Commission Agenda Report

Planning Commission Meeting
02-17-26
Item 5.A.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Didier Murillo, Principal Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

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

Date prepared: February 5, 2026 Meeting date: February 17, 2026

Subject: Coastal Development Permit No. 23-034 and Minor Modification No. 25-009 – An application for the construction of a new single-family residence and accessory development

Location: 33008 Pacific Coast Highway, within the appealable coastal zone
APN: 4473-017-009
Owner: Bluff Top 1 LLC

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-10 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 23-034 for the construction of a new two-story, 18-foot high, 4,856 square foot single family residence, including a 791 square foot attached garage and an 824 square foot second unit, landscaping, hardscape, grading, fire department turnaround area, vehicular access gate, and the installation of a new onsite wastewater treatment system (OWTS); including Minor Modification (MM) No. 25-009 for up to a 50 percent reduction of the front yard setback located in the Rural Residential, Two-Acre (RR-2) zoning district at 33008 Pacific Coast Highway (PCH) (Bluff Top 1 LLC).

DISCUSSION: This agenda report provides a project overview, a summary of the surrounding land uses and project setting, description of the proposed project, staff's analysis of the proposed project's consistency with Malibu Local Coastal Program (LCP) and Malibu Municipal Code (MMC) provisions, and environmental review pursuant to CEQA. The analysis and findings contained herein demonstrate the proposed project is consistent with the LCP and MMC.

Project History

The project was originally scheduled for the October 6, 2025, Regular Planning Commission meeting. However, the public hearing notice did not include the MM request for up to a 50 percent reduction of the front yard setback and the project was removed from the agenda and re-noticed for the October 20, 2025 Planning Commission Regular meeting. After the October 20, 2025 agenda report was published, the Planning Division received comments from California Coastal Commission (CCC) staff, who suggested site-specific details be included in the Shoreline and Bluff Development Findings required in LCP Local Implementation Plan (LIP) Section 10.3(A), specifically related to reduction of the bluff edge setback from 100 feet to 50 feet pursuant to LIP Section 10.4(D). This correspondence is included with the previous correspondence provided in Attachment 5. Additionally, one new condition of approval was added to the Planning Commission resolution related to construction personnel being informed about the potential for discovery of archaeological resources and measures to follow in such an event.

At the October 20, 2025 Regular Planning Commission meeting, the Commission was not able to open the public hearing for the item prior to 10:30 p.m. and continued the item to the November 3, 2025 Regular Planning Commission meeting. Prior to the November 3, 2025 Regular Planning Commission meeting, the project was reassigned due to staffing changes in the Planning Division. The City also received correspondence from the north adjacent neighbor and other members of the public raising various concerns about the project, including private view blockage. At the November 3, 2025 Regular Planning Commission meeting, the Commission continued the item to the December 1, 2025 Regular Planning Commission meeting prior to opening the public hearing to allow staff time to investigate the concerns raised. Those concerns and staff's responses are provided below:

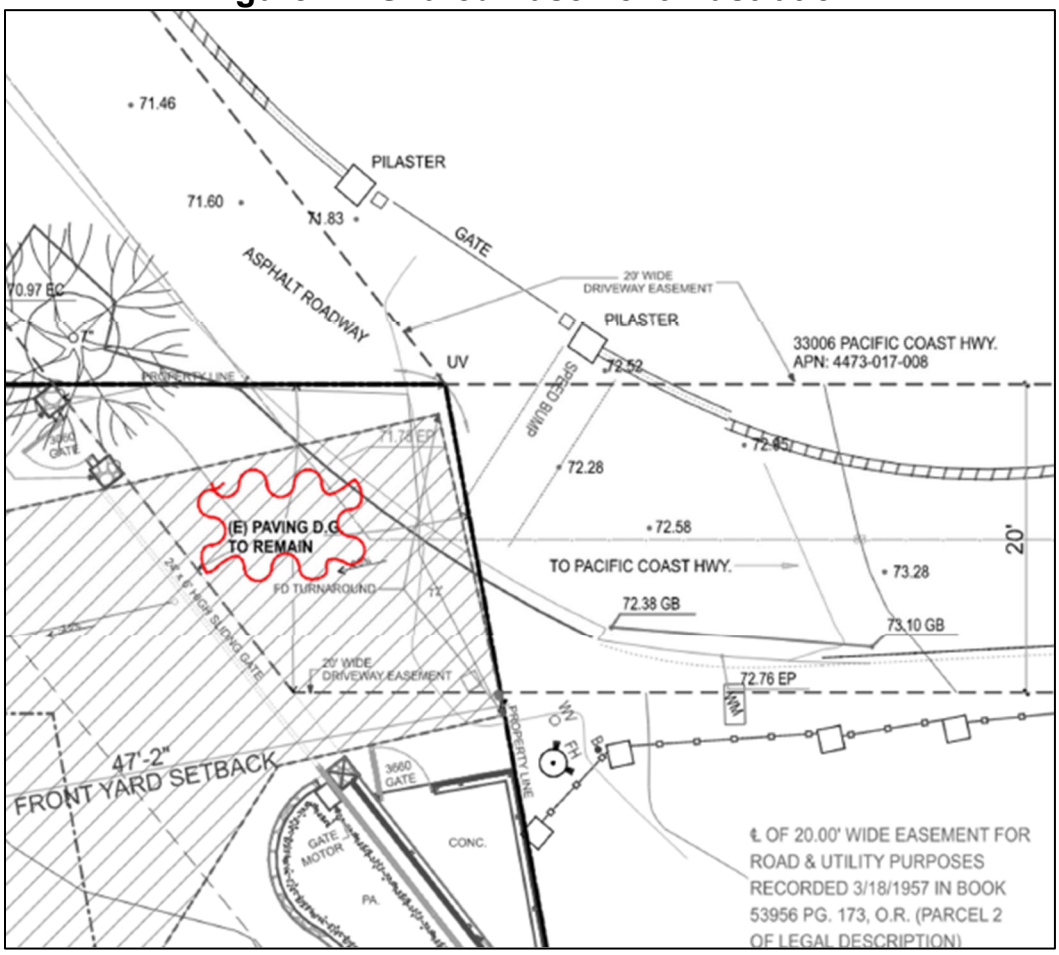
Comment 1 – State Lands Commission, LIP §§ 13.6.2(B) & 10.5(C): The applicant failed to obtain a written determination from the State Lands Commission for the subject project.

Staff Response: The requirement to obtain written determination from the State Lands Commission is only applicable to beachfront properties. While the subject property is oriented toward the ocean, a steep bluff is located between the proposed building pad and the ocean. The proposed development further incorporates the blufftop setback requirements of LIP Section 10.4(D). Being setback far from the mean high tide line and the beach below the bluff, there is no indication that the proposed development would encroach into State Lands. Further, there is no development proposed along the shoreline or bluff, nor does the project propose a shoreline stabilization device or other development along the bluff such as drainage devices or beach access.

Comment 2 – Co-Applicant, LIP § 13.6.2(C): No such invitation has been extended to the adjacent neighbor who has a shared easement over the property, including over areas proposed for development.

Staff Response: The subject project does not propose any development within the shared private access easement with other properties. Revised plans have been submitted to further clarify that no development will be proposed within the portion of the shared easement. See partial screen shot below (Figure 1) of the area within the easement which will remain as is. The prior version of the plans erroneously stated that the area was existing pavement to remain but confirmed to be existing decomposed granite (DG) to remain.

Figure 1 – Shared Easement Illustration



Source: Project Plans - Burdge Architects

Comment 3 – ESHA and Bluff EHSA: The project is proposing development within the required 100-foot buffer from a mapped blue line stream.

Staff Response: The project's distance from the stream is in conformance with LIP Chapter 4 as demonstrated by additional materials submitted by the applicant including a letter from Ford Biological Consulting (Attachment 6) and a drone exhibit (Attachment 7). These items were reviewed by the City's Biologist to confirm that the development is approximately 104 feet away from the mapped blue line stream to the west. Further, it was confirmed that the project area and bluff are located within the existing fuel modification

zones of adjacent single-family residences. Bluff vegetation is dominated by non-native species and not found to include any species in support of Environmentally Sensitive Habitat Area (ESHA); therefore, the bluff is not considered ESHA.

Comment 4 – Unpermitted Coastal Bluff Development: The project includes unpermitted development on the coastal bluff which includes; unpermitted trees, erosion controls (fencing and straw wattle). These were not reflected on the project plans.

Staff Response: Following the Woolsey Fire, much of the vegetation on the property burned. The loss of vegetation covering the property from the fire resulted in conditions making the bluff susceptible to erosion. The owner sought to protect their property and prevent erosion. Prior to installing erosion control measures, the owner inquired with the City to verify if permits were needed to implement the erosion control measures. In consultation with the Building Safety Division, the Public Works Department advised the owner that temporary erosion control measures could be placed on the property to prevent further erosion. Temporary measures installed included sandbags, jute netting, straw waddles and silt fencing oriented in a manner to protect the bluff. The owner has also confirmed that the trees in reference existed prior to the fire and were not replanted. Staff reviewed historical aerial photographs from several sources but was unable to confirm the origins of these trees.

Comment 5 – Archaeology Buffer: The Archaeology Review for this project expressly prohibits "geologic trenching, soil borings, ground clearance, grading, equipment placement, or similar surface-disturbing impacts" within 30 feet of the northern property boundary to protect potential Chumash artifacts.

Staff Response: The buffer mentioned in the comment was provided as a precaution implemented by City staff prior to obtaining an excavation permit for geotechnical borings through City geotechnical staff. The submitted Archaeological Report did not recommend that further archaeology study was needed. Planning Division staff included recommendations from the archeologist's report as conditions of approval in order to address the potential of cultural resources on the project site.

Prior to the December 1, 2025 Regular Planning Commission meeting, Planning Division staff received additional correspondence from the adjacent neighbor's legal counsel stating that the applicant's Phase I Archaeology Report was insufficient and that human remains and other cultural resources likely exist on the site. A letter was also submitted from a Chumash Elder (David Dominguez) who cited another Chumash Elder (Julie Tumamait-Stenslie) allegedly in support of the concern raised. As a result, the project was continued to a date uncertain to allow the applicant time to pursue further archeological study and consultation with Chumash representatives.

After the continuation, staff received further correspondence from Chumas Elder Julie Tumamait-Stenslie stating that she was misquoted by Chumash Elder David Dominguez

and further stated that she did not make statements in support of the concerns raised regarding the subject property (33008 PCH). Chumash Elder Julie Tumamait-Stenslie stated that she had a phone conversation with Chumash Elder David Dominguez asking him to retract his letter. To date, Chumas Elder David Dominguez has not retracted his letter and no further information was received.

As a result, the applicant opted to continue to work with their qualified archaeologist and pursue an Extended Phase I Archaeological Study to further investigate the potential for archaeological resources onsite. The extended study was prepared on January 2, 2026 by Matthew A. Boxt, Ph.D. and included an intensive evaluation of the same project area included in the original Phase 1 Report. This extended study incorporated subsurface testing, including auger borings, laboratory analysis, and Native American monitoring by Chumas representatives. The extended study concluded that the subsurface soils within the project area are “archaeologically sterile” meaning that the project site does not contain intact or significant cultural resources. The extended study characterized the project site as an “artificial or pseudo-site” created by earth-moving decades earlier on other property, that the project did not exhibit indicators that would reflect past human activity, and confirmed that the proposed development would not adversely affect cultural resources. Nonetheless, precautionary measures were recommended in the extended study and these are included as conditions of approval in the Planning Commission resolution.

Project Overview

As shown in Figure 2, the subject parcel is a vacant, parallelogram-shaped blufftop lot of approximately 0.67 acres in size. The property is accessed from a private driveway easement from PCH, which is designated as a scenic road in the LCP Land Use Plan (LUP) where proposed development must be assessed for potential visual impacts on a scenic area. Residential development is permitted on the parcel, subject to the non-beachfront residential development standards of the MMC and LCP. Beachfront development standards do not apply to the proposed development because it is not considered beachfront development due to its orientation at the top of a steep coastal bluff.

Figure 2 – Aerial Map

Source: City GIS 2025

The project site is not designated as ESHA as shown on the LCP ESHA Overlay Map; however, stream ESHA exists offsite approximately 104 feet west of the project site and warrants protection as ESHA pursuant to LIP Chapter 4. To minimize potential ESHA impacts, LIP Section 4.6.1 requires a minimum 100-foot buffer from ESHA.

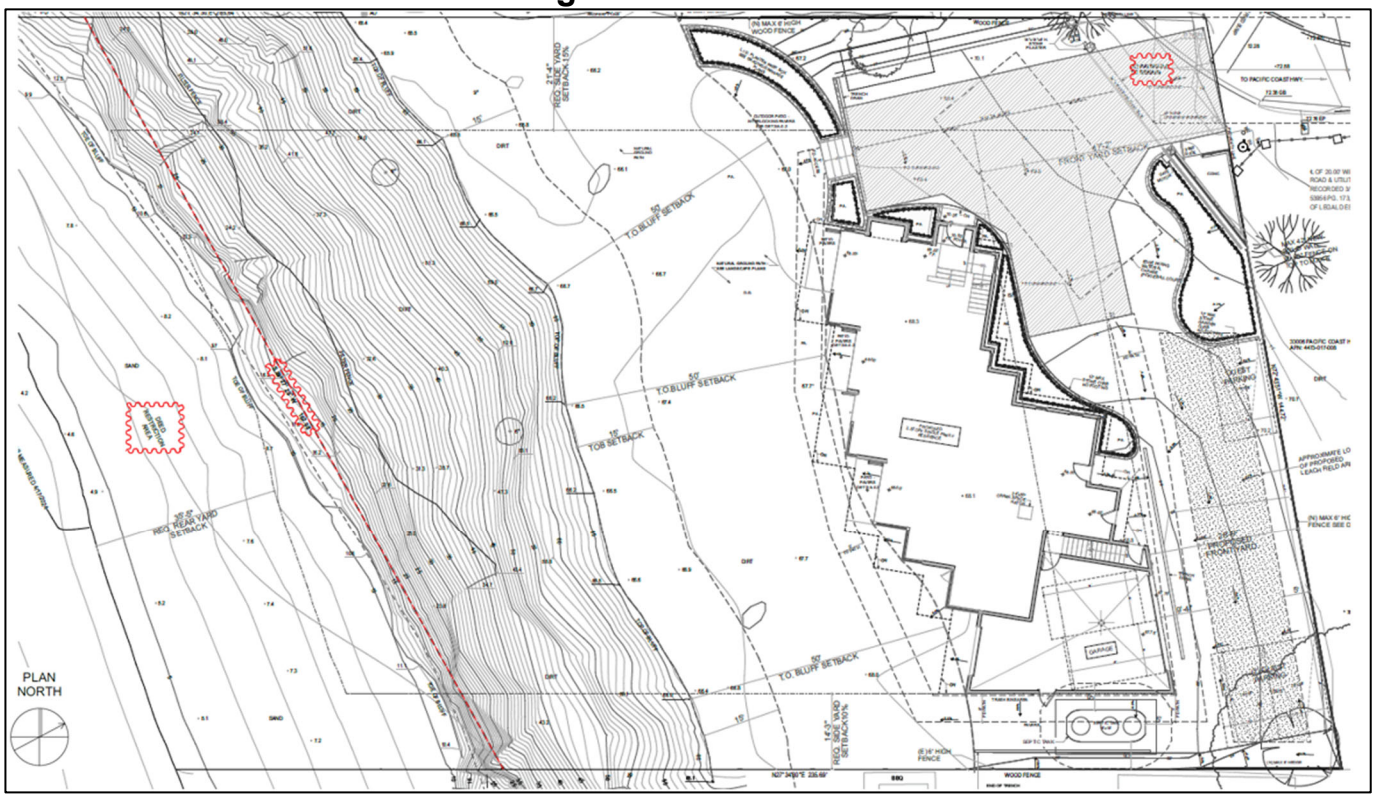
Located between the stream ESHA and the project site are residentially developed properties with existing fuel modifications zones and recurring fuel modification activities. Because the proposed residence is located approximately 104 feet from the stream, the project will not result in new ESHA impacts from the Los Angeles County Fire Department (LACFD)-approved fuel modification required for the proposed residence.

The parcel is currently vacant, except for an unpermitted nonconforming six-foot-high solid gate along the front property line.[1] City records show the current fence was constructed around November 2022. The proposed scope of work would replace nonconforming fence with a compliant visually permeable fence up to six feet in height within the front yard setback.

[1] An active code violation case (CV No. 23-047) is open for the unpermitted gate and would be resolved if the CDP is approved and the project constructed. An inspection would be conducted to verify the violation was remediated. If the CDP is not approved, code enforcement staff will require the gate be addressed immediately.

The proposed site plan is depicted in Figure 3 and as part of the project plans (Attachment 2). Due to topography and existing development, the project site is not visible from PCH but would be visible from El Matador State Beach to the east and a public beach located downcoast (southeast) of the subject property. Accordingly, the project has been assessed for potential impacts to scenic resources as required by LIP Chapter 6. The property has descending slopes from the access easement to the bluff edge that orients along the ocean, with an elevation difference across the flatter portion of the project of approximately 30 feet. Two of the four residentially zoned properties that separate the subject property from PCH are developed with two-story homes and obstruct bluewater public views over the subject property from PCH. In accordance with LIP Section 6.5(E)(1), the proposed two-story development would not exceed the PCH road grade elevation, thereby further ensuring the maximum protection of potential bluewater views even though public views are not impacted as a result of development from PCH. Zoning conformance is discussed in the *LIP Conformance Analysis* section below.

Figure 3 – Site Plan



Source: Project Plans

In August 2025, story poles representing the location and height of the proposed residence were installed (Attachment 3 – Story Pole Photos). Staff conducted an inspection of the story poles and visually assessed the proposed structure's potential to affect public views from scenic viewing areas. Based on the project plans and staff's site visit, it was determined that the proposed project would result in a residence that would be similar to other existing development in the area and would result in a less than significant visual

impact to public views from PCH, El Matador State Beach, and nearby public beaches. Staff found the proposed residence would impact sensitive resources, as discussed in the *Scenic, Visual and Hillside Resource Protection* section below.

