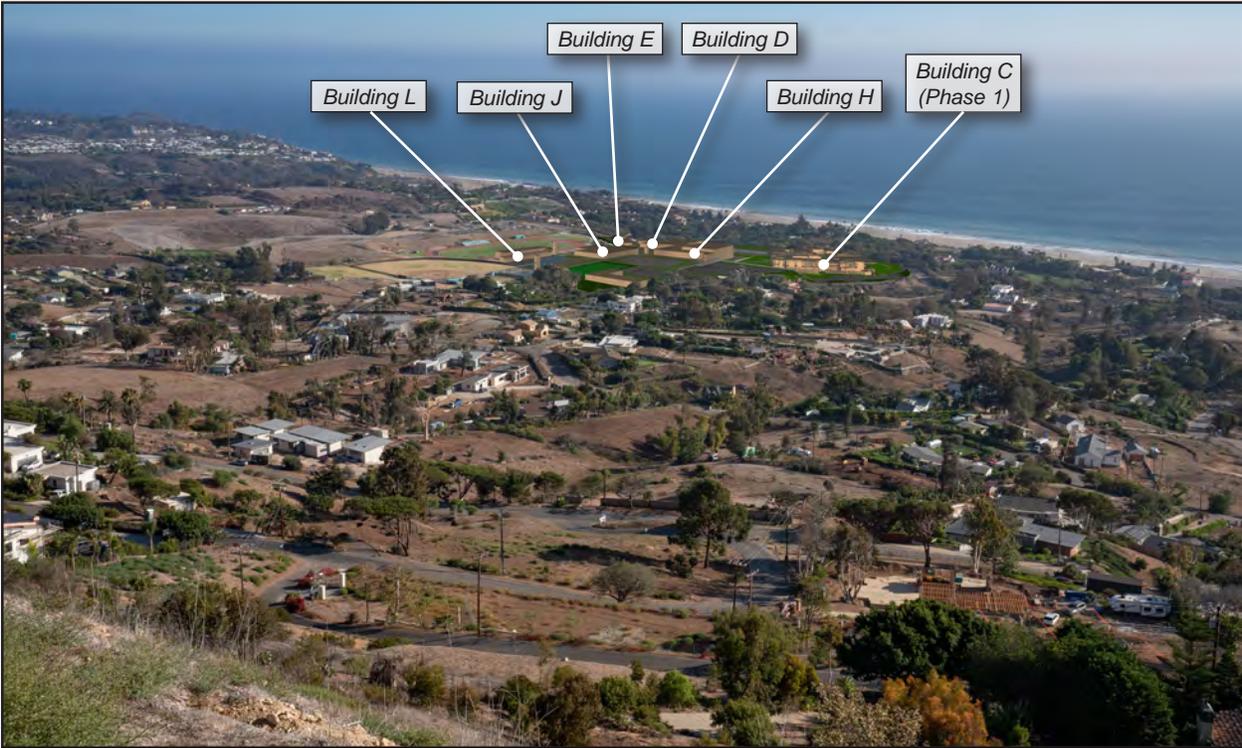


Proposed

Figure 12 View from Vantage Point C



Existing



Proposed

Figure 13 View from Vantage Point D



Existing



Proposed

### 4.3 Grading

Previous construction and grading at the Plan Area have created a series of near-level building pads for existing structures and paved parking lots. The majority of the Plan Area, including all areas with current development, is situated on slopes of between 0 and 20 percent, at a minimum of 80 feet above mean sea level (amsl). Around the perimeter of the Plan Area, surrounding the football field, and between building pads, slopes increase to between 40 to 100 percent, reaching up to 170 feet amsl.

For the most part, proposed new construction would take place on the flat, previously developed areas of campus, and existing slope conditions would remain. Because of the topography of the site, and the need to create large terraces for student safety and access, and the overall size of individual school buildings which are larger than most homes require the ability to cut/fill more than 1,000 cubic yards. Table 11a, *Phase I Grading*, reflects proposed grading estimates consistent with City format for Building C. Table 11b, *Estimated Cut/Fill for Phases 2-4*, provides estimated amounts of soil to be graded for subsequent phases 2 through 4.

To minimize grading, each bldg. will have its own site-specific geotechnical report that determines individual needs. Because of the topography of the site, and the need to create large terraces, some of the buildings (Bldg. C for example) will serve as a retaining wall and may be over 12 feet in height at certain locations. Building heights shall be measured from natural or finished grade, whichever produces the lowest building height.

**Table 11a Phase I Grading**

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	9,300	9,800	4,700	11,300	100	35,200
Fill	9,300	0	300	800		10,400
Total	18,600	9,800	5,000	12,100	100	45,600
Import	0	0	0	0	0	0
Export	0	9,800	4,400	10,500	100	24,800

All quantities indicated shall be in cubic yards only.

R&R = Removal and Recompaction – R&R must be balanced.

Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.

Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.

Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

**Table 11 Estimated Cut/Fill for Phases 2, 3, and 4**

Phase	Cut (cy)	Fill (cy)	Project Phase Total (cy)
1	35,190	10,530	24,660 cut
2	5,175	-	5,175 cut
3	25,300	14,000	11,300 cut
4	10,000	33,350	23,350 fill
Total	40,475	75,665	47,350 fill 17,785 cut

Source: LPA 2019

## 5.0 Development Standards

Overall, the development standards defined in the specific plan as outlined below, meet the zoning and development requirements of the City. Table 12 summarizes the exceptions to existing development standards that are essential to the completion of the specific plan.

Higher ceilings in school instructional and creative space are the industry standard; they have been part of new school construction for more than a decade and identified as vital for modern learning. The additional height provides for improved ventilation, noise attenuation, and natural lighting. Similar building heights can be found in several school projects in California such as Newport Harbor High School Library: Newport Beach, New Library/Media Center, 18 feet high ceiling; Lawndale High School Student Union: Lawndale, 22 feet high ceiling; E Stem High School, Eastvale, Makerspace/ Collaboration Learning Space: 18 feet high ceiling; Hugo Reid ES, Arcadia, Library/Media Center, 18 feet high ceiling; and Johnson Middle School, Westminster, Maker Classroom, 16 feet high ceiling. The Specific Plan is intended to allow for similar ceiling heights which requires new development standard unique to the school.

With higher interior ceilings the exterior dimensions of the buildings are also higher. Generally, there is between 6 to 8 feet between the interior ceiling and the exterior roofline to provide for internal wiring, lighting, and ventilation. Ventilation equipment and other roof top architectural features would extend above the roofline. Development standards established for the MMHS Campus Specific Plan include the building specifications such as heights, setbacks, design standards for signs and landscaping. To meet the standards established by the District's Educational Specifications, the California Interscholastic Federation, the National Federation of State High School Association, Buildings D, C, H and J must be 36 feet on average, with the science lab hood ventilation equipment for the science classrooms extending to 41 feet. These building heights would exceed the LCP and City's 28-foot height requirements therefore Table 12 includes standards that would allow construction of the school to modern standards. Building heights shall be measured from natural or finished grade, whichever produces the lowest building height.

- **Building C:** High School Building north wing second floor contains high bay/high volume spaces to house educational uses. These high bay spaces are required to provide the students with adequate functioning spaces conducive to 21st Century learning as defined in the Campus Plan Education Specifications. The Student Union is programmed with a central space of 4,000 sf space. The interactive, collaborative nature of this space requires an appropriate high-volume ceiling. A high school Library, based on the District's Educational specifications, require a variety of spaces within the Library, including a large 3,000 sf area that can double as Staff Development space.
- Required rooftop equipment will exceed the 2' maximum height above the roof plane for the science lab exhaust hood, as required by the American National Standard for Laboratory Ventilation (ANSI) Z9.5 as well as the National Fire Protection Association Standard NFPA 45, Chapter 7, section 7.2. Roof top will be occupied by students to support outdoor learning, including visual observation to ESHA. With student access to the roof deck, higher parapets or Guards are required to be 42" minimum height per California Building Code, Part 2, Volume 1, Chapter 10, section 1015.

- **Building D:** The Middle School gymnasium and multipurpose room (MPR) must meet the National Federation of State High School Association, (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for competitive Volleyball, the Specific Plan plans for 24' for adequate tolerance in design and construction.
- **Building H:** High School Performing Arts facilities require a vertical stage opening of 25' (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5' for roof slope and parapet. This equates to a total height of 45 feet, providing for the school to produce the types of theatrical performances expected in a high school theater curriculum. A compromise is being made to create a variable open theater/performance space rather than a traditional proscenium space which would require a fly tower over 80'.
- **Building J:** Gymnasiums must meet National Federation of State High School Associations (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for California Interscholastic Federation (CIF) Volleyball, the Specific Plan plans for 25' for adequate tolerance in design and construction and an additional 10' for long span structure and 5' for roof slope and parapet.

Development under the Specific Plan will conform to all other existing development standards under §17.40.110 of the City's Municipal Code for Institutional Development and §3.9 of the City's Local Implementation Program except for those listed under Table 12, *Specific Plan Development Standards*. The table outlines the Specific Plan specifications along with the current City LIP and Municipal Code and reasoning for exceeding current City regulations.

## 5.2 Building Height Measurements

The campus has varied topography within which several large buildings and plazas will be developed. To meet student safety and accessibility requirements, the buildings and areas surrounding them need to be as even as possible minimizing ramps, stairs, and abrupt changes in elevation. This will result in site grading and a change in the topography to accommodate the buildings. In some cases, the existing grade is such that entry will occur at one level and exit at a different level. Building heights shall be measured from natural or finished grade, whichever produces the lowest building height.

**Table 12 Specific Plan Development Standards – Exceptions from Existing Zoning**

	Specific Plan Specifications		Current LIP/ and Municipal Code (MC) Requirements	Reason/Notes
Development under the Specific Plan will conform to all existing development standards under § 17.40.110 of the City’s Municipal Code for Institutional Development and § 3.9 of the City’s LIP with the exception of the following:				
Maximum Building Height <sup>1</sup>	Building J: Gym/PE	45 feet	Section 3.9.A1a of LIP and Section 17.40.110 A.1.a. of MC:  Structures shall not exceed a maximum height of 18 feet above natural or finished grade, except for chimneys, rooftop antenna, and light standards. The maximum height of the structure may be increased up to 28 feet for a flat or pitched roof if approved through a site plan review pursuant to Section 13.27 of the Malibu LIP.	Gymnasiums must meet NFHS minimum interior height requirement of 23 feet clear from floor to ceiling for CIF Volleyball, the Specific Plan plans for 25’ for adequate tolerance in design and construction and an additional 10’ for long span structure and 5’ for roof slope and parapet.
	Building H: Theater/ Performing Arts	45 feet		High School Performing Arts facilities require a vertical stage opening of 25’ (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5’ for roof slope and parapet. This equates to a total height of 45 feet, allowing for the school to produce the types of theatrical performances expected in a high school theater curriculum.
	Building D: Middle School Gym/MPR	36 feet		Gymnasiums must meet the National Federation of State High School Association, (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for competitive Volleyball, the Specific Plan plans for 24’ for adequate tolerance in design and construction.
	Building C: High School Building	36 feet (Fume Hood 41 feet)		Building C north wing, second floor contains high bay/ high volume spaces to house educational uses. These high bay spaces are required to provide the students with adequate functioning spaces conducive to 21st Century learning as defined in the Campus Plan Education Specifications. The Student Union is programmed with a central space of 4,000 sf space. The interactive, collaborative nature of this space requires an appropriate high-volume ceiling. A high school Library, based on the District’s Educational specifications, require a variety of spaces within the Library, including a large 3,000 sf area that can double as Staff Development space.
Rooftop Equipment Height	Building C: High School Building	Science Labs require exhaust hoods with stacks placed at a minimum of 10 feet above the roof surface.	Section 3.9A.1b of LIP and Section 17.40.110 A.1.b. of MC:  Roof-mounted mechanical equipment shall be integrated into the roof design, screened,	Required rooftop equipment will exceed the 2’ maximum height above the roof plane for exhaust hoods over Science Labs, as required by the American National Standard for Laboratory Ventilation ANSI Z9.5 as well as the National Fire Protection Association Standard NFPA 45, Chapter 7, section 7.2.

	Specific Plan Specifications	Current LIP/ and Municipal Code (MC) Requirements	Reason/Notes	
<p>Development under the Specific Plan will conform to all existing development standards under § 17.40.110 of the City’s Municipal Code for Institutional Development and § 3.9 of the City’s LIP with the exception of the following:</p>				
	<p>Building C: High School Building</p>	<p>Parapets and or Guardrails that project up to 42 inches in height above the surface of the roof.</p>	<p>and may project no more than two feet higher than the structure roof height (screens included) if approved through a site plan review pursuant to Section 13.27 of the Malibu LIP.</p>	<p>Roof top will be occupied by students to support outdoor learning, including visual observation to ESHA. With student access to the roof deck, higher parapets or Guards are required to be 42” minimum height per California Building Code, Part 2, Volume 1, Chapter 10, section 1015.</p>
<p>Lighting</p>	<p>Nighttime pool lighting will be installed.</p>	<p>Section 3.9.A1d of the LIP and Section 17.40.110 A.1.d. of MC:  Sports field lighting shall be limited to the main sports field at Malibu High School and subject to the standards of LIP Sections 4.6.2 and 6.5.G.</p>	<p>Lighting will be installed to meet the requirements of a Class II facility as identified by the Illuminating Engineering Society of North America (IESNA) (10th ed.), where lighting should be a minimum of 50 foot-candles over the pool and 20 foot-candles over the deck, as measured at the water level. Consistent with IESNA recommendations, lighting would also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). When the pool is not in use, accessible paths, including along the pool deck, would be with a minimum of 2 foot candles until lights are turned off campus-wide. By meeting these standards, the pool lighting would also meet the requirements of California Building Code § 3115B.1</p>	
<p>Signage</p>	<p>Two new 15’6” x 7’6” electronic marquee signs, with a 10’x4’ LED Display Screen. One sign each at the Middle and High schools.</p>	<p>Section 3.15.3.J of the LIP ad Section 17.52.040.J.of the MC:  Except for those signs allowed under the provisions of Section 3.15.4 (E) of the Malibu LIP, “Special permits,” the following signs are prohibited:  Automatic changing signs or electronic message center signs, except for public service, time, and temperature</p>	<p>Marquee signs for High School and Middle School are required by the District for proper communications with the Students/ Community. Marquee signs serve a multitude of communication needs including emergency and safety communications.</p>	
<p>Setback</p>	<p>The Specific Plan will remove existing parking and drive aisles and maintain a 50-foot buffer from ESHA with the exception of a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations and parking. All new buildings will be set back 100-feet.</p>	<p>Section 4.6 of the LIP:  New development adjacent to the riparian habitats shall provide native vegetation buffer areas of no less than 100 feet to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size</p>	<p>The current District development including the vacated Juan Cabrillo ES, District Bus Barn facilities, parking lots, drive aisles and fencing/ site structures extend up to the edge of the ESHA and in some instances into the ESHA, with no set back.</p>	

	Specific Plan Specifications	Current LIP/ and Municipal Code (MC) Requirements	Reason/Notes
<p>Development under the Specific Plan will conform to all existing development standards under § 17.40.110 of the City’s Municipal Code for Institutional Development and § 3.9 of the City’s LIP with the exception of the following:</p>			
		<p>to ensure the biological integrity and preservation of the habitat they are designed to protect. Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in Section 4.6.1 (E) or (F) of the Malibu LIP.</p>	
<p>Maximum Grading Quantity</p>	<p>The Specific Plan, as shown in Table 11, will exceed the grading limitations.</p>	<p>Section 8.3.B. of the LIP and Section 17.40.110 A.4.a of MC:  Maximum Quantity of Grading. Notwithstanding any other provisions of the Malibu LIP, grading per lot of residential development, per acre of commercial development, or per acre of institutional development (total cut and fill) is limited to 1,000 cubic yards (per items a, b, c, and d).</p>	<p>Because of the topography of the site, and the need to create large terraces for student access, and the overall size of individual school buildings which are larger than most homes require the ability to cut/fill more than 1,000 cubic yards.,</p>
<p>Maximum Height of Cuts and Fills</p>	<p>Certain buildings may serve as a retaining wall.</p>	<p>Section 8.3.C of the LIP Section 17.40.110 A.4.b of MC:  Maximum Height of Cuts and Fills with Retaining Walls. 6 feet in height for any one wall, or 12 feet for any combination of walls, where a minimum 3-foot separation exists between walls, except single cuts up to 12 feet in height which are an integral part of the structure are permitted. Retaining walls shall be designed with smooth, continuous lines that conform to the topography.</p>	<p>Each bldg. will have its own site-specific geotechnical report that determines individual needs. Because of the topography of the site, and the need to create large terraces, some of the buildings (Bldg. C for example) will serve as a retaining wall and may be over 12 feet in height at certain locations.</p>

Source: SMMUSD 2021; Malibu 2002

<sup>1</sup> All other buildings will have a maximum height of 28 feet.

The following are the development standards for the MMHS Specific Plan:

A. The Malibu Middle and High School (MMHS) Campus Specific Plan shall be subject to the following development standards:

**1. Height.** Except as allowed in this section structures shall not exceed eighteen (18) feet above finished or natural grade, whichever results in lower building height, except for chimneys, rooftop antenna, and light standards.

- a. Building C: High School Building shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty-one (41) feet above approved grading plan.
- b. Building D: Middle School Gym/Multi-Purpose Room and Structures shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty (40) feet.
- c. Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.
- d. Building J: Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.
- e. Building L: shall not exceed a maximum height of eighteen (18) feet above finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.
- f. For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).
- g. In no event shall the maximum number of stories above grade be greater than two.

**2. Yards/Setbacks.**

- a. Building placement for Phase 1 shall be as shown on Figure 6, *Proposed Site Plan*, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.
- b. Any future buildings must comply with the following:
  - (1) Front yard setbacks shall be ten (10) feet from the street easement.
  - (2) Side yard setbacks shall be five feet
    - (a) When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.
    - (b) When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.
  - (3) Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

**3. Site Development Criteria.** All proposed construction within the MMHS Specific Plan shall comply with the following site development standards:

- a. **Structure Size.** The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the general plan, where additional significant public benefits and amenities are provided as part of the project.
- b. **Landscaping and Site Permeability.** Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 17.48.050(E)(1) shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be permeable.
- c. **Pool and pool deck lighting** shall be installed consistent with the Illuminating Engineering Society of North America (IESNA) standards for a Class II pool facility. Lighting shall be a minimum of 50-foot candles over the pool and 20-foot candles over the deck, as measured at the water level. for improved safety. Consistent with IESNA recommendations, lighting shall also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). All pool lighting shall also be consistent with the California Building Code and section 3115B.1, where the pool must have underwater and deck lighting such that lifeguards or other persons may observe, without interference from direct and reflected glare from the lighting sources, every part of the underwater area and pool surface, all diving boards or other pool appurtenances.
- d. **Sports field lighting** shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G and Section 17.41 Malibu Dark Sky provisions of the municipal code.
- e. **All parking areas** within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

**4. Grading.** Notwithstanding any other provisions of this code, grading shall be as follows:

- a. Grading for Phase 1 shall be as follows:

**Phase I Grading**

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	9,300	9,800	4,700	11,300	100	35,200
Fill	9,300	0	300	800		10,400
Total	18,600	9,800	5,000	12,100	100	45,600
Import	0	0	0	0	0	0

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Export	0	9,800	4,400	10,500	100	24,800

All quantities indicated shall be in cubic yards only.

R&R = Removal and Recompaction – R&R must be balanced.

Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.

Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.

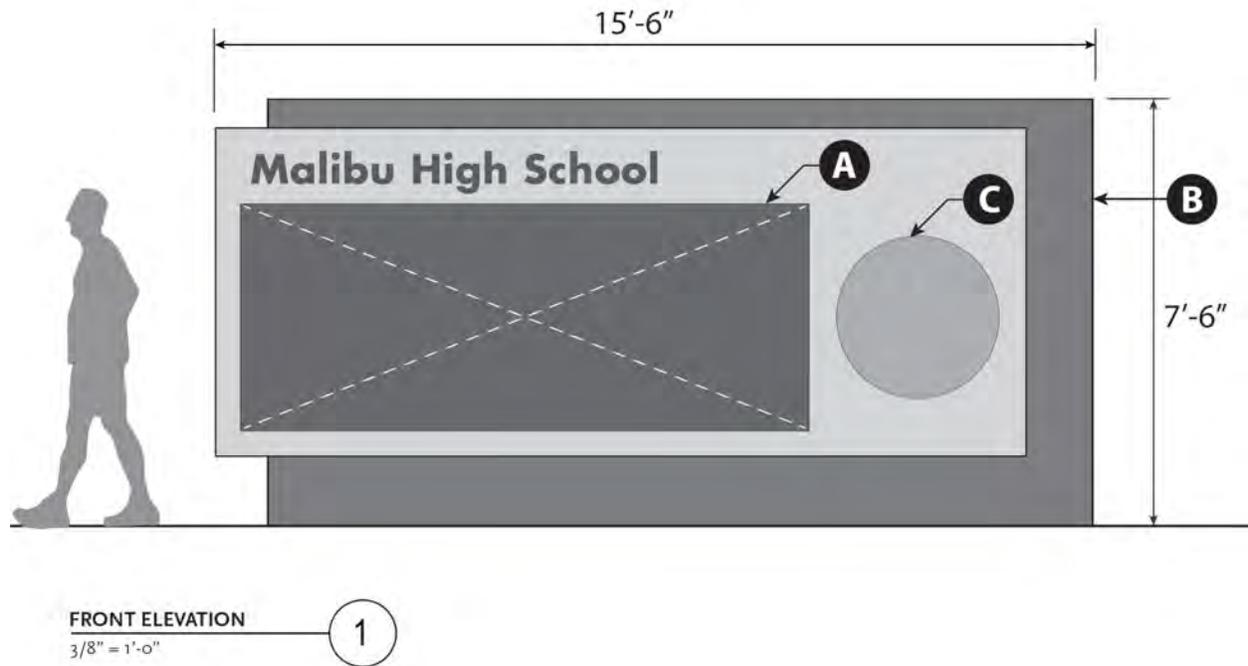
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

- b. Grading for subsequent phases will be considered by the City as part of the site plan review process.

### 5.3 Wayfinding and Informational Signage

Campus identification and wayfinding is important to the District as more trails and joint use facilities are open to the public. Figure 6, I, shows the location of the marquee signs that would occur along Morning View Drive to guide parents and visitors. Figure 14, *Monument Signs*, shows the two single-sided monument signs 15 feet 6 inches wide by 7 feet 6 inches tall, that will contain a 10-foot by 4-foot LED display screen, 10 mm pixel spacing with dimmable brightness (A), be placed on a concrete wall support (B), and have an internally illuminated logo (C). Marquee sign(s) for high schools and middle schools are required by the District for proper communications with the students/ community. Marquee signs serve a multitude of communication needs including emergency and safety communications. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.

Figure 14 Monument Sign, Two Locations along Morning View Drive



### 5.4 Landscaping

Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas. Landscaping would be consistent with the requirements of the City of Malibu’s Municipal Code, Chapter 9.22, “Landscape Water Conservation.” Such requirements include that plants must be grouped into hydrozones—that is, with other plant species having similar water demand—and by their soil, sun, and shade requirements. Additionally, irrigation systems would be designed to prevent runoff, overspray, low-head drainage, and similar conditions when irrigation water flows or sprays onto unintended areas, such as walkways, driveways, roadways. Landscaping plans for subsequent phases will be provided as part of the site plan approval process.

Table 13 shows the plant palette that will be used in the landscaping of the Campus. While only Phase 1 is shown in detail as Figure 15, *Phase 1 Landscaping Plan*, the plants in the table will be used throughout the campus in subsequent phases.

**Table 13 HSMS Campus Plant Palette**

* In Middle School Construction/CCD Plan, not on Coastal Permit	
**In High School Plant List; not yet reviewed by Coastal	
*** Also on ESHA list. Refer to 3/18/2021 Psomas memo with Conceptual Plant Palette for ESHA Restoration Site	
<b>Large Canopy Trees</b>	<b>Common Name</b>
Juniperus californica**	California juniper
Metrosideros excelsus**	New Zealand Christmas Tree
Pinus torreyana**	Torrey Pine
Platanus racemosa***	California sycamore
Quercus species***	California Native Oak
<b>Medium and Accent Trees</b>	<b>Common Name</b>
Alnus rhombifolia***	White Alder
Arbutus unedo or 'Marina'**	Strawberry Tree
Cercis occidentalis/canadensis**	Western Redbud /Eastern Redbud
Cordyline australis**	Dracaena Spike
Heteromeles arbutifolia***	Toyon
Juglans californica**	Black Walnut
Lagerstroemia 'Natchez'	Crape Myrtle
Lyonothamnus floribundus	Catalina Ironwood
Metrosideros collina 'Spring Fire'	Dwarf New Zealand Christmas Tree
Olea europea 'Swan Hill'	Olive
Umbellularia californica	California Bay
<b>Shrubs</b>	
Arctostaphylos species***	Manzanita
Artemisia californica***	Californian Sagebrush
Baccharis species***	Coyote Bush
Ceanothus species	Wild Lilac
Erigonum species	Buckwheat
Juniperus californica-- prostrate species	California Juniper
Peritoma arborea***	Bladderpod
Pittosporum toberia 'Wheeler's Dwarf'	Dwarf Pittosporum
Fragula californica***	California Coffeeberry
Rhus integrifolia	Lemonade Berry
Ribes speciosum***	California Gooseberry
Rosmarinus spp**	NCN
Westringia fruticosa**	Coast Rosemary

* In Middle School Construction/CCD Plan, not on Coastal Permit	
**In High School Plant List; not yet reviewed by Coastal	
*** Also on ESHA list. Refer to 3/18/2021 Psomas memo with Conceptual Plant Palette for ESHA Restoration Site	
<b>Groundcovers/Grasses</b>	
Carissa macrocarpa**	Natal Plum
Dianella species**	Flax Lilly
Dieties bicolor/ irioides**	Fortnight Lilly
Festuca glauca 'Elijah Blue'*	Elijah Blue Fescue
Festuca species**	Native no-mow Meadow Mix
Juncus patens	California Gray Rush
Juniperus species**	Juniper
Lantana camara**	Lantana
Leymus condensatus 'Canyon Prince'**	Giant Wild Rye
Lomandra longifolia 'Breeze'*	Spiny-Head Mat Rush
Muhlenbergia rigens	Deer Grass
Myoporum parvifolium	NCN
Sedum species	Stonecrops
Senecio mandraliscae/serpens	Kleinia/Blue Chalksticks
<b>Perennials/ Accents</b>	
Agave species	Agave
Aloe species**	Aloe
Anigozanthos 'Bush Gold'	Kangaroo Paw
Dasyliirion quadrangulatum/ wheeleri**	Mexican Grass Tree
Encelia californica	California bush sunflower
Hesperaloe parviflora	Red Yucca
Kalanchoe species	Kalanchoe
Keckiella cordifolia**	Heart-Leaved Penstemon
Opuntia species**	Prickley Pear Cactus
Penstemon species **	Beard Tongue
Rosa californica***	California Rose
Salvia species - native varieties	Sage
Yucca species	Yucca
<b>Vines</b>	
Jasminus polyanthum	Pink Jasmine
Lonicera hispidula***	California Honeysuckle
Vitis californica**	California Grape

Edited 3/31/2021, Spurlock Landscape Architects

The Malibu campus landscape plan includes several strategies to promote a sustainable environment. These include strategies within the ESHA and its buffer, as well as connections between the restored ESHA and the central campus.

A proposed trail outside of the 50-foot ESHA buffer creates accessible pedestrian access from Morning View Drive along the restored upland ESHA and the campus beyond. The trail is proposed to be decomposed granite paving, which is composed of natural, locally sourced, and permeable materials. The trail would connect users to outdoor education overlooks, small areas located for their views into the ESHA. These areas may include relevant interpretive signage dependent on the location.

The 100-foot ESHA buffer is anticipated to contain large areas of restored native landscape, after the removal of existing asphalt and lawn. It will also contain a small amount of vehicular circulation, which includes required fire access, and parking. The parking areas are proposed to be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems are also proposed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. These systems not only provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

Native plant communities connect the Phase 1 high school site both visually and physically with the restored ESHA and buffer. The edges between the campus along the ESHA and adjacent hillside are proposed to be primarily composed of native plants that are also used within the ESHA. Stormwater basins along these edges and within the central campus also utilize some of the same native riparian plant species to capture, slow down and filter campus stormwater runoff.

Figure 15 Proposed Phase I Landscaping Plan



NO SCALE



## 5.5 Sustainability Features

All new buildings developed under the Specific Plan would be designed using applicable green building practices, including those of the most current Building Energy Efficiency Standards (Title 24, California Code of Regulations, Part 6) and California Green Building Standards Code (CALGreen; Title 24, California Code of Regulations, Part 11). The Building Energy Efficiency Standards contain energy and water efficiency requirements (and indoor air quality requirements) for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. CALGreen is California's statewide "green" building code. Its purpose to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in the following categories: planning and design; energy efficiency; water efficiency and conservation; water conservation and resource efficiency; and environmental quality. Additionally, the District has an adopted Districtwide Plan for Sustainability that incorporates sustainability into Education Services and all aspects of student learning; and integrates climate protection, resource efficiency, waste management, and other sustainability practices into District operations. (See also Section 7.5, *Solar Panel System*)

## 5.6 Restoration Plan in the ESHA

There is very little natural vegetation on the Proposed Project Site, consisting primarily of grasses, ivy, brush, ruderal species, and scattered ornamental trees with pockets of native riparian and upland species, including native trees in various stages of development. However, a stream course designated as an ESHA by the City of Malibu's LCP maps occurs on the western edge of the MMHS campus. Developed portions of the existing campus are within the mapped ESHA boundaries, including portions of the JCES play yard, the Bus Barn, and existing Parking Lot A. The ESHA map also shows a stream approximately 400 feet northwest of the campus. This stream consists of an underground pipe from Floris Heights Road that flows onto the school property and daylights into the ESHA streambed along the school's western property boundary.

The stream course along the District's western boundary extends for approximately 1,088 feet and varies between approximately 24 and 85 feet wide, covering an area of approximately 0.68 acres determined to be potentially under regulatory jurisdiction with an additional approximately 1.35 acres within a 50-foot buffer of the ESHA for a total of approximately 2.03 acres. The stream course is deeply incised with steep banks. The drainage is unlined along its entire length. The upstream end of the drainage has a broad, concave cross-section with no abrupt break in bank slope. Soils in this area were saturated and surface water was present during multiple site visits. The middle and downstream end of the drainage is more incised, with steep slopes and a narrow channel bed. A portion of the bank is eroded or undercut. The ESHA and surrounding areas burned in the 2018 Woolsey fire. Some vegetation experienced mortality as a result of the fire while other vegetation is recovering.

Approximately 0.50 acres of the existing developed campus, specifically the JCES play yard, the bus barn, and portions of Existing Parking Lot A are within the 100-foot buffer of the ESHA. The Proposed Project would result in demolition of these structures within this buffer area. As part of the Proposed Project, the District would construct a pedestrian path and elevated outdoor learning spaces overlooking the ESHA and within 100 feet, but not closer than 50 feet of the ESHA boundaries. The trails would be accessible to the public during non-school.

All parking areas (excluding drive aisles) within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

The District would implement a phased restoration plan for the ESHA within the District's property. The restoration plan would include removing all hardscape within the proposed 100-foot buffer of the ESHA boundary. The District would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the proposed 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18.

Opportunities for restoration are present at upstream, middle, and downstream areas of the ESHA as well as developed and undeveloped areas within the proposed 50-foot buffer of the ESHA boundary. During Phase 1 of the Proposed Project, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1 of the Proposed Project, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.

Each phase of the Proposed Project would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acres of hardscape and structures.

Table 14, *Conceptual Plant Palette for ESHA Restoration Site*, provides a list of plants suitable for consideration for ESHA restoration efforts. The list is consistent with recommendations of the Los Angeles/Santa Monica Mountains Chapter of the California Native Plant Society for landscaping in the Santa Monica Mountains and have been updated to reflect the current scientific and common names changes designated by the Jepson Herbarium. Species that have no assigned common name by the Jepson Herbarium follow the Calflora website.

**Table 14 Conceptual Plant Palette for ESHA Restoration Site**

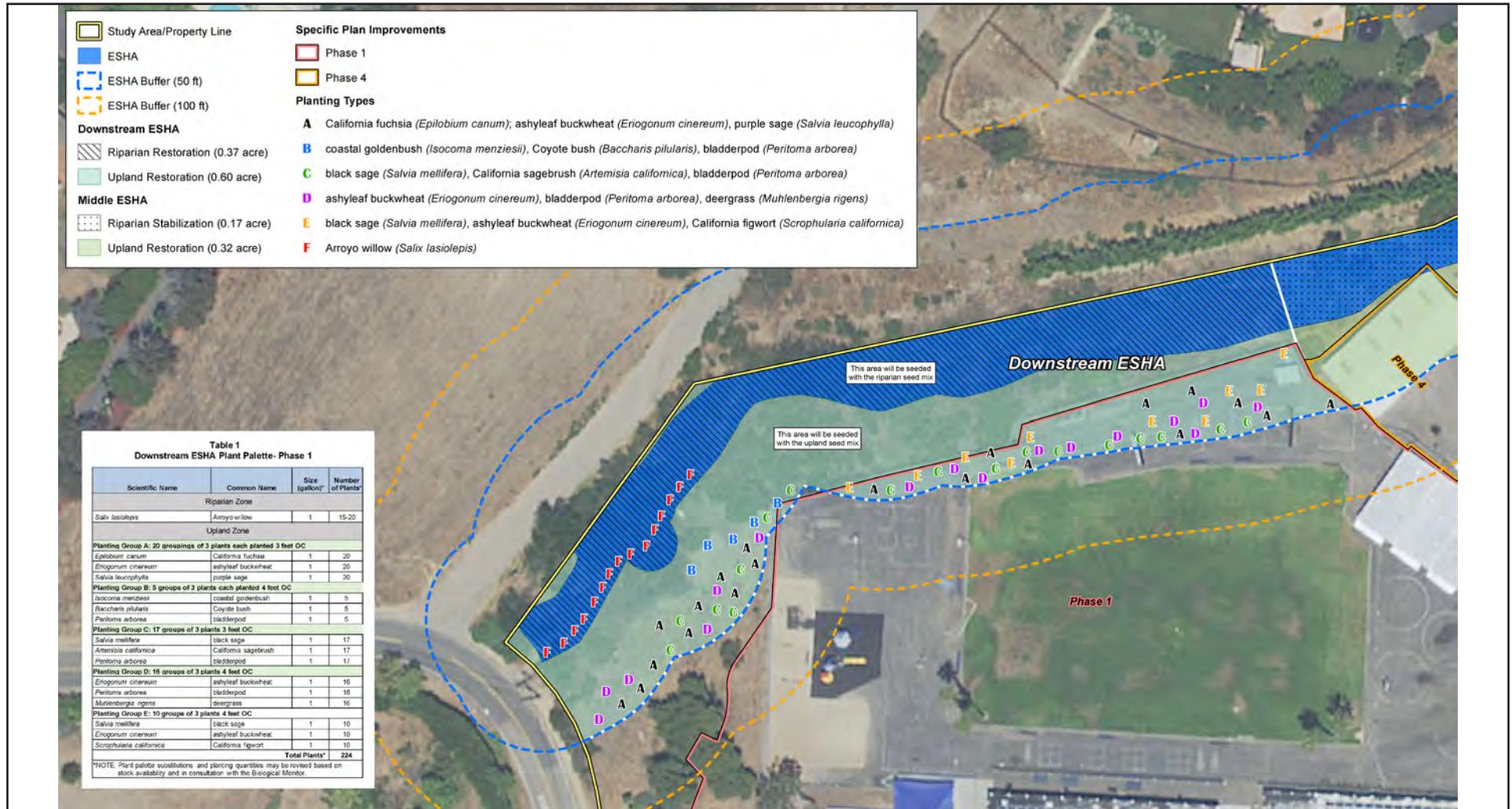
Plant Species		Restoration Location		
Common Name	Scientific Name	Lower Bank	Upper Bank	Upland
White alder	<i>Alnus rhombifolia</i>		x	
Yerba mansa*	<i>Anemopsis californica</i>	x		
California sagebrush	<i>Artemisia californica</i>			x
Narrow-leaf milkweed*	<i>Asclepias fascicularis</i>		x	x
Coyote brush	<i>Baccharis pilularis</i>			x
California brickellia	<i>Brickellia californica</i>		x	x
Yerba buena	<i>Clinopodium douglasii</i>		x	x
Bush poppy	<i>Dendromecon rigida</i>			x
Salt grass	<i>Distichlis spicata</i>	x	x	
Bush sunflower	<i>Encelia californica</i>		x	x
Scarlet monkeyflower*	<i>Erythranthe cardinalis</i>	x		
Common monkeyflower*	<i>Erythranthe guttata</i>	x		
California coffee berry	<i>Fragula californica</i>		x	x
Gumweed	<i>Grindelia camporum</i>			x
Toyon*	<i>Heteromeles arbutifolia</i>		x	x
California barley	<i>Hordeum brachyantherum</i> ssp. <i>Californicum</i>	x		
Spreading Rush	<i>Juncus patens</i>	x		
Giant tickseed*	<i>Leptosyne gigantea</i>		x	x
Pink honeysuckle	<i>Lonicera hispidula</i>		x	
Greene's saxifrage	<i>Micranthes californica</i>	x		
Bird's foot fern	<i>Pellaea mucronata</i>		x	
Bladderpod	<i>Peritoma arborea</i>			x
Western sycamore*	<i>Platanus racemosa</i>		x	
Bracken fern	<i>Pteridium aquilinum</i> var. <i>pubescens</i>	x	x	x
Coast live oak*	<i>Quercus agrifolia</i>		x	x
Golden currant	<i>Ribes aureum</i>		x	x
Fuchsia-flowering gooseberry	<i>Ribes speciosum</i>			x
California rose	<i>Rosa californica</i>	x	x	
Arroyo willow	<i>Salix lasiolepis</i>	x	x	
Purple sage	<i>Salvia leucophylla</i>			x
Black sage	<i>Salvia mellifera</i>			x
California hummingbird sage*	<i>Salvia spathacea</i>		x	x
Blue elderberry	<i>Sambucus nigra</i> subsp. <i>caerulea</i>		x	x
California figwort	<i>Scrophularia californica</i>		x	x

Plant Species		Restoration Location		
Common Name	Scientific Name	Lower Bank	Upper Bank	Upland
Nightshade*	<i>Solanum xanti</i>		x	x
Southern hedge nettle	<i>Stachys bullata</i>		x	x
Creeping snowberry	<i>Symphoricarpos mollis</i>	x	x	
California bay	<i>Umbellularia californica</i>		x	x
Giant chain fern	<i>Woodwardia fimbriata</i>	x		

Source: California Native Plant Society; Los Angeles/Santa Monica Mountains Chapter. 1996 [Revised 2007]. *Recommended List of Native Plants for Landscaping in the Santa Monica Mountains*

\*Fire Resistant

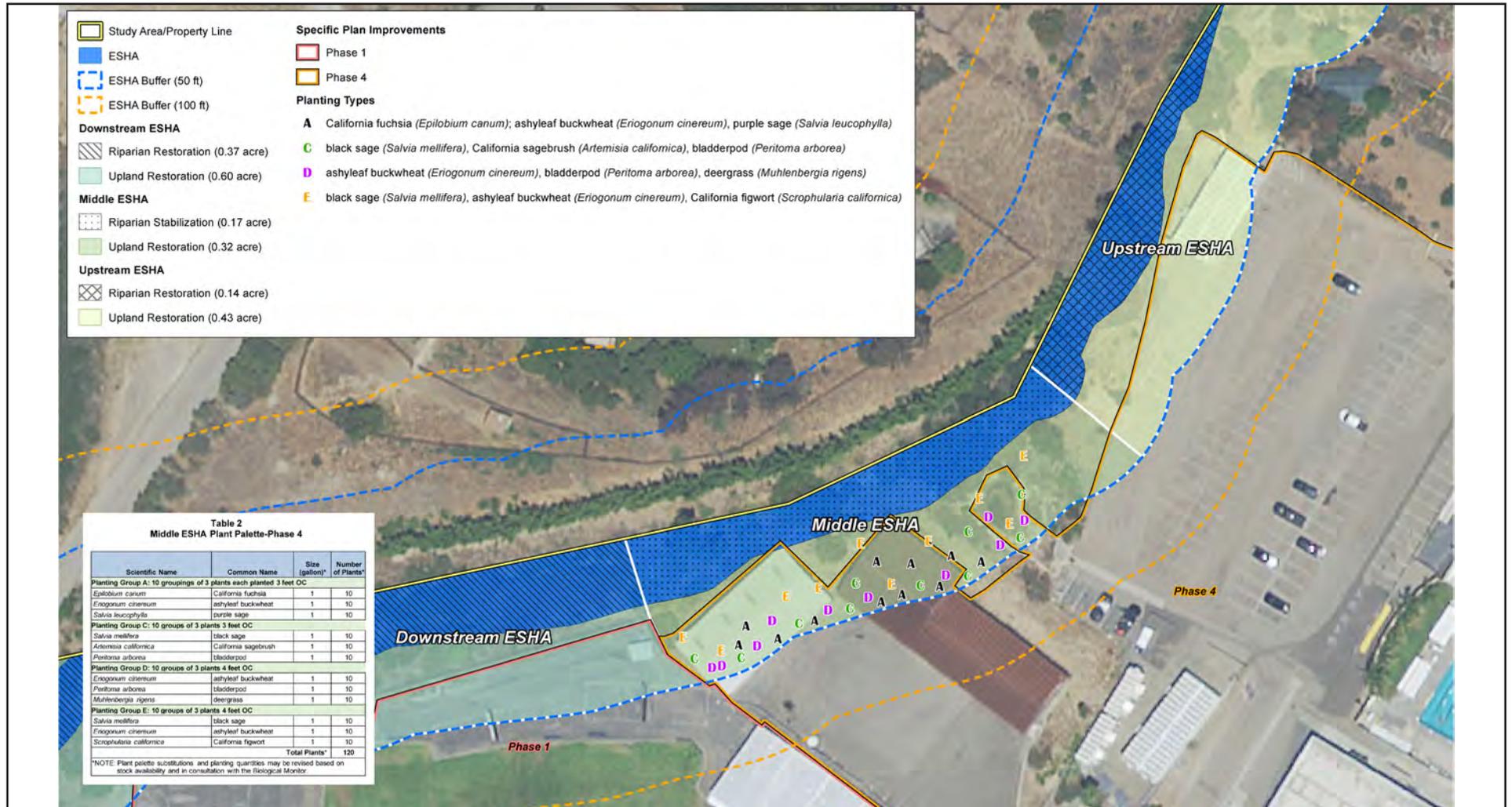
Figure 16 ESHA Restoration Plan - Downstream Segment



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Scale (Feet)



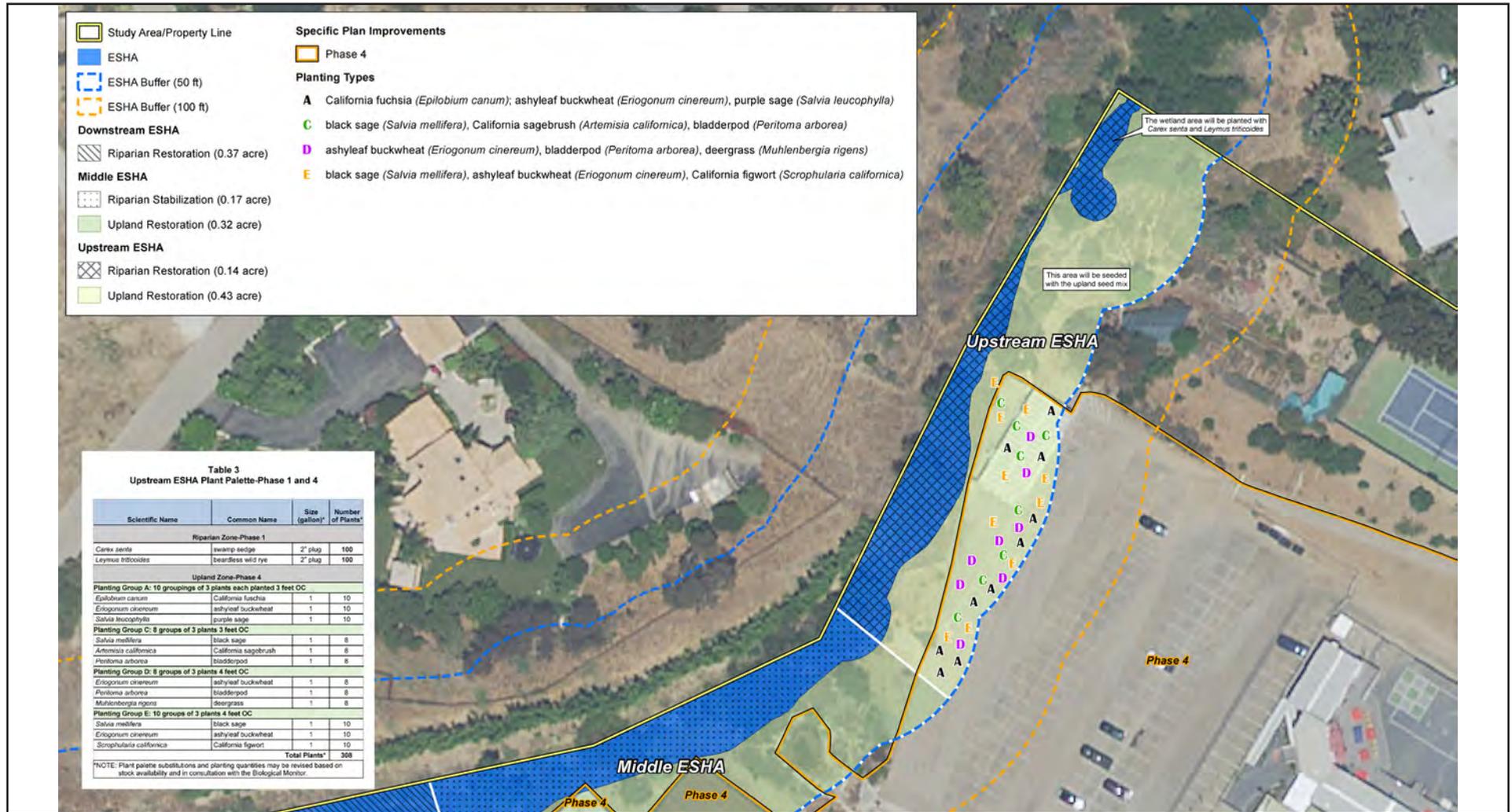
Figure 17 ESHA Restoration Plan - Middle Segment



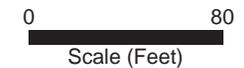
Source: Hexagon Geosystems, 2021



Figure 18 ESHA Restoration Plan - Upper Segment



Source: Hexagon Geosystems, 2021



## 6.0 Circulation, Mobility and Parking

### 6.1 Vehicle Access and Parking

The campus plan has been developed with input from the neighbors and user groups to improve vehicle access and to reduce impacts to Morning View Drive. These items include expanding the drop off lane on Morning View; providing multiple drop off and pick up zones off of Morning View; separating the bus pick up and drop off away from commuter vehicles; moving the bus barn away from the schools; and providing more parking so that parking does not spill onto the roadways.

Regional vehicle access to the Specific Plan Area is provided via Pacific Coast Highway (State Route 1). The Specific Plan area can be accessed from Morning View Drive, approximately 0.3 miles northeast of the intersection of Morning View Drive and State Route 1 and 0.9 miles southeast of the intersection of Guernsey Avenue and Highway 1. Morning View Drive is a narrow, two-lane, local roadway that provides direct access to single-family homes in the area as well as to the existing MMHS and former JCES campuses and the Malibu Equestrian Park.

Site access would remain along Morning View Drive, with a centrally located drop-off area for buses and parents/guardians between the Middle School and High School Core areas. The District will re-label the parking lots and reconfigure parking within the Master Plan resulting in an increase in overall site parking and an improved pick-up and drop off location on Morning View Drive. The new drop-off/pick-up area would be able to accommodate up to five school buses and would have parking spaces for visitor use (Parking Lot C). Figure 19, *Vehicle Circulation Plan*, show the existing parking and proposed circulation under the Specific Plan. The Specific Plan will modify the existing access configuration to include:

- One two-way driveway from Morning View Drive on the southeastern portion of the campus providing vehicular access to parking lots A and B. Parking lot A has already been constructed. This driveway will provide access to a total of 212 parking spaces. Parking lots A and B will have a one-way counterclockwise circulation. Currently parking lot A is utilized as one of the areas for student drop-off. Lot B would be the closes parking lot to the future middle school buildings.
- Two one-way driveways from Morning View Drive in the southern portion of the campus across Ebbtide Way providing vehicular access to parking lot C, which will consist of 25 spaces. The eastern driveway will provide ingress and the western driveway egress. School buses will utilize this area for student drop-off and pick-up. Lot C would provide easy access to both the high-school and the middle school buildings.
- One two-way driveway from Morning View Drive on the southwestern portion of the campus providing vehicular access to parking lots D and E. This driveway will provide access to a total of 175 parking spaces. Lots D and E would be the closest lots to the proposed high-school buildings.
- One two-way driveway from Clover Heights Avenue on the northern part of the campus that would provide access to parking area F with 14 parking spaces. This lot is required to provide accessible parking to the upper fields. This parking lot would be the most accessible to the upper fields (baseball and soccer). Lot F is intended to serve athletic programs for school and non-school related youth sports. The parking lot would be primarily required to provide ADA parking spaces for access to the upper fields and field house and would link to accessible paths. Other parking spaces in Parking Lot F would be provide for parking during athletic events and prevent cars from parking in the cul-de-sac, which is an emergency turn around. There

is not a driveway from the upper part of the campus to the lower part of the campus to not increase driving through the neighborhood to support school.

- Curbside drop-off would continue to occur on the northern side of Morning View Drive. However, no parking is allowed along Morning View Drive.
- Other than frontage improvements along Morning View Drive, no vehicle related off-site improvements are proposed.

Parking Lot D would be a new, approximately 129-space parking lot that would be developed to the north of Building C and would be accessed by a new entryway along the western edge of the campus from Morning View Drive. Parking Lot E would be constructed during Phase 3 and would have 32 parking spots and be connected by the shared driveway to serve both the High School and the Boys & Girls Club. A small parking lot (Parking Lot F) with approximately 14 spaces would be developed along the northeastern boundary of the softball field with access from Clover Heights Avenue. Table 15, *Campus Specific Plan Buildout Parking Count*, shows the name and parking count for each lot and the construction phasing of each lot. The Specific Plan would not change or modify the restrictions imposed on the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

**Table 15 Campus Specific Plan Buildout Parking Count**

Existing Parking Lot	Existing Spaces	Proposed Changes	Specific Plan Spaces	Built Phase
150-Space Parking Lot (E)	150	Renamed to Parking Lot A	150	Existing
Lower Parking Lot (D)	62	Renamed to Parking Lot B	62	Existing
Student Parking Lot A	119	Removed		
JCES Parking Lots	37	Removed		
Service Lot	7	Removed		
		Parking Lot C (New)	25	1
		Parking Lot D (New)	129	1
		Parking Lot E (New)	32	3
		Parking Lot F (New)	14	3
<b>Total</b>	<b>375</b>	-	<b>412</b>	

Source: SMMUSD 2020.

Note: 11 spaces within the Bus Barn will also be removed as part of the Specific Plan.

**6.2 Pedestrian Access**

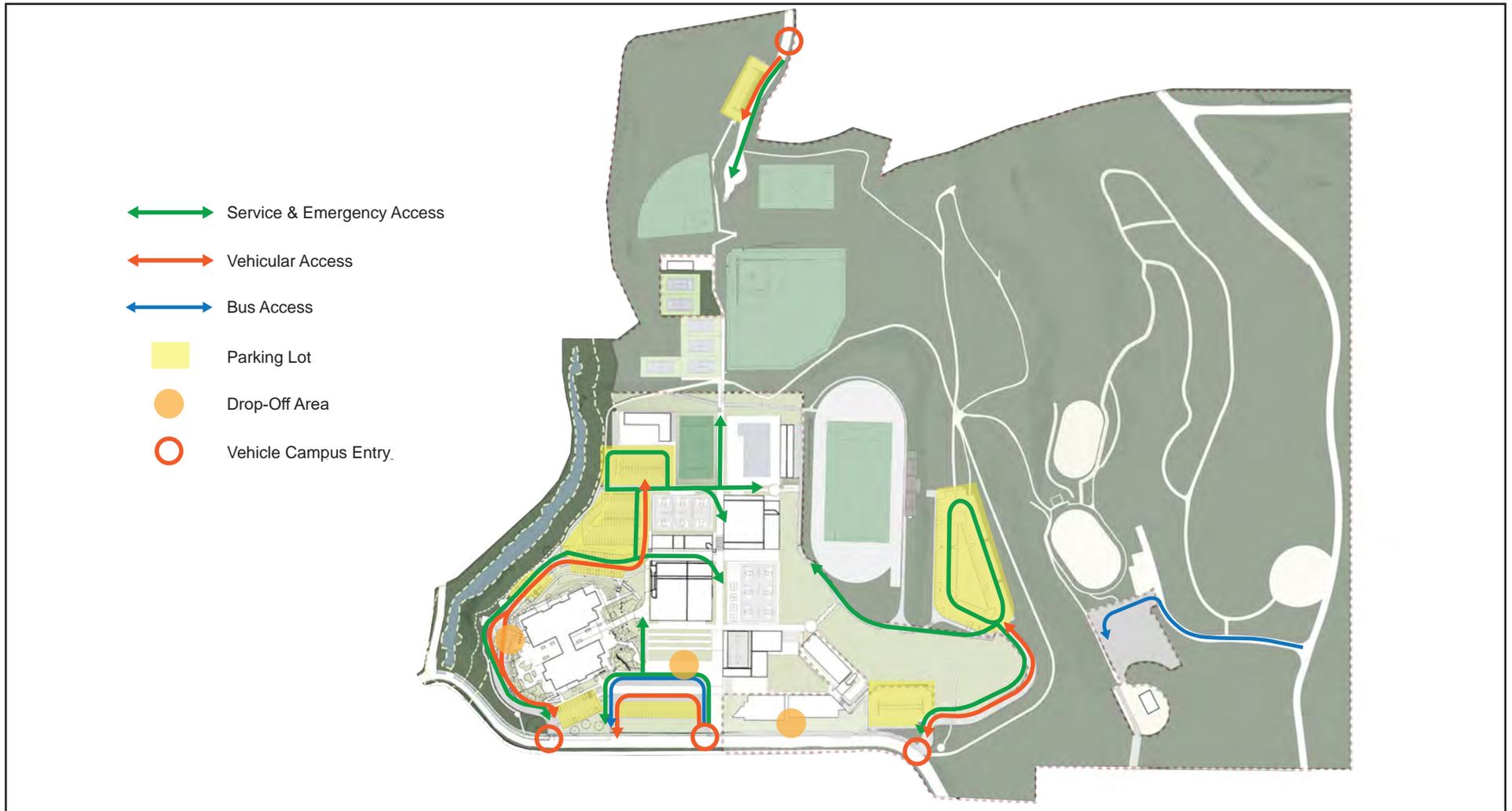
Pedestrian access to the Plan Area would remain along Morning View Drive with access at the new drop-off area, and Clover Heights Avenue, with access to the athletic fields. All circulation is wheelchair accessible via a network of either ramps and/ or elevators, connecting the parking lots with athletic and educational facilities throughout the campuses. Additionally, As shown in Figure 20, *Pedestrian Circulation Plan*, the Specific Plan would include a pedestrian trail system that starts along the ESHA on the west and connects to a larger system of existing walking trails around the Equestrian Park and surrounding hills. Fencing would surround the entire campus. Ornamental fencing near Morning View Drive and the proposed buildings would allow the MMHS and former JCES campuses to

be secure during school days and would reinforce a single point of entry for each school. Wildlife permeable fencing would run along the east, north, and west sides of the Plan Area.

### **6.3 Construction**

Construction of the Specific Plan would temporarily generate additional traffic on the existing area roadway network. These vehicle trips would include construction workers traveling to the Plan Area as well as delivery trips associated with construction equipment and materials. Delivery of construction materials to the Plan Area would require several oversized vehicles that may travel at slower speeds than existing traffic. Once materials are delivered to the campus, all construction activities would occur on-site within the existing boundaries of the school campus and would not disrupt off-site traffic flows. Additionally, construction workers would park in the designated staging area to provide adequate parking for all employees and visitors to the campus throughout the duration of construction activities of the Specific Plan. Signage and/or workers conducting traffic would be present to direct pedestrians and vehicles during construction. Per standard construction procedures, the construction contractor would prepare and implement a traffic control plan to ensure that public safety and emergency access are maintained during the construction phase. Should any temporary fencing be needed during construction, it would meet the requirements of the LCP and LIP and be wildlife permeable.

Figure 19 Proposed Site, Access, Circulation, and Parking



0 450  
Scale (Feet)

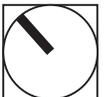
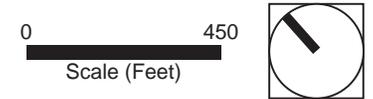


Figure 20 Pedestrian Circulation Plan



Source: Spurlock Landscape Architects, 2021



## 7.0 Infrastructure

Utility improvements necessary to serve the proposed replacement buildings would be constructed. The future on-site utilities would connect to existing facilities serving the site.

### 7.1 Water Plan

The proposed domestic and fire water lines would connect to the existing 12-inch public water main located on Morning View Drive. Water will be served by Los Angeles County Waterworks District No. 29.

### 7.2 Septic System

Currently, 10 septic tanks exist on the former JCES and MMHS campuses. The Specific Plan would upgrade the existing septic system as each phase is developed. The location of the septic tanks and associated leach fields will be reviewed as part of each phase. Timing of the decommissioning of existing septic systems and sizing and replacement with new infrastructure would be conducted such that continued sufficient systems remain in place and service is not disrupted. Any need for onsite treatment will be discussed further with the City during appropriate project phases.

### 7.3 Drainage Plan

The Plan Area would be divided into seven drainage management areas (DMA) that will coordinate drainage to Morning View Drive. New stormwater retention basins would be developed to infiltrate and treat runoff from the Specific Plan.

### 7.4 Lighting

#### Outdoor Lighting Program

The Proposed Project would install new and upgraded outdoor lighting within each development phase that would include lighting in both existing and proposed campus parking lots, pedestrian pathways, marquee sign lighting, and nighttime security- and safety-required lighting. All outdoor campus lighting would be designed to provide for the security and safety of students, staff, and visitors. Final design of the Project's outdoor lighting program must meet the requirements of the City of Malibu's Dark Sky Ordinance and adhere to the standards of the Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G.

Maintenance and custodial staff typically leave the campus at 11:00 PM; as such, consistent with the existing lighting program on the MMHS Campus, the nighttime lighting would be controlled by an automatic timer and would be programmed to turn off at 11:30 PM each evening. On a limited number of occasions when school activities are scheduled to extend past 10:00 PM, such as an MMHS sports teams returning to campus following an "away" game or when a SMMUSD School Board meeting is held on campus, the programmed lights off time would be overridden to accommodate such authorized uses. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

**Pool lighting**

In addition to the outdoor campus lighting described above, new lighting would be installed as part of the development of the new pool in Phase 4. As described in Section 3.3.1.3 above, the new pool would be an Olympic-size 50-meter pool intended to serve student sport and educational curriculum such as swim and water polo recreational, as well as community uses. Pool and pool deck lighting would be replaced as part of the Project in order to meet the needs and standards associated with this size of pool and intended uses. Lighting would be installed to meet the requirements of a Class II facility as identified by the Illuminating Engineering Society of North America (IESNA), 10<sup>th</sup> Edition, where lighting should be a minimum of 50 foot candles over the pool and 20 foot candles over the deck, as measured at the water level. For improved safety. Consistent with IESNA recommendations, lighting would also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). When the pool is not in use, accessible paths, including along the pool deck, would be with a minimum of 2 foot candles until lights are turned off campus-wide. Through meeting these standards, the pool lighting would also meet the requirements of California Building Code section 3115B.1, which requires a pool have underwater and deck lighting such that lifeguards or other persons may observe, without interference of glare, every part of the underwater area, pool surface, and any diving appurtenances.

As with existing use and operation, the pool would be lit for an annual total of 524 hours during evening hours, as detailed below in Table 16, *Pool Lighting*. In addition, pool lights are currently used during morning hours three days a week (Tuesday, Thursday, and Saturday) for two hours (5:30 a.m. to 7:30 a.m.), for a total of 310 hours. This results in a total lighting time of 834 hours in current condition, which would continue in the same manner under the Proposed Project.

**Table 16 Pool Lighting**

Months	Days Lit	Times
Annually in morning hours	Tuesdays, Thursdays, Fridays	5:30am – 7:30am (310 hours)
July 1 – August 18	No Lights	-
August 19 – November 6	Monday – Friday (53 school days)	6:15pm – 8:45pm (132.5 hours total over this time period)
November 7 – March 12	Monday – Friday (74 school days)	5:15pm – 8:45pm (259 hours total over this time period)
March 13 – June 10	Monday – Friday (53 school days)	6:15pm – 8:45pm (132.5 hours total over this time period)
June 11 – June 30	No Lights	-

Source: SMMUSD 2021

**7.5 Solar Panel System**

Because of the campus location in a high-risk fire area with an increased severity of wildfire risks in recent years, mandated public safety utility shutdowns have led to approximately 20 days of lost instruction at the MMHS Campus. In addition, the cost of utility provision continues to rise in California. To increase District resiliency, protect the learning environment, and maximize energy and operational savings, the MMHS Campus Specific Plan includes development of an “islandable microgrid” or ground mount photovoltaic (PV) solar array system treated to reduce glare, with battery storage and energy control center. An approximately 422 kilowatt (KW) PV system would be installed on the sloping hillside to the south of the existing Lot A and the Main Sports Field and to the

north/northwest of the new Middle School Building E (core classrooms building). A 500 KW/1,000 KW hour battery storage system would be installed. The existing approximately 118 KW of PV located on the newly constructed Building A/B would connect with the larger system. The solar panel system, shown in Figure 21, would be installed as part of Phase 2.

## **7.6 Solid Waste Disposal**

Solid waste is gathered daily from each of the school buildings by custodial staff and taken to a central location for pickup. Other than small trash cans that are placed throughout the campus to discourage littering, trash facilities are screened from public view and accessible only to authorized employees. While the location of some of the small trash cans may vary, the centralized collection points are not anticipated to change with adoption of the specific plan. As no increase in capacity is planned, there should be no increase in solid waste from the campus.

Figure 21 Solar Panel System



Source: Schneider Electric, 2020

## 8.0 Administration and Authority

### 8.1 Specific Plan Authority

The MMHS Campus Specific Plan provides customized regulatory guidance to enable development of architectural features and building designs that would not otherwise be allowed by the City’s current development standards. The Specific Plan is established through the authority granted to the City of Malibu by the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457. The Government Code authorizes cities to adopt specific plans either by resolution as policy or by ordinance as regulation.

A Planning Commission hearing and City Council hearing are required to adopt this specific plan. This Specific Plan is a regulatory document for all development projects within the boundaries of the Plan Area. Development within this area must be consistent with this Specific Plan and with all applicable City and District regulations. Government Code 65450 states that a “Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan, and further, that it may not be adopted or amended unless found to be consistent with the General Plan.” The Specific Plan document has been designed to be consistent with the City of Malibu General Plan goals and policies.