In February 2018, a primary view determination (PVD) was recorded on the neighboring property immediately north of the project site at 33006 PCH, which currently has private ocean views across the vacant project site. In September 2025, staff received an email from the neighbor at 33006 PCH, who expressed concerns about the obstruction of private bluewater views from the proposed project. Staff conducted a visual analysis of the proposed project from the neighbor's primary viewing area to document the view obstruction. However, it was determined that the project would obstruct private bluewater views regardless of structure location or height on the lot due to the configuration of the parcel. Nonetheless, the proposed project does not exceed the otherwise allowed 18-foot height limit and is not requesting additional height over 18 feet pursuant to a site plan review.

Surrounding Land Uses and Project Setting

The project is proposed on a residentially zoned blufftop parcel located on the ocean side of PCH in a residentially developed neighborhood.

Table 1 provides a summary of the lot dimensions and lot area of the subject parcel.

Table 1 – Total Property Data	
Lot Depth	236 feet
Lot Width	142 feet
Gross Lot Area	33,786 square feet (0.78 acres)
Area Comprised of 1:1 Slopes	4,761 square feet
Area Comprised of Public Street Easement	0 square feet
Net Lot Area*	**29,025 square feet (0.67 acres**)

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

The project site is located within the Appeal Jurisdiction of the CCC as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map and confirmed per the definition of Appealable Coastal Development Permit in LIP Section 2.1 as the proposed development is located between the sea and first public road paralleling the sea. The project site has no trails on or adjacent to it according to the LCP Park Lands Map, but vertical access between PCH and the beach and lateral access along the beach is available at El Pescador State Beach less than 200 feet east of the project site, La Piedra State Beach located approximately 1,600 feet further to the east, and Robert M. Meyer Memorial State Beach approximately a mile to the east. According to the LCP Park Lands Map, the California Coastal Trail (CCT) is oriented along the shoreline at the base of the subject property.

The subject parcel is zoned RR-2 as are the surrounding parcels to the north, east, and west. All adjacent parcels are currently developed with single-family residences with accessory development including the property to the immediate east between the subject property and El Pescador State Beach which is zoned Public Open Space (POS). Table 2 provides a summary of the surrounding land uses immediately adjacent to the subject property.

Table 2 – Surrounding Land Uses				
Direction	**Address**	**Lot Size**	**Zoning**	**Land Use**
North	33006 PCH	0.36 acres	RR-2	Single-Family Residence
South	Pacific Ocean			
West	33010 PCH	0.52 acres	RR-2	Single-Family Residence
East	32960 PCH	0.51 acres	RR-2	Single-Family Residence

Source: City GIS

Project Description

The proposed scope of work is as follows:

a. Construction of a 4,856 square foot, two-story, single-family residence, 18 feet in height, including a 791 square foot attached two-car garage;
b. 824 square foot, second unit above the garage;
c. Construction of outdoor decks;
d. Installation of new landscaping and hardscape;
e. Grading;
f. Construction of a new OWTS;
g. Vehicular access gate; and
h. Fire department turnaround area.
i. Discretionary Request:
    i. MM No. 25-009 for up to 50 percent reduction of the front yard setback (approximately 37 percent proposed).

LCP Analysis

The LCP consists of the LUP and the LIP. The LUP contains programs and policies implementing the Coastal Act in Malibu. The LIP contains provisions to carry out the policies of the LUP to which every project requiring a CDP must adhere.

There are 14 LIP chapters that potentially apply depending on the nature and location of the proposed project. Of these, five are for conformance review only and contain no findings: 1) Zoning, 2) Grading, 3) Archaeological/Cultural Resources, 4) Water Quality, and 5) OWTS. These chapters are discussed in the *LIP Conformance Analysis* section.

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

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Division, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, Los Angeles County Waterworks District No. 29 (WD29), and the Los Angeles County Fire Department (LACFD) (Attachment 4 – Department Review Sheets). The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals and policies, inclusive of the requested MM.

Zoning (LIP Chapter 3)

The proposed project is subject to development and design standards set forth under LIP Sections 3.5 and 3.6. Conformance with LIP 10.4(D) in included due to blufftop setback requirements per LIP Section 3.6. Table 3 provides a summary and indicates the proposed project meets those standards, inclusive of the requested MM.

[2] The ESHA, Native Tree Protection, Transfer of Development Credits, Public Access, and Land Division findings are neither applicable nor required for the proposed project.

Table 3 – Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
SETBACKS (ft.)			
Front Yard	*47 ft. (min), reduced up to 23 ft. 5 in. (min) with approved MM*	*28 ft. 9 in.*	*MM No. 25-009*
Rear Yard	36 ft. 5 in. (min)	92 ft. 6 in	Complies
Side Yard (Minimum 10%)	14 ft. 2 in. (min)	14 ft. 3 in.	Complies
Side Yard	21 ft. 4 in. (min)	21 ft. 4 in.	Complies
Total Side Yard (Cumulative 25%)	43 ft. 3 in.	43 ft. 6 in.	Complies
Bluff Edge – Structures	100 ft. (min) from bluff edge or 50 ft. (min) with City geotechnical approval	50 ft. with City geotechnical approval	Complies
Bluff Edge – Ancillary	15 ft. (min)	50 ft	Complies
PARKING SPACES			
Enclosed (10 ft. x 18 ft.)	2	2	Complies
Unenclosed (10 ft. x 18 ft.)	3	3	Complies
Total Development Square Footage (TDSF)			
TDSF (sq.ft)	5,580 (max.)	4,856	Complies
Single-Family Residence	No min	3,241	-
Second Unit	900 (max)	824	Complies
HEIGHT (ft.)			
Single-Family Residence	18 ft.	18 ft	Complies
IMPERMEABLE COVERAGE (sq.ft.)	8,707	4,331	Complies
NON-EXEMPT GRADING (cu.yd.)	1,000	153	Complies
CONSTRUCTION ON SLOPES	3 to 1 and flatter	4 to 1 and flatter	Complies
FENCES/WALLS/HEDGES			
Retaining Walls	6 ft. max. 12 ft. cumulative	6 ft. max. 12 ft. cumulative	Complies
Front Yard			
Impermeable	42 in.	42 in.	Complies
Permeable	6 ft.	6 ft.	Complies
Rear & Side Yard	6 ft.	6 ft.	Complies

As shown in Table 3, the proposed project conforms to the development standards as set forth under LIP Chapters 3. The proposed project has been determined to be consistent with all applicable LCP codes, standards, goals, and policies.

Grading (LIP Chapter 8)

LIP Section 8.3 ensures that new development minimizes the visual resource impacts of grading and landform alteration by restricting the amount of non-exempt grading to a maximum of 1,000 cubic yards for a residential parcel. The total amount of grading is approximately 2,958 cubic yards as provided for on the Total Grading Yardage Verification Certificate on the grading plan cover sheet. The total amount of proposed non-exempt grading is approximately 153 cubic yards, which is less than the maximum allowable. The remaining grading is approximately 367 cubic yards of exempt understructure, 70 cubic yards of exempt safety grading, and 2,368 cubic yards of removal and recompaction. The proposed project complies with grading requirements set forth under LIP Section 8.3.

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. A Phase I Archaeological Study was prepared by Matthew A. Boxt, Ph.D. for the subject property in March 2023. The cultural resources found during the field survey included subsistence shell and stone tools, but it was unclear if these resources were originally deposited on the subject property or moved there by disturbance processes on other properties, including the construction of the access road and the surrounding residences, burrowing animals, and/or erosion. At the time of the initial Phase I Archaeological Study, archaeological monitoring was recommended for all earthmoving activities. Accordingly, a condition of approval has been added to Resolution No. 26-10 that requires monitoring by a qualified archaeologist for all earthmoving activities, which include gradings, trenching, potholing, shoveling, and soil core boring.

As a result of correspondence received as discussed in the *Project History* section of the report, including information provided by a Chumash Elder that she was misquoted regarding the potential for resources on the subject property, the applicant opted to continue to work with their qualified archaeologist and pursue an Extended Phase I Archaeological Study to further investigate the potential for archaeological resources onsite. The extended study was prepared on January 2, 2026 by Matthew A. Boxt, Ph.D. and included an intensive evaluation of the same project area included in the original Phase 1 Report. This extended study incorporated subsurface testing, including auger borings, laboratory analysis, and Native American monitoring by Chumash representatives. The extended study concluded that the subsurface soils within the project area are “archaeologically sterile” meaning that the project site does not contain intact or significant cultural resources. The extended study characterized the project site as an “artificial or pseudo-site” created by earth-moving decades earlier on other property, that the project did not exhibit indicators that would reflect past human activity, and confirmed

that the proposed development would not adversely affect cultural resources. Nonetheless, precautionary measures were recommended in the extended study related to development.

Standard conditions of approval are included in the resolution, that correspond to the archaeologist's recommendations above, which state that in the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources, and until the Community Development Director can review this information.

Water Quality (LIP Chapter 17)

The City Public Works Department reviewed and approved the proposed project for conformance to LIP Chapter 17 requirements for water quality protection and requirements of the State Water Resources Control Board (SWRCB) because the property is located in an Area of Special Biological Significance (ASBS). The ocean between Latigo Point and the west City limits has been established by the SWRCB as an ASBS as part of the California Ocean Plan. Standard conditions of approval include the implementation of approved storm water management plans during construction activities and to manage runoff from the development, including recordation of a water quality mitigation plan, and best management practices in compliance with ASBS standards. With the implementation of these conditions, the proposed project conforms to the water quality protection standards of LIP Chapter 17.

Wastewater Treatment System Standards (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The proposed project includes a new OWTS to serve the proposed development. The proposed OWTS consists of a 3,634-gallon MicroSepTec ES12 with ultraviolet disinfection unit located at the northeastern portion of the property adjacent to the proposed residence, a 1,722 square foot dispersal field, and a 2,226 square foot future dispersal field, both of which are located between the proposed residence and the front property line to the north of the residence. The system has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the MMC and the LCP. The proposed OWTS will meet all applicable requirements, and operating permits will be required. An operation and maintenance contract and recorded covenant covering such must comply with the City's Environmental Health requirements. Conditions of approval have been included in the Planning Commission resolution, which require continued operation, maintenance, and monitoring of onsite facilities.

LIP Findings

A. Coastal Development Permit (LIP Chapter 13)

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

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

The Planning Division, City Biologist, City coastal engineering consultant reviewer, City Environmental Health Administrator, City geotechnical consultant reviewers, LACFD and WD29 reviewed the project for conformance with the LCP. The proposed single-family residence, inclusive of the MM request, is consistent with the property's RR-2 residential zoning district, a zone designated for residential uses. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable non-beachfront residential development standards.

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

The project is located between the first public road and the sea. However, the project will not adversely affect public access or recreation because due to the orientation of the project site atop a coastal bluff and existing public access between PCH and the beach in the vicinity. As shown on the LCP Park Lands Map, vertical access between PCH and the beach and lateral access along the beach is available at El Pescador State Beach less than 200 feet east of the project site, La Piedra State Beach located approximately 1,600 feet further to the east, and Robert M. Meyer Memorial State Beach approximately a mile to the east. An existing single-family residence is located between the subject property and El Pescador State Beach to the east and all proposed development is located atop a coastal bluff and setback from the bluff edge. No development is proposed or required on the bluff or beach. As adequate public access exists nearby and no proposed development would adversely affect existing or planned public access in the vicinity or along the shoreline, the project conforms to the public access and recreation policies of the Coastal Act.

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

There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment. The proposed project consists of the construction of a new single-family residence and associated development consistent with the RR-2 land use and zoning designations. Adjacent properties are

currently developed with similar single-family residences. The City Biologist, City Coastal Engineering Consultant Reviewers, City Environmental Health Administrator, and City Geotechnical Consultant Reviewers reviewed the project, and these specialists found the project to meet the non-beachfront residential development policies of the LCP and MMC. The project proposes a reduction of the bluff edge setback from 100 feet to 50 feet, pursuant to LIP Section 10.4(D) for the proposed residence. The proposed 50-foot bluff edge setback has been determined to be a sufficient distance to ensure that proposed development will not be endangered or threatened by erosion or slope instability for a projected 100-year economic life of the structure. Additional details related to project's consistency with LIP Section 10.4(D) are discussed in the LIP Chapter 10 findings. The proposed project, as conditioned, will comply with all applicable requirements of State and local law.

The residence could be relocated elsewhere on the project site and/or be reduced in size. However, the soils testing conducted on site determined the OWTS and associated dispersal fields would be best sited in the proposed locations for optimal percolation. Moreover, because LACFD required a turnaround area to be provided onsite, the available development area was further reduced. The residence could be redesigned to a two-story configuration above 18 feet in height, which could avoid the need for the MM or increase the bluff edge setback. However, given the orientation of existing homes in the area, development above 18 feet in height would likely obstruct more private bluewater views from surrounding residences and be more visible from the beach southeast of the subject property. As designed, the proposed project complies with the requirements of the LCP. The proposed project has been determined not to result in adverse biological, scenic or visual resource impacts, and is the least environmentally damaging feasible alternative.

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

The subject property is not in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map or was determined to be ESHA pursuant to information provided by the project biologist and review conducted by the City Biologist. Therefore, Environmental Review Board review was not required, and this finding does not apply.

B. Minor Modification – Reduction in the Front Yard Setback [LIP Section 13.27]

A MM is requested for an approximate 37 percent reduction in the required front yard setback to allow a 28 ft, 9 in. setback where a 47-foot setback is required. Three additional findings are required pursuant to LIP Section 13.27.5(B) in support of a MM. Based on the evidence contained in the record, the required findings for MM No. 25-009 can be made as follows:

Finding 1. The project is consistent with policies and provisions of the Malibu LCP.

As previously discussed in Section A, Finding 1, the project, with the inclusion of the requested MM, as designed and conditioned, conforms to all applicable LCP policies and provisions. A reduction in the front yard setback is requested to maintain an 18-foot height limit for the proposed residence consistent with LIP Section 3.6 non-beachfront residential development standards, and ensure the structure footprint complies with the minimum 50-foot bluff edge setback pursuant to LIP Section 10.4(D).

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

Story poles were placed on the project site to demonstrate the project's potential for public view impacts to the surrounding area including PCH and the beach. The project's height and bulk will not adversely affect neighborhood character as viewed from public viewing areas due to the existing pattern of residential development adjacent to and in the vicinity of the RR-2 neighborhood. The neighborhood is developed with single-family residences of varying size and height and is characterized by a mix of one and two-story homes. The project proposed has less TDSF and impermeable coverage than is otherwise allowed, and does not exceed 18 feet in height.

Finding 3. The proposed project complies with all applicable requirements of state and local law.

As previously stated in Section A, Finding 1, the project will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits, and licenses from the City of Malibu. The project has been reviewed and conditionally approved by the City Biologist, City geotechnical consultant reviewers, City Public Works Department, City Environmental Health Administrator, and the LACFD and it meets the City's residential development policies. The proposed project will comply with their respective standards through conditions of approval. The project must also be approved by WD29 and the City Community Development Department, prior to issuance of City building permits.

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

The subject property is not in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map or was determined to be ESHA pursuant to information provided by the project biologist and review conducted by the City Biologist. Therefore, the findings of LIP Section 4.7.6 do not apply.

D. Native Tree Protection (LIP Chapter 5)

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

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

The Scenic, Visual, and Hillside Resource Protection Chapter governs those CDP applications concerning any parcel of land that is located along, within, provides public views to or is visible from any scenic area, scenic road or public viewing area. On September 2025, staff visited the site to determine potential visual impacts of the proposed project on any scenic area, scenic road, or public viewing area. Based on the site visit, existing development, project plans, and photographs taken during the site visit, it was determined that the proposed project would not be visible from PCH, an LCP-designated scenic highway, but would be visible from public viewing areas located at El Pescador State Beach, located approximately 200 feet to the east, and along the shoreline to the southeast. Accordingly, the findings in LIP Section 6.4 are made for the proposed project as follows:

Finding 1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

The proposed project includes the development of a single-family residence and associated development. Staff analyzed the project's visual impact from public viewing areas through site reconnaissance and architectural plans and an investigation of the neighborhood. Based on a staff site visit after story poles were installed, it was determined the proposed development is not expected to have significant adverse scenic or visual impacts. No existing public bluewater views are present from PCH and when viewing the proposed project against the backdrop of the existing landscaping and bluff development from nearby public viewing areas, no significant public views of the Pacific Ocean are adversely affected. As designed, the proposed residence does not exceed 18 feet, proposes less TDSF than is otherwise allowed, and maintains a minimum 50-foot setback from the bluff edge. Therefore, the project, as proposed, will not have significant adverse scenic or visual impacts due to project design, location or other reasons. Standard conditions of approval have been included for colors, materials, and lighting.

Finding 2. The project, as conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

The project as conditioned will not have significant adverse scenic or visual impacts. The project has been conditioned to include limitations on exterior lighting and colors of exterior finishes used to prevent any visual impacts to scenic areas.

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

As previously discussed in Section A, Finding 3, the project is the least environmentally damaging feasible alternative.

Finding 4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

The project, as designed and conditioned, is not expected to adversely affect scenic and visual resources and no feasible alternatives would avoid or substantially lessen any significant adverse impacts on scenic and visual resources. As designed, the proposed residence does not exceed 18 feet, proposes less TDSF than is otherwise allowed, and maintains a minimum 50-foot setback from the bluff edge. A MM is requested to further reduce the required 47-foot front yard setback to the north (PCH side) by 37 percent to ensure the proposed structure can maintain 18 feet in height and a minimum 50-foot setback to the bluff edge.

Finding 5. Development in a specific location on the site may have adverse scenic and visual impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified LCP.

The subject property is visible from nearby public beaches; however, the proposed project does not exceed 18 feet, proposes less TDSF than is otherwise allowed, and maintains a minimum 50-foot setback from the bluff edge. A MM is requested to further reduce the required 47-foot front yard setback to the north (PCH side) by 37 percent to ensure the proposed structure can maintain 18 feet in height and a minimum 50-foot setback to the bluff edge. No development is proposed or required on the bluff or beach. Therefore, the proposed development, as designed, is sited to eliminate, minimize or otherwise contribute to conformance to sensitive resources.

F. Transfer of Development Credit (LIP Chapter 7)

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

G. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards listed in LIP Sections 9.2(A)(1-7) must be included in support of all approvals, denials or conditional approvals of development located on a site or in an area where it is determined that the proposed project causes the potential to create adverse impacts upon site stability or structural integrity.

The Planning Division, City Biologist, City coastal engineering consultant reviewer, City Environmental Health Administrator and City geotechnical consultant reviewers analyzed the proposed development for the hazards listed in LIP Chapter 9. The required findings are made as follows:

Finding 1. The project, as proposed will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons.

The applicant submitted geotechnical and engineering reports and addenda prepared by CalWest Geotechnical Consulting Engineers, Land Phases, Inc., and GeoSoils, Inc. All reports are on file at City Hall. In these reports, site-specific conditions are evaluated, and recommendations are provided to address any pertinent issues. Potential geologic hazards analyzed include geologic, seismic, and fault rupture, liquefaction, landslide, groundwater, wave uprush, sea level rise, tsunami, and flood hazards. Based on review of the project plans and associated reports by the City coastal engineering consultant reviewer, City Environmental Health Administrator, and the City geotechnical consultant reviewers, these specialists determined that adverse impacts to the project site related to the proposed development as designed and conditioned are not expected.

With respect to the bluff edge setback, LIP Section 10.4(D) includes a provision to allow a reduction in the bluff setback from 100 feet to a minimum of 50 feet from the bluff edge to the structure if the City geotechnical reviewers determine the required factors of safety are met. The City geotechnical consultant reviewers determined the proposed geotechnical setback line, which is set back 50 feet from the geological top of slope, meets the requirements of LIP Section 10.4(D). All structural footings will be located landward of this line. Ancillary structures without footings, such as patios, walkways, and barbecues, may be located no closer than 15 feet from the bluff edge. The project, as conditioned, incorporates all recommendations contained in the above cited reports and conditions required by the City coastal engineering consultant reviewer, City Environmental Health Administrator and City geotechnical consultant reviewers, including foundations and drainage. The project will neither be subject to nor increase the instability of the site from geologic, flood, or fire hazards.

Fire Hazard

The entire City of Malibu is designated as a Very High Fire Hazard Severity Zone, a zone defined by a more destructive behavior of fire and a greater probability of flames and embers threatening buildings. The subject property is currently subject to wildfire hazards. The scope of work proposed as part of this application is not expected to have an adverse impact on wildfire hazards. The proposed development may actually decrease the site's susceptibility to wildfire through compliance with fuel modification requirements and the use of appropriate building materials will be utilized during construction.

The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has "mutual aid agreements" with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD. Conditions of approval have been included in the resolution to

require compliance with all LACFD development standards. As such, the proposed project, as designed, constructed, and conditioned, will not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

Finding 2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As stated in Finding 1, the proposed project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on the site stability or structural integrity from geologic or flood hazards due to project modifications, landscaping or other conditions.

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

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

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

The Planning Division, City Biologist, City coastal engineering consultant reviewer, City Environmental Health Administrator, and City geotechnical consultant reviewers analyzed the proposed development for the hazards listed in LIP Chapter 9. These specialists determined that the proposed project does not impact site stability or structural integrity.

Finding 5. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

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

H. Shoreline and Bluff Development (LIP Chapter 10)

In accordance with LIP Section 10.2, the requirements of LIP Chapter 10 are applicable to the project and the required findings are made as follows:

Finding 1. The project, as proposed, will have no significant adverse impacts on public access, shoreline sand supply or other resources due to project design, location on the site or other reasons.

The project site is located between PCH and the Pacific Ocean. City geotechnical consultant reviewers reviewed and approved submitted geotechnical reports prepared by

CalWest Geotechnical Consulting Engineers, dated June 30, 2022, May 12, 2023, November 6, 2023, July 23, 2024, and November 15, 2024, Land Phases, Inc. dated April 29, 2023, August 4, 2023, July 15, 2024, November 12, 2024, and GeoSoils, Inc. dated April 2, 2023 and July 29, 2024.

The project site is located on a coastal bluff in western Malibu. The project proposes a reduction of the bluff edge setback from 100 feet to 50 feet, pursuant to LIP Section 10.4(D). The proposed 50-foot bluff edge setback has been determined to be a sufficient distance to ensure that the proposed development will not be endangered or threatened by erosion or slope instability for a projected 100-year economic life of the structure. The project geotechnical consultant has evaluated gross static and pseudostatic slope stability for the site based on requirements of LIP Chapter 9.4 and the City of Malibu Geotechnical Guidelines (both 2002 and 2013) and evaluated bluff retreat rates in accordance with LIP Section 10.4 for the 100-year economic life of the project. The consultants projected a bluff retreat rate of two inches per year, or 16.7 feet, for the 100-year economic life of the development. The 100-year bluff retreat line, based on where the 1.5 geotechnical factor of safety line (static) is located, is 44.34 feet and the 100-year bluff retreat line, based on where the 1.1 geotechnical factor of safety line (seismic) is located, is 48.51 feet. The analysis included a projected sea level rise of 6.6 feet for the 100-year economic life of the development. While 4.9 feet of sea level rise at year 2100 is most applicable for development classified within an Intermediate-High Scenario (i.e., residential development with a medium-high risk aversion), as described in the updated 2024 CCC Sea Level Rise Policy, the use of 6.6 feet was included in the analysis. Note that 6.6 feet represents the projected sea level rise in year 2100 for the High Scenario, which is intended for uses with little to no adaptive capacity (e.g., new wastewater treatment plants, power stations, highways, or other critical infrastructure). The proposed project is solely for residential development and does not include critical infrastructure within the High Scenario.

The City geotechnical consultant reviewers determined that the development will not encroach into the 50-foot bluff-top setback and the proposed project is not expected to destabilize the structural integrity of the bluff or impact shoreline access along the beach at the rear (south) of the property.

As previously discussed in Section A, Finding 2, the proposed project is not anticipated to interfere with public access to the ocean. The proposed structures and related sub-surface construction activities maintain at least 50 feet from the bluff edge. Vertical public access between PCH and the beach is available at El Pescador State Beach less than 200 feet east of the project site, La Piedra State Beach located approximately 1,600 feet further to the east, and Robert M. Meyer Memorial State Beach approximately a mile to the east. No development is proposed or required on the bluff or beach, and the project will not affect the shoreline sand supply or other shoreline resources such as existing or planned public access along the shoreline as the proposed development is setback from the bluff above and the structure has a finished floor elevation of 126 feet above sea level. The proposed development complies with the reduced 50-foot setback from the coastal bluff edge as the

static factor of safety is greater than 1.5. Therefore, the proposed project will not have significant adverse impacts on public access, shoreline sand supply or other resources due to project design, location on the site or other reasons.

Finding 2. The project, as conditioned, will not have significant adverse impacts on public access, shoreline sand supply or other resources due to required project modifications or other conditions.

As discussed in Finding 1, the proposed project, as designed and conditioned and approved by the City coastal engineering consultant reviewers and the City geotechnical consultant reviewers, will not have any significant adverse impacts on public access or shoreline sand supply or other resources.

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

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

Finding 4. There are no alternatives to the proposed development that would avoid or substantially lessen impacts on public access, shoreline sand supply or other resources.

As previously discussed in Section A and Finding 1 above, the proposed project, as designed and conditioned, will not have any significant adverse impacts on existing or planned public access or shoreline sand supply or other resources.

Finding 5. In addition, if the development includes a shoreline protective device, that it is designed or conditioned to be sited as far landward as feasible, to eliminate or mitigate to the maximum extent feasible adverse impacts on local shoreline sand supply and public access, there are no alternatives that would avoid or lessen impacts on shoreline sand supply, public access or coastal resources and is the least environmentally damaging alternative.

The project does not include a shoreline protective device; therefore, this finding does not apply.

I. Public Access (LIP Chapter 12)

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

A. New development on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts as appropriate for or containing a historically used or suitable public access trail or pathway.

B. New development between the nearest public roadway and the sea.
C. New development on any site where there is substantial evidence of a public right of access to or along the sea or public tidelands, a blufftop trail or an inland trail acquired through use or a public right of access through legislative authorization.
D. New development on any site where a trail, bluff top access or other recreational access is necessary to mitigate impacts of the development on public access where there is no feasible, less environmentally damaging, project alternative that would avoid impacts to public access.

No official LCP trail is mapped on the subject property. Lateral public beach access exists along the State of California's "wet sand right of way" which allows public use of lands seaward of the MHTL and provides public access along and parallel to the sea and shoreline. Moreover, vertical public access between PCH and the beach is available at El Pescador State Beach less than 200 feet east of the project site, La Piedra State Beach located approximately 1,600 feet further to the east, and Robert M. Meyer Memorial State Beach approximately a mile to the east. The proposed project would not impede the ability of the public to reach and use public tidelands and coastal resources in the vicinity of the project site and therefore, no condition for lateral access has been required. Additionally, blufftop, trail, and recreational access are not applicable given the subject property's location.

Furthermore, the subject property and project do not meet any of the criteria described above in that no trails are identified on the LCP Park Lands Map on or adjacent to the property. Therefore, the requirement for public access of LIP Section 12.4 does not apply and further findings are not required.

J. Land Division (LIP Chapter 15)

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

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Community Development Director has analyzed the proposed project. The Community Development Director found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the proposed project is categorically exempt from the provisions of CEQA pursuant to Sections 15303(a) and (e) - New Construction. The Community Development Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: As previously discussed, staff received public correspondence from the neighbor immediately north of the project site, who expressed concerns about the obstruction of private bluewater views. Because the project proposes a height of 18 feet, discretion is not required to assess the obstruction of scenically impressive views. In

addition, through the various continuations of this project, staff received public correspondence all of which has been included as Attachment 5. As of drafting of this agenda report, staff received a letter of support in favor of the project (also included in Attachment 5).

PUBLIC NOTICE: On February 5, 2026, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 8).

SUMMARY: The required findings can be made that the proposed project complies with the LCP and MMC. Further, the Planning Division's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project, subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 26-10. The proposed project has been reviewed and conditionally approved for conformance with the LCP by Planning Division staff and appropriate City and County departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-10
2. Project Plans
3. Story Pole Photos
4. Department Review Sheets
5. Public Correspondence
6. Ford Biological Consultant Letter
7. Drone Exhibit
8. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 23-034 FOR THE CONSTRUCTION OF A NEW TWO-STORY, 18-FOOT HIGH, 4,856 SQUARE FOOT SINGLE-FAMILY RESIDENCE, INCLUDING A 791 SQUARE FOOT ATTACHED GARAGE AND AN 824 SQUARE FOOT SECOND-STORY SECOND UNIT, LANDSCAPING, HARDSCAPE, GRADING, FIRE DEPARTMENT TURNAROUND AREA, VEHICULAR ACCESS GATE, AND THE INSTALLATION OF A NEW ONSITE WASTEWATER TREATMENT SYSTEM; INCLUDING MINOR MODIFICATION NO. 25-009 FOR UP TO A 50 PERCENT REDUCTION OF THE FRONT YARD SETBACK LOCATED IN THE RURAL RESIDENTIAL, TWO-ACRE ZONING DISTRICT AT 33008 PACIFIC COAST HIGHWAY (BLUFF TOP 1 LLC)

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

SECTION 1. Recitals.

A. On May 17, 2023, an application for Coastal Development Permit (CDP) No. 23-034 and Code Violation (CV) No. 23-047 was submitted to the Planning Division by applicant, Schmitz and Associates, Inc., on behalf of the owner, Bluff Top 1 LLC. The application was routed to the City Biologist, City coastal engineering consultant reviewer, City Environmental Health Administrator, City geotechnical consultant, Public Works Department, Los Angeles County Fire Department (LACFD) and Los Angeles County Waterworks District No. 29 (WD29) reviewers for review.

B. On April 29, 2025, a Notice of Coastal Development Permit Application was posted on the subject property.

C. On August 15, 2025, story poles representing the location and height of the proposed addition to the detached garage were installed.

D. On August 29, 2025, Planning Division staff conducted a site visit to document site conditions, the property and surrounding area and to determine potential visual impacts of the proposed project on any scenic area, scenic road, or public viewing area.

E. On September 9, 2025, Planning Division staff deemed the application complete.

F. On September 25, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

G. On October 1, 2025, an amended agenda was published for the October 6, 2025 Regular Planning Commission meeting and the item was removed from the agenda.

H. On October 9, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

I. On October 20, 2025, the Planning Commission continued the project to the November 3, 2025 Regular Planning Commission meeting prior to opening the public hearing.

J. On November 3, 2025, the Planning Commission continued the project to the December 1, 2025 Regular Planning Commission meeting prior to opening the public hearing.

K. On December 1, 2025, the Planning Commission continued the project to a date uncertain prior to opening the public hearing.

L. On February 5, 2026, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

M. On February 17, 2026, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. The Planning Commission found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Sections 15303(a) and (e) – New Construction. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

SECTION 3. Coastal Development Permit Findings.

Based on evidence contained within the record and pursuant to Local Implementation Plan (LIP) including Sections 13.7(B) and 13.9, the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves CDP No. 23-034 for construction of a new two-story, 18-foot high, 4,856 square foot single-family residence, including a 791 square foot attached garage and an 824 square foot second-story second unit, landscaping, hardscape, grading, fire department turnaround area, vehicular access gate, and the installation of a new onsite wastewater treatment system (OWTS); including Minor Modification (MM) No. 25-009 for up to a 50 percent reduction of the front yard setback located in the Rural Residential, Two-Acre (RR-2) zoning district at 33008 Pacific Coast Highway (PCH).

The project is consistent with the Local Coastal Program's (LCP's) zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. The project, as conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. The Planning Division, City Biologist, City coastal engineering consultant reviewer, City Environmental Health Administrator, City geotechnical consultant reviewers,

LACFD and WD29 reviewed the project for conformance with the LCP. The proposed single-family residence is consistent with the property's RR-2 residential zoning district, a zone designated for residential uses. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable non-beachfront residential development standards.

2. The project is located between the first public road and the sea. However, the project will not adversely affect public access or recreation because due to the orientation of the project site atop a coastal bluff and existing public access between PCH and the beach in the vicinity. As shown on the LCP Park Lands Map, vertical access between PCH and the beach and lateral access along the beach is available at El Pescador State Beach less than 200 feet east of the project site, La Piedra State Beach located approximately 1,600 feet further to the east, and Robert M. Meyer Memorial State Beach approximately a mile to the east. An existing single-family residence is located between the subject property and El Pescador State Beach to the east and all proposed development is located atop a coastal bluff and setback from the bluff edge. No development is proposed or required on the bluff or beach. As adequate public access exists nearby and no proposed development would adversely affect existing or planned public access in the vicinity or along the shoreline, the project conforms to the public access and recreation policies of the Coastal Act.

3. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment. The proposed project consists of the construction of a new single-family residence and associated development consistent with the RR-2 land use and zoning designations. Adjacent properties are currently developed with similar single-family residences. The City Biologist, City Coastal Engineering Consultant Reviewers, City Environmental Health Administrator, and City Geotechnical Consultant Reviewers reviewed the project, and these specialists found the project to meet the non-beachfront residential development policies of the LCP and MMC. The project proposes a reduction of the bluff edge setback from 100 feet to 50 feet, pursuant to LIP Section 10.4(D) for the proposed residence. The proposed 50-foot bluff edge setback has been determined to be a sufficient distance to ensure that proposed development will not be endangered or threatened by erosion or slope instability for a projected 100-year economic life of the structure. Additional details related to project's consistency with LIP Section 10.4(D) are discussed in the LIP Chapter 10 findings. The proposed project, as conditioned, will comply with all applicable requirements of State and local law.

The residence could be relocated elsewhere on the project site and/or be reduced in size. However, the soils testing conducted on site determined the OWTS and associated dispersal fields would be best sited in the proposed locations for optimal percolation. Moreover, because LACFD required a turnaround area to be provided onsite, the available development area was further reduced. The residence could be redesigned to a two-story configuration above 18 feet in height, which could avoid the need for the MM or increase the bluff edge setback. However, given the orientation of existing homes in the area, development above 18 feet in height would likely obstruct more private bluewater views from surrounding residences and be more visible from the beach southeast of the subject property. As designed, the proposed project complies with the requirements of the LCP. The proposed project has been determined not to result in adverse biological, scenic or visual resource impacts, and is the least environmentally damaging feasible alternative.

B. Minor Modification - Reduction in the Front Yard Setback (LIP Section 13.27)

1. The project, with the inclusion of the requested MM, as designed and conditioned, conforms to all applicable LCP policies and provisions. A reduction in the front yard setback is requested to maintain an 18-foot height limit for the proposed residence consistent with LIP Section 3.6 non-beachfront residential development standards, and ensure the structure footprint complies with the minimum 50-foot bluff edge setback pursuant to LIP Section 10.4(D).

2. Story poles were placed on the project site to demonstrate the project's potential for public view impacts to the surrounding area including PCH and the beach. The project's height and bulk will not adversely affect neighborhood character as viewed from public viewing areas due to the existing pattern of residential development adjacent to and in the vicinity of the RR-2 neighborhood. The neighborhood is developed with single-family residences of varying size and height and is characterized by a mix of one and two-story homes. The project proposed has less TDSF and impermeable coverage than is otherwise allowed, and does not exceed 18 feet in height.

3. The project will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits, and licenses from the City of Malibu. The project has been reviewed and conditionally approved by the City Biologist, City geotechnical consultant reviewers, City Public Works Department, City Environmental Health Administrator, and the LACFD and it meets the City's residential development policies. The proposed project will comply with their respective standards through conditions of approval. The project must also be approved by WD29 and the City Community Development Department, prior to issuance of City building permits.

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

1. The proposed project includes the development of a single-family residence and associated development. Staff analyzed the project's visual impact from public viewing areas through site reconnaissance and architectural plans and an investigation of the neighborhood. Based on a staff site visit after story poles were installed, it was determined the proposed development is not expected to have significant adverse scenic or visual impacts. No existing public bluewater views are present from PCH and when viewing the proposed project against the backdrop of the existing landscaping and bluff development from nearby public viewing areas, no significant public views of the Pacific Ocean are adversely affected. As designed, the proposed residence does not exceed 18 feet, proposes less TDSF than is otherwise allowed, and maintains a minimum 50-foot setback from the bluff edge. Therefore, the project, as proposed, will not have significant adverse scenic or visual impacts due to project design, location or other reasons. Standard conditions of approval have been included for colors, materials, and lighting.