### 8.2 Relationship to the General Plan

Adopted November 20, 1995, The City of Malibu’s General Plan is intended to guide development, as well as promote the general welfare of the local community, while protecting the local resources. Table 17, *Relationship to the General Plan*, shows the applicable policies relevant to the Specific Plan.

**Table 17 Relationship to the General Plan**

General Plan Policies	Relevance/Consistency
<p><b>LU Policy 1.1.1:</b> The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.</p>	<p><b>Consistent.</b> Implementation of the MMHS Campus Specific Plan would not result in a new land use onsite that would be incompatible with the natural environment. Instead, the MMHS Campus Specific Plan would redevelop and modernize the existing MMHS campus and former JCES campus to provide increased resources for the campus.</p>
<p><b>LU Policy 1.1.4:</b> The City shall preserve the City’s rural residential character.</p>	<p><b>Consistent.</b> Implementation of the MMHS Campus Specific Plan would redevelop and modernize buildings within an existing school site. The institutional land use would remain the same. The MMHS Campus Specific Plan would not impede upon the surrounding rural residential character. The MMHS Campus Specific Plan’s lighting program would be consistent with the existing lighting program on the MMHS campus and the City of Malibu’s Dark Sky Ordinance. All campus lighting would be designed to provide for the security and safety of students, staff, and visitors.</p>
<p><b>LU Policy 1.1.5:</b> The City shall require careful site planning which blends development with the natural topography.</p>	<p><b>Consistent.</b> The topography of the campus slopes up north from Morning View Drive. The existing topography of the site would not be altered because of the Specific Plan implementation.</p>

General Plan Policies	Relevance/Consistency
<p><b>LU Policy 1.2.1:</b> The City shall prohibit development in Environmentally Sensitive Habitat Areas (ESHA) unless no feasible alternative is available.</p>	<p><b>Consistent.</b> As discussed previously as part of the Restoration Plan for the ESHA, the MMHS Campus Specific Plan proposes to remove existing parking and drive aisles and maintain a 50-foot buffer from ESHA except for a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations. Therefore, no development would occur in the ESHA.</p>
<p><b>LU Policy 1.4.1:</b> The City shall preserve significant ridgelines and other significant topographic features (such as canyons, knolls, hills, and promontories).</p>	<p><b>Consistent.</b> The MMHS campus is set amongst rolling hills and its buildings and athletic fields are terraced into its hillside setting. The existing topography of the site would be maintained, and no significant topographic features would be altered because of the Specific Plan's implementation.</p>
<p><b>LU Policy 2.1.4:</b> The City shall require development to be landscaped so that the project blends in with the environment and neighborhood.</p>	<p><b>Consistent.</b> The MMHS Campus Specific Plan is a redevelopment and modernization of an existing public educational use. New development would be designed and landscaped in a manner that preserves the existing topography, incorporates sustainable building practices, maintains open spaces, and reflects the rural community character of Malibu. Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas.</p>
<p><b>LU Policy 2.2.1:</b> The City shall require adequate infrastructure, including but not limited to roads, water, and wastewater disposal capacity, as a condition of proposed development.</p>	<p><b>Consistent.</b> The MMHS Campus Specific Plan will include adequate infrastructure to serve the Malibu Middle and High School Campus. The future on-site utilities would connect to existing facilities serving the site. The MMHS Campus Specific Plan modifications to the wastewater and drainage system will adequately serve the Malibu Middle and High School Campus.</p>
<p><b>LU Policy 2.3.1:</b> The City shall protect and preserve the unique character of Malibu's many distinct neighborhoods.</p>	<p><b>Consistent.</b> Implementation of the MMHS Campus Specific Plan would modernize and renovate buildings within an existing school site. The MMHS Campus Specific Plan is consistent with similar modern school facilities and the design limits its scale and massing to blend with the surrounding topography and buildings.</p>
<p><b>LU Policy 2.4.2:</b> The City shall limit nonresidential uses to those compatible with the rural residential character of the surrounding neighborhoods.</p>	<p><b>Consistent.</b> The MMHS Campus Specific Plan continues the existing public educational use for the site. The existing topography of the site would not be altered because of project implementation. The MMHS Campus Specific Plan blends and preserves the rural qualities of the community including the maintenance of open space areas for equestrian and trail uses.</p>
<p><b>LU Policy 2.4.6:</b> The City shall avoid improvements which create a suburban atmosphere such as sidewalks and streetlights.</p>	<p><b>Consistent.</b> The MMHS Campus Specific Plan would not create new sidewalks. However, the MMHS Campus Specific Plan would include lighting on the existing and new campus parking lots, pedestrian pathways, pool lighting, and other nighttime security- and safety-required lighting, consistent with existing conditions. Pool lighting would be regulated by the requirements of California Building Code (CBC) Section 3115B.1, requiring sufficient illumination that lifeguards have direct view of all areas of the pool surface and diving appurtenances. The MMHS Campus Specific Plan's lighting program would be consistent with the City of Malibu's Dark Sky Ordinance. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).</p>

Source: Malibu 1995.

### 8.3 Relationship to Other Plans, Programs, Agencies, and Regulations

The following is a summary of the most relevant plans, programs, agencies, and regulations that should be referenced for consistency or compliance when implementing the Specific Plan.

#### California Coastal Act of 1976

The California Coastal Act of 1976 (CCA) is the permanent enacting law approved by the State Legislature. The CCA established a set of policies, coastal boundary lines, and permitting procedures regulating coastal development. Further, it provides for the transfer of permitting authority, with certain limitations reserved for the state, to local governments through adoption and certification of Local Coastal Program (LCP) by the California Coastal Commission. In conjunction with this Specific Plan, the LCP for the Plan Area will also be updated and submitted to the Coastal Commission.

#### City of Malibu Municipal Code

The Zoning Regulations (Title 17 of the Malibu Municipal Code), in conformance with the General Plan, regulate land use development in the City of Malibu. In each zoning designation, the regulations specify the permitted and prohibited uses and the development standards, including setbacks, height, parking, and design standards, among others. The Specific Plan is located within the Institutional District Zone that authorizes public educational institutions with a conditional use permit.

#### Malibu Local Coastal Program

The City of Malibu is located within the California coastal zone and all developments are subject to the regulations of the City's LCP. It was certified by the California Coastal Commission in 2002 and grants the City authority to review and approve coastal development permits (CDPs) at the local level. The LCP includes a Land Use Plan (LUP) to regulate land use and a Local Implementation Plan (LIP) for zoning. Amendments to certified LUPs and LIPs only become effective after approval by the California Coastal Commission. Development within the Coastal Zone may not commence until a coastal development permit has been issued by either the Commission or a local government that has a Commission-certified local coastal program.

### 8.4 Review and Approval Process

The responsibilities of the Director shall include administering, interpreting, and enforcing all requirements and standards of the Specific Plan, including the acceptance and processing of all land use permit applications. Enforcement of the Specific Plan shall be in accordance with Chapter 17.04 Administration and Enforcement provisions of the City Municipal Code.

- **The Planning Director** or designated representative may approve, conditionally approve, or deny applications that meet the requirements of this Specific Plan and do not require a conditional use permit. The Director holds final approval authority for and enforcement of building permits, certificates of occupancy, sign permits, and temporary use permits.
- **The Planning Commission** may recommend approval, conditional approval, or denial of conditional use permits, applications for variances, specific plan amendments, and appeals of the actions of the Director or Zoning Administrator.

- **The City Council** may approve, conditionally approve, or deny conditional use permits, applications for variances, specific plan amendments, and appeals of the actions of the Planning Commission.
- **Coastal Commission** will have the final approval authority over the amendment to the LCP.

## 8.5 Administrative Amendments

Any modifications to the MMHS Campus Specific Plan shall occur in accordance with the Specific Plan amendment process and are required to be reviewed for approval by the Planning Commission and the City Council, with final review authority by the California Coastal Commission. In all cases, Specific Plan amendments must be found to be in conformance with the objectives and intent of the MMHS Campus Specific Plan. Amendments may be requested at any time pursuant to section 65453(a) of the Government Code. Depending upon the nature of the proposed Specific Plan amendment, a supplemental environmental analysis may be required, pursuant to the CEQA Guidelines section 15162. Amendments may also require revision of the City's Local Coastal Program and approval by the California Coastal Commission.

## 8.6 Site Plan Review and Approval

Phases II through IV are considered conceptual and will require review and approval by the City prior to construction. Subsequent phases will be reviewed for compliance with this Specific Plan. Site Plan Approval shall occur in accordance with the City's Municipal Code, and Local Coastal Plan.

## 8.7 Environmental Review

The Environmental Impact Report (EIR) primarily a source of environmental information and disclosure for the Santa Monica-Malibu Unified School District, the lead agency for the MMHS Campus Specific Plan. The EIR describes the potential impacts from the adoption of the MMHS Campus Specific Plan. While the MMHS Campus Specific Plan would be conducted in phases, each phase has been fully developed and approved by the SMMUSD Board. As such, it is not anticipated that substantial subsequent CEQA review would be required by the District. Preparation of a Project level EIR does not relieve the District of its duty to review subsequent Coastal Development Permit (CDP) projects contemplated under the EIR. Any individual CDP application that is processed as under this EIR would have to satisfy the requirements of CEQA Guidelines section 15162, such that new information or project changes would require revisions to the EIR. Further, the analysis and mitigation measures will provide the City enough detail that subsequent environmental review should not be necessary absent the conditions set forth in section 15162.

## 9.0 Financing Measures

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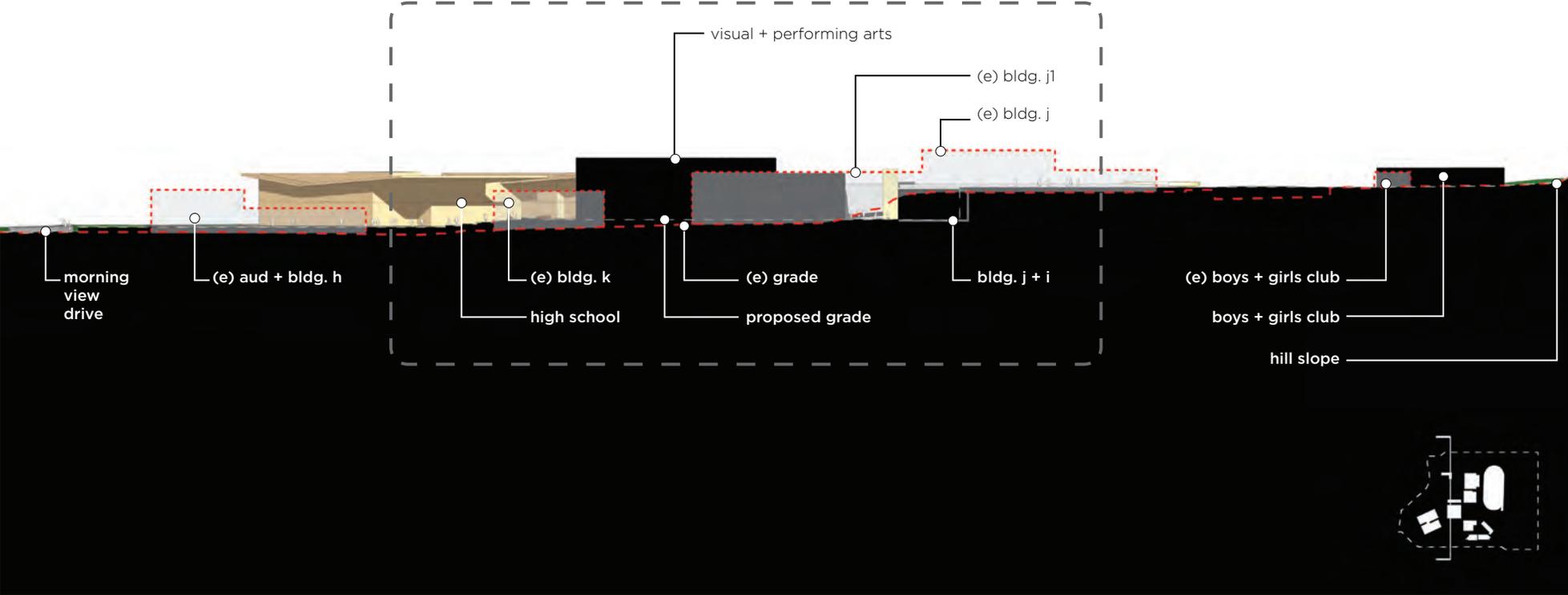
Construction of the new high school, as Phase 1 of the Malibu Campus Plan, will be funded by a General Obligation Bond, entitled Measure M, passed in 2018. Prior to the election in 2018, the District created a Malibu-only School Facilities Improvement District (SFID). The result of the SFID is that bond dollars generated by Measure M can only be used in Malibu (not in Santa Monica) for school facility improvement needs. Phase 1 does not anticipate the receipt of additional funding from the state or other sources. It is anticipated that the proceeds from bond sales under Measure M will adequately fund Phase 1 of the Malibu Campus Plan. It is further anticipated that future phases will require additional funding, most likely in the form of a future general obligation bond for the Malibu SFID. The District does not anticipate funding from the city.



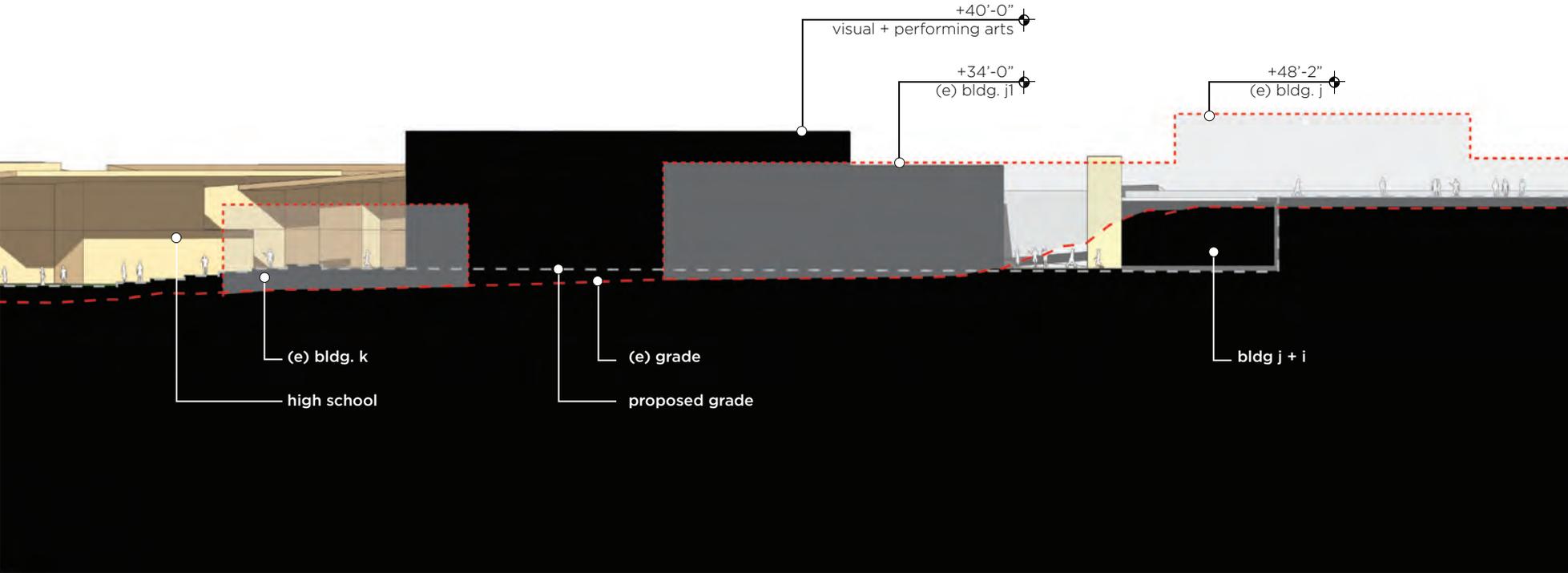
# (E) CONDITIONS W/MASTER PLAN OVERLAY



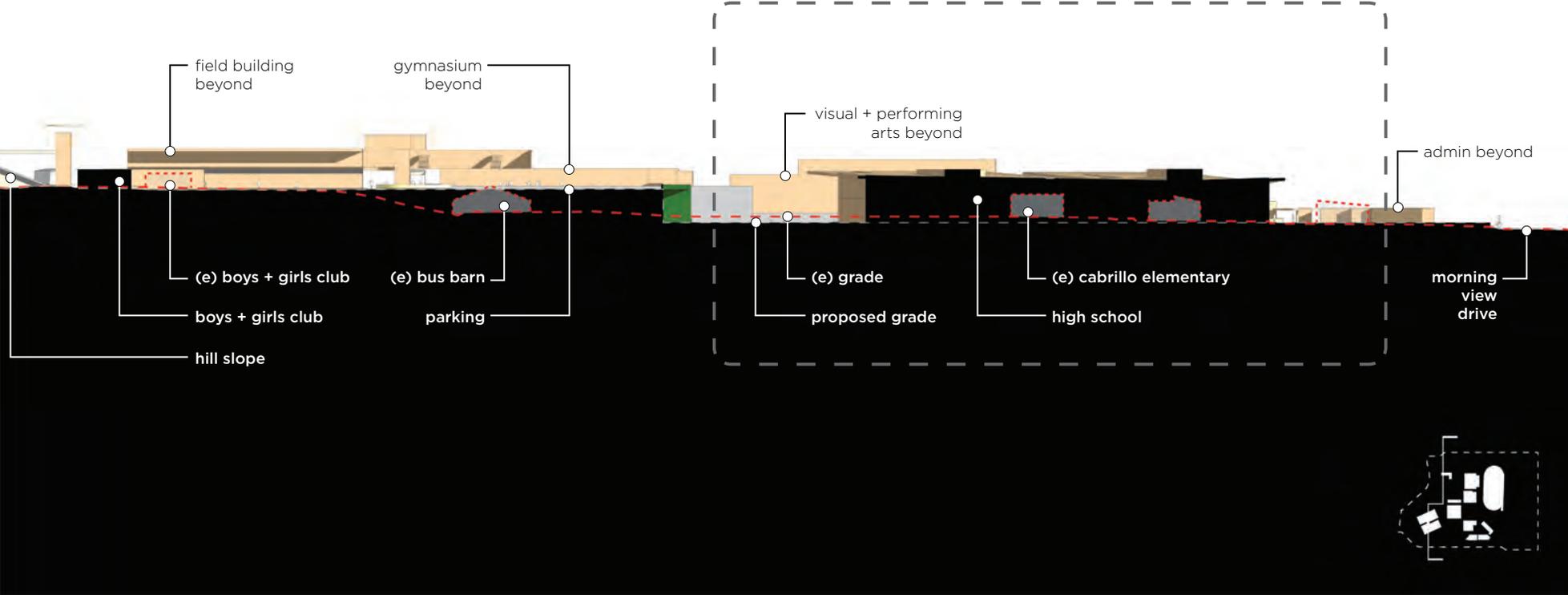
# SITE SECTION A



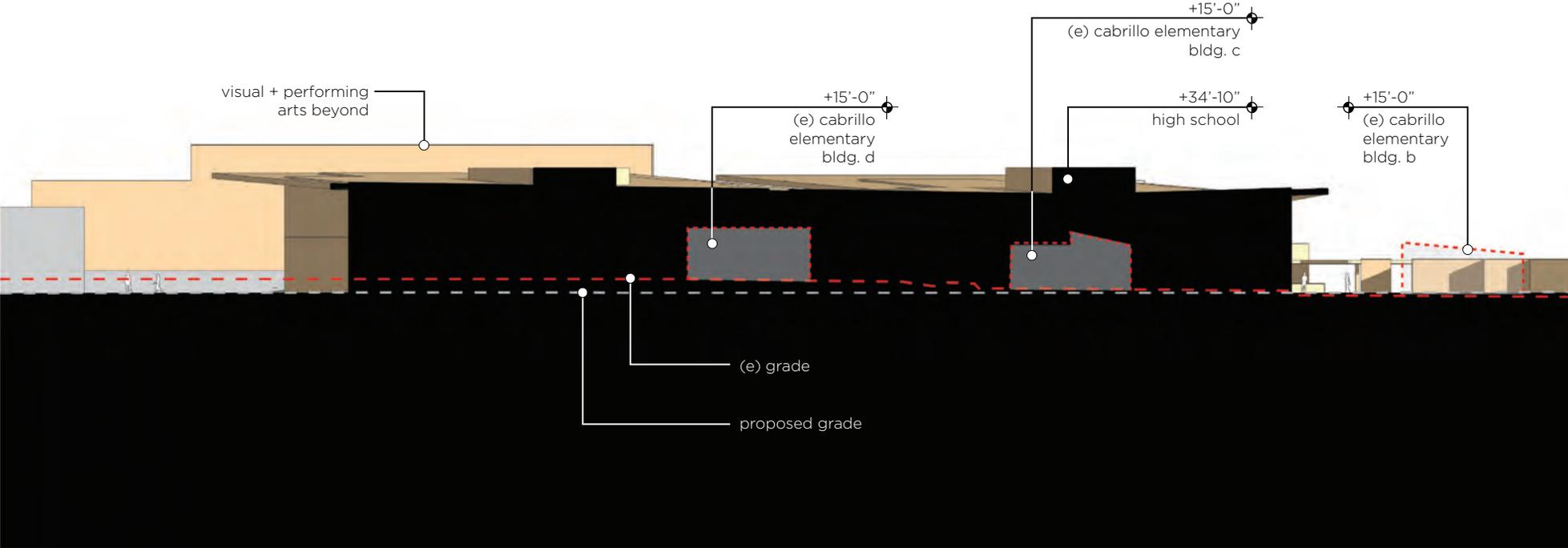
# ENLARGED SECTION A



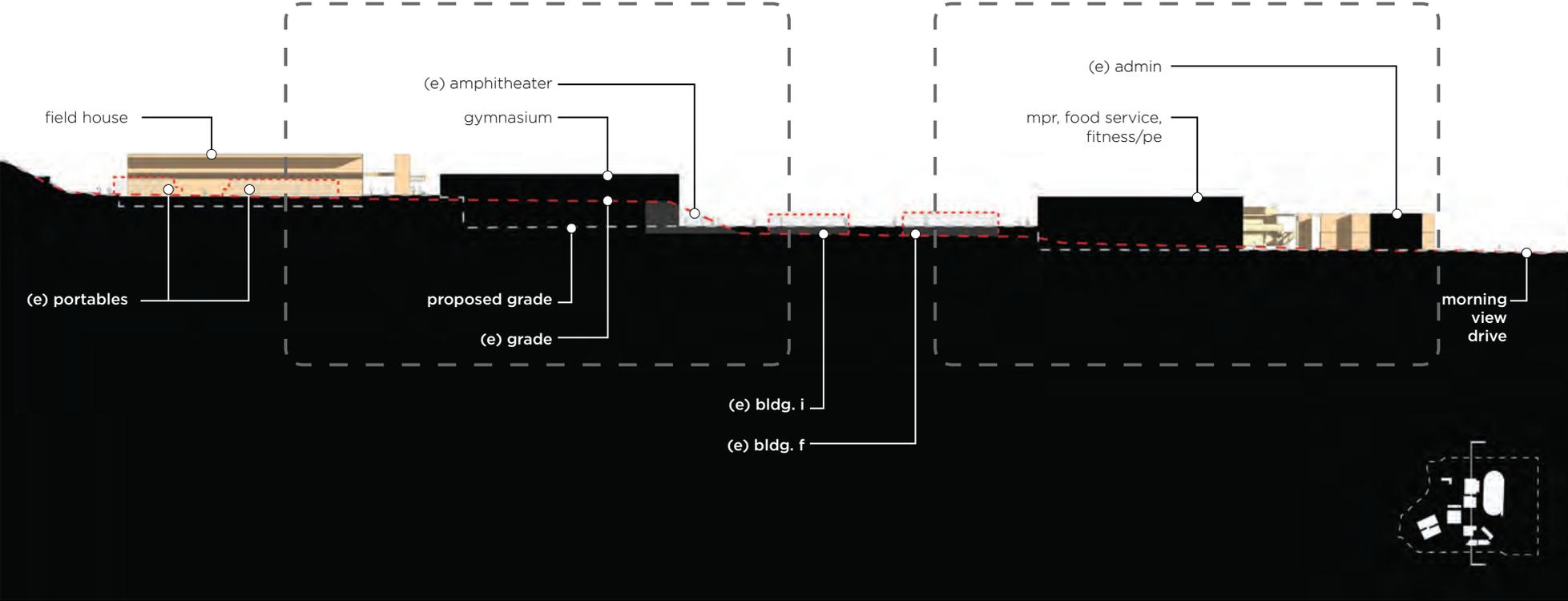
# SITE SECTION B



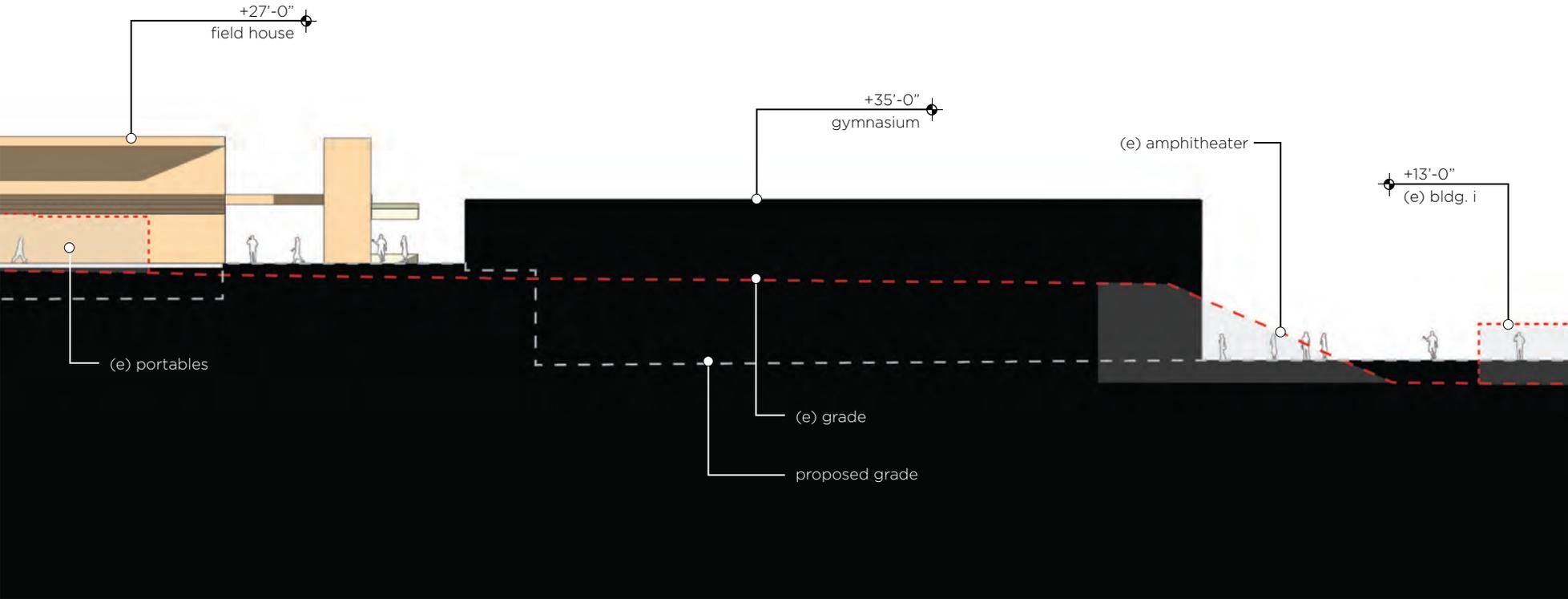
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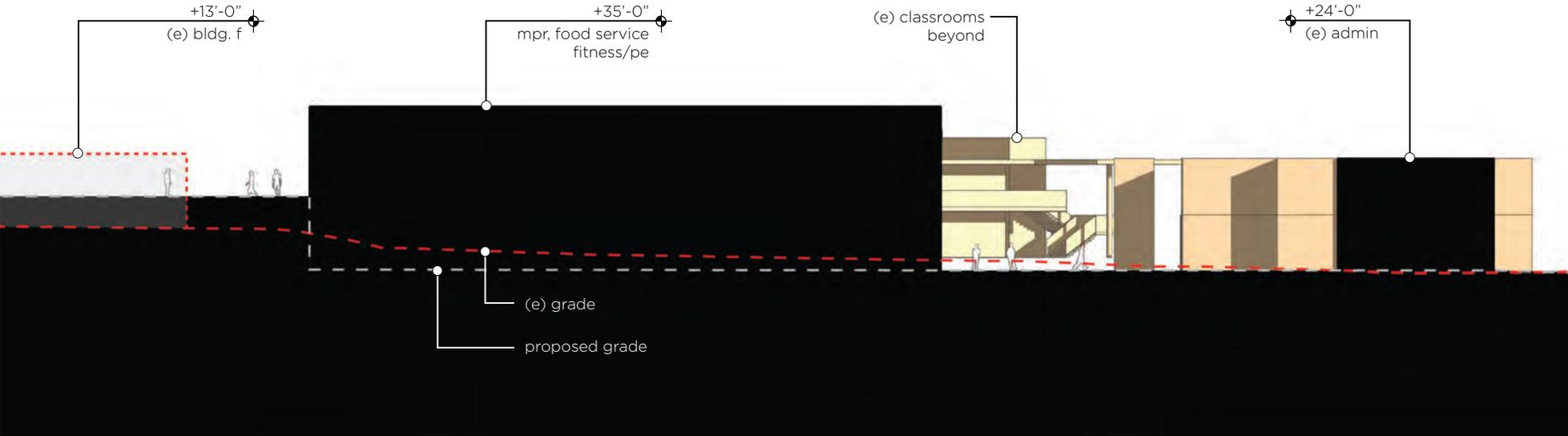
# SITE SECTION C



# ENLARGED SECTION C-1



# ENLARGED SECTION C-2



***Final EIR Summary***  
***Environmental Issues Reviewed – Level of Significance Identified***  
***MMHS Campus Specific Plan***

The following summary provides an overview of the impacts identified in the Environmental Impact Report (EIR) and the associated environmental topics.

▪ **No Impact:**

Agricultural Resources

The California Department of Conservation manages the Farmland Mapping and Monitoring Program, which identifies and maps significant farmland. Farmland is classified using a system of five categories—Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land. The classification of farmland as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance is based on the suitability of soils for agricultural production, as determined by a soil survey conducted by the Natural Resources Conservation Service. The California Department of Conservation manages an interactive website, the California Important Farmland Finder. This website program identifies the Project Site as “Urban and Built-Up Land,” and it is therefore not considered agriculturally important land (DOC 2016). The Project Site is developed with existing educational uses, and no farmland exists on the Project Site. The Project Site is not subject to a Williamson Act contract, and the Project Site is zoned as institutional use in the Land Use and Zoning section of the City of Malibu’s LCP (Malibu 2001). The Project Site contains no forest land or timber resources and is not zoned for forestland protection or timber production. No further study of this issue is required in the EIR.

Mineral Resources

No mineral resource recovery sites of statewide or regional significance are located on or near the Project Site. The Project Site is in an area classified as Mineral Resource Zone 3, which is defined as “areas containing mineral deposits the significance of which cannot be evaluated from available data” (DOC 1994). The Project Site is developed with the former JCES campus and MMHS campus; therefore, implementation of the Proposed Project would not result in the loss of availability of a known mineral resource or resource recovery site. No mineral resource impact would occur. Therefore, this resource topic is not analyzed in the EIR.