2. The project as conditioned will not have significant adverse scenic or visual impacts. The project has been conditioned to include limitations on exterior lighting and colors of exterior finishes used to prevent any visual impacts to scenic areas.

3. The project, as designed and conditioned, is the least environmentally damaging alternative.

4. The project, as designed and conditioned, is not expected to adversely affect scenic and visual resources and no feasible alternatives would avoid or substantially lessen any significant

adverse impacts on scenic and visual resources. As designed, the proposed residence does not exceed 18 feet, proposes less TDSF than is otherwise allowed, and maintains a minimum 50-foot setback from the bluff edge. A MM is requested to further reduce the required 47-foot front yard setback to the north (PCH side) by 37 percent to ensure the proposed structure can maintain 18 feet in height and a minimum 50-foot setback to the bluff edge.

5. The subject property is visible from nearby public beaches; however, the proposed project does not exceed 18 feet, proposes less TDSF than is otherwise allowed, and maintains a minimum 50-foot setback from the bluff edge. A MM is requested to further reduce the required 47-foot front yard setback to the north (PCH side) by 37 percent to ensure the proposed structure can maintain 18 feet in height and a minimum 50-foot setback to the bluff edge. No development is proposed or required on the bluff or beach. Therefore, the proposed development, as designed, is sited to eliminate, minimize or otherwise contribute to conformance to sensitive resources.

D. Hazards (LIP Chapter 9)

1. Evidence in the record demonstrates that the project will neither be subject to nor increase the instability of the site from geologic, flood, or fire hazards. LIP Section 10.4.(D) includes a provision to allow a reduction in the setback from the bluff edge from 100 feet to a minimum of 50 feet from the bluff edge to structures if the City geotechnical reviewers determine the required factors of safety are met. The City geotechnical consultant reviewers determined the proposed geotechnical setback line, which is set back 50 feet from the geological top of slope, meets the requirements of LIP Section 10.4(D). All structural footings will be located landward of this line. Ancillary structures without footings, such as patios, walkways, and barbecues, may be located no closer than 15 feet from the bluff edge. The project, as conditioned, incorporates all recommendations contained in the above cited reports and conditions required by the City coastal engineering consultant reviewer, City Environmental Health Administrator and City geotechnical consultant reviewers, including foundations and drainage. The project will neither be subject to nor increase the instability of the site from geologic, flood, or fire hazards

2. As discussed in Finding 1, the proposed project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on the site stability or structural integrity from geologic or flood hazards due to project modifications and other conditions.

3. The project, as designed and conditioned, is the least environmentally damaging alternative.

4. The Planning Division, City Biologist, City coastal engineering consultant reviewer, City Environmental Health Administrator, and City geotechnical consultant reviewers analyzed the proposed development for the hazards listed in LIP Chapter 9. These specialists determined that the proposed project does not impact site stability or structural integrity.

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

E. Shoreline and Bluff Development (LIP Chapter 10)

1. As previously discussed in Section A, Finding 2, the proposed project is not anticipated to interfere with public access to the ocean. The project site is located on a coastal bluff in western Malibu. The project proposes a reduction of the bluff edge setback from 100 feet to 50 feet, pursuant to LIP Section 10.4(D). The proposed 50-foot bluff edge setback has been determined to be a sufficient distance to ensure that the proposed development will not be endangered or threatened by erosion or slope instability for a projected 100-year economic life of the structure. The project geotechnical consultant has evaluated gross static and pseudostatic slope stability for the site based on requirements of LIP Chapter 9.4 and the City of Malibu Geotechnical Guidelines (both 2002 and 2013) and evaluated bluff retreat rates in accordance with LIP Section 10.4 for the 100-year economic life of the project. The consultants projected a bluff retreat rate of two inches per year, or 16.7 feet, for the 100- year economic life of the development. The 100-year bluff retreat line, based on where the 1.5 geotechnical factor of safety line (static) is located, is 44.34 feet and the 100-year bluff retreat line, based on where the 1.1 geotechnical factor of safety line (seismic) is located, is 48.51 feet. The analysis included a projected sea level rise of 6.6 feet for the 100-year economic life of the development. While 4.9 feet of sea level rise at year 2100 is most applicable for development classified within an Intermediate-High Scenario (i.e., residential development with a medium-high risk aversion), as described in the updated 2024 CCC Sea Level Rise Policy, the use of 6.6 feet was included in the analysis. Note that 6.6 feet represents the projected sea level rise in year 2100 for the High Scenario, which is intended for uses with little to no adaptive capacity (e.g., new wastewater treatment plants, power stations, highways, or other critical infrastructure). The proposed project is solely for residential development and does not include critical infrastructure within the High Scenario.

The City geotechnical consultant reviewers determined that the development will not encroach into the 50-foot bluff-top setback and the proposed project is not expected to destabilize the structural integrity of the bluff or impact shoreline access along the beach at the rear (south) of the property.

As previously discussed in Section A, Finding 2, the proposed project is not anticipated to interfere with public access to the ocean. The proposed structures and related sub-surface construction activities maintain at least 50 feet from the bluff edge. Vertical public access between PCH and the beach is available at El Pescador State Beach less than 200 feet east of the project site, La Piedra State Beach located approximately 1,600 feet further to the east, and Robert M. Meyer Memorial State Beach approximately a mile to the east. No development is proposed or required on the bluff or beach, and the project will not affect the shoreline sand supply or other shoreline resources such as existing or planned public access along the shoreline as the proposed development is setback from the bluff above and the structure has a finished floor elevation of 126 feet above sea level. The proposed development complies with the reduced 50-foot setback from the coastal bluff edge as the static factor of safety is greater than 1.5. Therefore, the proposed project will not have significant adverse impacts on public access, shoreline sand supply or other resources due to project design, location on the site or other reasons.

2. As discussed in Finding 1, the proposed project, as designed and conditioned and approved by the City coastal engineering consultant reviewers and the City geotechnical consultant reviewers, will not have any significant adverse impacts on public access or shoreline sand supply or other resources.

3. The project, as designed and conditioned, is the least environmentally damaging alternative.

4. As previously discussed in Section A and Finding 1 above, the proposed project, as designed and conditioned, will not have any significant adverse impacts on existing or planned public access or shoreline sand supply or other resources.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 23-034 and MM No. 25-009, subject to the following conditions.

SECTION 5. Conditions of Approval.

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

2. Approval of this application is to allow for the project described herein. The scope of work approved includes:
    a. Construction of a 4,856 square foot, two-story, single-family residence, 18 feet in height, including a 791 square foot attached garage;
    b. 824 square foot, second unit above the garage;
    c. Construction of outdoor decks;
    d. Installation of new landscaping and hardscape;
    e. Grading;
    f. Construction of a new OWTS;
    g. Vehicular access gate; and
    h. Fire department turnaround area.
    i. Discretionary Request:
        a. MM No. 25-009 for up to a 50 percent reduction of the front yard setback (approximately 37 percent proposed).

3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on plans on file with the Planning Division date stamped **November 12, 2025**. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

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

5. The applicant shall digitally submit a complete set of plans to the Planning Division for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. This CDP shall expire if the project has not commenced within three (3) years after issuance of the permit. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

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

8. All development shall conform to requirements of the City Biologist, City coastal engineering consultant reviewer, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, WD29 and LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.

9. Minor changes to the approved plans or the conditions of approval may be approved by the Community Development Director, provided such changes achieve substantially the same results and the project is still in compliance with the Malibu Municipal Code (MMC) and the LCP. Revised plans reflecting the minor changes and additional fees shall be required.

10. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals, including those to the California Coastal Commission (CCC), have been exhausted. In the event that the CCC denies the permit or issues the permit on appeal, the CDP approved by the City is void.

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

Cultural Resources

12. Prior to beginning any earthmoving activities, all construction personnel must be informed about the potential for discovery of archeological resources and/or human remains, and the appropriate measures to be taken should such resources be uncovered.

13. A qualified archaeologist shall be present onsite during all earthmoving activities and shall remain present onsite to monitor until he or she determines that it would be unlikely for further work to encounter cultural resources. Should the presence of important archaeological cultural resources be found, a Phase II Evaluation and Phase III Mitigation Program shall be conducted by a qualified archaeologist. The Community Development Director shall review and approve all design/work plans for Phase III Mitigation Programs and reports which detail the evaluative techniques and results.

14. Prior to final Planning Division approval of construction plans, the applicant shall submit evidence of a signed contract with a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, to provide archaeological monitoring and reporting services during earthmoving activities. The contract shall include provisions for on-call monitoring, discovery procedures, and reporting consistent with applicable City and State requirements. Verification of the executed contract shall be reviewed and approved by the Planning Division prior to issuance of any grading or building permit.

15. A final report shall be prepared by the monitoring archaeologist and submitted to the Planning Division prior to the Planning final inspection of the completed project.

16. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Community Development Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.

17. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Lighting

18. Exterior lighting must comply with the Dark Sky Ordinance and shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
    a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60-watt incandescent bulb);
    b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
    c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;

d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
e. Site perimeter lighting shall be prohibited; and
f. Outdoor decorative lighting for aesthetic purposes is prohibited.

19. Night lighting for sports courts or other private recreational facilities shall be prohibited.
20. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot-candle.

21. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. Lighting of the shore or the beach in excess of one foot candle is prohibited.

22. String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.

23. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

24. No lighting can exceed 18 feet in height except as required by the California building code.

25. Three violations of the conditions by the same property owner will result in a requirement to permanently remove the outdoor light fixture(s) from the site.

Fencing and Walls

26. The applicant shall include an elevation of the proposed electronic driveway gate on the architectural plans that are submitted for building plan check. The gate and all fencing along the front property line shall comply with the regulations set forth in LIP Section 3.5.

27. The height of fences and walls shall comply with LIP Section 3.5.3(A). No retaining wall shall exceed six feet in height or 12 feet in height for a combination of two or more walls.

28. For the portion of front fencing and gates above 42 inches, the slats shall be no more than one inch in diameter.

Colors and Materials

29. The project is visible from scenic roads or public viewing areas, therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
    a. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Community Development Director and clearly indicated on the building plans.
    b. The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
    c. All windows shall be comprised of non-glare glass.

30. All driveways shall be a neutral color that blends with the surrounding landforms and vegetation. Retaining walls shall incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. The color of driveways and retaining walls shall be reviewed and approved by the Community Development Director and clearly indicated on all grading, improvement and/or building plans.

Construction Conditions

31. Prior to the issuance of a building/demolition permit, an Affidavit and Certification to implement waste reduction and recycling shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Department. The Affidavit shall indicate the agreement of the applicant to divert at least 65 percent (in accordance with CalGreen) of all construction waste from the landfill.

32. The applicant shall submit a copy of a Construction Management Plan to the Planning Division. The Construction Management Plan shall include a dedicated parking location for construction workers and storage of construction material. Prior to permit issuance, the Construction Management Plan must be acceptable to the Community Development Director and, if applicable, to the Building Official and Public Works Director.

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

34. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.

35. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.

36. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
    a. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
    b. Grading activities shall be planned during the southern California dry season (April through October).
    c. During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize surface water contamination.
    d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

37. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the finished ground level elevation and the highest roof member elevation. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Division for review and sign off on framing.

38. For the transportation of heavy construction equipment and/or material, which requires the use of oversized-transport vehicles on State highways, the applicant / property owner is required to obtain a transportation permit from the California Department of Transportation.

Biology/Landscaping

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

40. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Community Development Director for review and approval a certificate of completion in accordance with MMC Chapter 17.53. The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 17.53.

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

42. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three violations of this condition will result in a requirement to permanently remove the vegetation from the site.

43. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

44. Vegetation in excess of six feet in height shall not obstruct the primary view of existing residences located within a 1,000-foot radius at any given time (given consideration of its future growth).

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

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

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

48. Any site preparation activities, including removal of vegetation, between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least five days prior to initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

49. All new development including structures, septic systems, or landscaping, shall be set back no less than 100 feet from the stream.

50. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.

51. Necessary boundary fencing shall be of an open rail-type design with a wooden rail at the top (instead of wire), be less than 40-inches high, and have a space greater than 14-inches between the ground and the bottom post or wire. A split rail design that blends with the natural environment is preferred.

52. Except as permitted pursuant to the provisions in LUP policies 3.18 and 3.20, throughout the City of Malibu, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time.

53. Plantings required for fuel modification, except for within irrigated Zone A nearest to approved residential structures, must be native, drought-tolerant species and shall blend with the existing natural vegetation and natural habitats on the site.

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

55. The use of wood chips and shredded rubber is prohibited anywhere on the site. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between 5 and 30 feet from the eave/overhang of a structure with limited application areas. Any mulch materials (excluding wood chips and shredded rubber) are allowed 30 feet or more from a structure with no limitation on application area.

Fuel Modification

56. Prior to the issuance of final building permits, the project shall receive LACFD approval of a Final Fuel Modification Plan.

Environmental Health

57. All final project plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building and Safety Division prior to receiving Environmental Health final approval.

58. Reference Plans: Reference architectural and grading/drainage plans shall be submitted to Environmental Health during building plan check review of the proposed OWTS. Approvable building plans will show a new single-family residence with no more than 2 bedrooms and 41 drainage fixture units and a second unit with no more than 1 bedroom and 10 drainage fixture units.

59. Final OWTS Plot Plan: Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The OWTS plot plan shall show essential features of the OWTS and must fit onto an 11-inch by 17-inch sheet leaving a five-inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18-inches by 22-inches).

60. Final OWTS Design Report, Plans, and System Specifications: If the OWTS design and/or bedroom/drainage fixture unit counts are modified in any way subsequent to the Planning-stage review, then a final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final reports must be signed by a City registered OWTS Designer, and the plans stamped by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

61. The final design report shall contain the following information (in addition to the items listed above).
    a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing drainage fixture equivalents, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;

b. Sewage and effluent pump design calculations (as applicable).
c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics; and
e. All final design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Division.

62. All project traffic rated slab plans shall be prepared by a California licensed civil engineer and submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

63. Prior to final Environmental Health approval, the construction plans for all structures and/or buildings with reduced setbacks must be approved by the City Building Safety Division. The architectural and/or structural plans submitted to Building and Safety plan check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives, etc.). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. The architectural/structural/ waterproofing plans must show the location of OWTS components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

64. Proof of Ownership: Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

65. Operations and Maintenance Manual: An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed OWTS.

66. Maintenance Contract: A maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed onsite wastewater disposal system after construction shall be submitted. Note only original "wet signature" documents are acceptable.

67. Advanced OWTS Covenant: Prior to final Environmental Health approval, a covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Office of the Los Angeles County Recorder. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an advanced method of sewage disposal pursuant to the City of MMC. Said covenant shall be provided by the City of Malibu Environmental Health Administrator.

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

69. City of Malibu Geologist/Geotechnical Approval: City of Malibu geotechnical consultant reviewer's final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

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

71. City of Malibu Planning Approval: City of Malibu Planning Division final approval of the OWTS plan shall be obtained.

72. Environmental Health Final Review Fee: A final fee in accordance with the adopted fee schedule at the time of the final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specification.

73. Operating Permit Application and Fee: In accordance with MMC, an application shall be made to the Environmental Health office for an OWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

Geology

74. All recommendations of the consulting certified engineer geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.

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

Grading/Drainage/Hydrology (Public Works)

76. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that:
    a. Is located within or adjacent to ESHA, or
    b. Includes grading on slopes greater than 4 to 1.

    Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4 to 1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources.

77. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3.

78. A grading and drainage plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project:
    a. Public Works Department general notes;
    b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
    c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated;
    d. The limits to land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
    e. If the property contains rare, endangered or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on this plan is required by the City Biologist;
    f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes; and
    g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inch in diameter shall also have a plan and profile for the system included with this plan.

79. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMPs shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlets, post-construction BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

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

81. A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the pre-development and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading or building permit for this project.

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

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

All Best Management Practices (BMP) shall be in accordance with the latest version of the California Stormwater Quality Association BMP Handbook. Designated areas for the

storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

83. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The QQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
    a. Site Design Best Management Practices (BMPs):
    b. Source Control BMPs;
    c. Treatment Control BMPs that retain on-site Stormwater Quality Design Volume (SWQDv). Or where it is technically infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site;
    d. Drainage improvements;
    e. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
    f. Methods of onsite percolation, site re-vegetation and an analysis for off-site project impacts;
    g. Measures to treat and infiltrate runoff from impervious areas;
    h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measure installed during construction prior to the issuance of grading or building permits; and
    i. The WQMP shall be submitted to the Public Works Department and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior the Public Works Department's approval of the grading and drainage plan and/or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the Office of the Los Angeles County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the issuance of the certificate of occupancy.

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

Noise

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

Prior to Occupancy

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

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

88. Prior to a final Building inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Division. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate the specific materials that were land filled or recycled, and state the facilities where all materials were taken.

89. The applicant shall request a final Planning Division inspection prior to final inspection by the City of Malibu Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Division has determined that the project complies with this CDP. A temporary Certificate of Occupancy may be granted at the discretion of the Community Development Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.

90. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Deed Restrictions

91. Prior to final Planning Division approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in Condition Nos. 18 - 25. The property owner shall provide a copy of the recorded document to the Planning Division prior to final Planning Division approval.

92. The property owner is required to acknowledge, by recordation of a deed restriction, that the property is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, and that the property owner assumes said risks and waives any future claims of damage or liability against the City of Malibu and agrees to indemnify the City of Malibu against any liability, claims, damages or expenses arising from any injury or damage due to such hazards. The property owner shall provide a copy of the recorded document to the Planning Division prior to final Planning Division approval.

93. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists

as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to the Planning Division prior to final planning approval.

94. The property owner is required to acknowledge, by the recordation of a deed restriction, that new development on a bluff-top lot, or where demolition and rebuilding is proposed, where geologic or engineering evaluations conclude that the development can be sited and designed so as to not require a shoreline protection structure as part of the proposed development or at any time during the life of the development, the property owner shall be required to record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development approved and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235.