Population and Housing

The Project Site is in the established former JCES campus and MMHS campus, and no new roads or extensions of existing roads that could enable the development of undeveloped land are proposed. The Proposed Project is

intended to serve the existing and anticipated future student population and would not result in the creation of housing or infrastructure that would induce unplanned population growth in the area. The objective of the Proposed Project is to create a middle school and high school campuses that provide separate education spaces for the middle school and high school students as well as shared facilities, improve vehicle and pedestrian circulation, and secure campus access while respecting the natural environment of West Malibu. No residences would be displaced or removed as a result of the Proposed Project, and the Proposed Project would have no impact on existing housing because the Proposed Project will accommodate the same enrollment of 1,200, as the existing facilities. Therefore, the Proposed Project would not displace any people or necessitate the construction of any replacement housing. Therefore, no impacts involving a direct or indirect unplanned increase in population growth would occur as a result of the Proposed Project. Therefore, the proposed project would not create any significant impacts related to population and housing, and population and housing is not analyzed in the EIR.

- **Less than Significant;**
- **Less than Significant with Mitigation; and**
- **Significant and Unavoidable).**

### **AESTHETICS (EIR Section 3.1)**

#### *Less than Significant Impacts with Mitigation*

Scenic vistas are panoramic views of features such as mountains, forests, the ocean, or urban skylines. The Project Site is fully developed with an existing middle and high school campus, athletic fields, on-site parking, and ancillary educational uses. The Project Site does not contain unique scenic visual features that would distinguish it from surrounding areas, nor is it in a designated scenic vista identified in the City of Malibu General Plan Conservation Element (Malibu 1995). The nearest scenic area in the vicinity is the Santa Monica Mountains National Recreation Area, approximately one mile north of the Project Site, which includes portions of the Zuma Ridge Trail and the Coastal Slope Trail (Malibu 2001). There are also local trails along Morning View Drive and the Malibu Equestrian Park within proximity to the Project Site (Malibu 2016).

The EIR concluded that although the Specific Plan proposes buildings that could exceed the maximum allowable building height, the building heights would not interfere with scenic vistas because the sloped terrain and the distance of public viewing areas minimize the existing campus and the proposed redeveloped campus on the Project Site from being dominant features of these viewsheds. As such, impacts to scenic vistas are considered less than significant, as the Proposed Project would result in the slight alteration of the existing scenic views but would not obstruct or degrade protected views.

### *Less than Significant Impacts with Mitigation*

The Project Site is not within the viewshed or corridor of a state-designated scenic highway. The only road in Malibu that has been officially designated as an eligible scenic highway by Caltrans is PCH, located 0.25-mile southwest of the Project Site. Although primary access to Morning View Drive is from PCH, no views of the developed portions of the Project Site are available from PCH. A limited channelized view of the 150-space Parking Lot E is available from the intersection of Morning View Drive and PCH intersection; however, this view is not part of the viewshed visible to motorists while driving on PCH. No other views of the Project Site are available from PCH because of the presence of low bluffs and hillsides that screen views into the canyon. School signs positioned on Morning View Drive at PCH would remain as part of the Proposed Project. Site. As such, the Proposed Project does not have the potential to substantially damage a scenic resource within the viewshed of a State-designated scenic highway, or any other identified scenic resource, and no impact would occur.

### *Less than Significant Impacts with Mitigation*

As the Project Site is already developed with campus uses along Morning View Drive, the redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would be terraced to integrate with the existing topography. As such, the Proposed Project would result in a less-than-significant impact on visual character and quality.

### ***Significant Unavoidable Impacts – Light and Glare***

The proposed project would occur on the currently developed former JCES and MMHS campuses, in an area visually characterized as a rural residential neighborhood. Artificial light sources found onsite and in the surrounding area include lighting on the lower parking lot (existing Parking Lot D) adjacent to Building A and B, exterior safety and security lighting associated with the campus and adjacent residential uses, light emanating from on- and off-site building interiors, streetlights along PCH, and automobile headlights. There are no streetlights on adjacent nearby roadways, including Morning View Drive, Merritt Drive, Via Cabrillo Avenue, and Clover Heights Avenue. Light originating from the project site accounts for the majority of the nighttime lighting in the area. However, nighttime lighting levels in the surrounding area vary dependent on the time of night and the school calendar.

The proposed project includes the following general main light/glare sources: exterior building security lighting, parking lot lighting for new parking lots, marquee/sign lighting, bus barn lighting, pool lighting, and photovoltaic (PV) solar panels. The proposed project would not change or modify the restrictions

imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

The proposed outdoor lighting program, including the pathway/walkway lighting, marquee/sign lighting, and exterior security building lighting, will comply with the City of Malibu Dark Sky Ordinance for total site lumen limit, limits to off-site impacts, and light-shielding for parking lot illumination.

The project also includes the replacement and upgrade of the existing 25-meter pool with a new Olympic-sized 50-meter pool. Consistent with the existing use, the pool would be lit for an annual total of 524 hours. The pool lighting would meet the established standards outlined in the Lighting Handbook: Reference and Application (Illuminating Engineering Society of North America (IESNA), 10<sup>th</sup> Edition to serve the needs of swimmers, divers, lifeguards, instructors, and spectators. Although the pool lighting would meet the industry standard for safety, this upgraded lighting system would likely exceed the City of Malibu Dark Sky Ordinance.

There is a potential for the new marquee signs, pool lighting, campus lighting configuration, and new building surfaces to adversely affect nighttime views in the area and result in substantial glare. Mitigation Measures AES-1 through AES-4 would reduce potential impacts related to an increase in light and glare for the general outdoor lighting program to a level that is less than significant by requiring dimmable lights, equipping security lighting with automatic timers, requiring the use of non-reflective materials for building exteriors, etc. However, to meet the required safety standards, the new pool lighting would likely continue to exceed standards outlined in the City of Malibu Dark Sky Ordinance. Therefore, impacts regarding pool lighting would remain significant and unavoidable.

## **AIR QUALITY (EIR Section 5.2)**

### **Less than Significant Impacts**

As disclosed in the IS, the Proposed Project would not conflict with or obstruct implementation of the applicable Air Quality Attainment Plan, as the Proposed Project would not result in an increase in local/regional growth beyond that contemplated in the current South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP) and would be required to comply with existing rules, requirements, and regulations. As such, the Proposed Project would result in a less-than-significant impact on the applicable AQMP.

### Less than Significant Impacts

Following full buildout of the four phases of the Proposed Project, the operation would generate a net increase in criteria air pollutant emissions from area sources (e.g., landscaping equipment, architectural coating) and energy (i.e., natural gas used for heating and cooking). As discussed in the IS, the maximum daily operation emissions would be less than their respective South Coast AQMD regional significance threshold values. Projects that do not exceed the South Coast AQMD regional significance thresholds would not result in an incremental increase in health impacts in the SoCAB from Project-related increases in criteria air pollutants. Therefore, impacts on the regional air quality associated with the operation of the Proposed Project would be less than significant.

### Less than Significant Impacts with Mitigation

The proposed project would elevate concentrations of Toxic Air Contaminants (TACs) in the vicinity of sensitive land uses during construction activities. Construction modeling considered years 2022-2024 for Phase 1 construction activities and years 2024-2026 to represent the worst-case Phase 2 through 4 activities for the most conservative results. To account for construction from 2024 through 2031 under the program-level analysis of Phases 2 through 4, the emissions from the worst-case construction model were applied to Phases 2 and 3 as well as the two sets of activities for Phase 4. The nearest sensitive receptors to the project site are the onsite students who will be on campus during periods of construction activity and the single-family residence to the northwest on Via Cabrillo Street.

Mitigation Measure AQ-1 which requires the use of off-road construction equipment to meet the United States Environmental Protection Agency's Tier 1 emissions standards, would reduce potential impacts associated with air quality below the South Coast AQMD cancer risk threshold of 10 in a million. Therefore, the proposed project would not expose off-site nor on-site sensitive receptors to substantial concentrations of air pollutant emissions during construction and impacts would be reduced to a level that is less than significant with mitigation. Therefore, no significant unavoidable adverse impacts relating to air quality have been identified.

### Less than Significant Impacts

The type of facilities that are considered to have objectionable odors includes wastewater treatment plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. The Proposed Project does not include any of these uses. The Proposed Project uses, such as kitchen or waste management activities, could generate odors; however, these types of uses are typical of school facilities and would be subject to established SMMUSD waste

management practices, which would minimize and control odors. Furthermore, construction activities could also generate odors from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities. However, these odors would be temporary and confined to the immediate vicinity of the construction equipment. They are not expected to affect a substantial number of people. Therefore, impacts related to objectionable operational and construction-related odors would be less than significant.

## **BIOLOGICAL RESOURCES (EIR SECTION 5.3)**

### *Less than Significant Impacts with Mitigation*

One special status reptile has the potential to occur in the project impact area, the San Diegan tiger whiptail. Project implementation would result in the loss of 0.31 acre of potentially suitable habitat types (e.g., California sagebrush scrub, coyote brush – California sagebrush scrub/upland mustards, and riparian herb) for this species. This 0.31 acre would support very small numbers of individuals and the loss is considered very small due to the fragmented and degraded nature of this habitat. These impacts would be considered adverse but not substantial enough to cause regional populations to drop below self-sustaining numbers. Therefore, these impacts are considered less than significant, and no mitigation would be required.

A burrowing owl was incidentally observed to be wintering on the project site in the north-central portion of the site (outside of the project impact area). A potentially suitable burrowing owl habitat occurs in Phase 3, Parking Lot F. Implementation of Phase 3 may directly impact 0.17 of an acre because no other potentially suitable habitat for the burrowing owl exists in the area. Phases 2 and 4 may indirectly impact the burrowing owl if present in an adjacent potentially suitable habitat. Any impacts on burrowing owl would be considered potentially significant. Implementation of Mitigation Measure, BIO-1, which requires adherence to the CDFW Burrowing Owl Mitigation Guidelines, would reduce potential impacts to less than significant. Common raptor species including owls have the potential to nest on the project site. Should an active raptor nest be found on the project site, the loss of an active nest would be considered a violation of the California Fish and Game Code. The loss of any active bird or raptor nest would be considered a potentially significant impact. Implementation of Mitigation Measure BIO-2 requiring nesting bird surveys and protection would reduce this impact to a less than significant level.

The western mastiff bat has the potential to occur in the Biological Site Assessment (BSA) for foraging. There is no suitable roosting habitat in the BSA. Construction activities would only occur during daylight hours; therefore, nocturnal foraging would continue to be available over the project impact area.

throughout construction and would remain unchanged following completion of the proposed project. There are no impacts on western mastiff bats that would occur with project implementation and mitigation would not be required.

As discussed in the EIR, noise levels in the Survey Area would be expected to increase over present levels during the phased construction and operation of the proposed project. During construction and operation, temporary noise impacts have the potential to disrupt foraging, nesting, roosting, and/or denning activities for wildlife species occurring within or adjacent to Project Work Areas. Although final use may slightly increase noise over ambient, it would be less than construction. Wildlife species stressed by noise may disperse from the habitat located near the proposed project. Because the proposed project disturbance areas are limited in extent, this impact is considered adverse but less than significant and no mitigation would be required. However, if raptor species are nesting in the vicinity of the proposed project during construction, they may be temporarily displaced by construction noise. Indirect noise impacts on these species would be considered significant because nesting birds are protected by the California Fish and Game Code. Impacts on active nests would be reduced to a less than significant level with the implementation of Mitigation Measure BIO-2 requiring nesting bird surveys and protection.

#### *Less than Significant Impacts with Mitigation*

Approximately 0.04 acre of California sagebrush scrub would be impacted by the proposed project in Phase 2. California sagebrush scrub may be considered locally sensitive due to its ability to support the Federally Threatened coastal California gnatcatcher (*Polioptila californica californica*). However, the 0.04 acre of California sagebrush scrub in the survey area is isolated and limited in extent rendering it unsuitable to support breeding or foraging gnatcatchers. In addition, the coastal California gnatcatcher does not occur within the vicinity of the BSA and is not expected to occur in the BSA. Therefore, impacts to 0.04 acre of this vegetation type are considered adverse but less than significant and no mitigation would be required.

Approximately 0.24 acre of coyote brush – California sagebrush scrub/upland mustards would be impacted by project implementation in Phase 2. This is a small, isolated patch of degraded scrub habitat with relatively low biological value due to: (1) the low cover of native species and high cover of noxious weeds which are not preferred by wildlife; and (2) distance from healthy native habitat that would support a suite of native wildlife species. Impacts to 0.24 acre of this vegetation type are considered adverse but less than significant and no mitigation would be required.

Approximately 0.03 acre of riparian herb habitat would be impacted by the implementation of the proposed project in Phase 4. Impacts on this vegetation type would be considered adverse but relatively minor because of the isolated

nature, extremely limited extent, and the species composition is considered relatively common in the project region. Therefore, impacts on this vegetation type are considered less than significant, and no mitigation would be required.

Approximately 0.29 acre of California sycamore – coast live oak planting would be impacted by project implementation in Phase 2. This vegetation type is intended to be ornamental and therefore, offers much lower biological value than a naturally occurring woodland with mature trees and a healthy understory. Therefore, impacts on this vegetation type are considered less than significant, and no mitigation would be required.

The special status vegetation type that occurs in the BSA, arroyo willow thicket, would not be impacted during project implementation, therefore mitigation would not be required. Impacts on special status vegetation types would be considered potentially significant. Vegetation types in the BSA may change over time. To ensure no special status vegetation types are impacted during the proposed project, Mitigation Measure BIO-3 is included which requires future assessments of vegetation types to ensure conditions remain the same. If impacts to special status vegetation types are anticipated, Mitigation Measure, BIO-4, which requires habitat restoration, would be implemented to ensure impacts are reduced to less than significant.

Phases 1 and 4 of the proposed project include the restoration of the degraded 0.7 acre of drainage and 1.35 acres of upland areas within the ESHA's 50-foot buffer which does not warrant mitigation for any significant impact on a biological resource. Therefore, impacts on the ESHA would be less than significant.

#### *Less than Significant Impacts with Mitigation*

As discussed in the EIR, the proposed project would impact a total of 0.033 acre of waters under the jurisdiction of the Regional Water Quality Control Board (RWQCB). Phase 4 of the proposed project would impact a total of 0.033 acre of waters under the jurisdiction of CDFW. No other Phase of the project impacts jurisdictional features. Jurisdictional resources are protected by Sections 401 and 404 of the Clean Water Act (CWA) and by the California Fish and Game Code (Sections 1600 through 1616). Impacts on jurisdictional resources would be significant and would require permits from each of the resource agencies. Implementation of Mitigation Measure BIO-5, which requires the creation of non-wetland jurisdictional waters, the acquisition of a streambed alteration agreement from CDFW, and/or a discharge permit from the RWQCB, and approval of a mitigation plan by the resource agencies and the City of Malibu, would reduce this impact to less than significant.

### Less than Significant Impacts

The Project Site does not represent an area of important regional movement. The existing structures and paved parking lots, adjacent Pacific Coast Highway, and surrounding residential streets and structures present a barrier to movement for wildlife moving through the area. Wildlife looking to move through the foothills would likely utilize canyons in the open space north of the Project Site. Proposed Project activities would not impact these open space areas. Construction activities would create dust and noise within and adjacent to the impact area. During active construction, wildlife movement may be deterred by noise and human activity; however, most wildlife movement would occur at night while construction activities would occur during the day. Should any temporary fencing be needed during construction, it would be wildlife permeable as required by the LCP. The adjacent canyons would continue to be available for movement; thus, regional wildlife movement would not be disrupted, and impacts on regional wildlife movement would be considered less than significant and no mitigation would be required. Moreover, construction impacts on local wildlife movement would be considered adverse, but less than significant, and no mitigation would be required.

### Less than Significant Impacts with Mitigation

The EIR identified protected tree species that may occur within proximity of the proposed project. Impacts on protected trees may be potentially significant. Implementation of Mitigation Measure BIO-6, which requires the creation of a tree survey map before the commencement of each phase of construction, would reduce any potentially significant impacts to less than significant.

### Less than Significant Impacts with Mitigation

The EIR identified protected tree species that may occur within proximity of the proposed project. Impacts on protected trees may be potentially significant. Implementation of Mitigation Measure BIO-6, which requires the creation of a tree survey map before the commencement of each phase of construction, would reduce any potentially significant impacts to less than significant.

## **CULTURAL RESOURCES (EIR SECTION 5.4)**

### Less than Significant Impacts

The EIR identified historic-period buildings located within both MMHS and former JCES Campuses. After these buildings were evaluated, both as individual resources and as a historic complex, the EIR concluded that, due to lack of associated significance, none of the historic buildings and structures within the Project Site are recommended as eligible for listing at the local, state, or national level and are not considered historically significant. Accordingly, impacts on historic resources as a result of the implementation of the Proposed Project,

including demolition and removal of structures are considered less than significant.

*Less than Significant Impact with Mitigation*

A discussion of cultural resources is included in the EIR because project construction activities could disturb previously unidentified archaeological resources. Mitigation measure (CUL-1) has been included which mitigates potential impacts on cultural resources to less than significant.

**ENERGY (EIR SECTION 5.5)**

*Less than Significant Impacts*

While the Proposed Project would generate new electricity demand on-site, it would be required to comply with the current Building Energy-Efficiency Standards and CALGreen. In addition, the new buildings to be constructed would be more energy-efficient than the existing school buildings' energy to be replaced. Furthermore, the proposed and existing photovoltaic (PV) systems would further reduce electricity consumption on the Project Site. Therefore, the Proposed Project would not result in wasteful or unnecessary electricity demands and would result in a less than significant impact related to electricity.

**GEOLOGY/SOILS (SECTION 5.6)**

*Less than Significant Impacts with Mitigation*

Adherence to the recommendations of the Geotechnical Investigation Report prepared for the proposed project to meet Title 24 of the California Code of Regulations (CCR), Title 15 of the City of Malibu's Municipal Code, which adopts Title 26 (Building Code) of Los Angeles County Code, and the seismic safety provisions of the most current requirements of the California Building Code (CBC) and the State Architect would ensure that the proposed project would have a less than significant impact regarding adverse effects of faulting, strong seismic ground shaking, seismic-related ground failure, and landslides.

Adherence to the National Pollutant Discharge Elimination System (NPDES) permit requirements and preparation of the Storm Water Pollution Prevention Plan (SWPPP) prepared for the proposed project, which satisfies the requirements of LIP Section 8.3(J), as well as adherence to the erosion control standards of the most current CBC, would ensure that the proposed project would have a less than significant impact associated with soil erosion and loss of topsoil.

Compliance with all applicable building codes and regulations including the City of Malibu Building Code, the Los Angeles County Building Code, the CBC, and

the RWQCB would result in less than significant impacts associated with soil erosion or loss of topsoil.

*Less than Significant Impacts with Mitigation*

The EIR identified the potential for the proposed project to be constructed on a geologic unit or soil that is unstable or one that would become unstable as a result of the proposed project, and would potentially result in on- or off-site lateral spreading, subsidence, or collapse. Additionally, the proposed project would be located on a site underlain by highly expansive soils.

Compliance with all applicable building codes and regulations including the City of Malibu Building Code, the Los Angeles County Building Code, and the CBC, and implementation of GEO-1 would mitigate potential project impacts associated with the exposure of people or structures to hazards associated with unstable soils to a less than significant level.

The proposed project includes the removal of six existing onsite wastewater treatment systems (OWTSs) and the installation of five OWTSs. The new systems could be located on soils that are not adequate to support septic systems. However, the proposed project would comply with the 2019 CBC and requirements in the site-specific Geotechnical Investigation. Thus, soil conditions at the project site could adequately support the proposed septic tanks. Therefore, impacts would be less than significant.

*Less than Significant Impacts with Mitigation*

The EIR discussed how the construction of the proposed project would involve ground-disturbing activities in an area of paleontological sensitivity and that impacts are considered potentially significant. However, with the implementation of Mitigation Measure CUL-1, which requires a Qualified Paleontologist to conduct sensitivity training in advance of ground-disturbing activities for each phase and to be retained and available during a ground disturbance, impacts would be less than significant.

**GREENHOUSE GAS EMISSIONS (EIR SECTION 5.7)**

*Less than Significant Impacts*

The EIR concluded that since the Proposed Project does not increase student capacity, staffing, and other community-related uses on the campus the Proposed Project would not result in an increase in emissions from mobile sources, solid waste generation, water use, or wastewater generation. In addition, because older buildings would be replaced and the Proposed Project would include energy saving features such as a PV system, the overall water use, wastewater and solid waste generation, and energy use would be further reduced. The analysis of greenhouse gas (GHG) emissions from energy use and

area sources would not exceed the thresholds established by the South Coast Air Quality Management District (AQMD). Therefore, the Proposed Project's cumulative contribution to GHG emissions would be less than significant

#### Less than Significant Impacts

Applicable plans adopted to reduce GHG emissions include the California Air Resources Board's (CARB's) Scoping Plan and the Southern California Association of Government's (SCAG's) Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS). The Proposed Project would provide new facilities for the existing and future students of MMHS and would serve the local population within the nearby surrounding communities. Therefore, the Proposed Project would not generate an increase in vehicle miles traveled (VMT). Therefore, the Proposed Project would not interfere with SCAG's ability to implement the regional strategies to reduce emissions and impacts would be less than significant.

### **HAZARDS/HAZARDOUS MATERIALS (EIR SECTION 5.8)**

#### Less than Significant Impacts

Construction of the Proposed Project would likely involve the use of some hazardous materials, such as vehicle fuels, lubricants, greases, and transmission fluids in construction equipment, and paints and coatings in building construction. The use, storage, transport, and disposal of hazardous materials by school staff would be required to comply with existing regulations of several agencies, including the Occupational Safety and Health Administration, Los Angeles Regional Water Quality Control Board, and the Los Angeles County Department of Public Works.

The Proposed Project would continue to operate in the same manner as current conditions as a school. However, no routine transport, use, or disposal of hazardous materials currently occurs on-site, and no new or expanded handling of hazardous materials would result from Project implementation. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during the construction of each phase of the Proposed Project would be less than significant.

#### Less than Significant Impacts

The site has been investigated under the oversight of the Department of Toxic Substances Control (DTSC) for use as a school, and a 0.66-acre area was identified as being acceptable for use as a school but not for residential. A land-use covenant is in effect for the 0.66-acre area near the former underground storage tank (UST) that is annually inspected by the District and approved by the DTSC. No significant hazard to the public or the environment would occur. Therefore, impacts related to being located on a listed hazardous materials site

compiled under Government Code Section 65962.5 would be less than significant.

*Less than Significant Impacts with Mitigation*

Construction activities may occur during the school year, and therefore all construction staging areas and access locations must be well identified so that access for pick-up/drop-off as well as emergency responders are maintained. The Proposed Project would implement Mitigation Measure T-1 to ensure that access is sufficiently maintained during construction activities. Implementation of this measure would result in less than significant impacts regarding emergency access and response during construction.

The Proposed Project would not substantially change the access configurations, and the Proposed Project would not result in more trips or a change in traffic patterns. The access and configurations of the parking lots would not worsen traffic conditions or emergency access in the study area. Therefore, a full buildout of all phases of the Proposed Project would not affect the implementation of an emergency responder or evacuation plan, and impacts would be less than significant.

*Less than Significant Impacts*

The Project Site is in a Very High Fire Hazard Severity Zone in a local response area. The Proposed Project would be required to comply with current CBC standards, CFC standards, Title 5 regulations, and local fire code requirements, including fire protection features. These features include fuel modification requirements for landscape and highly ignition-resistant buildings to minimize the likelihood of exposing students, visitors, staff, and structures to a significant risk related to wildfires. With the implementation of fire protection building and design features and compliance with existing current standards, regulations, and code requirements, the Proposed Project would not result in a significant risk of loss, injury, or death involving wildland fires, and impacts would be less than significant.

**HYDROLOGY/WATER QUALITY (EIR SECTION 5.9)**

*Less than Significant Impacts*

As discussed in EIR Section 5-8 (Hazards and Hazardous Materials), the construction of the Proposed Project would not create a significant hazard through the transport, use, or disposal of hazardous materials during construction. No significant hazardous materials are being used or stored that would be removed during construction. Earthwork activities during construction may cause erosion and generate sediment that can enter waterways. However, before construction of each phase of the Proposed Project, the District would be required to prepare and implement site-specific BMPs consistent with its

Construction General NPDES Permit, Construction SWPPP, and MMC Section 13.04.100, which are in place to control sediment and pollution from entering waterways. Additionally, each phase of the Proposed Project would be required to adhere to MMC Sections 13.04.050 and 13.04.120, which require compliance with the Federal Clean Water Act and Municipal NPDES Permit. Groundwater is not anticipated to be encountered. While not anticipated, if dewatering during construction is needed, the Proposed Project would also be required to obtain a general permit for construction dewatering issued by the RWQCB. The construction of the Proposed Project therefore would not violate water quality standards or waste discharge requirements and would not otherwise substantially degrade water quality and a less than significant impact would occur.

### *Less than Significant Impacts*

Following the full buildout of the Project, water demands would not change from current conditions as operational characteristics (enrollment, staffing, fire needs) would be the same as the current operation. The Proposed Project does not receive its potable water needs from groundwater resources and would not substantially increase water demand. Therefore, the operation of the Proposed Project would not substantially decrease groundwater supplies.

The MMHS and JCES campuses are largely developed with limited pervious surfaces. The Project Site is underlain by low permeability clay soil. Therefore, limited amounts of rainwater currently percolate into the groundwater on-site. Existing stormwater on the Project Site currently flows southward towards a network of storm drain systems and catch basins that outlet through the curb face to the adjacent Morning View Drive and the existing ESHA. The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions. However, the minor increase in impervious surfaces would not interfere substantially with groundwater recharge. Similar to existing conditions, the stormwater generated under the Proposed Project would be directed to on-site stormwater infrastructure and be discharged to Morning View Drive and the ESHA.

Additionally, the likelihood of encountering groundwater during construction such that dewatering is necessary is low, since groundwater was not encountered during the maximum depth drilled. As such, the Proposed Project would not interfere substantially with groundwater recharge. Therefore, the Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge during operation or construction, and a less than significant impact would occur.

Less than Significant Impacts

Soils in the Project Site could experience erosion during construction of each phase due to natural processes, such as wind and rain, or by earthwork activities, such as grading and excavation. Before the construction of each phase of the Proposed Project, the District would be required to prepare and implement site-specific BMPs consistent with its Construction General NPDES Permit, Construction SWPPP, and MMC Section 13.04.100, which are in place to control sediment and pollution from entering waterways. Additionally, each phase of the Proposed Project would be required to adhere to MMC Sections 13.04.050 and 13.04.120, which require compliance with the Federal Clean Water Act and Municipal NPDES Permit.

Less than Significant Impacts

Implementation of the proposed stormwater infrastructure, ESHA restoration (e.g., the erosion prevention and bank stability improvements), and compliance with federal, state, and local regulations would ensure that the Proposed Project would not result in substantial erosion or siltation on or off-site. A less than significant impact related to substantial erosion or siltation would occur during the operation of the Proposed Project.

Less than Significant Impacts

The Proposed Project would include a new stormwater system that would retain, infiltrate, and treat stormwater on the Project Site. Similar to existing conditions, the Proposed Project would continue to drain stormwater to the ESHA and storm water infrastructure on Morning View Drive. Project design features, such as stormwater pipe sizing and stormwater treatment capacities, and restoration of the ESHA, including permeable surface material within the ESHA's 100-foot buffer, would ensure that the Proposed Project does not substantially increase the rate or amount of surface runoff in a manner that leads to on- or off-site flooding. The Proposed Project would also require compliance with all local, state, and federal regulations regulating stormwater runoff. Pursuant to MMC Section 13.04.120, the Proposed Project would be designed to control runoff volume and would be required to implement a water quality mitigation plan (WQMP) that retains stormwater runoff on-site. The Proposed Project would implement a WQMP and a SWPPP during construction and operation consistent with state and local regulations, including the County's NPDES permit, that would include the installation of BMPs.

Each phase of the Proposed Project would be required to meet the standards and requirements for stormwater retention, treatment, and discharge. The Proposed Project would not result in flooding on or off-site. A less than significant impact related to flooding on- or off-site would occur.

Less than Significant Impacts with Mitigation

Implementation of the WQMP prepared for the Proposed Project and implementation of mitigation measure MM4.7-1 would ensure that the proposed septic system upgrades would not violate or exceed the LARWQCB's anticipated WDR for the MMHS site and reduce this impact to a less-than-significant level.

**LAND USE/PLANNING (EIR SECTION 5.10)**

Less than Significant Impacts

The Proposed Project would involve upgrading and enhancing an existing middle school and high school campus, and would therefore not divide an established community, as the MMHS campus is an existing part of the established community. The Proposed Project would not conflict with any applicable habitat conservation plan or natural community conservation plan. According no impact would occur related to the division of an established community or conflict with the applicable conservation plan. As disclosed in Section 5.10 (Land Use/Planning) of the EIR, the Proposed Project is consistent with the City of Malibu's General Plan, MMC, LCP, and LIP. As such, the Proposed Project's impact on land use regulations would be considered less than significant.

**NOISE (EIR SECTION 5.11)**

**Significant and Unavoidable (Construction Noise Impacts on Sensitive Receptors)**

Two types of short-term noise impacts could occur during each of the four phases of construction: (1) mobile source noise from the transport of workers, material deliveries, and debris and soil haul, and (2) stationary-source noise from the use of construction equipment. Existing uses surrounding the Project Site would be exposed to construction noise. Since construction activities during all phases have the potential to occur within 100 feet of the nearest receptor property line and exceed the threshold of 80 dBA Leq, this impact would be considered potentially significant. Implementation of Mitigation Measure No. N-1, which requires use of the best noise control techniques during construction, would reduce construction equipment-related noise impacts to off-site sensitive receptors. However, due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than proposed Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction; the use of temporary noise barriers would not be as effective in reducing construction noise.

Students would remain on campus during all phases of construction, and there is potential for construction activities during school hours. Accordingly, construction noise could potentially exceed the interior standard of 50 dBA when within 150 feet of an active classroom. Therefore, this impact is considered potentially

significant. Implementation of Mitigation Measure No. N-1 would reduce construction equipment-related noise impacts to on-site sensitive receptors to a level of less than significant.

The Proposed Project includes the relocation of the bus barn from its current location on campus to a District-owned location on the Malibu Equestrian Center. Operational characteristics would be the same as the existing bus barn. Bus testing begins at 6:00 am during school days. Startup testing includes momentary testing of horns and blinkers. Three buses would be in operation on a daily basis, with limited weekend operation. Buses depart the facility at 6:45 am and continuously use the facility until approximately 6:00 pm. Any maintenance, refueling, and washing activities happen at an off-site location, as under current conditions.

The EIR discussed analysis of noise associated with bus testing—including horn, idling, back-up beeps, and air brake discharge—resulted in a noise level of 64 dBA at a distance of 30 feet. The nearest residential property lines to the proposed bus barn are approximately 30 feet to the south and west. Without mitigation, the relocation of the bus barn would exceed the nighttime noise standard of 40 dBA Leq for rural residential receiving uses and would be considered potentially significant. Implementation of Mitigation Measure No. N-2, which requires bus testing to occur inside the bus barn, would reduce this impact to a level of less than significant.

#### *Less than Significant Impacts with Mitigation*

Construction of the Proposed Project would generate noise levels higher than the established exterior noise limits for the city at both on-site and off-site sensitive receptor locations. However, construction noise can exceed those noise limits so long as it occurs between the hours of 7:00 AM and 7:00 PM on weekdays and between the hours of 8:00 AM and 5:00 PM on Saturday, according to M.M.C. Section 8.24.050. Further, construction-related noise is intermittent in nature and would not generate continuous noise levels above the Municipal Code standards.

Operational noise levels would not exceed the City's exterior standards and the Proposed Project's operations would not result in a perceptible change in the noise environment as compared to existing conditions. Construction of the Proposed Project would result in increased groundborne vibration associated with construction activities.

#### *Less than Significant Impacts*

The EIR discussed the potential for vibration impacts associated with development projects are usually related to the use of heavy construction equipment during the demolition and grading phases of construction. Construction can generate varying degrees of ground vibration, depending on the

construction procedures and equipment. The effect on buildings in the vicinity varies depending on soil type, ground strata, and receptor-building construction. The EIR concluded that the potential for vibration impacts does not exceed the threshold established by Federal Transit Authority. Moreover, there are no sources of substantial groundborne vibration associated with the project, such as rail or subways. The proposed project would not create or cause any vibration impacts due to construction or operations.

## **PUBLIC SERVICES (EIR SECTION 5.12)**

### *Less than Significant Impacts*

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus and would not introduce new uses to the Project Site. According to the LACFD's Planning Division, the fire service needs in the City of Malibu are currently being met, and there are no plans for additional resources, personnel, and equipment in the Project Area. Additionally, though new development projects may create greater demands on existing resources, the Proposed Project would have a negligible effect on service standards. Therefore, operation of the Proposed Project would not increase the requirement for fire protection facilities and personnel, would not adversely affect the LACFD's ability to provide adequate service, and would not require new or expanded police facilities that could result in adverse environmental impacts. Operational impacts of the Proposed Project would be less than significant.

Although the Proposed Project would be open to community use in addition to the student population, which could pose the need for additional resources, the LASD could meet the increased needs with the existing resources and personnel. Implementation of the Proposed Project would comply with all applicable building codes and safety standards of Malibu, Los Angeles County, and the State of California. Therefore, the Proposed Project would not adversely affect the LASD's ability to provide adequate service and would not require new or expanded police facilities that could result in adverse environmental impacts. Impacts would be less than significant.

## **RECREATION (EIR SECTION 5.13)**

### *Less than Significant Impacts*

As the Proposed Project would not increase enrollment capacity, and would therefore not induce population growth, implementation of the Proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities, and no impact would occur.

## **TRANSPORTATION AND TRAFFIC (EIR SECTION 5.14)**

### **Less than Significant Impacts**

The Proposed Project would result in the modernization and redevelopment of the existing campus. It would not result in an increase in student capacity or staffing levels in the school and would therefore not result in an increase of vehicle trips following Proposed Project buildout. In addition, the Proposed Project would not modify site access locations and traffic patterns in the surrounding area that would potentially result in an increase in the average trip lengths. The Proposed Project would expand the existing trail network in the area for public access and thereby increase multimodal use of the area.

The Proposed Project is confined to the Project Site and would not construct or modify the surrounding circulation network, including roads transit, bicycle, and pedestrian facilities. Therefore, the Proposed Project would not conflict with any regulations set forth by the City of Malibu's General Plan and/or LCP. Moreover, the Proposed Project would not conflict with a program, plan, ordinance, or policy regarding public transit, roadway, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Impacts would be considered less than significant.

### **Less than Significant Impacts**

On December 28, 2018, the California Natural Resources Agency adopted revised CEQA Guidelines, one of which was the removal of vehicle delay and level of service (LOS) from consideration under CEQA and required transportation impacts to instead be evaluated based on a project's effect on vehicle miles traveled (VMT).

Construction of the Proposed Project would require the mobilization of workers, vendors, equipment, and haul trucks to and from the Project Site, which would generate a temporary increase in traffic and may cause delays on roadways adjacent to the Project Site. Construction traffic is anticipated to travel to and from the Project Site via Morning View Drive and PCH, and could occur during the regular school calendar year, as well as during summer months, when school is not in session. However, the increase in trips and the subsequent increase in VMT to the Project Site would be temporary and vary with the level of effort necessitated by each phase of construction. Thus, increases to VMT during construction activities would be considered negligible and construction-related VMT impacts would be considered less than significant.

The Proposed Project would not increase the student or employment population at MMHS, and the attendance boundaries of the school would not change; the Proposed Project would not result in more vehicle trips to and from the school during operation of the Proposed Project when compared to existing conditions.

In addition, the Proposed Project would not modify primary site access locations and traffic patterns—which could potentially result in an increase in the average trip lengths. Because total VMT is a function of the total number of trips multiplied by the average trip lengths, the Proposed Project would not result in a VMT increase. Therefore, impacts related to VMT associated with full buildout of the Proposed Project would be considered less than significant.

#### *Less than Significant Impacts with Mitigation*

Construction of Phase 1 would include the demolition of the existing JCES campus, and construction of Building C and Parking Lots C and D. The existing Parking Lots A and B would be available for student dropoff and pick-up during the construction of Phase 1; however, since the existing JCES parking lot would be demolished, vehicles that use the curbside drop-off area on Morning View Drive adjacent to the school campus would not be able to make a U-turn to head south on Morning View Drive. Drop-off on Morning View Drive would be prohibited, as there are few opportunities to make U-turns southbound on PCH. Additionally, the intersection of Guernsey Avenue at PCH is not signalized and cannot accommodate high traffic volumes on the Guernsey Avenue approach. These changes to circulation could result in increased congestion during pick-up/drop-off times, which result in potentially hazardous conditions and conflicting uses with active school and construction, and therefore potentially significant impacts. Mitigation Measures T-1 and T-2, which require the approval by the City Public Works Department, would be implemented during Phase 1 construction activities.

During Phases 2 through 4, the newly constructed drop-off and pick-up areas in Parking Lots C and D would be available, and the school would continue to use Parking Lot B and the new Parking Lots D and E that would be implemented in Phase 1 of the Proposed Project. Nevertheless, given the likelihood that construction activities would occur during active school periods, impacts related to hazardous circulation conditions would be potentially significant. Mitigation measures T-1 and T-3, which limits potential lane closure along Morning View Drive to summer months, would be implemented during Phases 2 through 4.

The Proposed Project would include a pedestrian trail system that would connect to a larger system of existing trails around the Equestrian Park and surrounding hills. Pedestrian access to the campus would remain along Morning View Drive with access at the new drop-off area, and Clover Heights Avenue, with access to the athletic fields. Access to the parking areas on the western portion of the Project Site would be further west and away from the student drop-off area on Morning View Drive. Because of the relocation of the proposed access driveways, the existing location of the crosswalks on Morning View Drive would need to be relocated. Without relocation of existing crosswalks, crossing guards, and related pedestrian safety signage in conjunction with the proposed driveways

to provide vehicular access to parking areas and drop-off areas, potentially significant impacts related to hazardous conditions could occur. Implementation of Mitigation Measure T-4, which requires SMMUSD to coordinate with the City Public Works Department to relocate crosswalks, crossings guards, and sitr access signs, would be required to ensure relocated facilities sufficiently address pedestrian safety needs. Mitigation Measures T-1 through T-4 would reduce potential impacts associated with construction-related circulation, hazards, and safety issues to a level that is less than significant.

## **UTILITIES/SERVICE SYSTEMS (EIR SECTION 5.15)**

### **Less than Significant Impacts**

Following full buildout of the Proposed Project, the school would operate under the same staffing and enrollment capacity as under current conditions. Larger off-site improvements to connecting facilities would not be necessary. Additionally, the new structures would be developed with modernized building materials and fixtures meeting current code requirements, resulting in a more efficient use of utilities. Impacts associated with the replacement of the existing on-site wastewater treatment systems (the 10 septic systems) are addressed in Section 5.6, Geology and Soils, (specifically Impact 5.6-4). Impacts associated with stormwater drainage are discussed in Section 5.9, Hydrology and Water Quality (specifically Impact 5.9-4). Therefore, the Proposed Project would result in less than significant impacts regarding the relocation or construction of new or expanded utilities.

The Proposed Project would be designed using applicable green building practices, including those of the most current Building Energy Efficiency Standards (Title 24, CCR, Part 6) and California Green Building Standards Code (CALGreen; Title 24, CCR, Part 11). The Building Energy Efficiency Standards contain water efficiency requirements for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Therefore, the Project Site would have sufficient water supplies available to serve the students, staff, and MMHS campus and reasonably foreseeable future development during normal, dry, and multiple-dry years; and impacts to available water supplies would be less than significant.

Decommissioning and modifications of the existing septic systems and the addition of the replacement infrastructure would not be anticipated to disrupt service on the Project Site. Modifications to the wastewater and drainage system would have the capacity to adequately serve the Project Site during all phases of the Proposed Project, and Project-generated wastewater would be adequately treated. Therefore, impacts would be less than significant.

## **WILDFIRE (EIR SECTION 5.16)**

### *Less than Significant Impacts with Mitigation*

The Project Site is in a Very High Fire Hazard Severity Zone (VHFHSZ) with a high likelihood of exposure to wildland fire and secondary effects of wildland fires. Project construction activities could result in exacerbated fire risks due to sparks, dry vegetation, and weather, particularly in areas where construction activities are in proximity to surrounding open space areas (i.e., Phases 1, 2, and 4). Given the high potential for wildland fires and associated risks in the project area, construction-related impacts are considered potentially significant. Mitigation Measure W-1, which requires approval of a Construction Fire Protection Plan by LACFD, would ensure fire prevention requirements are in place during all phases of construction activities. Therefore, impacts would be less than significant.

### *Less than Significant Impacts*

The consolidated campus design, improved vehicular and pedestrian circulation, use of modern building materials, installation of fuel modification zones, and increased setbacks from the ESHA would collectively minimize the likelihood of exacerbating wildfires. Therefore, off-site wildfire spread potential across the Project Site would be decreased due to a lack of continuous fuels. This robust fire protection system would provide protection from on-site fire spreading to off-site vegetation, and accidental fires within the landscape or structures on the Project Site would have limited ability to spread. Due to these design features, the Project Site is considered a safe site, shelter-in-place site, and point of refuge designed to support the community should it be determined safer than an evacuation. Overall, the Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus and would not introduce new uses to the Project Site that would exacerbate wildfire risks. Impacts related to exacerbating wildfire risks due to slope, prevailing winds, and other factors during project operations would be less than significant.

### *Less than Significant Impacts*

Construction of new off-site roads to access the Project Site would not be required. Through the redesign of the campus, the Proposed Project would construct new internal roads on-site that would facilitate emergency access throughout all areas of the Project Site under applicable emergency access code requirements. The Proposed Project would not require the installation of new power lines or other off-site utilities, including infrastructure for emergency/fire water lines. The proposed domestic and fire water lines would connect to the existing 12-inch public water main on Morning View Drive, and water would be supplied by the Los Angeles County Waterworks District No. 29. Compliance with all applicable laws, regulations and design standards would minimize the potential impacts to the public or environment due to the installation or

maintenance of associated infrastructure that may exacerbate fire risk. Impacts would be less than significant.

*Less than Significant Impacts with Mitigation*

Slope creep is a related phenomenon where the soils on and adjacent to fill and natural soil slopes loosen with time and incrementally move downslope due to gravity. A contributing factor at the Project Site is the presence of expansive soil, which expands and shrinks during wetting and drying cycles. The expanding and shrinking of the soil could cause a ratcheting effect, where soil and relatively light surface improvements, such as concrete slabs, tend to move laterally toward the unconfined slope face during expansion and downward during periods of shrinkage. This would result in a gradual downward and lateral movement of the surficial soils (and surficial improvements). This slope creep could result in slope instability, and impacts would be potentially significant. The Proposed Project would be required to conform to the recommendations in the preliminary geotechnical evaluation and final geotechnical report for the design and construction of proposed slopes and would be monitored during construction as required by Mitigation Measure GEO-1.

\* Refer to EIR Chapter 11, Mitigation Monitoring and Reporting Program (MMRP) for details on the implementation of proposed mitigation measures.

05/09/22

Rebecca Evans

Planning Dept. ■

**From:** Dominick Guillemot <[REDACTED].com>  
**Sent:** Monday, May 9, 2022 4:16 PM  
**To:** Dominick Guillemot; Planning Commission; Rebecca Evans; Patricia Salazar; Richard Mollica; Bruce Silverstein  
**Cc:** [REDACTED].com; [REDACTED].com; [REDACTED].com; John Mazza; \*Dominick Guillemot; Judith Guillemot  
**Subject:** Re: Clover Heights avenue parking proposal...  
**Attachments:** LETTER TO CITY OF MALIBU RE- PARKING ON CLOVER HEIGHTS - MAY 2022 - DG .pdf

Hello again,

Attached is a copy of the email below in letter form so that it can more easily be filed with the city.

Thank you again Planning Commission for taking the time to consider my point of view.

Dominick Guillemot

Dominick Guillemot [www.dominickphoto.com](http://www.dominickphoto.com) dg@dominickphoto.com [REDACTED].com 310.576.3033 w [REDACTED]

On May 8, 2022, at 5:38 PM, Dominick Guillemot <[REDACTED].com> wrote:

Hello all,

I understand that everyone is trying to do their best for the community but this proposal for a parking lot on Clover Heights a cul de sac street is the wrong idea, and will only harm the community and those who use it.

We have been living on Clover Heights Avenue for almost 20 years and love the tranquil nature of the neighborhood. At night, the owls are hooting, the coyotes paroling and during the day the hawks are hunting. Also during the day we see people walking their dogs, their horses, and or their babies in strollers. Everyday there are families going for a walk on our street, teaching their children to ride a bike. They are here because Clover Heights is a safe street with a limited number of cars. Clover Heights is a cul de sac street, and everyone here knows this is a safe and quiet street.

The very essence of Clover Heights is one of tranquility, safety and nature. In these modern times, there are very few streets where children can safely ride their bikes or mothers can walk their children.

I am aware you are considering creating a few handicap spots along Clover Heights to accommodate for those needs during the sporting events etc. This is a wonderful concept, however, creating an additional parking lot would have a highly negative impact on the wildlife and the security of our street.

For example, I was personally hit and hospitalized by a teenager driving a Range Rover at the corner of Harvester and Clover Heights. The addition of numerous cars and drivers on Clover Heights (a cul de sac street) is absolutely not a good idea. There are too many unknowns and unsafe conditions that this very narrow cul de sac street presents. Clover Heights is a neighborhood street that is more of a walking street than a driving street.

Additionally, of course adding a parking lot with lights would have a truly sad effect on the wildlife and the dark sky. I was seeing an hawk flying/hunting above the land in question literally less than an hour ago. If the school district must do something with this land, why not turn it into a teaching garden, where students and teachers could learn about growing food? Because long term, a teaching garden for our young people would certainly be more beneficial for all concerned. It is important for all of us, in these critical times to dare to think long term with a conscious vision for healthy outcomes.

So, as a long time Malibu resident of over 40 years, I am absolutely against the possibility of a parking lot on Clover Heights Ave. for the tranquility, the dark skies, the wildlife, but most importantly, for the safety of all who use the street.

Thank you for taking the time to consider my point of view.

Respectfully yours.

Dominick Guillemot

██████████.com  
310.576.3033 tel  
██████████ mobile

DOMINICK GUILLEMOT  
[REDACTED] Clover Heights Ave.  
Malibu, CA 90265  
310. [REDACTED]  
[dg@dominickphoto.com](mailto:dg@dominickphoto.com)

May 6, 2022

Re: Parking lot proposal on Clover Heights Ave.

To Whom It May Concern

I understand that everyone is trying to do their best for the community but this proposal for a parking lot on Clover Heights a cul de sac street is the wrong idea, and will only harm the community and those who use it.

We have been living on Clover Heights Avenue for almost 20 years and love the tranquil nature of the neighborhood. At night, the owls are hooting, the coyotes paroling and during the day the hawks are hunting. Also daily we see people going for walks, some with their dogs, their horses, and their babies in strollers. There are also families walking along the street teaching their children to ride their bikes and their scooters. They are here because Clover Heights is a safe street with a limited number of cars. Clover Heights is a cul de sac street, and everyone here knows this is a safe and quiet street. The very essence of Clover Heights is one of tranquility, safety and nature. In these modern times, there are very few streets where children can safely ride their bikes or mothers can walk their children.

I am aware you are considering creating a few handicap spots along Clover Heights to accommodate for those needs during the sporting events etc. This is a wonderful concept, however, creating an additional parking lot would have a highly negative impact on the wildlife and the security of our street.

For example, I was personally hit and hospitalized by a teenager driving a Range Rover at the corner of Harvester and Clover Heights. The addition of numerous cars and drivers on Clover Heights is absolutely not a good idea. There are too many unknowns and unsafe conditions that this very narrow cul de sac street presents. Clover Heights is a neighborhood street that is more of a walking street than a driving street.

Additionally, of course adding a parking lot with lights would have a truly sad effect on the wildlife and the dark sky. I was seeing an hawk flying/hunting above the land in question literally less than an hour ago. If the school district must do something with this land, why not turn it into a teaching garden, where students and teachers could learn about growing food? Because long term, a teaching garden for our young people would certainly be more beneficial for all concerned. It is important for all of us, in these critical times to dare to think long term with a conscious vision for healthy outcomes.

So, as a long time Malibu resident of over 40 years, I am absolutely against the possibility of a parking lot on Clover Heights Ave. for the tranquility, the dark skies, the wildlife, but most importantly, for the safety of all who use the street.

Thank you for taking the time to consider my point of view.

Respectfully yours,  
Dominick Guillemot

Received

05/24/22

Planning Dept.

**Rebecca Evans**

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**From:** Jeannie Salven [REDACTED].com>  
**Sent:** Tuesday, May 24, 2022 9:20 AM  
**To:** Rebecca Evans  
**Subject:** Parking lot on Clover Heights

This would destroy our Malibu Park neighborhood. Many people walk and ride horses and with cars coming in and out way too dangerous. Please do not consider this!

Sent from my iPhone

**From:** [linda.gould](#)  
**To:** [Rebecca.Evans](#)  
**Subject:** School Parking project  
**Date:** Monday, May 23, 2022 1:09:05 PM

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Received  
05/23/22  
Planning Dept.

While I am in favor of the new school building, I do not approve a parking lot on Clover Heights. There are many families that walk with children in strollers, pets and the blind curves on the roadway both driving up Busch, Harvester and Clover Heights poses great risk. Clover Heights is a residential street used to access horse trails. Dark skies should be respected.

Sent from my iPhone

## Rebecca Evans

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**From:** Robert Brinkmann [REDACTED].com>  
**Sent:** Thursday, May 5, 2022 10:34 AM  
**To:** John Mazza  
**Cc:** Richard Mollica; Terry Lucoff; Patricia Salazar; Rebecca Evans; [REDACTED].com; Bruce Silverstein; [REDACTED].com  
**Subject:** Re: Clover Heights Blue Line Stream

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi John et al,

My property at [REDACTED] Filaree Heights is adjacent to the school property you are discussing (I've been copied by Terry on these emails), and I would just like to add that I personally witnessed the tilling of the entire piece of land. I guess the school intended to get rid of brush (?), but they used a heave piece of machinery with a very large till attached and basically tore everything up and dug it under. In the process a large part of the stream bed was filled in (the tractor just criss crossed over it) and everything there was damaged or destroyed. If it is an environmentally sensitive area, the contractor the school hired clearly didn't care one bit.

I look forward to commenting in opposition to the parking lot during the meeting on the 31st and urge you to vote against a parking lot as well.

Thank you,

Robert Brinkmann

On May 5, 2022, at 10:22, John Mazza <[res02igz@gte.net](mailto:res02igz@gte.net)> wrote:

No, These comments were submitted by someone else and sent to me. Apparently they were from 2020 and submitted to you today. I reported them to Rebecca as comments on a pending hearing as required. I merely noted that unless they are in color they are meaningless since the ESHA designations are not shown without color.

-----Original Message-----

From: Richard Mollica <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)>  
To: [REDACTED]; Patricia Salazar <[psalazar@malibucity.org](mailto:psalazar@malibucity.org)>; Rebecca Evans <[revans@malibucity.org](mailto:revans@malibucity.org)>; John Mazza <[Res02igz@gte.net](mailto:Res02igz@gte.net)>; [REDACTED].com <[REDACTED].com>; Bruce Silverstein <[bsilverstein@malibucity.org](mailto:bsilverstein@malibucity.org)>  
Cc: [REDACTED].com>; [REDACTED].com <[REDACTED].com>  
Sent: Thu, May 5, 2022 10:18 am  
Subject: RE: Clover Heights Blue Line Stream

Hi Terry,

It was noticed that the maps in the correspondence you submitted today were in black and white, would you like to resubmit them in color? If needed we can send you the maps as a PDF in color.

Let us know,

Richard

Richard Mollica, AICP  
Planning Director  
City of Malibu  
310-456-2489 Ext. 346

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From: [REDACTED].com>  
Sent: Thursday, May 5, 2022 9:39 AM  
To: Richard Mollica <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)>; Patricia Salazar <[psalazar@malibucity.org](mailto:psalazar@malibucity.org)>; Rebecca Evans <[revans@malibucity.org](mailto:revans@malibucity.org)>; John Mazza <[Res02igz@gte.net](mailto:Res02igz@gte.net)>; [REDACTED].com; Bruce Silverstein <[bsilverstein@malibucity.org](mailto:bsilverstein@malibucity.org)>  
Cc: [REDACTED].com; [REDACTED].com  
Subject: Clover Heights Blue Line Stream

Hi Patricia

Can you add this to the package for the Planning Commissioners meeting on May 31, 2022 that shows the Clover Heights Blue Line Stream and escha area

I have previously sent pictures of the Districts disregard for the blue line stream and esch area and their actions to eliminate its existence from any proposed plan

**BEST REGARDS**  
**TERRY LUCOFF**

-----Original Message-----  
From: [REDACTED].com  
To: [REDACTED].com  
Sent: Thu, May 5, 2022 9:41 am  
Subject: Message from [REDACTED]

05/05/22

Planning Dept.

**Rebecca Evans**

---

**From:** Robert Brinkmann <[REDACTED].com>  
**Sent:** Thursday, May 5, 2022 11:53 AM  
**To:** Richard Mollica  
**Cc:** John Mazza; Terry Lucoff; Patricia Salazar; Rebecca Evans; [REDACTED].com; Bruce Silverstein; [REDACTED].com; Raneika Brooks; Steve McClary; Douglas Cleavenger  
**Subject:** Re: Clover Heights Blue Line Stream

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Raneika & Doug,

I'm sorry to say that I don't have an exact date, but I have photos from before (April 2nd) and after (April 19th) the field was tilled, so it must have occurred between those two dates. As I mentioned before, it was a large heavy tractor and a very big tiller with which the entire area was ripped up and dug under, much like you would expect on an agricultural field (though even there these kind of methods are going out of style, because they are destructive).

Anyway, since there is no bridge across the stream and the field is tilled under on both sides of it, it is obvious that the machine drove across is multiple times, which is also evidenced by the fact that the stream is largely filled in at this point.

I'm sorry that I don't have any more information, but I hope that Terry or other neighbors can fill in the gaps.

Thank you very much for your attention to this matter.

Best,

Robert

On May 5, 2022, at 11:40, Richard Mollica <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)> wrote:

Good Morning Robert,

I am including Raneika who is the project planner and Doug our Code Enforcement Manager in on this. Could you please provide us with details of when that occurred? We will follow up on this to see if there is a violation.

Thank You,

Richard

**Richard Mollica / Planning Director / City of Malibu**  
23825 Stuart Ranch Road, Malibu CA, 90265  
Phone: 310.456.2489 ext. 346  
Fax: 310.456.7650

Connect with the City of Malibu!

<image001.png> <image002.jpg> <image003.png>

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From: Robert Brinkmann [REDACTED].com>

Sent: Thursday, May 5, 2022 10:34 AM

To: John Mazza <Res02igz@gte.net>

Cc: Richard Mollica <rmollica@malibucity.org>; Terry Lucoff [REDACTED].com>; Patricia Salazar <psalazar@malibucity.org>; Rebecca Evans <revans@malibucity.org>; [REDACTED].com>; Bruce Silverstein <bsilverstein@malibucity.org>; [REDACTED].com

Subject: Re: Clover Heights Blue Line Stream

Hi John et al,

My property at [REDACTED] Filaree Heights is adjacent to the school property you are discussing (I've been copied by Terry on these emails), and I would just like to add that I personally witnessed the tilling of the entire piece of land. I guess the school intended to get rid of brush (?), but they used a heave piece of machinery with a very large till attached and basically tore everything up and dug it under. In the process a large part of the stream bed was filled in (the tractor just criss crossed over it) and everything there was damaged or destroyed. If it is an environmentally sensitive area, the contractor the school hired clearly didn't care one bit.

I look forward to commenting in opposition to the parking lot during the meeting on the 31st and urge you to vote against a parking lot as well.

Thank you,

Robert Brinkmann

On May 5, 2022, at 10:22, John Mazza <res02igz@gte.net> wrote:

No, These comments were submitted by someone else and sent to me. Apparently they were from 2020 and submitted to you today. I reported them to Rebecca as comments on a pending hearing as required. I merely noted that unless they are in color they are meaningless since the ESHA designations are not shown without color.

-----Original Message-----

From: Richard Mollica <rmollica@malibucity.org>

To: [REDACTED].com <[REDACTED].com>; Patricia Salazar

<psalazar@malibucity.org>; Rebecca Evans <revans@malibucity.org>; John Mazza

<Res02igz@gte.net>; [REDACTED].com <[REDACTED].com>; Bruce

Silverstein <bsilverstein@malibucity.org>

Cc: [REDACTED].com <[REDACTED].com>; [REDACTED].com <[REDACTED].com>

Sent: Thu, May 5, 2022 10:18 am

Subject: RE: Clover Heights Blue Line Stream

Hi Terry,

It was noticed that the maps in the correspondence you submitted today were in black and white, would you like to resubmit them in color? If needed we can send you the maps as a PDF in color.

Let us know,

Richard

Richard Mollica, AICP  
Planning Director  
City of Malibu  
310-456-2489 Ext. 346

---

From: [REDACTED].com <[REDACTED].com>  
Sent: Thursday, May 5, 2022 9:39 AM  
To: Richard Mollica <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)>; Patricia Salazar <[psalazar@malibucity.org](mailto:psalazar@malibucity.org)>; Rebecca Evans <[revans@malibucity.org](mailto:revans@malibucity.org)>; John Mazza <[Res02igz@gte.net](mailto:Res02igz@gte.net)>; [REDACTED].com; Bruce Silverstein <[bsilverstein@malibucity.org](mailto:bsilverstein@malibucity.org)>  
Cc: [REDACTED].com; [REDACTED].com  
Subject: Clover Heights Blue Line Stream

Hi Patricia

Can you add this to the package for the Planning Commissioners meeting on May 31, 2022 that shows the Clover Heights Blue Line Stream and escha area

I have previously sent pictures of the Districts disregard for the blue line stream and esch area and their actions to eliminate its existence from any proposed plan

BEST REGARDS  
TERRY LUCOFF

-----Original Message-----

From: [REDACTED]@Coldwellbanker.com  
To: [REDACTED].com  
Sent: Thu, May 5, 2022 9:41 am  
Subject: Message from [REDACTED]

Received  
05/03/22  
Planning Dept.

From: [REDACTED]  
Sent: Monday, May 2, 2022 7:49 PM  
To: Patricia Salazar <psalazar@malibucity.org>; [REDACTED].com; Raneika Brooks <rbrooks@malibucity.org>; res02igz@verizon.net; steve.uhring@gmail.com; Mikke Pierson <mpierson@malibucity.org>  
Cc: Richard Mollica <rmollica@malibucity.org>; cfoster@smmusd.org; [REDACTED].com; [REDACTED].com; Bruce Silverstein <bsilverstein@malibucity.org>  
Subject: Hearings regarding Malibu School Improvement District

Dear Pat Salazar and Malibu Planning Commissioners

I do not have all the commissioners e mails-----

Santa Monica School District roto tills over blue line stream and esch area to eliminate the blue line stream.

The school will come in front of the city and say there is nothing going on there but i invite you to come out and look at what the school district has done to prepare to put in their parking lot off clover heights

There has been no traffic study of the dangerous turns on lower Busch. and Harvester between Busch and Clover Heights.

Trees grow over the road, there are no sidewalks and people have horses.

Please do not think the danger of a parking lot behind the high school is not a safety issue for the residents. The increased traffic will require the City to provide the residents with Side Walks, clearly marked Center lines on the roads and better traffic control when people attempt to park there and have to turn around because there are only a limited amount of spots

Adding Bathrooms walkways and lighting will eliminate dark skies in Malibu Park forever.

Please say no to this aspect of the school enhancement project

BEST REGARDS  
TERRY LUCOFF

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 05/03/22 Time 7:30 AM  
Planning Commission meeting of 05/31/22  
Agenda Item No. 1A  
Total No. of Pages 5









Received  
05/03/22  
Planning Dept.

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**From:** [REDACTED].com <[REDACTED].com>

**Sent:** Tuesday, May 3, 2022 2:20 PM

**To:** Richard Mollica <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)>; John Mazza <[Res02igz@gte.net](mailto:Res02igz@gte.net)>; Patricia Salazar <[psalazar@malibucity.org](mailto:psalazar@malibucity.org)>; [REDACTED].com; Mikke Pierson <[mpierson@malibucity.org](mailto:mpierson@malibucity.org)>; [REDACTED].com; [REDACTED].com

**Subject:** In reference to proposed School District parking lot off Clover Heights pictures of Malibu Park Roadway

Hi Richard

Can you please add this to the Commissioners package for the May 31st Planning Commission Meeting

The school is proposing a parking lot off Clover Heights Although it may have limited parking or the gates locked people will be traveling thru Malibu Park at a high rate of speed or in the evenings with no sidewalks.

Malibu Park residents walk their dogs, ride their horses or their kids walk to school down Clover Heights and climb the school fence since it is locked because they cannot provide any security at the back of the school.

Activities take place on the upper field that the school has never monitored

These photos are examples of a poor intersection at Busch and Merritt Workers parking on the side of the road. dangerous downward curves at Harvester between Busch and Clover Heights

And a high rate of speed going downhill at Busch Drive

The parking lot will destroy the rural nature and community atmosphere by adding increased traffic without sidewalks and secure riding trails in Malibu Park if the School is allowed to keep this new parking lot in their plans

The parking lot on Clover Heights is accompanied by lighting that will eliminate dark skies forever in Malibu Park

Just Tell the School no

I ask that the commissioners please remove the request for parking lot from their approvals

They also are already planning a Bus Terminal on Merrit Drive and that should also be removed from their plans







6260



SPEED  
LIMIT  
25

YOU  
ARE  
FAST



Received

05/04/22

Rebecca Evans

---

Planning Dept.

**From:** [REDACTED].com  
**Sent:** Wednesday, May 4, 2022 3:12 PM  
**To:** Rebecca Evans; John Mazza; [REDACTED].com; Mikke Pierson; [REDACTED].com; Patricia Salazar  
**Cc:** Raneika Brooks  
**Subject:** Re: In reference to proposed School District parking lot off Clover Heights pictures of Malibu Park Roadway

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

please be aware that several months ago 50 petitions from the neighbor opposing the parking lot and lights and bathroom were sent to ms. brooks at the city of malibu and those letters and petitions need to be included in the planning package

every one of these letters was from someone living on clover heights, harvester or busch. these are letters from real local residents

if they are not available let me know and I will resent everything

BEST REGARDS

TERRY LUCOFF

Senior Estates Director  
Coldwell Banker Realty  
Malibu California

310 [REDACTED] field contact  
Dept of Real Estate #01112504

-----Original Message-----

From: Rebecca Evans <revans@malibucity.org>

To: John Mazza <Res02jgz@gte.net>

Cc: [REDACTED].com <[REDACTED].com>

Sent: Wed, May 4, 2022 3:06 pm

Subject: RE: In reference to proposed School District parking lot off Clover Heights pictures of Malibu Park Roadway

Thank you Commissioner Mazza. I am in receipt (forwarded yesterday by Patricia) and am adding to Raneika's project folder for her special meeting staff report.