95. The property owner is required to acknowledge, by recordation of a deed restriction, that no more than one secondary residential unit is permitted to exist on the subject property. Said document shall include the definitions of a second unit and guest house as defined by the LIP Section 2.1, and shall be recorded with the Los Angeles County Recorder's Office. The applicant shall submit a copy of the recorded document to the Planning Division.

Fixed Conditions

96. This CDP shall run with the land and bind all future owners of the property.

97. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

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

PASSED, APPROVED AND ADOPTED this 17th day of February 2026.

_____
ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

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

COASTAL COMMISSION APPEAL – An aggrieved person may appeal the Planning Commission's approval to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling (805) 585-1800. Such an appeal must be filed with the Coastal Commission, not the City.

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

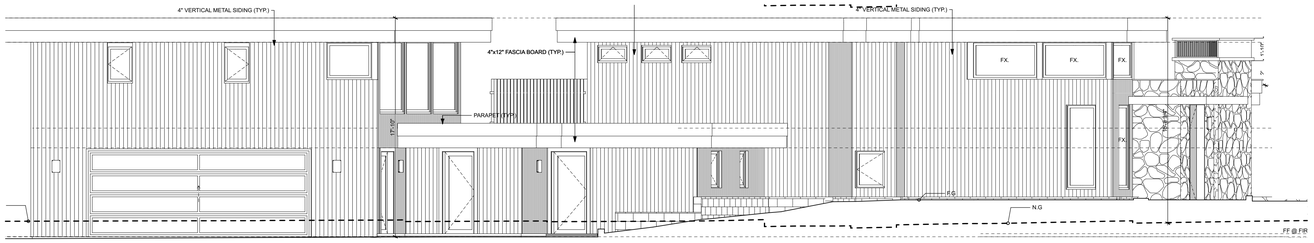
I CERTIFY THAT THE FOREGOING RESOLUTION NO. 26-10 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 17th day of February 2026 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

BLUFFTOP 1, LLC

Received
Nov. 12, 2025
Planning Division



33008 PACIFIC COAST HWY, MALIBU, CA 90265

November, 12 2025

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SYMBOL LEGEND

NORTH ARROW
TRUE NORTH ARROW
INTERIOR ELEVATION FLAG
TYP. DOOR SCHEDULE SYMB.
TYP. WINDOW SCHEDULE SYMB.
ELEVATION DATUM
GRID LINE SYMB.
BUILDING ELEVATION/ SECTION
WALL SECTION
TYP. ELEVATION VIEW DETAIL CALL OUT
TYP. CUT DETAIL CALL OUT
WOOD FRAME
CONCRETE
CMU
STONE

ABBREVIATIONS

ADDITIONAL	ADD'L.	MANUFACTURE	MFR.
ADJUSTABLE	ADJ.	MANUFACTURER'S	MFR'S.
ABOVE FINISHED FLOOR	A.F.F.	MATERIAL	MATL.
ABOVE RAISED FLOOR	A.R.F.	MAXIMUM	MAX.
AIR CONDITIONING	A/C	MECHANICAL	MECH.
ALTERNATE	ALT.	METAL	MTL.
ARCHITECT (URAL)	ARCH.	MINIMUM	MIN.
AREA DRAIN	A.D.	MISCELLANEOUS	MISC.
BLOCKING	BLKG.	NORTH	N
BOARD	BD.	NOT IN CONTRACT	N.I.C.
BUILDING	BLDG.	NOT TO SCALE	N.T.S.
		NUMBER	NO. OR X
CABINET	CAB.		
CEILING	CLG.	ON CENTER	O.C.
CENTER	CTR.	OUTSIDE DIAMETER	O.D.
CENTER LINE	C.L.	OPENING	OPG.
CERAMIC TILE	C.T.		
CLEAR	CLR.	PAIR	PR.
CONCRETE	CONC.	PERFORATED(ED)	PERF.
CONCRETE MASONRY UNIT	C.M.U.	PIECE/PIECES	PC./PCS.
CONSTRUCTION	CONST.	PLANTER AREA	P.A.
CONTINUOUS	CONT.		
CONTROL JOINT	C.J.	QUANTITY	QTY.
DIAMETER	D.I.A.,	RADIUS	RAD.
DIMENSION	DIM.	REFERENCE	REF.
DOUBLE	DBL.	REFRIGERATOR	REFRIG.
DOUBLE HUNG	D.H.	REINFORCE/REINFORCING	REINF.
DOWN	DN.	REQUIRED	REQ.
DRAWING	DWG.	RETURN AIR	R.A.
		ROUGH OPENING	R.O.
ELECTRIC	ELECT.		
ELECTRIC PANEL	ELECT. PNL.	SHEET	SHT.
ELEVATOR	ELEV.	SIMILAR	SIM.
ENCLOSURE	ENCL.	SOUTH	S
ENGINEER	ENGR.	SMOKE DETECTOR	S.D.
EQUAL	EQ.	SPEAKER	SPKR.
EQUIPMENT	EQUIP.	SPECIFICATIONS	SPECS.
EXISTING	EXIST.	SPRINKLER HEAD	S.H.
EXTRUDE OR EXTRUSION	EXTR.	SQUARE	SQ.
		STAINLESS STEEL	S.S.
FABRICATE(ED)	FAB.	STANDARD	STD.
FINISH	FIN.	STEEL	STL
FIXTURE	FIXT.	STRUCTURAL	STRUCT.
FLOOR	FL.		
FLUORESCENT	FLUOR.	TELEPHONE	TEL.
FOOT	FT.	TELEVISION	TV
FRESH AIR INTAKE (OR INLET)	F.A.I.	TEMPORARY	TEMP.
FURNISH(ED)	FURN.	TONGUE AND GROOVE	T. & G.
FURRING	FUR.	TYPICAL	TYP.
GALVANIZED	GALV.	UNLESS OTHERWISE	U.O.N.
GAUGE	GA.	NOTED	
GROUND	GRND.		
GYPSUM BOARD	GYP. BD.	VERTICAL	VERT.
		VINYL COMPOSITION TILE	V.C.T.
HEIGHT	HT.		
HOLLOW METAL	H.M.	WITH	W/
HORIZONTAL	HORIZ.	WITHOUT	W/O
HOT WATER	H.W.	WOOD	WD.
INSIDE DIAMETER	I.D.		
JOINT	JT.		

PROJECT TEAM

ARCHITECT

BURDGE ARCHITECTS
24911 Pacific Coast Hwy
Malibu, CA 90265
T (310) 456-5905
BUAIA.com

EXPEDITOR/APPLICANT:

SCHMITZ & ASSOCIATES, Inc.
28230 Agoura Rd. Suite 200
Agoura Hills, CA 91301
Phone: (747) 444-6231

SURVEYOR:

PEARSON SURVEY
23371 Mulholland Dr. #330
Woodland Hills, CA 91364
Office: (818) 591-8709
Mobile: (818) 468-9714
Thomas McDermott, PLS

COASTAL ENGINEER:

GEOSOILS, INC
5741 Palmer Way
Carlsbad, CA 92010
T (760) 438-3155 I F(760) 931-0915
DAVE SKELLY, PE

GEOLOGIST:

LANDPHASES INC.
5158 Cochran Str.
Simi Valley, CA 93063
T (805) 522-5174 I C (805)657-0142
JAKE HOLT, PG, CEG, CHG

GEOTECHNICAL ENGINEER:

CALWEST GEOTECHNICAL
889 Pierce CT., Suite 101
Thousand Oaks, CA 91360
T (805) 497-1244 I F (818) 991-7148
ELI KATIBAH, PE

GEOLOGIC ENGINEER FOR PERCOLATION:

DONAL KOWALESKY
T (310) 457-2456 I C (310) 889-4625

OWTS ENGINEER:

ENSITU ENGINEERING INC.
7475 Carmelita Ave.
Atascadero, CA 93422
T (805) 772-0150 I C (805) 857-2570
JOHN YAROSLASKY, PE

CIVIL & STRUCTURAL ENGINEER:

TUSHSCER ENGINEERING GROUP, INC
1109 Garden St. Suite 202-204
San Luis Obispo, CA 93401
T (310) 613-9980 I C (310)
JAMES TUCHSCHER, PE

ARCHEOLOGIST:

MATTHEW A. BOXT Ph.D.
2043 S. Dunsmuir Avenue
Los Angeles, CA 90016
T (310) 739-4439

BIOLOGIST:

ELISABETH MOORMAN
T (805) 338-3236

LANDSCAPE:
BAREFOOT DESIGN
T (805) 697-7466 I C (805) 570-0927
JESSICA HARLIN, PLA

VICINITY MAP

SCOPE OF WORK

- PROPOSED NEW 4,856 SF, TWO-STORY, 18' HIGH, SINGLE-FAMILY RESIDENCE WITH ATTACHED 2 CARS GARAGE, ADU ABOVE GARAGE AND OUTDOOR DECKS
- NEW DRIVEWAY ACCESS WITH FIRE DEPARTMENT TURNAROUND AND ASSOCIATED GRADING AND SITE RETAINING WALLS
- NEW SEPTIC SYSTEM
- NEW LANDSCAPE AND OUTDOOR LIGHTING

DISCRETIONARY SUBMITTALS *:

- MINOR MOD FOR FRONT YARD SETBACK REDUCTION OF 39%

DEFERRED SUBMITTAL

Deferred submittal documents shall be submitted to the architect- or engineer-of-record, who shall review them and forward them to the building official with a notation that they have been reviewed and have been found to be in general conformance with the design of the building or structure. The deferred items shall not be installed until their design and submittal documents have been reviewed and approved by the building official.

DEFERRED SUBMITTAL ITEMS:
- TBD

APPLICABLE CODES

- 2022 County of Los Angeles Building Code
- 2022 County of Los Angeles Mechanical Code
- 2022 County of Los Angeles Plumbing Code
- 2022 County of Los Angeles Electrical Code
- 2022 California Energy Code
- 2022 California Residential Code
- 2022 Residential Building Energy Efficiency Standards

•ADDITIONAL APPLICABLE CODES:

Project shall comply with Title 24 and 2022 California Residential Code (CRC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electrical Code (CEC), and California Energy Code (CEnC) [§ R106.1.1 CRC]

PROJECT DATA

PROJECT INFORMATION:

•PROPERTY ADDRESS:	33008 PACIFIC COAST HIGHWAY,MALIBU,CA 90265
•A.P.N:	4473-017-009
•LEGAL DESCR.:	See Survey
•OWNER:	BLUFFTOP 1, LLC
•LCP ZONING:	RR2 (Residential Rural 2-Acres)
•APPEAL JURISDICTION:	YES
•ESHA AREA:	NO
•OCCUPANCY GROUP:	R-3/U
•TYPE OF CONSTRUCTION:	V-B
•NUMBER OF STORIES:	2
•FIRE ZONE:	VHFHSZ
•SPRINKLERED:	Yes (Sprinklered per LACo. Fire Dept. Requirements)
•SEWAGE:	OSWTS REQUIRED
•WIND LOAD:	Special wind Region (100mph)
•SYSMIC ZONE:	4

LOT DIMENSIONS:

- GROSS LOT AREA: **33,786** SF (0.88 Acres)
- NET LOT AREA: **28,637** SF (Gross minus1:1 Slope and Road Easement)
- •LOT DEPTH: 235.9'
- •LOT WIDTH: 142.4'

SETBACKS:

	REQUIRED	PROPOSED
FRONT	47.2'	28.7' *1
SIDE 10%	14.2'	14.2'
SIDE 15%	21.4'	37.5'
REAR	35.4'	144.6'

MAX. ALLOWABLE IMPERMEABLE COVERAGE

MAX. AMOUNT OF IMPERMEABLE COVERAGE:
LOT AREA 28,637 x 30% = 8,591 SF

PROPOSED IMPERMEABLE AREA:

BUILDING FOOTPRINT:	3,256 SF +
CONCRETE SLABS:	997 SF +
(E) ASPHALT:	78 SF =
TOTAL IMPERMEABLE AREA:	4,331 SF < 8,591 SF MAX ALLOWED

MAX. ALLOWABLE TOTAL DEVELOPMENT AREA

MAX. ALLOWED FLOOR AREA = **5,541** SF

PROPOSED TOTAL DEVELOPMENT AREA

FIRST FLOOR:	2,465 SF +
ATTACHED GARAGE:	791 SF +
SECOND FLOOR:	776 SF =
SUB TOTAL:	4,032 SF +
ADU ABOVE GARAGE:	824 SF =
GRAN TOTAL:	**4,856** SF

PROPOSED TDSF: 4,856 SF < 5,541 SF MAX ALLOWED

BULK AREA TABULATION: (2/3'S RULE)

AREA BELOW 18' = 3,256 SF

MAXIMUM ALLOWED OVER 18' = (3,256 x .667) = 2,170 SF

AREA OVER 18' = 0 SF < 2,170 SF

BUILDING HEIGHT:
Allowed max: 18'
Proposed max: 18'

PARKING:
Required: 2 Enclosed, 3 Unenclosed
Proposed: 2 Enclosed, 3 unenclosed

FENCE:
Allowed: 6' max, Front yard top 30" view permeable
Proposed: per code

RET WALLS:
Allowed: 6' max-height
Proposed: none

SHEET INDEX - ADD'L

APPROVAL STAMPS

ATTACHMENT 2

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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

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

MARK	DATE	DESCRIPTION

BURDGE ARCHITECTS
24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

COVERSHEET / PROJECT INDEX

DRAWING NO.
T-1.1

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

C:\Users\Admin\Library\CloudStorage\Box-Box\Current Projects\25007 - BLUFFTOP 1 LLC - 33008 PCH\DOCS\BLUFFTOP v21 2025-11-05.pln

G-2.1 SURVEY

BOUNDARY AND TOPOGRAPHIC SURVEY

33008 PACIFIC COAST HIGHWAY

CLIENT: RON JENNY
33010 PACIFIC COAST HWY.
MALIBU, CA 90265

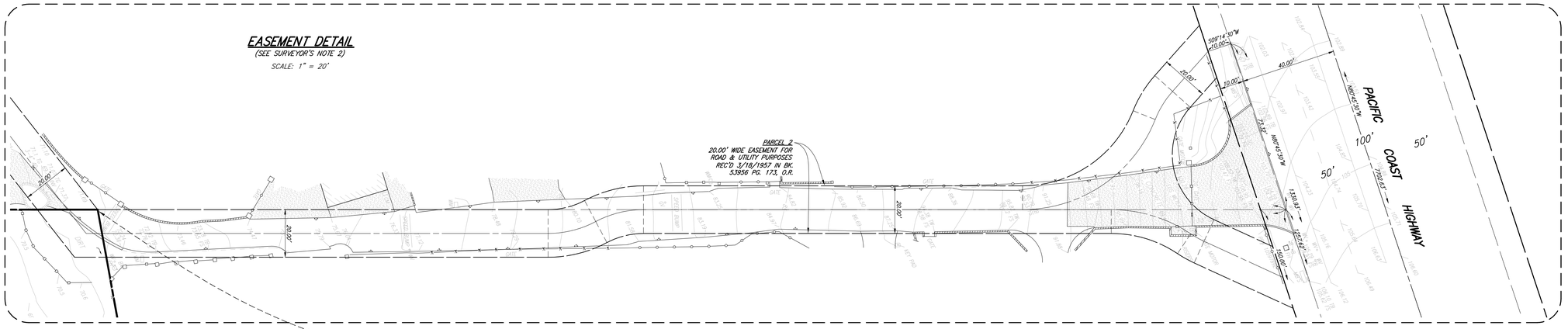
SITE ADDRESS: 33008 PACIFIC COAST HWY.
MALIBU, CA 90265

ASSESSOR'S PARCEL NO: 4473-017-009

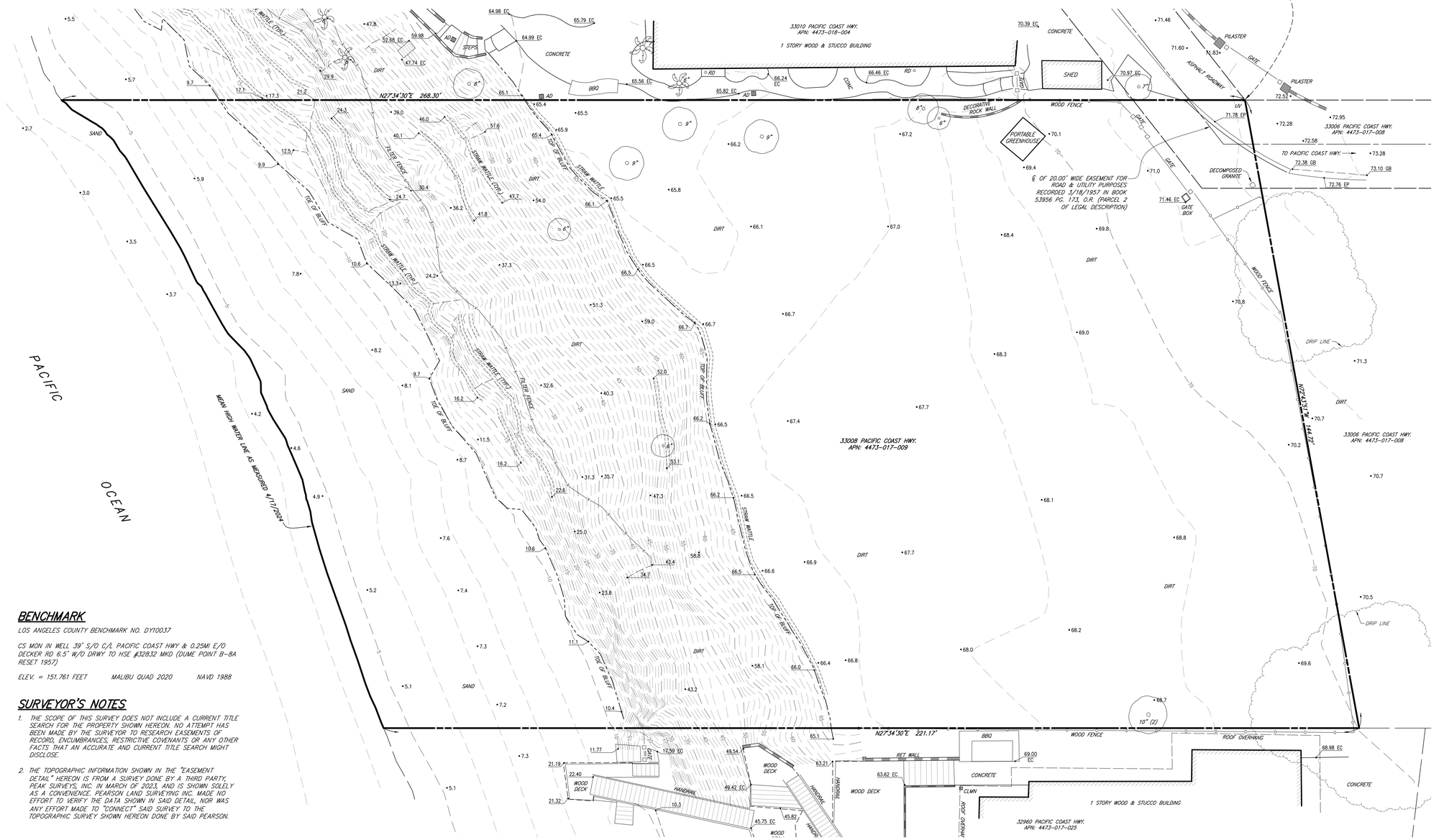
EASEMENT DETAIL

(SEE SURVEYOR'S NOTE 2)

SCALE: 1" = 20'



IDENTICAL



BENCHMARK

LOS ANGELES COUNTY BENCHMARK NO. DY10037

CS MON IN WELL 39' S/O C/L PACIFIC COAST HWY & 0.25MI E/O DECKER RD 6.5' W/O DRWY TO HSE #32832 MKD (DUME POINT B--8A RESET 1957)

ELEV. = 151.761 FEET MALIBU QUAD 2020 NAVD 1988

SURVEYOR'S NOTES

1. THE SCOPE OF THIS SURVEY DOES NOT INCLUDE A CURRENT TITLE SEARCH FOR THE PROPERTY SHOWN HEREON. NO ATTEMPT HAS BEEN MADE BY THE SURVEYOR TO RESEARCH EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MIGHT DISCLOSE.

2. THE TOPOGRAPHIC INFORMATION SHOWN IN THE "EASEMENT DETAIL" HEREON IS FROM A SURVEY DONE BY A THIRD PARTY, PEAK SURVEYS, INC. IN MARCH OF 2023, AND IS SHOWN SOLELY AS A CONVENIENCE. PEARSON LAND SURVEYING INC. MADE NO EFFORT TO VERIFY THE DATA SHOWN IN SAID DETAIL, NOR WAS ANY EFFORT MADE TO "CONNECT" SAID SURVEY TO THE TOPOGRAPHIC SURVEY SHOWN HEREON DONE BY SAID PEARSON.

LEGEND

P.W.F.B.	COUNTY OF LOS ANGELES PUBLIC WORKS FIELD BOOK
C.E.F.B.	CITY OF LOS ANGELES ENGINEERS FIELD BOOK
O/S	OFFSET
P/L	PROPERTY LINE
C/L, ℄	CENTERLINE
R/W	RIGHT-OF-WAY
S. & W.	SPIKE & WASHER
I.P.	IRON PIPE
C.N.	CONCRETE NAIL
MAC N.	MAC NAIL
R/R SPK.	RAILROAD SPIKE
P.M.	PUNCH MARK
L. & TAG	LEAD & TAG
L. & TK.	LEAD & TK.
T.C., TC	TOP OF CURB
PROD.	PROLONGATION OF LINE
P.R.C.	POINT OF REVERSE CURVE
AD	AREA DRAIN
RD	ROOF DRAIN
GB	GRADE BREAK
RD	ROOF DRAIN
S.M.H.	SEWER MANHOLE
P.I.	POINT OF INTERSECTION
B.C.	BEGINNING OF CURVE
E.C.	END OF CURVE
CB	CATCH BASIN
MH	MANHOLE (SEWER, STORM DRAIN, POWER, TELEPHONE)
PP	POWER POLE
DS	DOWNSPOUT
GM/WM	GAS/WATER METER
GV/WV	GAS/WATER VALVE
PL	PLANTER
GP	GUARD POST
APPR.	DRIVEWAY APPROACH
WI	WROUGHT IRON (FENCE)
CHLK	CHAIN LINK (FENCE)
FL	FLOW LINE
TW	TOP OF WALL
TX	TOP OF X
BX	BOTTOM OF X
CD	CURB DRAIN
ST.LT.	STREET LIGHT
SLHB	STREET LIGHT PULL BOX
S'LY, E'LY, ETC.	SOUTHERLY, EASTERLY, ETC.
S/F, E/F, ETC.	SOUTH FACE, EAST FACE, ETC., OF IMPROVEMENT
( )	RECORD DATA PER UNDERLYING MAP
[ ]	RECORD DATA PER C.E.F.B.
	BUILDING FOOT PRINT LINE
	OVERHANG LINE
	EDGE OF ASPHALT
	OVERHEAD UTILITY LINE
	UNDERGROUND LINE W/SIZE OF LINE
	WALL
	YARD LIGHT
	DOOR
	TREE WITH TRUNK DIAMETER
	DIRECTION OF WATER DRAINAGE FLOW

LEGAL DESCRIPTION

PARCEL 1:

THAT PORTION OF THE RANCHO TOPANGA MALIBU SEQUIT, IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1, PAGE 407, ET SEQ, OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF THE 80 FOOT STRIP OF LAND DESCRIBED IN THE DEED FROM T. R. CADWALADER, TRUSTEE, TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228 PAGE 342, OF OFFICIAL RECORDS OF SAID COUNTY, DISTANT THEREON NORTH 80° 45' 30" WEST 1107.62 FEET FROM A POINT BEARING SOUTH 9° 14' 30" WEST 40 FEET FROM ENGINEER'S CENTER LINE STATION 269 PLUS 88.44 AT THE EASTERLY EXTREMITY OF THAT CERTAIN COURSE IN THE CENTER LINE OF SAID 80 FOOT STRIP OF LAND DESCRIBED IN SAID DEED AS SOUTH 80° 45' 30" EAST 7702.63 FEET; THENCE NORTH 80° 45' 30" WEST 150.00 FEET; THENCE SOUTH 27° 34' 30" WEST TO THE ORDINARY HIGH TIDE OF THE PACIFIC OCEAN; THENCE EASTERLY ALONG SAID TIDE LINE TO A LINE BEARING SOUTH 27° 34' 30" WEST FROM THE POINT OF BEGINNING; THENCE NORTH 27° 34' 30" EAST TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID LAND LYING NORTH OF A LINE BEARING NORTH 72° 43' 51" WEST 144.71 FEET FROM A POINT IN THE SOUTHEAST LINE OF SAID LAND DISTANT THEREON SOUTH 27° 34' 30" WEST 529.53 FEET FROM THE NORTHEAST CORNER OF SAID LAND TO A POINT IN THE NORTHWEST LINE OF SAID LAND DISTANT THEREON SOUTH 27° 34' 30" WEST 499.24 FEET FROM THE NORTHWEST CORNER OF SAID LAND.

EXCEPT THEREFROM ALL MINERALS, OIL, PETROLEUM, ASPHALTUM, GAS, COAL AND OTHER HYDROCARBON SUBSTANCES CONTAINED IN, ON, WITHIN AND UNDER SAID LAND, BUT WITHOUT THE RIGHT OF ENTRY, AS RESERVED IN THE DEED FROM MARBLEHEAD LAND COMPANY, A CORPORATION RECORDED ON NOVEMBER 13, 1942 IN BOOK 19637 PAGE 347, OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL 2:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES, TO BE USED IN COMMON WITH OTHERS, OVER THAT PORTION OF RANCHO TOPANGA MALIBU SEQUIT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1 PAGE 407, ET SEQ, OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, INCLUDED IN THAT CERTAIN BASEMENT DEED, EXECUTED BY EDWARD C. CAZIER ET AL., RECORDED MARCH 18, 1957 AS INSTRUMENT NO. 4281, IN BOOK 53956 PAGE 173, OF OFFICIAL RECORDS.

PROFESSIONAL LAND SURVEYOR
THOMAS P. McDERMOTT
No. 8555
STATE OF CALIFORNIA

10' 5' 0' 10' 20'
SCALE: 1" = 10'

SIGNED _____ DATE: 8/5/2024

PEARSON LAND SURVEYING, INC.
Thomas McDermott, PLS 8555
23371 Mulholland Dr. #330
Woodland Hills, CA 91364
Phone: (818) 468-9714
info@pearsonlandsurveying.com

DRAWN BY: BT	JOB NO.: 24JEN0201	DATE: 4/17/2024
CHECKED BY: TPM	SCALE: 1" = 10'	SHEET 1 OF 1

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G-2.2 SLOPE ANALYSIS SURVEY

SLOPE ANALYSIS MAP

33008 PACIFIC COAST HIGHWAY

CLIENT: RON JENNY
33010 PACIFIC COAST HWY.
MALIBU, CA 90265

SITE ADDRESS: 33008 PACIFIC COAST HWY.
MALIBU, CA 90265

ASSESSOR'S PARCEL NO: 4473-017-009

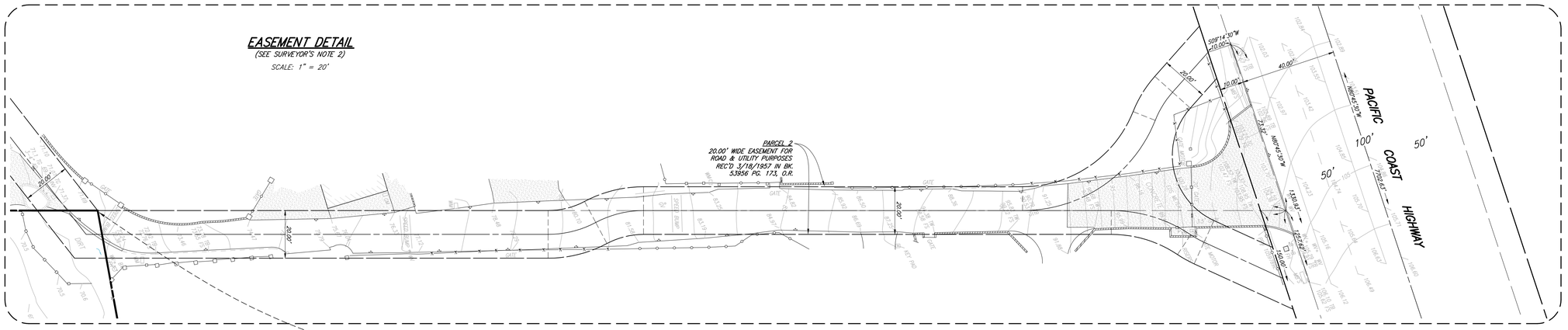
LEGEND

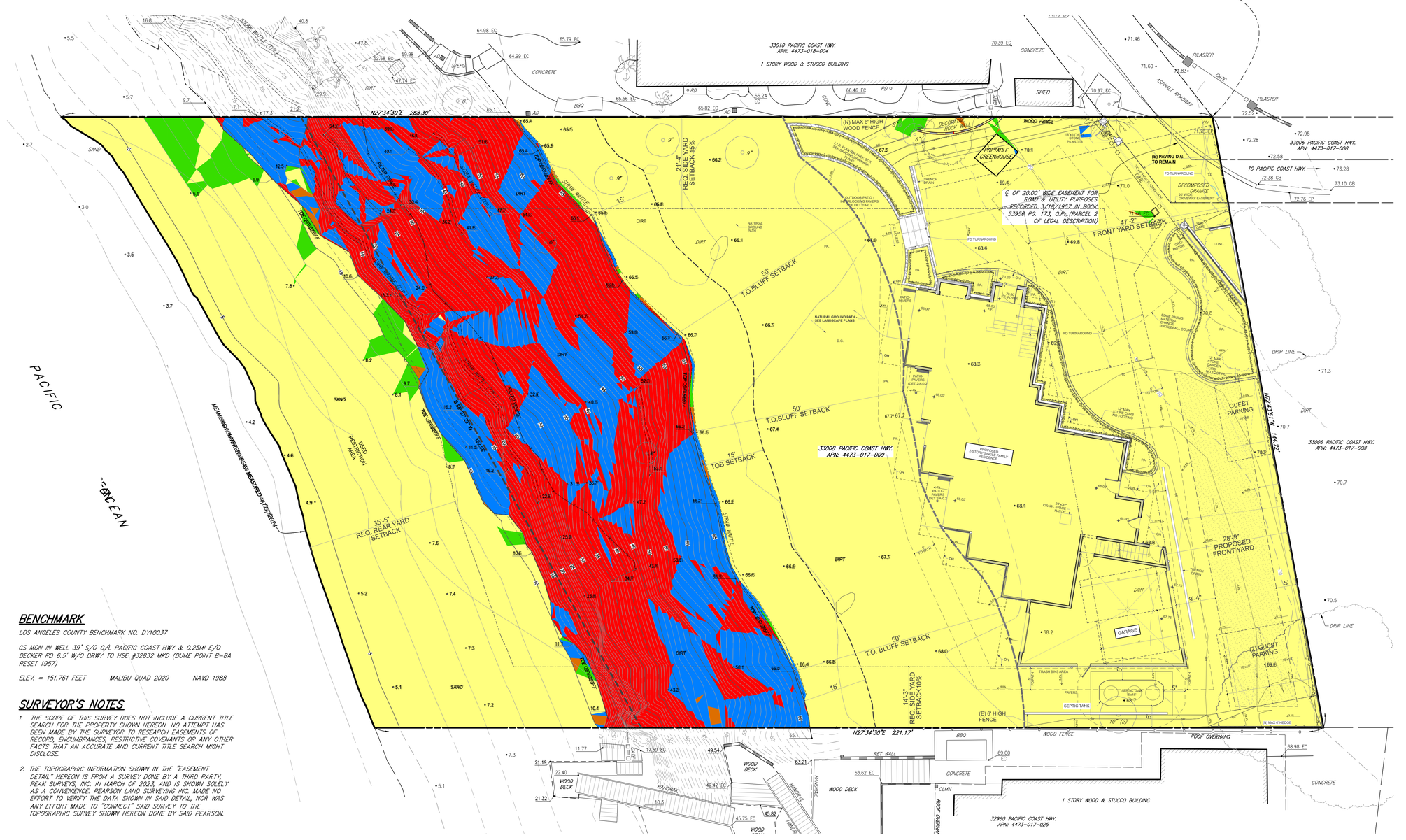
P.W.F.B.	COUNTY OF LOS ANGELES PUBLIC WORKS FIELD BOOK
O/S	OFFSET
P/L	PROPERTY LINE
C/L, ℄	CENTERLINE
R/W	RIGHT-OF-WAY
S. & W.	SPIKE & WASHER
I.P.	IRON PIPE
C.N.	CONCRETE NAIL
MAG N.	MAG NAIL
R/R SPK.	RAILROAD SPIKE
P.M.	PUNCH MARK
L. & TAG	LEAD & TAG
L. & TK.	LEAD & TK.
T.C., TC	TOP OF CURB
PROD.	PROLONGATION OF LINE
P.R.C.	POINT OF REVERSE CURVE
AD	AREA DRAIN
RD	ROOF DRAIN
GB	GRADE BREAK
RD	ROOF DRAIN
S.M.H.	SEWER MANHOLE
P.I.	POINT OF INTERSECTION
B.C.	BEGINNING OF CURVE
E.C.	END OF CURVE
CB	CATCH BASIN
MH	MANHOLE (SEWER, STORM DRAIN, POWER, TELEPHONE)
PP	POWER POLE
DS	DOWNSPOUT
GM/MM	GAS/WATER METER
GV/WV	GAS/WATER VALVE
PL	PLANTER
GP	GUARD POST
APPR.	DRIVEWAY APPROACH
WI	WROUGHT IRON (FENCE)
CHLK	CHAIN LINK (FENCE)
FL	FLOW LINE
TW	TOP OF WALL
TX	TOP OF X
BX	BOTTOM OF X
CD	CURB DRAIN
ST.LT	STREET LIGHT
SLPB	STREET LIGHT PULL BOX
S3.Y, E3.Y, ETC.	SOUTHERLY, EASTERLY, ETC.
S/F, E/F, ETC.	SOUTH FACE, EAST FACE, ETC., OF IMPROVEMENT.
( )	RECORD DATA PER UNDERLYING MAP
[ ]	RECORD DATA PER C.E.F.B.
	BUILDING FOOT PRINT LINE
	OVERHANG LINE
	EDGE OF ASPHALT
	OVERHEAD UTILITY LINE
	UNDERGROUND LINE W/SIZE OF LINE
	WALL
	YARD LIGHT
	DOOR
	TREE WITH TRUNK DIAMETER
	DIRECTION OF WATER DRAINAGE FLOW

EASEMENT DETAIL

(SEE SURVEYOR'S NOTE 2)

SCALE: 1" = 20'





SLOPE ANALYSIS LEGEND AND AREAS

SLOPE CATEGORY	AREA	% OF TOTAL
4:1 AND LESS	25,134 SQ. FT.	74.4%
4:1 TO 3:1	494 SQ. FT.	1.4%
3:1 TO 2.5:1	57 SQ. FT.	0.2%
2.5:1 TO 1:1	3,340 SQ. FT.	9.9%
1:1 AND GREATER	4,761 SQ. FT.	14.1%
	33,786 SQ. FT.	

BENCHMARK

LOS ANGELES COUNTY BENCHMARK NO. DY10037

CS MON IN WELL 39' S/O C/L PACIFIC COAST HWY & 0.25MI E/O DECKER RD 6.5' W/O DRWY TO HSE #32832 MKD (DUME POINT B-8A RESET 1957)

ELEV. = 151.761 FEET MALIBU QUAD 2020 NAVD 1988

SURVEYOR'S NOTES

1. THE SCOPE OF THIS SURVEY DOES NOT INCLUDE A CURRENT TITLE SEARCH FOR THE PROPERTY SHOWN HEREON. NO ATTEMPT HAS BEEN MADE BY THE SURVEYOR TO RESEARCH EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MIGHT DISCLOSE.