Kind regards,

Rebecca Evans | Administrative Assistant | Planning Department  
23825 Stuart Ranch Road, Malibu CA, 90265  
(310) 456-2489 extension 246

---

**From:** John Mazza <res02igz@gte.net>  
**Sent:** Wednesday, May 4, 2022 12:00 PM  
**To:** Rebecca Evans <revans@malibucity.org>  
**Cc:** [REDACTED].com  
**Subject:** Fwd: In reference to proposed School District parking lot off Clover Heights pictures of Malibu Park Roadway

I received this today. Please put it in the record for the school meeting

John Mazza

-----Original Message-----

**From:** [REDACTED].com  
**To:** [rmollica@malibucity.org](mailto:rmollica@malibucity.org) <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)>; [res02igz@gte.net](mailto:res02igz@gte.net) <[res02igz@gte.net](mailto:res02igz@gte.net)>; [psalazar@malibucity.org](mailto:psalazar@malibucity.org) <[psalazar@malibucity.org](mailto:psalazar@malibucity.org)>; [REDACTED].com <[REDACTED].com>; [mpierson@malibucity.org](mailto:mpierson@malibucity.org) <[mpierson@malibucity.org](mailto:mpierson@malibucity.org)>; [REDACTED].com <[REDACTED].com>; [REDACTED].com <[REDACTED].com>; [REDACTED].com <[REDACTED].com>; [REDACTED].com <[REDACTED].com>; [REDACTED].com <[REDACTED].com>  
**Sent:** Tue, May 3, 2022 2:19 pm  
**Subject:** In reference to proposed School District parking lot off Clover Heights pictures of Malibu Park Roadway

Hi Richard

Can you please add this to the Commissioners package for the May 31st Planning Commission Meeting

The school is proposing a parking lot off Clover Heights Although it may have limited parking or the gates locked people will be traveling thru Malibu Park at a high rate of speed or in the evenings with no sidewalks.

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The parking lot on Clover Heights is accompanied by lighting that will eliminate dark skies forever in Malibu Park

Just Tell the School no

I ask that the commissioners please remove the request for parking lot from

their approvals

They also are already planning a Bus Terminal on Merrit Drive and that should also be removed from their plans

Received

05/05/22

Planning Dept. —

**Rebecca Evans**

---

**From:** [REDACTED].com  
**Sent:** Thursday, May 5, 2022 9:39 AM  
**To:** Richard Mollica; Patricia Salazar; Rebecca Evans; John Mazza; [REDACTED].com; Bruce Silverstein  
**Cc:** [REDACTED].com; [REDACTED].com  
**Subject:** Clover Heights Blue Line Stream  
**Attachments:** SCAS0820122050509410.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Patricia

Can you add this to the package for the Planning Commissioners meeting on May 31, 2022 that shows the Clover Heights Blue Line Stream and escha area

I have previously sent pictures of the Districts disregard for the blue line stream and esch area and their actions to eliminate its existence from any proposed plan

**BEST REGARDS**  
**TERRY LUCOFF**

-----Original Message-----

**From:** CBMalibuWest@Coldwellbanker.com  
**To:** malibure@aol.com  
**Sent:** Thu, May 5, 2022 9:41 am  
**Subject:** Message from [REDACTED]

From: res02igz@gte.net,

To: [REDACTED]@cupton@smmusd.org, p.miller@smmusd.org,

Cc: cfoster@smmusd.org, navila-zamudio@smmusd.org, smassetti@smmusd.org, [REDACTED]  
[REDACTED]@kfarer@malibucity.org, mpierson@malibucity.org, res02igz@verizon.net,  
[REDACTED].com, rmollica@malibucity.org, rmullen@malibucity.org,  
rbrooks@Malibucity.org,

Subject: Re: Opposition to Proposed Malibu High parking lot at Clover Heights

Date: Mon, Oct 5, 2020 11:32 am

The blue line stream on the SMMUSD land (which is protected in the Local Coastal Plan Plan) is depicted on LIP ESHA map #2 below

<https://www.coastal.ca.gov/ventura/malibu-maps-8mm2.pdf>

John Mazza

-----Original Message-----

From: malibure@aol.com

To: cupton@smmusd.org <cupton@smmusd.org>; p.miller@smmusd.org <p.miller@smmusd.org>

Cc: cfoster@smmusd.org <cfoster@smmusd.org>; navila-zamudio@smmusd.org <navila-zamudio@smmusd.org>; smassetti@smmusd.org <smassetti@smmusd.org>; [REDACTED].com <[REDACTED].com>;

[REDACTED].net <[REDACTED].net>; [REDACTED].com <[REDACTED].com>; kfarrer@malibucity.org

<kfarrer@malibucity.org>; mpierson@malibucity.org <mpierson@malibucity.org>; res02igz@verizon.net

<res02igz@verizon.net>; [REDACTED].com <[REDACTED].com>; [REDACTED].com

[REDACTED].com>; rmollica@malibucity.org <rmollica@malibucity.org>; rmullen@malibucity.org

<rmullen@malibucity.org>; rbrooks@Malibucity.org <rbrooks@Malibucity.org>

Sent: Mon, Oct 5, 2020 9:26 am

Subject: Re: Opposition to Proposed Malibu High parking lot at Clover Heights

Mr. Upton

Your research is so much appreciated

I am happy you are working on alternatives to the parking lot off Clover Heights

i believe the document about the area behind the school was in 1995? but not sure. I had it at one time but lost it in the fire. it said the school was responsible for planting native wildflowers on the property and maintaining the property as a native habitat. It sited that the School had graded the blue line stream and diverted the stream to the back of the softball field.

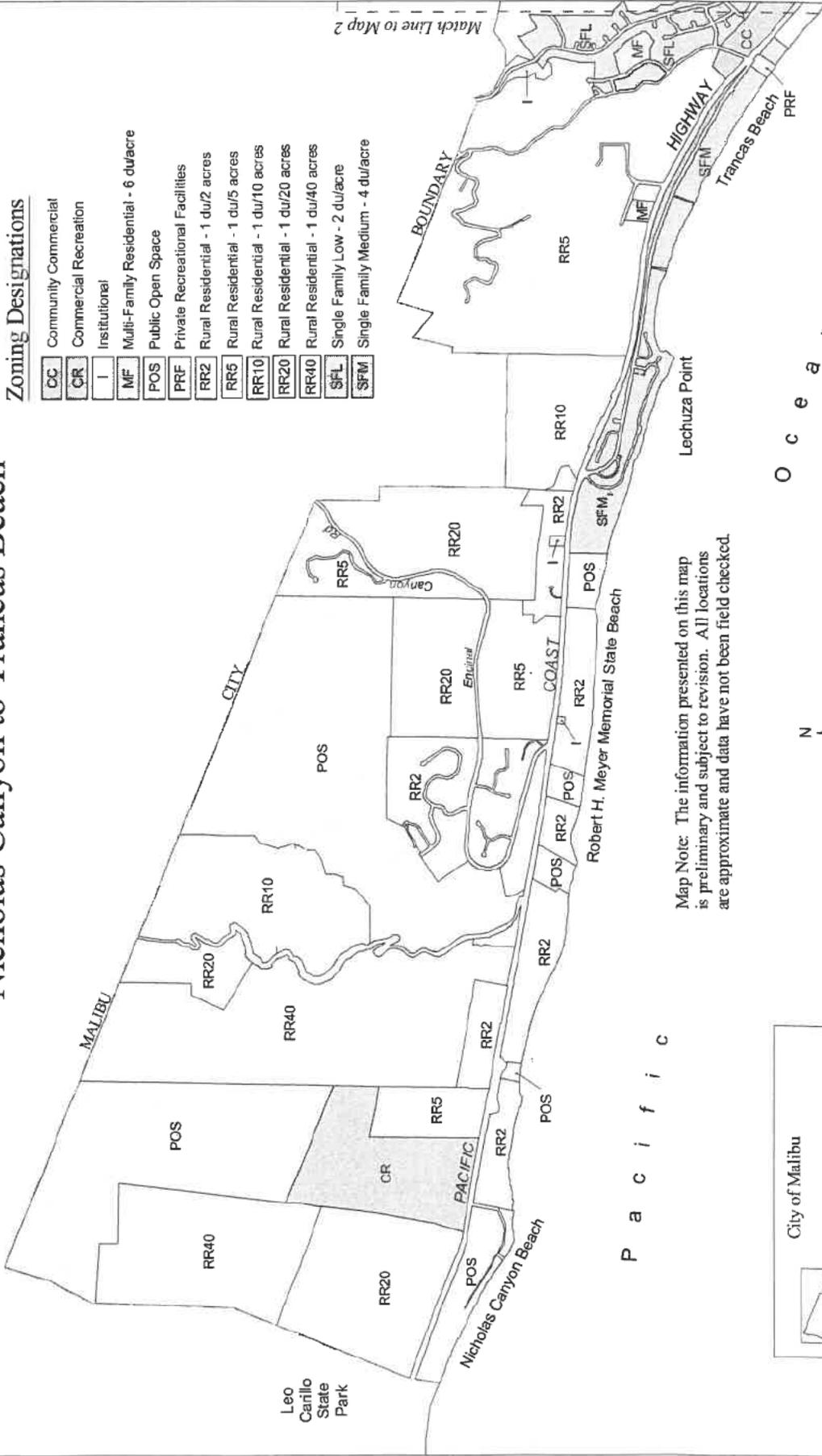
As you know the site was used as a dump site by the Santa Monica School District in the 1970s under the direction of Wally Berryman

The blue line stream should be well documented with the city of Malibu or on maps that have that kind documentation. I know when I built setbacks from the blue line stream were required

As you also are aware every property owner on Clover Heights has written the School District and has the letters on file with the City opposing the parking lots and any lighted walkways. The fact that lighted walkways are in the plan shows that additional traffic with the current proposal would be brought to the unlighted narrow Malibu streets in the evenings causing an added danger to all drivers and Malibu Park residents.

The neighbors look forward to working with the School to allow 2 to 3 handicapped parking spaces on the street or some other alternative. The danger of extra traffic on the narrow unlighted streets without sidewalks of Malibu Park by young drivers is

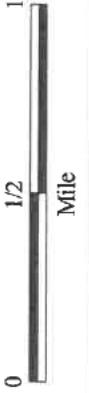
# Local Coastal Program - City of Malibu Zoning Map 1: Nicholas Canyon to Trancas Beach



## Zoning Designations

CC	Community Commercial
CR	Commercial Recreation
I	Institutional
MF	Multi-Family Residential - 6 du/acre
POS	Public Open Space
PRF	Private Recreational Facilities
RR2	Rural Residential - 1 du/2 acres
RR5	Rural Residential - 1 du/5 acres
RR10	Rural Residential - 1 du/10 acres
RR20	Rural Residential - 1 du/20 acres
RR40	Rural Residential - 1 du/40 acres
SFL	Single Family Low - 2 du/acre
SFM	Single Family Medium - 4 du/acre

Map Note: The information presented on this map is preliminary and subject to revision. All locations are approximate and data have not been field checked.



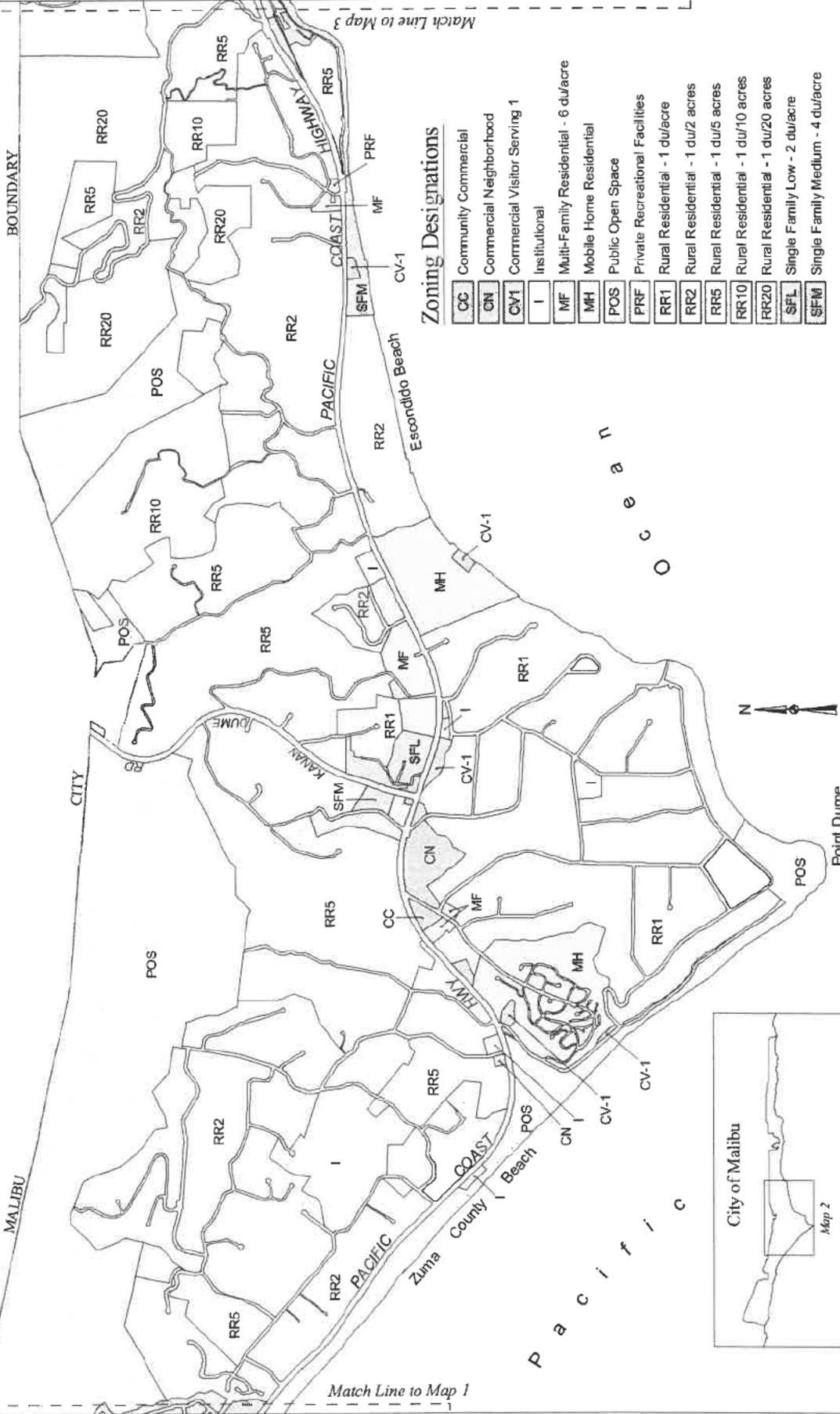
City of Malibu  
California Coastal Commission  
Technical Services Division



Sources: CCC Public Access Database, Malibu/Santa Monica Mountains Area Plan, LA County Parks and Recreation, 1983.  
CSM, Revised 8/02.

# Local Coastal Program - City of Malibu Zoning Map 2: Zuma Beach to Escondido Beach

Map Note: The information presented on this map is preliminary and subject to revision. All locations are approximate and data have not been field checked.

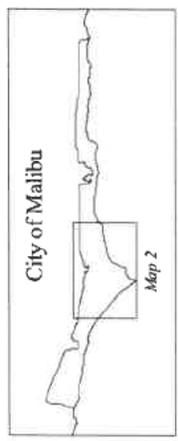


## Zoning Designations

CC	Community Commercial
CN	Commercial Neighborhood
CV1	Commercial Visitor Serving 1
I	Institutional
MF	Multi-Family Residential - 6 du/acre
MH	Mobile Home Residential
POS	Public Open Space
PRF	Private Recreational Facilities
RR1	Rural Residential - 1 du/acre
RR2	Rural Residential - 1 du/2 acres
RR5	Rural Residential - 1 du/5 acres
RR10	Rural Residential - 1 du/10 acres
RR20	Rural Residential - 1 du/20 acres
SFL	Single Family Low - 2 du/acre
SFM	Single Family Medium - 4 du/acre

Sources: CCC Public Access Database, Malibu/Santa Monica Mountains Area Plan, L.A. County Parks and Recreation, 1983.

DSM, Revised 8/02



City of Malibu  
California Coastal Commission  
Technical Services Division



Local Coastal Program - City of Malibu

# Zoning Map 3: Dan Blocker to Malibu Pier

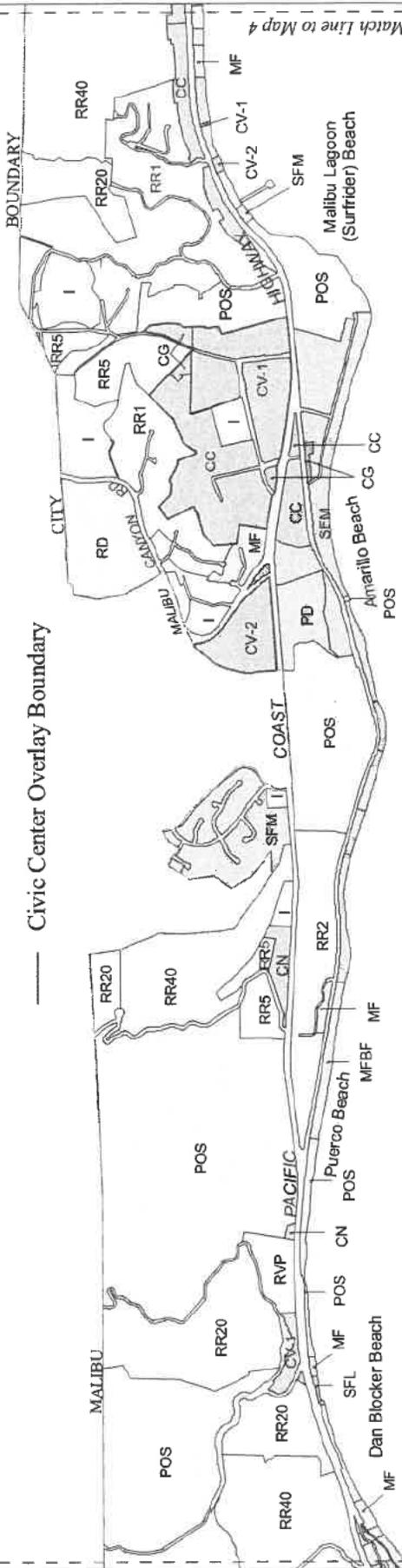
Land Use Designations

CC	Community Commercial
CG	Commercial General
CN	Commercial Neighborhood
CV1	Commercial Visitor-Serving 1
CV2	Commercial Visitor-Serving 2
I	Institutional

PD	Planned Development
MF	Multi-Family Residential - 6 du/acre
MFBF	Multi-Family Beach Front
POS	Public Open Space
RD	Industrial/R&D
RVP	Recreational Vehical Park
RR1	Rural Residential - 1 du/acre

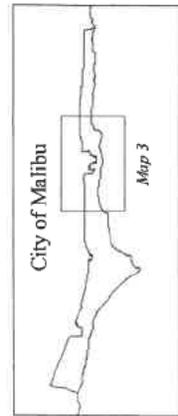
RR2	Rural Residential - 1 du/2 acres
RR5	Rural Residential - 1 du/5 acres
RR20	Rural Residential - 1 du/20 acres
RR40	Rural Residential - 1 du/40 acres
SFL	Single Family Low - 2 du/acre
SFM	Single Family Medium - 4 du/acre

— Civic Center Overlay Boundary

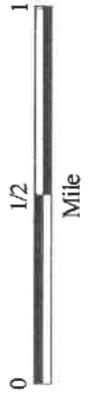


P a c i f i c

O c e a n



Map Note: The information presented on this map is preliminary and subject to revision. All locations are approximate and data have not been field checked.



California Coastal Commission  
Technical Services Division

Sources: CCC Public Access Database, Malibu/Santa Monica Mountains Area Plan, LA County Parks and Recreation, 1983.

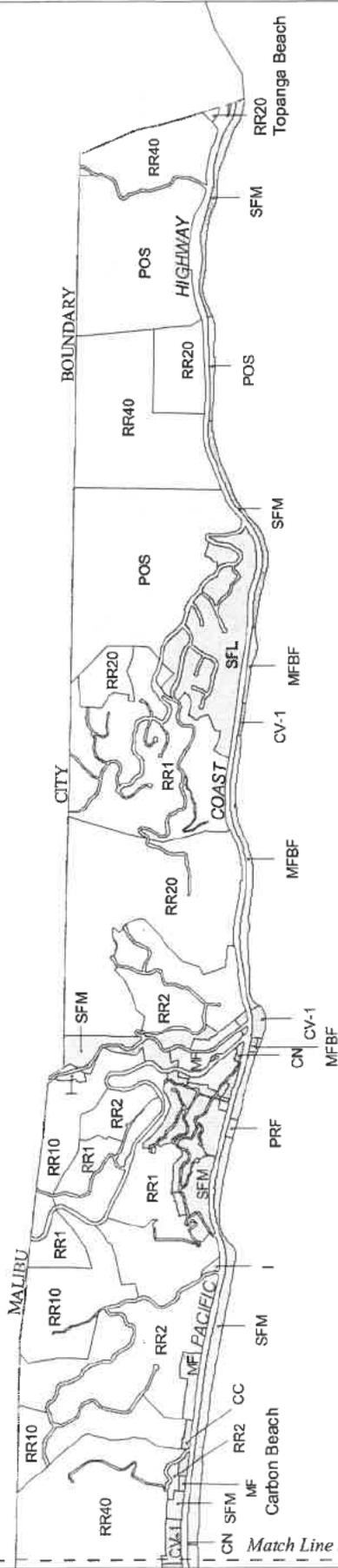
# Local Coastal Program - City of Malibu Zoning Map 4: Carbon Beach to Topanga Beach

## Zoning Designations

- CC** Community Commercial
- CN** Commercial Neighborhood
- CV1** Commercial Visitor Serving 1
- I** Institutional
- MF** Multi-Family Residential - 6 du/acre

- MFBF** Multi-Family Beach Front
- POS** Public Open Space
- PRF** Private Recreational Facilities
- RR1** Rural Residential - 1 du/acre
- RR2** Rural Residential - 1 du/2 acres
- RR5** Rural Residential - 1 du/5 acres

- RR10** Rural Residential - 1 du/10 acres
- RR20** Rural Residential - 1 du/20 acres
- RR40** Rural Residential - 1 du/40 acres
- SFL** Single Family Low - 2 du/acre
- SFM** Single Family Medium - 4 du/acre



Match Line to Map 3

P a c i f i c O c e a n

Map Note: The information presented on this map is preliminary and subject to revision. All locations are approximate and data have not been field checked.



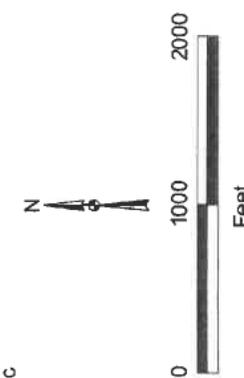
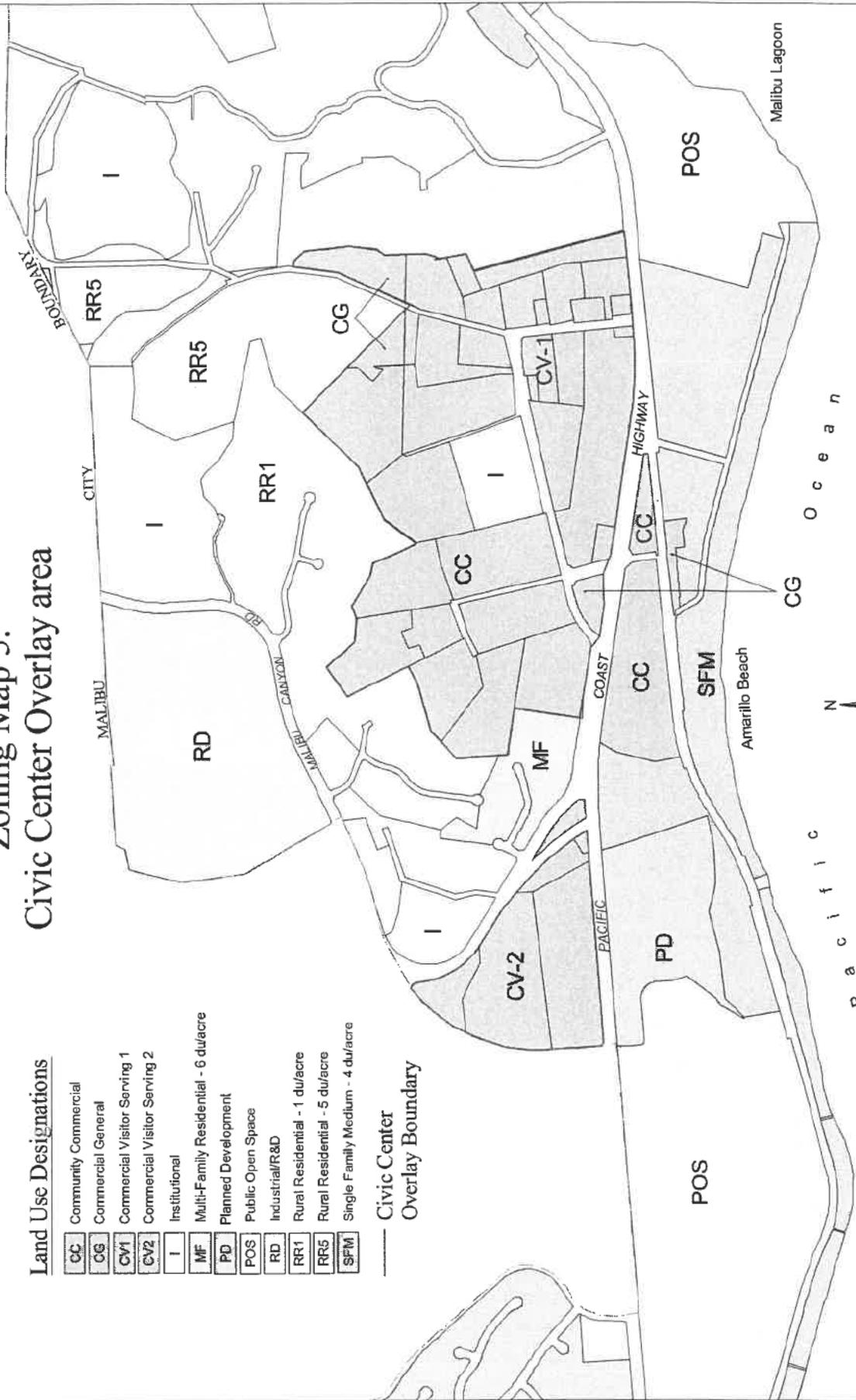
Local Coastal Program - City of Malibu

# Zoning Map 5: Civic Center Overlay area

**Land Use Designations**

<b>CC</b>	Community Commercial
<b>CG</b>	Commercial General
<b>CV1</b>	Commercial Visitor Serving 1
<b>CV2</b>	Commercial Visitor Serving 2
<b>I</b>	Institutional
<b>MF</b>	Multi-Family Residential - 6 du/acre
<b>PD</b>	Planned Development
<b>POS</b>	Public Open Space
<b>RD</b>	Industrial/R&D
<b>RR1</b>	Rural Residential - 1 du/acre
<b>RR5</b>	Rural Residential - 5 du/acre
<b>SFM</b>	Single Family Medium - 4 du/acre

**Civic Center  
Overlay Boundary**



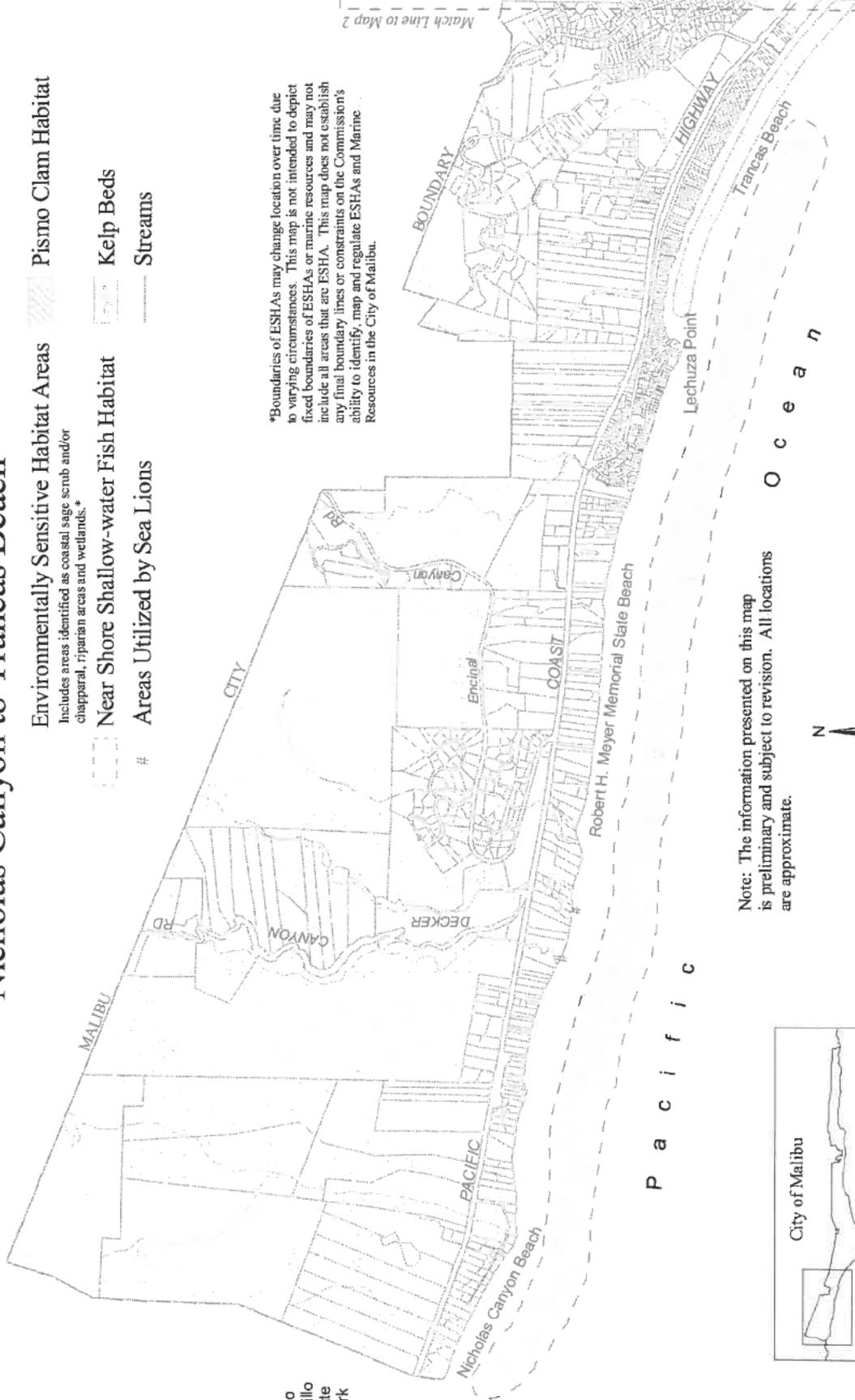
Map Note: The information presented on this map is preliminary and subject to revision. All locations are approximate and data have not been field checked.



Sources: CCC Public Access Database, Malibu/Santa Monica Mountains Area Plan, LA County Parks and Recreation, 1983.  
DSM, Revised 8/02

# ESHA Overlay Map 1: Nicholas Canyon to Trancas Beach

- Environmentally Sensitive Habitat Areas
- Includes areas identified as coastal sage scrub and/or chaparral, riparian areas and wetlands.\*
- Near Shore Shallow-water Fish Habitat
- Areas Utilized by Sea Lions
- Pismo Clam Habitat
- Kelp Beds
- Streams

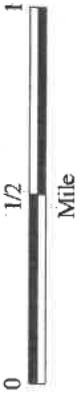


Leo  
Canillo  
State  
Park

\*Boundaries of ESHAs may change location over time due to varying circumstances. This map is not intended to depict fixed boundaries of ESHAs or marine resources and may not include all areas that are ESHA. This map does not establish any final boundary lines or constraints on the Commission's ability to identify, map and regulate ESHAs and Marine Resources in the City of Malibu.

Match Line to Map 2

Note: The information presented on this map is preliminary and subject to revision. All locations are approximate.



Sources: Malibu/Santa Monica Mountains Area Plan, Marine Resources map, LA County LCP, 1987, LA County Parks and Recreation, 1983, CCC Staff, 2001-2002. DSM, Revised 9/02

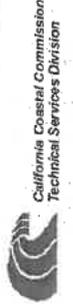
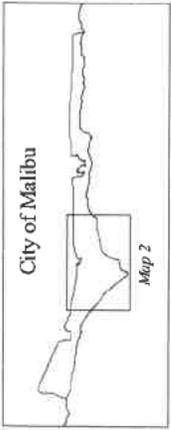


# ESHA Overlay Map 2: Zuma Beach to Escondido Beach

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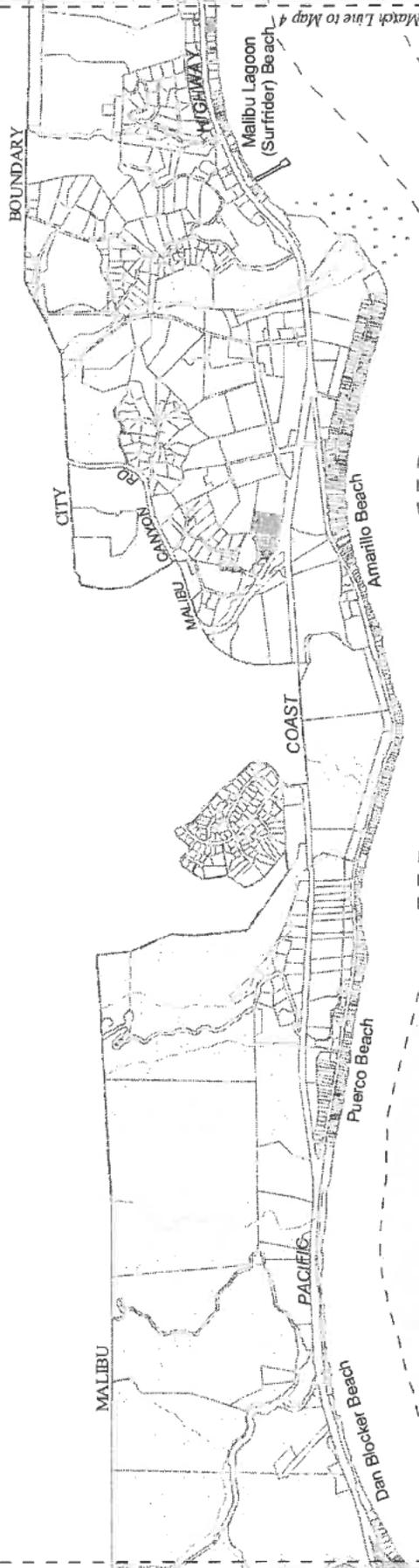
Sources: Malibu/Santa Monica Mountains Area Plan, Marine Resources map, LA County LCP, 1987, LA County Parks and Recreation, 1983, CCC Staff, 2001-2002. DSM, Revised 8/02.

# Local Coastal Program - City of Malibu ESHA Overlay Map 3: Dan Blocker to Malibu Pier

## Environmentally Sensitive Habitat Areas

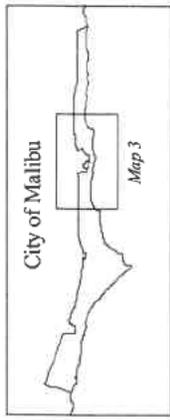
Includes areas identified as coastal sage scrub and/or  
 chaparral, riparian areas and wetlands.\*

-  Kelp Beds
-  Near Shore Shallow-water Fish Habitat
-  Streams
-  Clam Habitat



P a c i f i c

Note: The information presented on this map is preliminary and subject to revision. All locations are approximate.



\*Boundaries of ESHAs may change location over time due to varying circumstances. This map is not intended to depict fixed boundaries of ESHAs or marine resources and may not include all areas that are ESHA. This map does not establish any final boundary lines or constraints on the Commission's ability to identify, map and regulate ESHAs and Marine Resources in the City of Malibu

Sources: Malibu/Santa Monica Mountains Area Plan, Marine Resources map, LA County LCP, 1987, LA County Parks and Recreation, 1983, CCC Staff, 2001-2002.  
 DSM, Revised 8/02



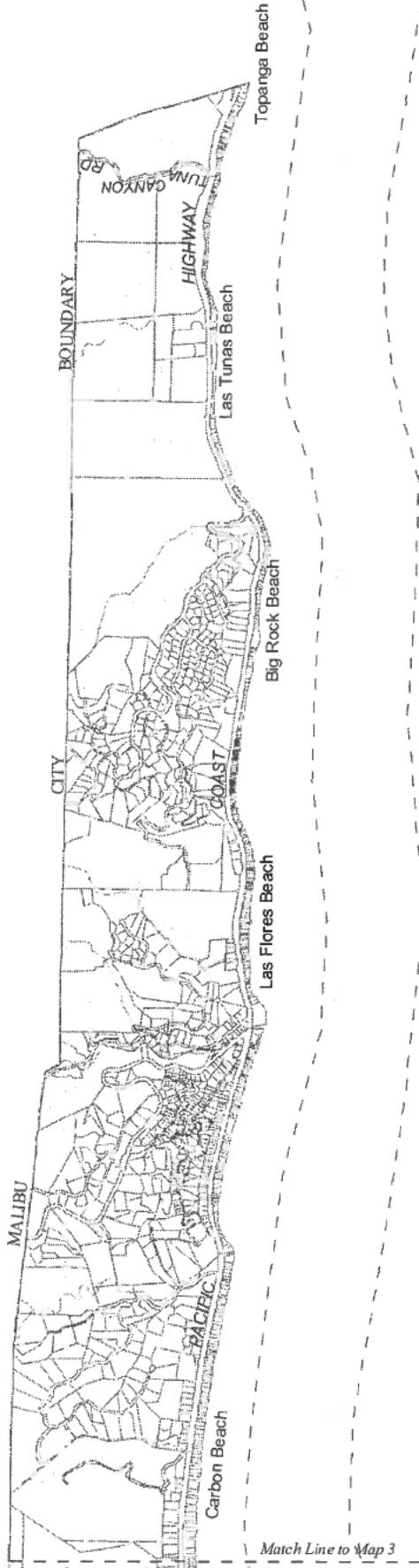
# Local Coastal Program - City of Malibu ESHA Overlay Map 4: Carbon Beach to Topanga Beach

## Environmentally Sensitive Habitat Areas

Includes areas identified as coastal sage scrub and/or chaparral, riparian areas and wetlands.\*

## Near Shore Shallow-water Fish Habitat

## Streams



Match Line to Map 3

P a c i f i c

O c e a n



\*Boundaries of ESHAs may change location over time due to varying circumstances. This map is not intended to depict fixed boundaries of ESHAs or marine resources and may not include all areas that are ESHA. This map does not establish any final boundary lines or constraints on the Commission's ability to identify, map and regulate ESHAs and Marine Resources in the City of Malibu.

Sources: Malibu/Santa Monica Mountains Area Plan, Marine Resources map, LA County LCP, 1987, LA County Parks and Recreation, 1983, CCC Staff, 2001-2002.

Received

05/05/22

Planning Dept.

**Rebecca Evans**

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**From:** [REDACTED].com  
**Sent:** Thursday, May 5, 2022 9:45 AM  
**To:** Patricia Salazar; Richard Mollica; John Mazza; Bruce Silverstein; [REDACTED].com; Rebecca Evans  
**Subject:** Letters from local Malibu Park Residents opposed to a parking lot on clover heights  
**Attachments:** SCAS0820122050509480.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Patricia

These are some letters from local Malibu Park Residents opposed to a parking lot and lighting at the end of Clover Heights

As you can see some of these letters were submitted during the scoping sessions when the District refused to change their plans

Since that time they have also added a Bus Terminal on Merritt Drive next to the Equestrian Center which we also oppose

Can you add these letters to the Commissioners package for the School District hearing on May 31, 2022

Thank you

BEST REGARDS  
TERRY LUCOFF

-----Original Message-----

**From:** [REDACTED]@Coldwellbanker.com  
**To:** [REDACTED].com  
**Sent:** Thu, May 5, 2022 9:49 am  
**Subject:** Message from [REDACTED]

Every day people, kids come down Clover Heights Ave. with their horses, on their skateboards, on foot, on bikes, with their dogs. This is a quiet, safe and narrow street. The addition of increased traffic will create a very unsafe environment for the pedestrians and neighborhood. Everyday there are kids walking to and from school up and down the street. There are no sidewalks and the street is very narrow on a downhill grade. This parking lot does not make sense for the neighborhood. Also the street regularly floods even in a mild rain.

Furthermore, it is our understanding that the population of Malibu High is drastically declining. Why then is there a need to build more parking in a residential area for a declining school population? Isn't there a more urgent need elsewhere to spend the funds allocated?

Additionally, Malibu Park already lost the battle with the football lights which were installed in the field a number of years ago. These are now defunct as there is more more football games at Malibu High. Millions of dollars were spent and now it exists solely as an eyesore for the entire neighborhood. Additional night time lighting in a residential neighborhood would be a travesty and in conflict of the the intent of the Malibu Dark Sky ordinance.

Lastly, as autonomous vehicles will be commonplace in only a matter of years, urban planners are already considering the ways in which they are remaking cities. Parking lots for example will be reduced in size. Less people will be parking and for the cars that are self driving, they will require less space than traditional lots (cars can park closer together). In Boston, a recent study by the World Economic Forum has found that self driving vehicles will require about half the city's current parking. The future for all of our cities will be similar. Less cars and less parking lots. Malibu needs to modernize and this requires foresight and research and most importantly protection of our neighborhoods which are the heart of Malibu.

Following through with the construction of this superfluous additional parking lot - "Parking Lot F " is a dated and financially irresponsible, it is a danger to the ecosystem, and a severe safety hazard., as well as a liability for Malibu High School and headache for the Malibu Park neighborhood.

PLEASE DO WHAT IS RIGHT FOR THE COMMUNITY OF MALIBU PARK AND DO NOT BUILD THIS PARKING LOT.

Thank you for considering the voices of the community.

Respectfully yours,

Judith and Dominick Guillemot

Dominick Photography

[dg@dominickphoto.com](mailto:dg@dominickphoto.com)

[www.dominickphoto.com](http://www.dominickphoto.com)

310.576.3033 tel

Studio Manager: Danelle Rondberg

**From:** [REDACTED] com,  
**To:** Cupton@smmusd.org, PMiller@smmusd.org,  
**Cc:** [REDACTED] com,  
**Subject:** PETITION TO STOP PROPOSE CONSTRUCTION OF PARKING LOT F  
**Date:** Tue, Sep 8, 2020 5:04 pm

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To Whom it may Concern:

My name is Danelle Rondberg and I am a Santa Monica resident who works in Malibu and spends a lot of time in Malibu Park. I often walk the trails adjacent to Malibu High School.

When I heard about the ridiculous proposal to create a parking lot at the end of Clover Heights Avenue, where I have spent a lot of time, I wanted to expressly share my opposition to the proposed PARKING LOT F

I believe the school board should delete the proposal to add PARKING LOT F to its agenda. My reasons include the following points:

Ecologically, Malibu Park is only now finally showing some kinds of recovery since the Woolsey Fire. The hawks and the owls have found their way back to our neighborhood. One owl has even established her night quarters in the eucalyptus trees along Clover Heights adjacent to the property Lot F. Along with the coyotes these hawks and owls are helping to eradicate the rodents (gophers, rats, mice, rabbits, squirrels) who have invaded since the fire. We are desperate to have this natural and healthy equilibrium back to our area. The natural habitat is finding its balance. Increased traffic, noise and lighting will suffocate this recovery.

Safety wise, increased traffic of people loitering around the parking area will increase crime and trash. Already in the last number of years Malibu Park has suffered from a surge of thefts. Our street alone had two attempted break ins this month. As well, we often have to pick up trash and alcohol bottles left behind.

Malibu Park has suffered enough. Overdevelopment of an unattended parking lot creates a liability for Malibu High as well as for the safety of the surrounding neighbors. There are approximately 40 street parking spaces available for use on the street as it is now for the days of the sporting events which is most likely no more than 50 days per year. It makes no sense. The proposed parking lot of 14 spaces which would require lights and maintenance etc makes no sense when there are already approximately 40 spots available on the street as is currently.

Clover Heights Ave is a quiet and safe street. It is narrow, and on a downgrade and there are no sidewalks. Every day neighbors and kids come down Clover Heights Ave. with their horses, on their skateboards, on foot, on bikes, with their dogs. As well, kids are walking to and from school up and down the street. The addition of increased traffic will create a very unsafe environment for the pedestrians and neighborhood. As well, the street regularly floods even in a mild rain. More incoming and outgoing traffic does not make sense.

Furthermore, it is our understanding that the population of Malibu High is drastically declining. Why then is there a need to build more parking in a residential area for a declining school population? Isn't there a more urgent need elsewhere to spend the funds allocated?

Additionally, Malibu Park already lost the battle with the football lights which were installed in the field a number of years ago. These are now defunct as there are no more football games at Malibu High. Millions of dollars were spent and now it exists solely as an eyesore for the entire neighborhood. Additional night time lighting in a residential neighborhood would be a travesty and in conflict of the the intent of the Malibu Dark Sky ordinance.

Lastly, as autonomous vehicles will be commonplace in only a matter of years, urban planners are already considering the ways in which they are remaking cities. Parking lots for example will be reduced in size. Less people will be parking and for the cars that are self driving, they will require less space than traditional lots (cars can park closer together). In Boston, a recent study by the World Economic Forum has found that self driving vehicles will require about half the city's current parking. The future for all of our cities will be similar. Less cars and less parking lots. Malibu needs to modernize and this requires foresight and research and most importantly protection of our neighborhoods which are the heart of Malibu.

Following through with the construction of this superfluous additional parking lot - "Parking Lot F " is a dated and financially irresponsible, it is a danger to the ecosystem, and a severe safety hazard., as well as a liability for Malibu High School and headache for the Malibu Park neighborhood.

PLEASE DO WHAT IS RIGHT FOR THE COMMUNITY OF MALIBU PARK AND DO NOT BUILD THIS PARKING LOT.

Thank you for considering the voices of the community.

Danelle Rondberg  
[REDACTED]

9/10/2020

PETITION TO STOP PROPOSE CONSTRUCTION OF PARKING LOT F

[REDACTED]  
Santa Monica, CA 90405

From: [REDACTED] com,

To: Pmiller@smmusd.org,

Cc: CUpton@smmusd.org,

Subject: Please don't pave over paradise...

Date: Wed, Sep 9, 2020 1:12 pm

**Attachments:**

Dear Mr. Miller and Mr. Upton,

I am writing to you as a neighbor of Malibu High, who is opposed to the proposed new parking lot on Clover Heights. Though our property is on Filaree Heights, it abuts the field between Clover and Filaree where the parking lot would be built. My concern is, that a dedicated parking lot would increase the traffic through an otherwise isolated residential neighborhood. In fact, the parking lot "destination" would alter the character of Clover Heights from a cul-de-sac to more of a regular traffic street, something I imagine the Clover Heights residents can't be happy about.

It is not only Clover Heights resident, however, who will be affected. Our property overlooks Clover Heights and the field where the parking lot would be built, so the traffic would also affect us. The lighting, fencing and other infrastructure necessary to integrate the parking lot into the school property would severely impact the views and rural character of the area and place our yard in view of the parking lot and the parking lot in full view of our yard. (Have you ever heard of or seen a "beautiful" parking lot?)

We have no issue sharing our beautiful neighborhood with the school - in fact, we moved there because of it - however, our goal is a harmonious co-existence in which both neighbors and school give up a little to allow the other enjoyment of their property. I don't think a parking lot would alleviate the parking, which is already happening on Clover Heights. Quite the opposite, it would formalize the idea of parking there and lead to more parking in the new spaces and on the street. The walkways, lights, trash cans and fences would destroy the natural beauty of the area - literally paving paradise and putting up a parking lot as the song lyrics suggest.

I sincerely hope that you will reconsider your plans and accommodate the community you not only share your space with but also serve. I consider myself a supporter of the school but also of the increasingly rare rural character of our community.

Sincerely,

Robert Brinkmann  
[REDACTED] Filaree Heights  
Malibu



**ROBERT BRINKMANN**

Director of Photography  
[REDACTED]

To All Participants of the Proposed Santa Monica Malibu Unified School District Plan and Local Coast Plan Amendment Project

September 1, 2020

I am a resident of Malibu Park and live at



Clover Heights

I am opposed to a parking lot behind the softball fields at the end of Clover Heights for the following reasons. I request the School Board to delete the parking lot from the Proposed Malibu Middle and High School Campus Specific Plan and Local Coastal Amendment Project.

1. A parking lot at the back of Malibu High School will bring additional traffic to many Malibu Park streets. This will impact traffic on Merritt, Busch, Harvester and Clover Heights. The Harvester roadway between Busch has a dangerous turn where cars often go over the non-existent center yellow line and the roadway has heavy vegetation. There are no sidewalks and walkers, horses and dogs are often in the Roadway.
2. The high school has an access gate on Clover Heights for Students walking to school. There are no sidewalks on Clover Heights and for years children have walked in groups down the center of the road, to school. With additional motor vehicle traffic on Clover Heights it would not be safe for the students to walk to school without sidewalks.
3. The parking lot is in violation of the Coastal Commission permit for the school fields in 1990. The school has diverted the topography of a marked blue line stream to the West side of the school property and the Coastal Commission passed specific landscaping protocol which the school has ignored. The blue line stream was to be maintained and the property was to remain unaltered and planted in native wildflower vegetation. The school graded and altered water flow which has resulted in flooding on Clover Heights, the proposed parking area and the flooding of the school grounds. The temporary mitigation by k rail on Clover Heights and around the school fields should only be considered an emergency measure to mitigate the poorly designed school drainage.
4. The building of a parking lot would need to meet state school regulations and be lighted. The school would be lighted up from the front on Morning View to Clover Heights and this extensive lighting on the school campus would be observable throughout Malibu Park at night. This kind of lighting would be in conflict with the intent of the Malibu Dark Skies ordinance.
5. There is a riding trail from the Equestrian Center in the back of the school to Clover Heights and the Malibu Park neighborhood uses Clover Heights to access this trail to and from

the Equestrian Center. A parking lot in this location on Clover Heights would make the path to the trail much more dangerous for local Malibu Park Horse people to access the Equestrian Center

7. There is no parking on Clover Heights to facilitate emergency equipment to the back of the high school for serious injuries on the sports fields. The field itself is used to airlift sever injuries to the hospital. Clover Heights has also been used for open area emergency access to the field when Malibu Park residents have suffered a heart attack or other serious injury to Valley or UCLA medical facilities. Adding traffic and parking in this area would impact local Malibu first responder emergency services.

8. A parking lot on Clover Heights would make it necessary for the School to provide additional security in an location the school does not currently have security personnel and not currently regularly monitored by limited High School Security. In the past the area behind the school has been an area of graffiti on the drain walls, trash not collected and the use of alcohol. A parking lot that is not monitored by security cameras and trash pick up would be problematic for all of our area residents. The school has never gone off campus to monitored traffic from their school events or pick up trash in neighborhoods surrounding the campus.

9. Limiting the parking to 17 or 20 cars is not a valid solution for any kind of traffic mitigation, Malibu Residents have all seen what has happened with the overflow parking at our local pocketbeaches. When the lot is full the cars just park anywhere they can find a space. Limited parking spots does not control either the amount of cars parking at the back of the school or the traffic in Malibu Park. The assertion that the space will be limited doesn't limit the parking at the rear of the school at all. We cant expect people who have driven to that location and find the parking lot full to then turn around and try and find parking at the bigger parking lots elsewhere by the front of the school. It is reasonable to assume people will park where they can and the sheriffs will have to be used to monitor parking.

10 Clover Heights is a down slope street to the cul de sac behind the school and traffic drives extremely fast on this street making it very dangerous to walkers and traffic coming from the circle at the end. Additional traffic on Clover Heights would need speed bumps and extensive monitoring. It a irresponsible and dangerous decision for the school to put a parking area behind the school

For these reasons I oppose the construction of a parking lot behind the school on Clover Heights

NAME JAMES LIPPERT

ADDRESS [REDACTED] CLOVER HEIGHTS MALIBU 90265

EMAIL [REDACTED]@com

## PETITION TO STOP PROPOSED CONSTRUCTION OF SANTA MONICA MALIBU HIGH SCHOOL PARKING LOT IN MALIBU PARK

We are long time residents of Malibu Park. Our address is [REDACTED] Clover Heights Avenue., we are the last property adjacent to the athletic fields at Malibu High at the end of the cul de sac.

We are writing to express our strong opposition to the proposed Parking Lot F - directly across the street from our house. For the following reasons, we believe the School Board should take off Lot F as a proposed additional parking area in their Campus Specific Plan and Local Coastal Amendment Project.

Ecologically, Malibu Park is only now finally showing some kinds of recovery since the Woolsey Fire. The hawks and the owls have found their way back to our neighborhood. One owl has even established her night quarters in the eucalyptus trees along Clover Heights adjacent to the property Lot F. Along with the coyotes these hawks and owls are helping to eradicate the rodents (gophers, rats, mice, rabbits, squirrels who have invaded since the fire. We are desperate to have this natural and healthy equilibrium back to our area. The natural habitat is finding its balance. Increased traffic, noise and lighting will suffocate this recovery.

Safety wise, increased traffic of people loitering around the parking area will increase crime and trash. Already in the last number of years Malibu Park has suffered from a surge of thefts. Our street alone had two attempted break ins this month. As well, we often have to pick up trash and alcohol bottles left behind.

Malibu Park has suffered enough. Overdevelopment of an unattended parking lot creates a liability for Malibu High as well as for the safety of the surrounding neighbors. There are approximately 40 street parking spaces available for use on the street as it is now for the days of the sporting events which is most likely no more than 50 days per year. It makes no sense. The proposed parking lot of 14 spaces which would require lights and maintenance etc makes no sense when there are already approximately 40 spots available on the street as is currently.

**To All Participants of the Proposed Santa Monica Malibu Unified School District Plan and Local Coast Plan Amendment Project**

September 1, 2020

I am a resident of Malibu Park and live at [REDACTED] Harvester Rd

I am opposed to a parking lot behind the softball fields at the end of Clover Heights for the following reasons. I request the School Board to delete the parking lot from the Proposed Malibu Middle and High School Campus Specific Plan and Local Coastal Amendment Project.

1. A parking lot at the back of Malibu High School will bring additional traffic to many Malibu Park streets. This will impact traffic on Merritt, Busch, Harvester and Clover Heights. The Harvester roadway between Busch has a dangerous turn where cars often go over the non-existent center yellow line and the roadway has heavy vegetation. There are no sidewalks and walkers, horses and dogs are often in the Roadway.
2. The high school has an access gate on Clover Heights for Students walking to school. There are no sidewalks on Clover Heights and for years children have walked in groups down the center of the road, to school. With additional motor vehicle traffic on Clover Heights it would not be safe for the students to walk to school without sidewalks.
3. The parking lot is in violation of the Coastal Commission permit for the school fields in 1990. The school has diverted the topography of a marked blue line stream to the West side of the school property and the Coastal Commission passed specific landscaping protocol which the school has ignored. The blue line stream was to be maintained and the property was to remain unaltered and planted in native wildflower vegetation. The school graded and altered water flow which has resulted in flooding on Clover Heights, the proposed parking area and the flooding of the school grounds. The temporary mitigation by k rail on Clover Heights and around the school fields should only be considered an emergency measure to mitigate the poorly designed school drainage.
4. The building of a parking lot would need to meet state school regulations and be lighted. The school would be lighted up from the front on Morning View to Clover Heights and this extensive lighting on the school campus would be observable throughout Malibu Park at night. This kind of lighting would be in conflict with the intent of the Malibu Dark Skies ordinance.
5. There is a riding trail from the Equestrian Center in the back of the school to Clover Heights and the Malibu Park neighborhood uses Clover Heights to access this trail to and from

the Equestrian Center. A parking lot in this location on Clover Heights would make the path to the trail much more dangerous for local Malibu Park Horse people to access the Equestrian Center

7. There is no parking on Clover Heights to facilitate emergency equipment to the back of the high school for serious injuries on the sports fields. The field itself is used to airlift severe injuries to the hospital. Clover Heights has also been used for open area emergency access to the field when Malibu Park residents have suffered a heart attack or other serious injury to Valley or UCLA medical facilities. Adding traffic and parking in this area would impact local Malibu first responder emergency services.

8. A parking lot on Clover Heights would make it necessary for the School to provide additional security in an location the school does not currently have security personnel and not currently regularly monitored by limited High School Security. In the past the area behind the school has been an area of graffiti on the drain walls, trash not collected and the use of alcohol. A parking lot that is not monitored by security cameras and trash pick up would be problematic for all of our area residents. The school has never gone off campus to monitored traffic from their school events or pick up trash in neighborhoods surrounding the campus.

9. Limiting the parking to 17 or 20 cars is not a valid solution for any kind of traffic mitigation, Malibu Residents have all seen what has happened with the overflow parking at our local pocketbeaches. When the lot is full the cars just park anywhere they can find a space. Limited parking spots does not control either the amount of cars parking at the back of the school or the traffic in Malibu Park. The assertion that the space will be limited doesn't limit the parking at the rear of the school at all. We cant expect people who have driven to that location and find the parking lot full to then turn around and try and find parking at the bigger parking lots elsewhere by the front of the school. It is reasonable to assume people will park where they can and the sheriffs will have to be used to monitor parking.

10 Clover Heights is a down slope street to the cul de sac behind the school and traffic drives extremely fast on this street making it very dangerous to walkers and traffic coming from the circle at the end. Additional traffic on Clover Heights would need speed bumps and extensive monitoring. It a irresponsible and dangerous decision for the school to put a parking area behind the school

For these reasons I oppose the construction of a parking lot behind the school on Clover Heights

NAME Samantha Binali

ADDRESS [REDACTED] Harvester Rd, Malibu CA 90265

EMAIL [REDACTED].com



To All Participants of the Proposed Santa Monica Malibu Unified School District Plan and Local Coast Plan Amendment Project

September 1, 2020

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Harvester Rd

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4. The building of a parking lot would need to meet state school regulations and be lighted. The school would be lighted up from the front on Morning View to Clover Heights and this extensive lighting on the school campus would be observable throughout Malibu Park at night. This kind of lighting would be in conflict with the intent of the Malibu Dark Skies ordinance
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For these reasons I oppose the construction of a parking lot behind the school on Clover Heights

NAME Alan Baron

ADDRESS [Redacted] Harvester Rd. Malibu, 90265

EMAIL [Redacted].com

**From:** [REDACTED] nfo,  
**To:** CUpton@smmusd.org, Pmiller@smmusd.org, [REDACTED] com,  
**Cc:** SPeak@malibucity.org, MPierson@malibucity.org, JWagner@malibucity.org, KFarrer@malibucity.org, RMullen@malibucity.org,  
**Subject:** Malibu High-school Parking Lot -  
**Date:** Wed, Sep 2, 2020 3:58 pm

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To All Participants of the Proposed Santa Monica Malibu Unified School District Plan and Local Coast Plan Amendment Project.

September 1, 2020

I am a resident of Malibu Park and live at [REDACTED] Clover Heights Ave.

I am opposed to a parking lot behind the softball fields at the end of Clover Heights for the following reasons and concerns. I request the School Board to delete the parking lot from the Proposed Malibu Middle and High School Campus Specific Plan and Local Coastal Amendment Project.

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4. The building of a parking lot would need to meet state regulations and be lighted. The school would be lighted up from the front on Morning View to Clover Heights and this extensive lighting on the school campus would be observable throughout Malibu Park at night. This kind of lighting would be in conflict with the intent of the Malibu Dark Skies ordinance.
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9. Clove Heights is a down slope street to the cul de sac behind the school and traffic drives extremely fast on this street making it very dangerous to walkers and traffic coming from the circle at the end. Additional traffic on Clover Heights would need speed bumps and extensive monitoring. It is irresponsible and a dangerous decision for the school to put a parking area behind the school.

For these reason I oppose the construction of a parking lot behind the school on Clover Heights.

Kelly Meyer  
[REDACTED] Clover Heights Ave  
Malibu CA 90265

[REDACTED]

**From:** [REDACTED] com,  
**To:** cupton@smmusd.org, pmiller@smmusd.org, [REDACTED] com, [REDACTED] com, [REDACTED] com,  
[REDACTED] com,  
**Subject:** parking structure on Clover Heights  
**Date:** Wed, Sep 2, 2020 12:35 pm

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Hello,

It has been brought to our attention that SMMHS is planning on building a parking structure at the end of Clover Heights.

As 25 year+ residents of Malibu Park we are very familiar with the school ( our daughter is a graduate) and the neighborhood.

The school would not think of ever closing off the sidewalks on Morning view in front of the school. Nor would it consider narrowing Morning view. Yet that is what you are proposing for our neighborhood behind the school since we have neither sidewalks or wide roads like the ingress to Morning View off the PCH.

Do you understand we have no sidewalks on Busch , Harvester, or any of the side streets like Clover Heights? You understand people still ride and walk horses down the middle of the road every day? The neighborhood is rural and just the lack of sidewalks and street lights makes this an extremely poor idea.

We, along with many of our neighbors also walk our dogs every day on Harvester and are already at risk for being hit by cars. The only place for any pedestrian to be is literally in the road! To add more traffic and especially kids and parents hurrying to and from school will create accidents and injuries and create more stress in our already stressed ( thank you Woolsey) neighborhood.

The two blind curves on Harvester are today extremely dangerous. Busch is also a dangerous and narrow road. Often experienced drivers can barely negotiate them safely.

This will have the opposite effect of its intention and create a constant threat to the safety of the children, parents and neighbors of Malibu park. Please stop considering this very poorly thought out idea.

Happy to quote the Joni Mitchell song about "Paving Paradise and Putting up a Parking Lot", but instead If you don't believe me I invite you to walk down Harvester and Busch at peak traffic now and feel the fear of a construction worker on a rebuild hurrying home in his truck. You will be terrified.

Thank You

William Patterson  
[REDACTED] Deerhead Road.

To All Participants of the Proposed Santa Monica Malibu Unified School District Plan and Local Coast Plan Amendment Project

September 1, 2020

I am a resident of Malibu Park and live at [REDACTED] Clover Heights

I am opposed to a parking lot behind the softball fields at the end of Clover Heights for the following reasons. I request the School Board to delete the parking lot from the Proposed Malibu Middle and High School Campus Specific Plan and Local Coastal Amendment Project.

1. A parking lot at the back of Malibu High School will bring additional traffic to many Malibu Park streets. This will impact traffic on Merritt, Busch, Harvester and Clover Heights. The Harvester roadway between Busch has a dangerous turn where cars often go over the non-existent center yellow line and the roadway has heavy vegetation. There are no sidewalks and walkers, horses and dogs are often in the Roadway.
2. The high school has an access gate on Clover Heights for Students walking to school. There are no sidewalks on Clover Heights and for years children have walked in groups down the center of the road. to school. With additional motor vehicle traffic on Clover Heights it would not be safe for the students to walk to school without sidewalks.
3. The parking lot is in violation of the Coastal Commission permit for the school fields in 1990. The school has diverted the topography of a marked blue line stream to the West side of the school property and the Coastal Commission passed specific landscaping protocol which the school has ignored. The blue line stream was to be maintained and the property was to remain unaltered and planted in native wildflower vegetation. The school graded and altered water flow which has resulted in flooding on Clover Heights, the proposed parking area and the flooding of the school grounds. The temporary mitigation by k rail on Clover Heights and around the school fields should only be considered an emergency measure to mitigate the poorly designed school drainage.
4. The building of a parking lot would need to meet state school regulations and be lighted. The school would be lighted up from the front on Morning View to Clover Heights and this extensive lighting on the school campus would be observable throughout Malibu Park at night. This kind of lighting would be in conflict with the intent of the Malibu Dark Skies ordinance
5. There is a riding trail from the Equestrian Center in the back of the school to Clover Heights and the Malibu Park neighborhood uses Clover Heights to access this trail to and from

the Equestrian Center. A parking lot in this location on Clover Heights would make the path to the trail much more dangerous for local Malibu Park Horse people to access the Equestrian Center

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For these reasons I oppose the construction of a parking lot behind the school on Clover Heights

NAME Alan & Mirodis Carson

ADDRESS [REDACTED] Clover Heights

EMAIL [REDACTED].net

**From:** [REDACTED] net,

**To:** CUpton@smmusd.org, Pmiller@smmusd.org,

**Cc:** [REDACTED] com,

**Subject:** Proposed parking in Malibu Park (back of Malibu High School)

**Date:** Thu, Sep 3, 2020 11:03 am

**Attachments:** Thordis Carson Letter of Opposition to school parking.pdf (1853K)

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Cary Upton and Patrick Miller,

Attached is a letter originally drafted by Terry Lucoff as a sign of solidarity in this matter. We are vehemently opposed to this project. We have owned this property and lived here since 1956. We are not only the oldest (in age), but also in residency on this street. We have watched this area grow and develop and for that reason, know probably better than most, the impact that this parking lot will have on our neighborhood and our street. The proposed parking area behind the high school is ridiculous for many reasons.