2. THE TOPOGRAPHIC INFORMATION SHOWN IN THE "EASEMENT DETAIL" HEREON IS FROM A SURVEY DONE BY A THIRD PARTY, PEAK SURVEYS, INC. IN MARCH OF 2023, AND IS SHOWN SOLELY AS A CONVENIENCE. PEARSON LAND SURVEYING INC. MADE NO EFFORT TO VERIFY THE DATA SHOWN IN SAID DETAIL, NOR WAS ANY EFFORT MADE TO "CONNECT" SAID SURVEY TO THE TOPOGRAPHIC SURVEY SHOWN HEREON DONE BY SAID PEARSON.

PROFESSIONAL LAND SURVEYOR THOMAS P. MCDERMOTT No. 8555 STATE OF CALIFORNIA

SCALE: 1" = 10'

SIGNED _____ DATE: 8/5/2024

PEARSON LAND SURVEYING, INC.
Thomas McDermott, PLS 8555
23371 Mulholland Dr. #330
Woodland Hills, CA 91364
Phone: (818) 468-9714
info@pearsonlandsurveying.com

DRAWN BY: BT	JOB NO.: 24JEN0201	DATE: 4/17/2024
CHECKED BY: TPM	SCALE: 1" = 10'	SHEET 1 OF 1

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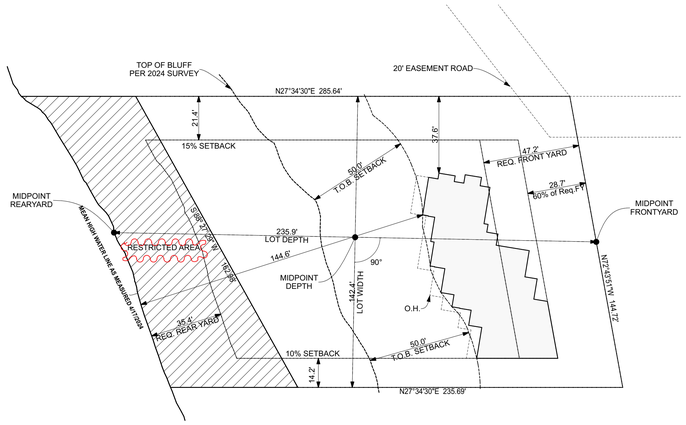
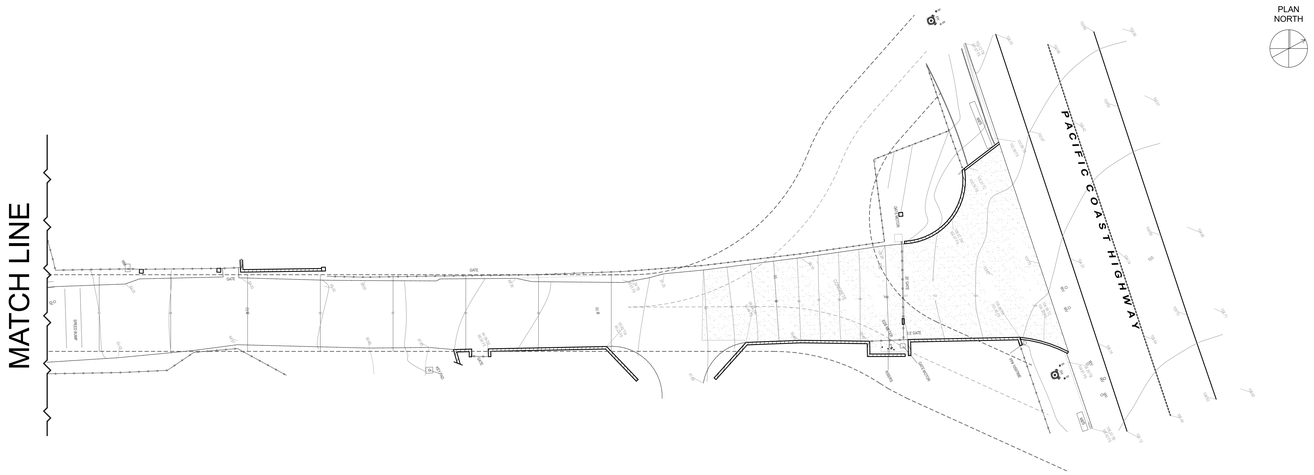
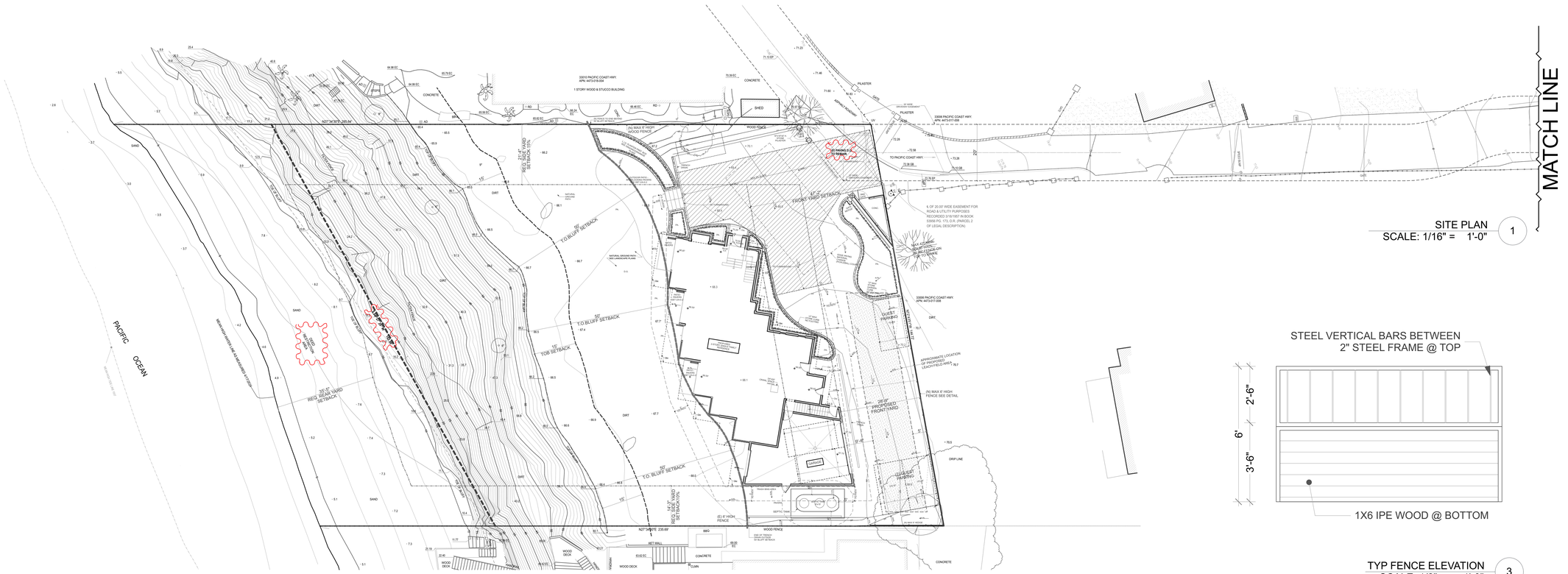


SETBACK - HOUSE
SCALE: 1" = 30' 2





TYP FENCE ELEVATION
SCALE: 1/2" = 1'-0" 3

NOTES:

1

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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

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

MARK	DATE	DESCRIPTION

BURDGE ARCHITECTS
24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

SITE PLAN - SETBACKS

DRAWING NO.
A-0.1

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

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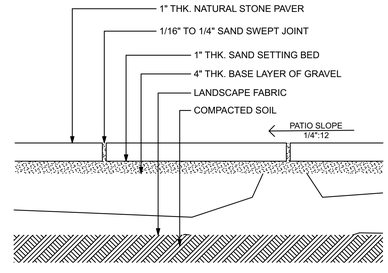
SITE PLAN
SCALE: 1/8" = 1'-0" (1)

NOTES:

1) NO STRUCTURAL FOUNDATIONS, FOOTING, TO BE PLACED WITHIN THE 50' TOP OF BLUFF SETBACK ZONE. HOUSE PATIOS, FINISH MATERIAL TO BE PERVIOUS PAVERS SET ON GROUND, NO FOOTING, SEE DETAIL 2/A-0.2 FOR HARDSCAPE PLEASE SEE L1.00 AND L1.01



DRY-LAID FLAGSTONE PATIO DETAIL
SCALE: 3" = 1'-0" (2)

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
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C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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MARK	DATE	DESCRIPTION

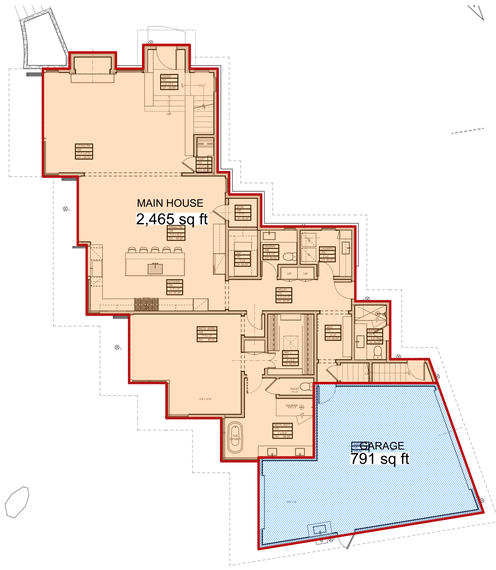
BURDGE ARCHITECTS
24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

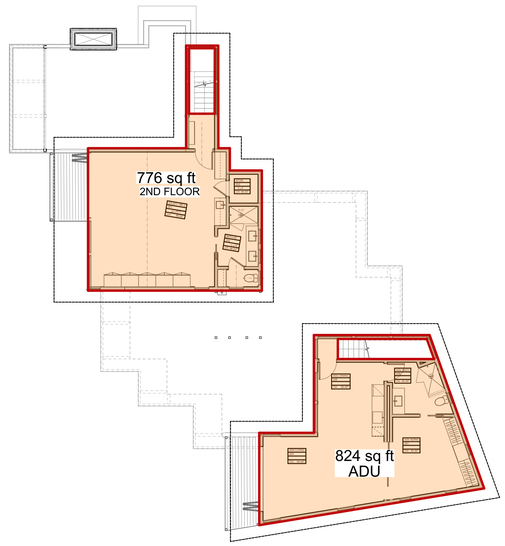
PARTIAL SITE PLAN

DRAWING NO.
A-0.2

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,



AREA - FIRST FLOOR
SCALE: 3/32" = 1'-0" 1



AREA - SECOND FLOOR
SCALE: 3/32" = 1'-0" 2

HABITABLE AREA

GARAGE

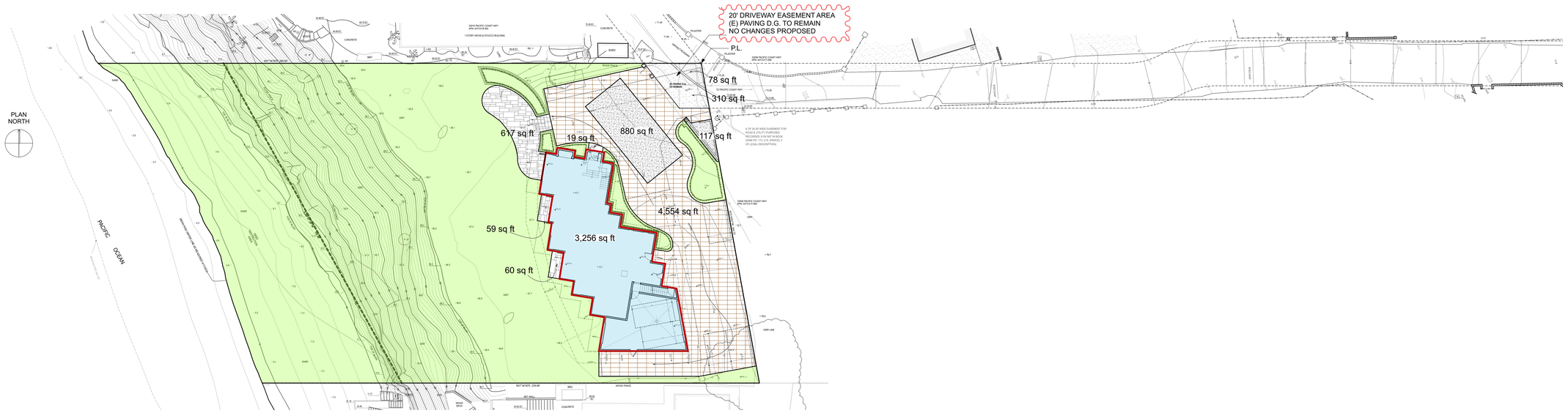
MAX. ALLOWABLE TOTAL DEVELOPMENT AREA

MAX. ALLOWED FLOOR AREA = 5,541 SF

PROPOSED TOTAL DEVELOPMENT AREA

FIRST FLOOR:	2,465 SF +
ATTACHED GARAGE:	791 SF +
SECOND FLOOR:	776 SF =
SUB TOTAL:	4,032 SF +
ADU ABOVE GARAGE:	824 SF =
GRAN TOTAL:	**4,856** SF

PROPOSED TDSF: 4,856 SF < 5,541 SF, MAX ALLOWED



IMPERMEABLE COVERAGE LEGEND:

- BUILDING FOOTPRINT 3,256 SF
- CONCRETE SLABS 997 SF
- (E) ASPHALT PAVINGS 78 SF

PERMEABLE AREAS:

- INTERLOCKING PAVERS 4,554 SF
- MISC PERVIOUS PAVERS 736 S.F.
- (E) DECOMPOSITE GRANITE 310 SF
- LANDSCAPE

MAX. ALLOWABLE IMPERMEABLE COVERAGE

MAX. AMOUNT OF IMPERMEABLE COVERAGE:
LOT AREA 28,637 X 30% = 8,591 SF

PROPOSED IMPERMEABLE AREA:

BUILDING FOOTPRINT:	3,256 SF +
CONCRETE SLABS:	997 SF +
(E) ASPHALT:	78 SF =

TOTAL IMPERMEABLE AREA: 4,331 SF <8,591 SF, MAX ALLOWED

IMPERMEABLE COVERAGE
SCALE: 1" = 20' 3

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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MARK	DATE	DESCRIPTION

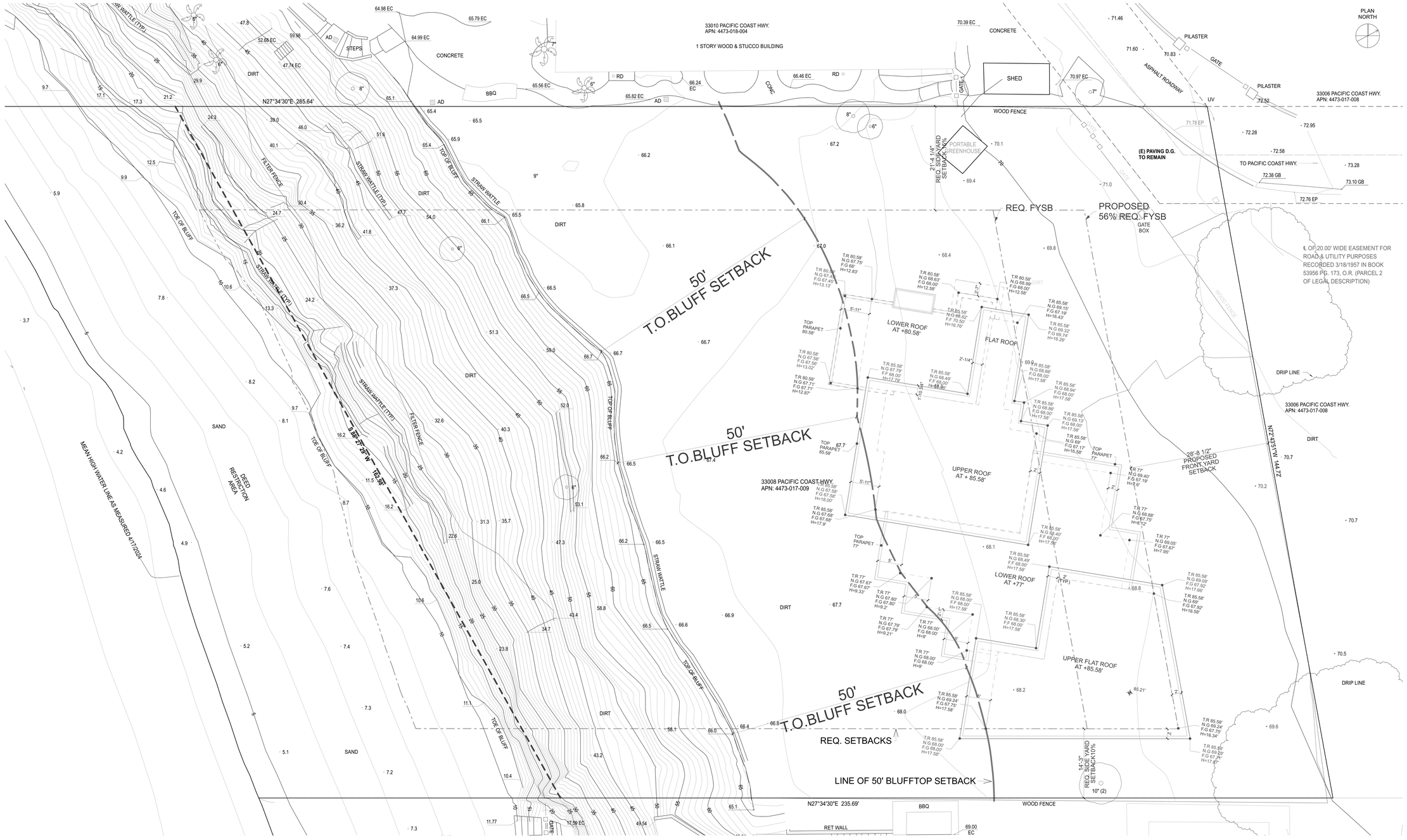
BURDGE ARCHITECTS
24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

AREA TABULATION

DRAWING NO.
A-0.3

PROJECT NO.:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,



SURVEY
SCALE: 1/8" = 1'-0"

1

NOTES:

LEGEND

T.R.= TOP OF ROOF
N.G.= NATURAL GRADE
F.G.= FINISH GRADE
H= HEIGHT OF BUILDING

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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MARK	DATE	DESCRIPTION

BURDGE ARCHITECTS
24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

OVERLAY SURVEY TO ROOF PLAN

DRAWING NO.
A-0.4

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

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FIRE DEPARTMENT NOTES

1) PROVIDE A MINIMUM UNOBSTRUCTED WIDTH OF 20 FEET, EXCEPT FOR APPROVED SECURITY GATES IN ACCORDANCE WITH SECTION 503.6 AND AN UNOBSTRUCTED VERTICAL CLEARANCE "CLEAR TO SKY" FIRE DEPARTMENT VEHICULAR ACCESS TO WITHIN 150 FEET OF ALL PORTIONS OF THE EXTERIOR BUILDING WALLS. FIRE CODE 503.2.1

2) AN APPROVED KEY BOX, LISTED IN ACCORDANCE WITH UL 1037 SHALL BE PROVIDED AS REQUIRED BY FIRE CODE 506. THE LOCATION OF EACH KEY BOX SHALL BE DETERMINED BY THE FIRE INSPECTOR.