1. Street will not handle increased traffic.
2. Overflow parking will cause people to park on the street, which cannot handle it.
3. General Malibu Park traffic will increase and impose additional traffic problems in our whole area.
4. Pedestrian traffic will increase causing potential accidents.
5. Residence will have a difficult time with ingress and egress from their driveways from increased traffic, both from pedestrian and auto traffic. Street is not wide enough to safely pull out of driveways to see approaching traffic.
6. Lighting on the property will interfere with our property and neighborhood.
7. The school currently has plenty of land in which to configure additional land for parking, if needed.
8. Equestrians often use this street to access the Equestrian Park. Additional traffic will cause problems for them and the drivers.

Why not use this property as an agricultural area for the children to learn how to manage and grow crops. This would fit in with the environmental message that is being espoused to our children today and would teach them respect for the land and how much we depend on it.

**PLEASE, PLEASE, PLEASE, DO NOT MAKE THIS PROPERTY INTO A PARKING LOT!!!**

Respectfully submitted,

Alan and Thordis Carson  
[REDACTED] Clover Heights Avenue  
Malibu, Ca 90265

Mr. Cary Upton  
School Facilities Manager  
[CUpton@smmusd.org](mailto:CUpton@smmusd.org)

Re: Parking lot on Clover Heights

September 4, 2020

I live at [REDACTED] Harvester Road, Malibu, California. I have been a resident of Malibu Park for twenty years. We lost our home and most of the homes in our neighborhood in the Woolsey Fire. Residents have started to rebuild but it will take time regain what was lost. Please don't allow our neighborhood to lose its character by building another parking lot.

I am **OPPOSED** to putting in a parking lot behind the softball fields at the end of Clover Heights for the following reasons:

- **SAFETY** A parking lot will bring additional traffic to many Malibu Park streets near the school. There are presently no sidewalks and having more cars in the neighborhood, especially on Clover Heights will make it more dangerous for children and adults walking to and from school. Clover Heights is a down slope street to the cul de sac behind the school and I have witnessed drivers going very fast downhill at this location.
- **LIGHTS-** A parking lot would need to be lighted to meet state school regulations and this lighting would be in conflict with the Malibu Dark Skies Ordinance. (Three lighted parking lots above Morning View were built right before the fire and the lighting from all of these parking lots will change the character of the neighborhood ).
- **EQUESTRIAN USE OF TRAIL AT END OF CLOVER HEIGHTS-** There is a riding trail at the end of Clover Heights and putting in a parking lot at this location would make the path more dangerous for local Malibu Park horse people to access the Equestrian Center on their horses.
- **LIMITING SPACES-** just because there are a few spaces doesn't mean that parking will be limited. When the available spaces are gone in the parking lot, people will park wherever they can; in front of people's houses, on the street and in the cul de

sac.

- **VIOLATION OF COASTAL COMMISSION PERMIT-** this parking lot is in violation of the 1990 Coastal Commission permit for the school field. . The school has diverted the topography of a marked blue line stream to the West side of the school property and the school has ignored landscaping protocol which was specifically passed by the Coastal Commission. The school graded and altered water flow which resulted in flooding on Clover Heights, the proposed parking area and the flooding of school grounds. The temporary mitigation by k rail on Clover Heights should only be considered an emergency measure to mitigate the poorly designed school drainage.

**Carol Gable**  
[REDACTED] Harvester Road  
Malibu, California

**From:** [REDACTED].net,  
**To:** brd@smmusd.org,  
**Cc:** [REDACTED]com, cupton@smmusd.org, pmiller@smmusd.org, [REDACTED]net,  
**Subject:** Parking Lot on Clover Heights Avenue  
**Date:** Mon, Aug 31, 2020 11:17 am

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SMMUSD Representative

We have been living on Clover Heights Avenue since 1972 and we are very familiar with the neighborhood and the traffic on our street.

Clover Heights has no sidewalks and connects with the equestrian trail as well as the schools. It is common to see pedestrian foot traffic on the street such as joggers, bicyclists, dog walkers, equestrians, school children and the school's cross country runners along with families and groups of people enjoying a stroll in the neighborhood.

It has come to our attention that SMMUSD is planning on adding a parking lot on Clover Heights, which would increase automobile traffic. More automobile traffic and pedestrian traffic don't go well together.

Walking in a relatively pollution free environment has health benefits with little or no impact on the environment. Adding a parking lot will add vehicle traffic to the street and would discourage pedestrians from using it. It will be detrimental to the local environment, will expose pedestrians to automobile emissions and potential pedestrian/vehicle accidents. Driving students may use this parking lot and have very little experience in driving which may put pedestrians in danger.

Also, Clover Heights is a drainage channel for water and debris, which makes it unusable and dangerous during heavy rains.

The student enrollment has dropped considerably, so we question the need for an additional parking lot.

In summary we recommend that the proposed parking lot on Clover Heights Avenue be deleted from SMMUSD plans.

Thomas & Anne Griskey  
[REDACTED] Clover Heights Avenue  
Malibu, Ca. 90265

To All Participants of the Proposed Santa Monica Malibu Unified School District Plan and Local Coast Plan Amendment Project

September 1, 2020

I am a resident of Malibu Park and live at

[REDACTED] Harvester Rd

I am opposed to a parking lot behind the softball fields at the end of Clover Heights for the following reasons. I request the School Board to delete the parking lot from the Proposed Malibu Middle and High School Campus Specific Plan and Local Coastal Amendment Project.

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For these reasons I oppose the construction of a parking lot behind the school on Clover Heights

NAME Alan Baron

ADDRESS [Redacted] Harvester Rd. Malibu, 90265

EMAIL [Redacted].com

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September 1, 2020

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NAME Samantha Binali

ADDRESS [REDACTED] Harvester Rd, Malibu CA 90265

EMAIL [REDACTED].com



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September 1, 2020

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Clover Heights

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For these reasons I oppose the construction of a parking lot behind the school on Clover Heights

NAME JAMES LIPPERT

ADDRESS [REDACTED] CLOVER HEIGHTS MALIBU 90265

EMAIL [REDACTED] com

**From:** [REDACTED].edu,  
**To:** CUpton@smmusd.org, Pmiller@smmusd.org,  
**Cc:** [REDACTED].com,  
**Subject:** Malibu High School Parking Lot in Malibu Park  
**Date:** Sun, Sep 20, 2020 8:42 am

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I reside at [REDACTED] Clover Heights, in Malibu Park, and have since 1977. Clover Heights is on a cul de sac with blind curves and no speed bumps or sidewalks. Families with children reside on Clover Heights. Equestrians use the street. It is a quiet residential community where families take their kids for bike rides, toddlers in strollers, joggers, dog walkers. As a long time resident I have seen car accidents along the twisty blinding Busch Drive and Harvester Road.

The community should not be burdened by the thought of adding parking on Clover Heights for the school's sport field usage. We have seen what happens on Clover Heights when activities take place. Disrespect for parking signs, blocking driveways, garbage left, kids and parents in a hurry to get to and from games.

Woolsey fire has left barron hillside causing flooding during heavy rain storms.

The school should consider subterranean parking on Morningview for the proposed project.

thank you

10/9/2020

Fwd: Letter for PARKING - CLOVER

From: [REDACTED].com,

To: [REDACTED].com,

Subject: Fwd: Letter for PARKING - CLOVER

Date: Mon, Oct 5, 2020 3:54 pm

Attachments:

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Hello Terry,

The thorn family whom leave on Bonsall since a few generations gave me this letter since they oppose the concept of a parking on Clover Heights av, asking if we could send it to the right parties.

Would you forward that letter to the interested parties? I am afraid to miss some.

Thank you.

**To All Participants of the Proposed Santa Monica Malibu Unified School District Plan and Local Coast Plan Amendment Project**

September 1, 2020

I am a resident of Malibu Park and live at [REDACTED]

*Merritt Drive in Malibu Park*

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[https://\[REDACTED\]](https://[REDACTED]) Message

1/2

8/24/2020

Proposed Malibu School Campus Plan for Parking in Malibu Park

the Equestrian Center. A parking lot in this location on Clover Heights would make the path to the trail much more dangerous for local Malibu Park Horse people to access the Equestrian Center

7. There is no parking on Clover Heights to facilitate emergency equipment to the back of the high school for serious injuries on the sports fields. The field itself is used to airlift sever injuries to the hospital. Clover Heights has also been used for open area emergency access to the field when Malibu Park residents have suffered a heart attack or other serious injury to Valley or UCLA medical facilities. Adding traffic and parking in this area would impact local Malibu first responder emergency services.

8. A parking lot on Clover Heights would make it necessary for the School to provide additional security in an location the school does not currently have security personnel and not currently regularly monitored by limited High School Security. In the past the area behind the school has been an area of graffiti on the drain walls, trash not collected and the use of alcohol. A parking lot that is not monitored by security cameras and trash pick up would be problematic for all of our area residents. The school has never gone off campus to monitored traffic from their school events or pick up trash in neighborhoods surrounding the campus.

9. Limiting the parking to 17 or 20 cars is not a valid solution for any kind of traffic mitigation, Malibu Residents have all seen what has happened with the overflow parking at our local pocketbeaches. When the lot is full the cars just park anywhere they can find a space. Limited parking spots does not control either the amount of cars parking at the back of the school or the traffic in Malibu Park. The assertion that the space will be limited doesn't limit the parking at the rear of the school at all. We cant expect people who have driven to that location and find the parking lot full to then turn around and try and find parking at the bigger parking lots elsewhere by the front of the school. It is reasonable to assume people will park where they can and the sheriffs will have to be used to monitor parking.

10 Clover Heights is a down slope street to the cul de sac behind the school and traffic drives extremely fast on this street making it very dangerous to walkers and traffic coming from the circle at the end. Additional traffic on Clover Heights would need speed bumps and extensive monitoring. It a irresponsible and dangerous decision for the school to put a parking area behind the school

For these reasons I oppose the construction of a parking lot behind the school on Clover Heights

NAME Cecil Kartala

ADDRESS [redacted] Merritt Dr.

EMAIL [redacted]@com



To All Participants of the Proposed Santa Monica Malibu Unified School District Plan and Local Coast Plan Amendment Project

September 1, 2020

I am a resident of Malibu Park and live at



*Zubaree Hto*

I am opposed to a parking lot behind the softball fields at the end of Clover Heights for the following reasons. I request the School Board to delete the parking lot from the Proposed Malibu Middle and High School Campus Specific Plan and Local Coastal Amendment Project.

1. A parking lot at the back of Malibu High School will bring additional traffic to many Malibu Park streets. This will impact traffic on Merritt, Busch, Harvester and Clover Heights. The Harvester roadway between Busch has a dangerous turn where cars often go over the non-existent center yellow line and the roadway has heavy vegetation. There are no sidewalks and walkers, horses and dogs are often in the Roadway.
2. The high school has an access gate on Clover Heights for Students walking to school. There are no sidewalks on Clover Heights and for years children have walked in groups down the center of the road to school. With additional motor vehicle traffic on Clover Heights it would not be safe for the students to walk to school without sidewalks.
3. The parking lot is in violation of the Coastal Commission permit for the school fields in 1990. The school has diverted the topography of a marked blue line stream to the West side of the school property and the Coastal Commission passed specific landscaping protocol which the school has ignored. The blue line stream was to be maintained and the property was to remain unaltered and planted in native wildflower vegetation. The school graded and altered water flow which has resulted in flooding on Clover Heights, the proposed parking area and the flooding of the school grounds. The temporary mitigation by k rail on Clover Heights and around the school fields should only be considered an emergency measure to mitigate the poorly designed school drainage.
4. The building of a parking lot would need to meet state school regulations and be lighted. The school would be lighted up from the front on Morning View to Clover Heights and this extensive lighting on the school campus would be observable throughout Malibu Park at night. This kind of lighting would be in conflict with the intent of the Malibu Dark Skies ordinance.
5. There is a riding trail from the Equestrian Center in the back of the school to Clover Heights and the Malibu Park neighborhood uses Clover Heights to access this trail to and from

the Equestrian Center. A parking lot in this location on Clover Heights would make the path to the trail much more dangerous for local Malibu Park Horse people to access the Equestrian Center

7. There is no parking on Clover Heights to facilitate emergency equipment to the back of the high school for serious injuries on the sports fields. The field itself is used to airlift sever injuries to the hospital. Clover Heights has also been used for open area emergency access to the field when Malibu Park residents have suffered a heart attack or other serious injury to Valley or UCLA medical facilities. Adding traffic and parking in this area would impact local Malibu first responder emergency services.

8. A parking lot on Clover Heights would make it necessary for the School to provide additional security in an location the school does not currently have security personnel and not currently regularly monitored by limited High School Security. In the past the area behind the school has been an area of graffiti on the drain walls, trash not collected and the use of alcohol. A parking lot that is not monitored by security cameras and trash pick up would be problematic for all of our area residents. The school has never gone off campus to monitored traffic from their school events or pick up trash in neighborhoods surrounding the campus.

9. Limiting the parking to 17 or 20 cars is not a valid solution for any kind of traffic mitigation, Malibu Residents have all seen what has happened with the overflow parking at our local pocketbeaches. When the lot is full the cars just park anywhere they can find a space. Limited parking spots does not control either the amount of cars parking at the back of the school or the traffic in Malibu Park. The assertion that the space will be limited doesn't limit the parking at the rear of the school at all. We cant expect people who have driven to that location and find the parking lot full to then turn around and try and find parking at the bigger parking lots elsewhere by the front of the school. It is reasonable to assume people will park where they can and the sheriffs will have to be used to monitor parking.

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For these reasons I oppose the construction of a parking lot behind the school on Clover Heights

NAME Tim Hoff  
ADDRESS [Redacted] Zikree Hts  
EMAIL Malibu@aoc.com

05/05/22

Planning Dept.

**Rebecca Evans**

---

**From:** [REDACTED].com  
**Sent:** Thursday, May 5, 2022 3:29 PM  
**To:** Richard Mollica; [REDACTED].com; John Mazza  
**Cc:** Patricia Salazar; Rebecca Evans; [REDACTED].com; Bruce Silverstein;  
[REDACTED].com; Raneika Brooks; Steve McClary; Douglas Cleavenger  
**Subject:** Re: Clover Heights Blue Line Stream

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

it happened in late april 2022  
i came home from work one day and it was done

blue line stream, esch, bird habitat eliminated

then i learned they were making their presentation on  
May 5th.

you can view the destruction from clover heights  
or you are welcome to drive down the driveway at 5901  
clover heights. you then can see one side on my property blue  
line stream and on their side rototilled over

BEST REGARDS

**TERRY LUCOFF**

Senior Estates Director  
Coldwell Banker Realty  
Malibu California

310 [REDACTED] field contact  
Dept of Real Estate #01112504

-----Original Message-----

From: Richard Mollica <rmollica@malibucity.org>  
To: Robert Brinkmann <[REDACTED].com>; John Mazza <Res02igz@gte.net>  
Cc: Terry Lucoff <[REDACTED]>; Patricia Salazar <psalazar@malibucity.org>; Rebecca Evans  
<revans@malibucity.org>; [REDACTED].com <[REDACTED].com>; Bruce Silverstein  
<bsilverstein@malibucity.org>; [REDACTED].com <[REDACTED].com>; Raneika Brooks  
<rbrooks@malibucity.org>; Steve McClary <SMcClary@malibucity.org>; Douglas Cleavenger  
<dcleavenger@malibucity.org>  
Sent: Thu, May 5, 2022 11:40 am  
Subject: RE: Clover Heights Blue Line Stream

Good Morning Robert,

I am including Raneika who is the project planner and Doug our Code Enforcement Manager in on this. Could you please provide us with details of when that occurred? We will follow up on this to see if there is a violation.

Thank You,

Richard

**Richard Mollica / Planning Director / City of Malibu**

23825 Stuart Ranch Road, Malibu CA, 90265  
Phone: 310.456.2489 ext. 346  
Fax: 310.456.7650

Connect with the City of Malibu!



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**From:** Robert Brinkmann <[REDACTED].com>  
**Sent:** Thursday, May 5, 2022 10:34 AM  
**To:** John Mazza <Res02iqz@gte.net>  
**Cc:** Richard Mollica <rmollica@malibucity.org>; Terry Lucoff <[REDACTED].com>; Patricia Salazar <psalazar@malibucity.org>; Rebecca Evans <revans@malibucity.org>; [REDACTED].com; Bruce Silverstein <bsilverstein@malibucity.org>; [REDACTED].com  
**Subject:** Re: Clover Heights Blue Line Stream

Hi John et al,

My property at [REDACTED] Filaree Heights is adjacent to the school property you are discussing (I've been copied by Terry on these emails), and I would just like to add that I personally witnessed the tilling of the entire piece of land. I guess the school intended to get rid of brush (?), but they used a heavy piece of machinery with a very large till attached and basically tore everything up and dug it under. In the process a large part of the stream bed was filled in (the tractor just criss crossed over it) and everything there was damaged or destroyed. If it is an environmentally sensitive area, the contractor the school hired clearly didn't care one bit.

I look forward to commenting in opposition to the parking lot during the meeting on the 31st and urge you to vote against a parking lot as well.

Thank you,

Robert Brinkmann

On May 5, 2022, at 10:22, John Mazza <[res02iqz@gte.net](mailto:res02iqz@gte.net)> wrote:

No, These comments were submitted by someone else and sent to me. Apparently they were from 2020 and submitted to you today. I reported them to Rebecca as comments on a pending hearing as required. I merely noted that unless they are in color they are meaningless since the ESHA designations are not shown without color.

-----Original Message-----

**From:** Richard Mollica <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)>  
**To:** [REDACTED].com <[REDACTED].com>; Patricia Salazar <[psalazar@malibucity.org](mailto:psalazar@malibucity.org)>; Rebecca Evans <[revans@malibucity.org](mailto:revans@malibucity.org)>; John Mazza <[Res02iqz@gte.net](mailto:Res02iqz@gte.net)>; [REDACTED].com <[REDACTED].com>; Bruce Silverstein <[bsilverstein@malibucity.org](mailto:bsilverstein@malibucity.org)>  
**Cc:** [REDACTED].com <[REDACTED].com>; [REDACTED].com <[REDACTED].com>  
**Sent:** Thu, May 5, 2022 10:18 am  
**Subject:** RE: Clover Heights Blue Line Stream

Hi Terry,

It was noticed that the maps in the correspondence you submitted today were in black and white, would you like to resubmit them in color? If needed we can send you the maps as a PDF in color.

Let us know,

Richard

Richard Mollica, AICP  
Planning Director  
City of Malibu  
310-456-2489 Ext. 346

---

From: [REDACTED].com <[REDACTED].com>  
Sent: Thursday, May 5, 2022 9:39 AM  
To: Richard Mollica <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)>; Patricia Salazar <[psalazar@malibucity.org](mailto:psalazar@malibucity.org)>; Rebecca Evans <[revans@malibucity.org](mailto:revans@malibucity.org)>; John Mazza <[Res02igz@gte.net](mailto:Res02igz@gte.net)>; [REDACTED].com; Bruce Silverstein <[bsilverstein@malibucity.org](mailto:bsilverstein@malibucity.org)>  
Cc: [REDACTED].com; [REDACTED].com  
Subject: Clover Heights Blue Line Stream

Hi Patricia

Can you add this to the package for the Planning Commissioners meeting on May 31, 2022 that shows the Clover Heights Blue Line Stream and escha area

I have previously sent pictures of the Districts disregard for the blue line stream and esch area and their actions to eliminate its existence from any proposed plan

BEST REGARDS  
TERRY LUCOFF

-----Original Message-----  
From: [REDACTED]@Coldwellbanker.com  
To: [REDACTED].com  
Sent: Thu, May 5, 2022 9:41 am  
Subject: Message from [REDACTED]

Received

05/24/22

Planning Dept.

**Rebecca Evans**

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**From:** Charlotte Frieze <[REDACTED].com>  
**Sent:** Tuesday, May 24, 2022 2:30 PM  
**To:** Richard Mollica; Planning Commission; Rebecca Evans; Patricia Salazar  
**Subject:** Malibu Middle and High School Specific Plan  
**Attachments:** PLANNING COMMISSION - 2022-5-23 CLOVER HEIGHTS PARKING LOT.docx

Please include my attached letter in the Tuesday, May 31, 2022 meeting records.

Thank you very much,

Charlotte

--

Charlotte M. Frieze  
Malibu, CA

## CHARLOTTE M FRIEZE

Planning Commission  
Malibu, CA 90265

Commissioners:

I WRITE IN OPPOSITION TO THE PROPOSED 14-SPACE PARKING LOT-F  
ACCESSED FROM CLOVER HEIGHTS AVENUE.

We have been homeowners at the junction of Harvester Road and Clover Heights Avenue in Malibu since 2012.

We and our neighbors on Clover Heights and Harvester Road will be directly and adversely impacted by the construction of Parking Lot-F, the lighted walkways and parking lot standards. The increased traffic, noise and lighting would irreparably shatter our tranquil community and destroy our dark skies.

Malibu Park is treasured for its natural setting and quiet neighborhood. Equestrians can be seen daily walking their horses and riding on the roads en route to the Equestrian Center. Clover Heights is used every day by people of all ages. It is a safe place for the elderly to take their obligatory one-mile walks. Children play on skateboards, bikes and on foot with their dogs creating a happy neighborhood environment.

Inserting teenagers driving too fast trying to make it to a class or game into this environment is of critical concern. There are no sidewalks. The street is very narrow and on a downhill grade. An increase in traffic would inevitably cause accidents and, potentially, serious injuries.

Since the Woolsey Fire we neighbors have been working to rebuild our homes and our community. If the proposed parking lot is constructed, we risk losing all that we have tried so hard to regain over the past three years.

Malibu Park residents are striving to encourage the return of a strong, balanced ecosystem - a healthy, natural, pesticide-free equilibrium. Together with the coyotes that run through our neighborhood, the owls and hawks help to limit the gopher, rat and rabbit populations.

An unattended, upper parking lot that would be accessed through our quiet, residential neighborhood would be an attractive nuisance and a magnet for crime. It would attract disrespectful people from outside the neighborhood creating an unsafe, residential imbalance. The potential is great for rodent-attracting trash, alcohol/drug abuse and noise.

## CHARLOTTE M FRIEZE

Malibu Park is located in a natural bowl. Sound travels through the canyons. Light reflects and multiplies within its confines especially on foggy nights when the water droplets refract the light. The increased night illumination along the lighted walkways and within the expanded/additional parking lots in combination with the light standards and light leaking through the school windows would illuminate the nighttime sky. Homeowners' views of stars, the moon and night creatures would be replaced by patterns of lighting standards and blocks of buildings. On foggy nights we would look down on a sparkling, white, cotton candy-like cloud. This increase in noise and light could potentially lead to the diminution of nearby property values and reduced concomitant property tax revenue to the City.

This night sky illumination is also detrimental to the Malibu Park wildlife.

Monarch butterflies roost in the blue gum eucalyptus, coast live oaks and sycamore trees of Western Malibu. Many of us are doing our share to support the wildlife habitats. There have been signs of success. The 2021 Monarch butterfly count was increased **one hundred times** compared with the 2019 post-Woolsey Fire count.

It is important to our eco-system to dim the lights not increase them.

A recent post from **ScienceDaily** reports that scientists at the University of Cincinnati have found the following:

### [Light pollution can disorient monarch butterflies](#)

Posted: 20 May 2022 11:46 AM PDT

*Biologists say nighttime light pollution can interfere with the remarkable navigational abilities of monarchs, which travel as far as Canada to Mexico and back during their multi-generational migration. Researchers found that butterflies roosting at night near artificial illumination such as a porch or streetlight can become disoriented the next day because the light interferes with their circadian rhythms. Artificial light can impede the molecular processes responsible for the butterfly's remarkable navigational ability and trigger the butterfly to take wing when it should be resting.*

Night lighting is also harmful to migrating birds. The glorious bright orange (male) and greenish brown (female) Rufous hummingbird fly through California and Malibu in particular between mid-February and mid-May. They visit my Harvester Road garden each year. The Rufous Hummingbird migrates up to 4,000 miles from Mexico and the Gulf Coast up to northwest Alaska where they breed and back each fall. They follow the sun, moon and stars for direction. The Audubon Society says: *"This one-of-a-kind bird could easily become*

## CHARLOTTE M FRIEZE

*disoriented by bright city lights along the way*". Audubon is promoting nationwide efforts to reduce artificial lighting to keep migrating birds on track.

The Malibu Middle and High School Specific Plan requires changes that respect the Malibu Park Ecosystem as well as its neighborhood fabric.

Given the new research on the effects of night lighting on the environment, it is time to re-think the current site plan that includes the placement of an additional 14-space parking lot in the field above the softball field with an entrance on Clover Heights as well as increased lighting of walkways and parking lot light standards. It is critical that the school buildings reflect a concern for the natural setting with a reduction in the nighttime light leakage from the school structures.

As of now the plans are ill conceived and destructive to the neighborhood fabric and the Malibu Park ecosystem.

I emphatically request you remove Parking Lot-F from your proposed plan. It would be devastating to all of us residents if you were to destroy the neighborhood we are trying so hard to re-build for merely 14 parking places.

I emphatically request you remove the increased lighting of walkways and parking lot light standards and reduce the nighttime light leakage from the school structures.

Sincerely,

Charlotte Frieze Jones

**NOTICE OF OF PUBLIC HEARING  
CITY OF MALIBU  
PLANNING COMMISSION**

**NOTICE OF AVAILABILITY OF  
LCP AMENDMENT MATERIALS**

**MALIBU MIDDLE AND HIGH SCHOOL SPECIFIC PLAN**

The Malibu Planning Commission will hold public hearing on **TUESDAY, May 31, 2022, at 6:30 p.m.** on the project identified below. This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to AB 361 and the County of Los Angeles Public Health Officer's Safer at Home Order. All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

**How to View the Meeting:** No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at <https://malibucity.org/video> and <https://malibucity.org/VirtualMeeting>.

**How to Participate Before the Meeting:** Members of the public are encouraged to submit email correspondence to [planningcommission@malibucity.org](mailto:planningcommission@malibucity.org) at least three days prior to the meeting to provide adequate time for Commissioner consideration. Correspondence will continue to be processed until thirty minutes prior to the start of the meeting or as practical.

**How to Participate During the Meeting:** Members of the public wishing to speak or defer time to another speaker during the meeting must participate through the Zoom application and must be present in the Zoom conference to be recognized. The City requests that you sign up to speak before the item you would like to speak on has been called by the Chair. For those wishing to defer time, you are not required to sign up to speak. At the start of public comment for the item, the Chair shall ask members of the public wishing to defer time to raise their hands in the Zoom meeting using the reactions button. Each person will be called to verify their presence in the Zoom meeting and their intent to donate time.

Please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

**MALIBU MIDDLE AND HIGH SCHOOL**

**LOCAL COASTAL PROGRAM AMENDMENT NO. 21-002, ENVIRONMENTAL IMPACT REPORT NO. 20-001, GENERAL PLAN MAP AMENDMENT NO. 21-002, ZONING MAP AMENDMENT NO. 22-001, AND ZONING TEXT AMENDMENT NO. 22-002**

The Planning Commission will consider recommendations to City Council on the Malibu Middle and High School Specific Plan, environmental impact report (EIR), and code amendments.

**Project Description:** The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plans for the redevelopment of the MMHS Campus to be implemented in four phases over the next 10 to 15 years.

The Specific Plan would result in the demolition of 18 existing buildings on the combined campuses; with only the existing athletic fields, and the recently completed Buildings A,

B and E on the MMHS campus would remain, and the construction of a new campus with dedicated spaces for the middle and high school. The Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of new building space, providing the MMHS campus with a total of 47 classrooms and 12 labs and a total of 222,425 square feet of building space. While the Specific Plan will upgrade the MMHS campus, it does not increase floor area ratio (FAR) nor does it allow for an increase in the maximum student population.

Once adopted, the standards in the Specific Plan would become the regulations against which later phases of the project would be reviewed by the City. The Specific Plan would be constructed in four phases, with construction activities anticipated to begin in fall 2022 and completed in summer 2031.

The applicant is requesting the following entitlements as part of the Specific Plan:

- Local Coastal Program Amendment No. 21-002: 1) add Section 3.4.6 to Chapter 3.4 to incorporate the MMHS Campus Specific Plan into the LIP, 2) amend LCP Land Use Map 2 to add a boundary line around the MMHS property denoting the boundaries of the MMHS Campus Specific Plan area, and 3) amend the LUP to add new ESHA policies.
- General Plan Map Amendment No 21-002: Amend the General Plan Land Use Policy Map, Section 3, to add the Specific Plan land use designation on the MMHS property.
- Zoning Map Amendment 22-002: Amend the Zoning Map to add a boundary line around the MMHS property denoting the boundaries of the MMHS Campus Specific Plan area.
- Zoning Text Amendment 22-002: Amend Section 17.42.020 of the Malibu Municipal Code to add the MMHS Campus Specific Plan.

Location: 30215 Morning View Drive, within the appealable coastal zone  
APNs: 4469-017-900, 4469-018-900, 4469-018-901, 4469-018-902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902  
Zoning: Institutional (I)  
Applicant: NAC Architecture  
Owner: Santa Monica-Malibu Unified School District (SMMUSD)  
Application Filed: December 17, 2021  
Case Planner: Raneika Brooks, Senior Planner  
(310) 456-2489, extension 276  
rbrooks@malibucity.org

**EIR Certification:** Acting as lead agency in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15051, on January 26, 2022, the SMMUSD Board of Education (Board) adopted a Final Environmental Impact Report (EIR) for the MMHS Campus Specific Plan (State Clearinghouse # 20200080350). A Draft EIR was prepared for the Proposed Project to assess potential environmental

impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the Proposed Project, as required by CEQA. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on November 2, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potential significant environmental impacts that would result from the Proposed Project; however, the Board found that the inclusion of certain mitigation measures as part of the Proposed Project approval would reduce most potentially-significant impacts to a less-than-significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the Proposed Project. The EIR identified significant and unavoidable impacts with respect to Aesthetics (Light and Glare) and Noise (Sensitive Receptors). Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the Proposed Project, including the specific economic, legal, social, and technological benefits, against the unavoidable aesthetics and noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Board acting as lead agency for the proposed project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for the requested entitlements, the City must review and consider the Final EIR prior to acting upon or approving the Proposed Project. The Final EIR, MMRP, SOC, and all accompanying materials are available on the City's website at:

<https://www.malibucity.org/397/Malibu-Middle-High-School-Improvements>

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Commission regarding this matter will be afforded an opportunity in accordance with the Commission's procedures.

Copies of all documents relating to the proposed Local Coastal Program Amendment are available for review at City Hall, Malibu Public Library, and the Coastal Commission District office during regular business hours. Oral and written comments may be presented to the Planning Commission on, or before, the date of the meeting.

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

Richard Mollica, Planning Director

Publish Date: May 5, 2022