3) PROVIDE APPROVED SIGNS OR OTHER APPROVED NOTICES OR MARKINGS THAT INCLUDE THE WORDS NO PARKING - FIRE LANE. SIGNS SHALL HAVE A MINIMUM DIMENSION OF 12 INCHES WIDE BY 18 INCHES HIGH AND HAVE RED LETTERS ON A WHITE REFLECTIVE BACKGROUND. SIGNS SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS ROADS, TO CLEARLY INDICATE THE ENTRANCE TO SUCH ROAD, OR PROHIBIT THE OBSTRUCTION THEROF AND AT INTERVALS, AS REQUIRED BY THE FIRE INSPECTOR. FIRE CODE 503.3.

4) ALL FIRE HYDRANTS SHALL MEASURE 6" X 4" X 2-1/2", BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD C503, OR APPROVED EQUAL, AND SHALL BE INSTALLED IN ACCORDANCE WITH THE COUNTY OF LOS ANGELES FIRE DEPARTMENT REGULATION 8.

5) FIRE DEPARTMENT VEHICULAR ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION. FIRE CODE 501.4

6) WHEN SECURITY GATES ARE PROVIDED, MAINTAIN A MINIMUM ACCESS OF 20 FEET. THE SECURITY GATE SHALL PROVIDE AN APPROVED MEANS OF EMERGENCY OPERATION AND SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES AND REPLACED OR REPAIRED WHEN DEFECTIVE. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED, AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F2200. GATES SHALL BE OF THE SWINGING OR SLIDING TYPE. CONSTRUCTION OF GATES SHALL BE OF MATERIALS THAT ALLOW MANUAL OPERATION BY ONE PERSON. FIRE CODE 503.6.

7) APPROVED BUILDING ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION SHALL BE PROVIDED AND MAINTAINED SO AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY. THE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND, BE ARABIC NUMERALS OR ALPHABET LETTERS, AND BE A MINIMUM OF 4 INCHES HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCHES. FIRE CODE 505.1

8) CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 325

9) DEAD-END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED FIRE DEPARTMENT TURNAROUND. FIRE CODE 503.2.5

10) FIRE DEPARTMENT VEHICULAR ACCESS ROADS SHALL BE PROVIDED WITH A 32-FOOT CENTERLINE TURNING RADIUS. FIRE CODE 503.2.4

11) THE GRADIENT OF FIRE DEPARTMENT VEHICLE ACCESS ROADS SHALL NOT EXCEED 15% UNLESS APPROVED BY THE FIRE CODE OFFICIAL. FIRE CODE 503.2.7

12) A MINIMUM 5-FOOT WIDE APPROVED FIREFIGHTER ACCESS WALKWAY LEADING FROM THE FIRE APPARATUS ACCESS ROAD TO THE BUILDING EXTERIOR OPENINGS SHALL BE PROVIDED FOR FIREFIGHTING AND RESCUE PURPOSES. FIRE CODE 504.1

13) GRADE BREAKS SHALL NOT EXCEED THE MAXIMUM ANGLE OF APPROACH OR DEPARTURE FOR FIRE DEPARTMENT APPARATUS.
15) FIRE DEPARTMENT VEHICULAR ACCESS ROADS SHALL BE HARDSCAPE ALL-WEATHER ACCESS IN ACCORDANCE WITH THE DEPARTMENT'S ALL-WEATHER ACCESS REQUIREMENTS. FIRE CODE 503.2.3

14) FIRE APPARATUS ACCESS ROADS SHALL BE IDENTIFIED WITH APPROVED SIGNS. TEMPORARY SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN THE CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE BY VEHICLES. SIGNS SHALL BE OF AN APPROVED SIZE, WEATHER RESISTANT, AND BE MAINTAINED UNTIL REPLACED BY PERMANENT SIGNS. FIRE CODE 505.1

15) PROVIDE AN APPROVED INTERIOR AUTOMATIC FIRE SPRINKLER SYSTEM THROUGHOUT THE RESIDENCE, ANY ATTACHED GARAGES AND IN ALL CONCEALED SPACES IN ACCORDANCE WITH NFPA 13. THE FIRE SPRINKLER SYSTEM SHALL BE DESIGNED IN ACCORDANCE WITH NFPA#13D WITH THE MOST REMOTE AREA WITH FOUR SPRINKLER HEADS, FLOWING SIMULTANEOUSLY

REASON: FIRE CODE 903.2.8 AND 903.2.11.7

TYPE OF FIRE SPRINKLER SYSTEM: FIRE CODE 903.3.1.3 - NFPA 13D

16) THE INSPECTION, HYDROSTATIC TEST, AND FLUSHING OF THE FIRE SPRINKLER PIPING SHALL BE WITNESSED BY AN AUTHORIZED FIRE DEPARTMENT REPRESENTATIVE. FIRE CODE 901.6

FIRE FLOW AVAILABILITY

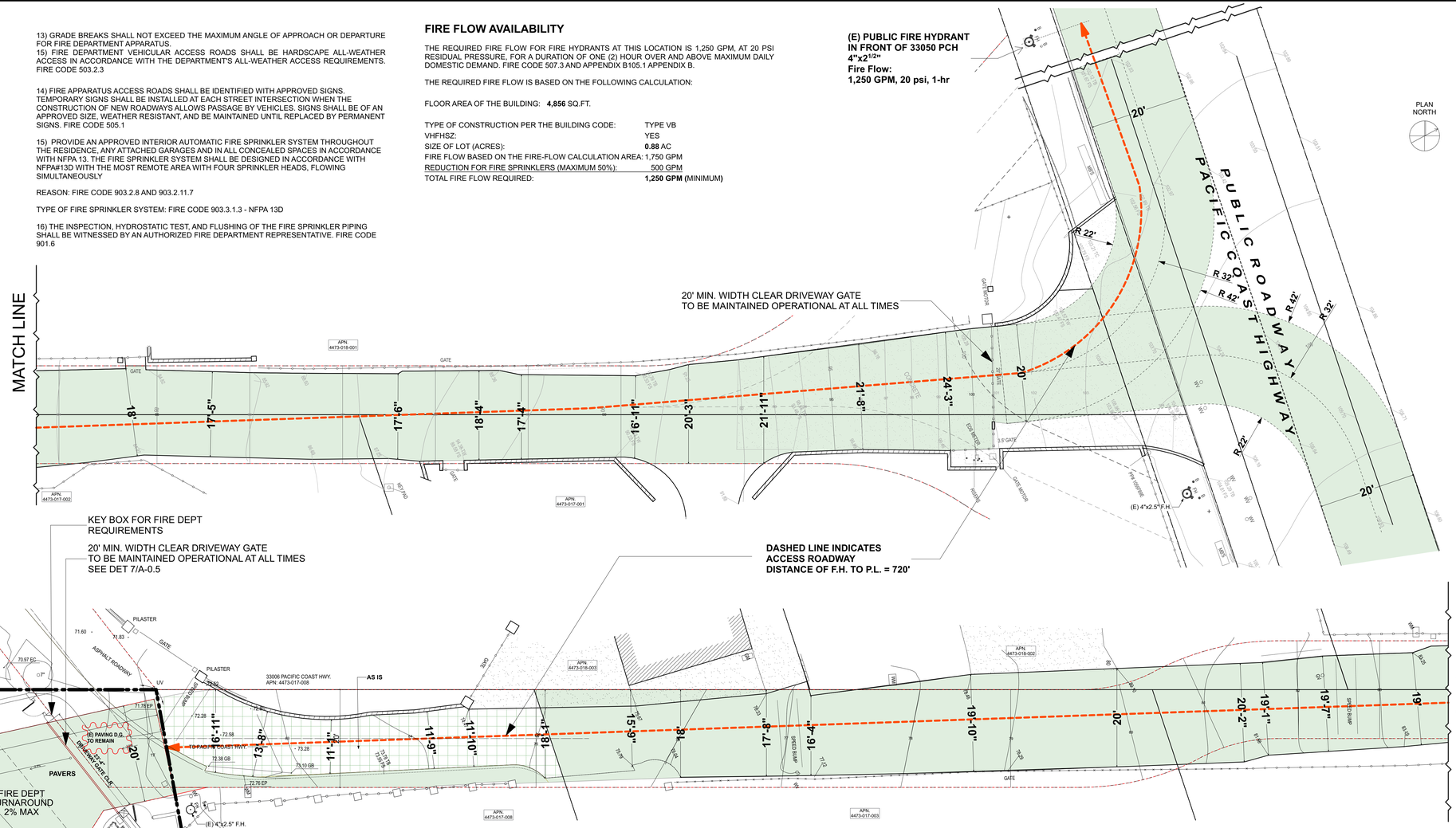
THE REQUIRED FIRE FLOW FOR FIRE HYDRANTS AT THIS LOCATION IS 1,250 GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF ONE (2) HOUR OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 AND APPENDIX B105.1 APPENDIX B.

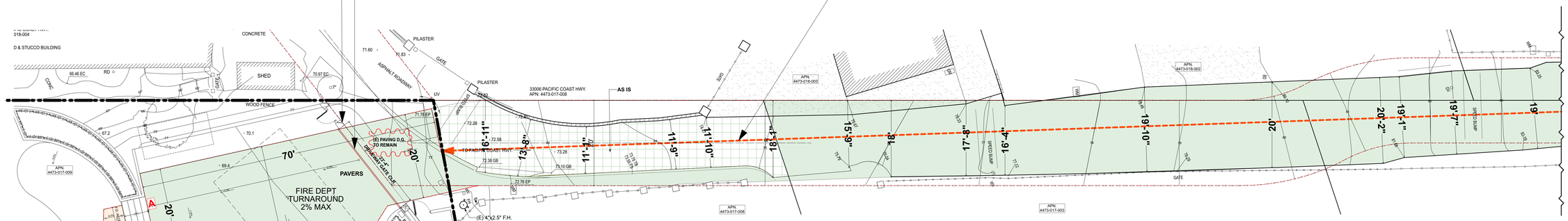
THE REQUIRED FIRE FLOW IS BASED ON THE FOLLOWING CALCULATION:

FLOOR AREA OF THE BUILDING: **4,856** SQ.FT.

TYPE OF CONSTRUCTION PER THE BUILDING CODE:	TYPE VB
VHFHSZ:	YES
SIZE OF LOT (ACRES):	**0.88** AC
FIRE FLOW BASED ON THE FIRE-FLOW CALCULATION AREA:	1,750 GPM
REDUCTION FOR FIRE SPRINKLERS (MAXIMUM 50%):	500 GPM
TOTAL FIRE FLOW REQUIRED:	**1,250 GPM** (MINIMUM)

(E) PUBLIC FIRE HYDRANT IN FRONT OF 33050 PCH 4"x2 1/2" Fire Flow: 1,250 GPM, 20 psi, 1-hr





SITE PLAN - FIRE DEPT ACCESS
SCALE: 1" = 10' (1)

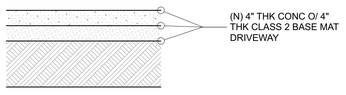
FIREFIGHTER WALKING ACCESS HOSE PULL DISTANCE

A —> A1 = 100'
B —> B1 = 139'

BUILDING AREA UNDER HORIZONTAL PROJECTION

3,758 SQ.FT.

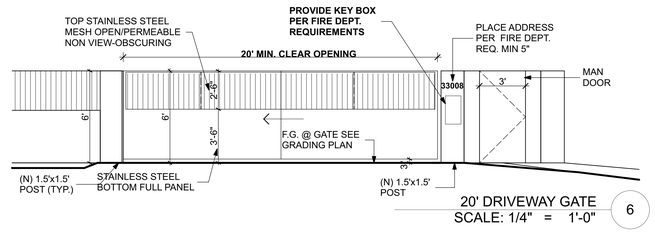
ROAD DETAIL (TYP)



FIRE DEPT. LEGEND

FIRE DEPT. VEHICULAR ACCESS

FIRE DEPT. WALKING ACCESS



20' DRIVEWAY GATE
SCALE: 1/4" = 1'-0" (6)

FOR THE DRIVEWAY PROFILE PLEASE SEE THE FOLLOWING SHEET CIVIL ENGINEER C-6.0

SHEET 1 of 2

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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

BURDGE ARCHITECTS
24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

FIRE DEPT. PLAN

SHEET 1 of 2

DRAWING NO.
A-0.5

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

C:\Users\mcruz.burdge\Documents\Revit Local Backup Files\BlueTopper Properties (ENVOY - BLUFFTOP 1 LLC - 33008 PCH)\DOUGBELLER-TOP-mf7-2025-11-05.rvt

NOTES:

FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"
1

PLAN NORTH

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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MALIBU, CA 90265
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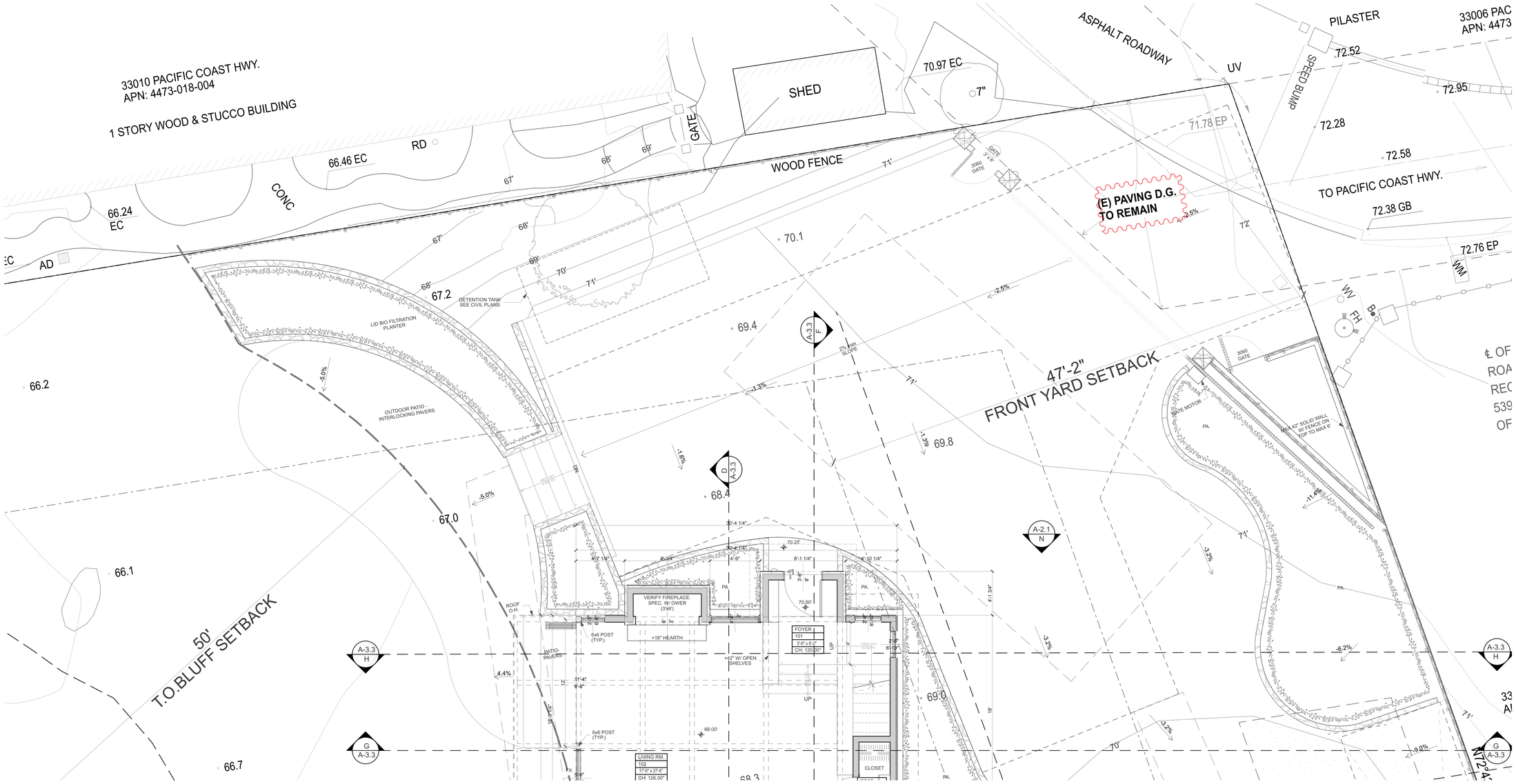
SHEET TITLE

FIRST FLOOR PLAN PARTIAL

DRAWING NO.
A-1.1

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

I:\Users\Admin\Library\CloudStorage\Box-Box\Current Projects (BOX)\1 - BLUFFTOP 1 LLC - 33008 PCH\DOCS\DWG\1JPF\TOP-1JT-2025-11-05.pln



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

1

NOTES:

PLAN
NORTH

BLUFFTOP 1, LLC

33008 PACIFIC COAST
HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL
11/30/2025
STATE OF CALIFORNIA

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MARK	DATE	DESCRIPTION

BURDGE
ARCHITECTS

24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

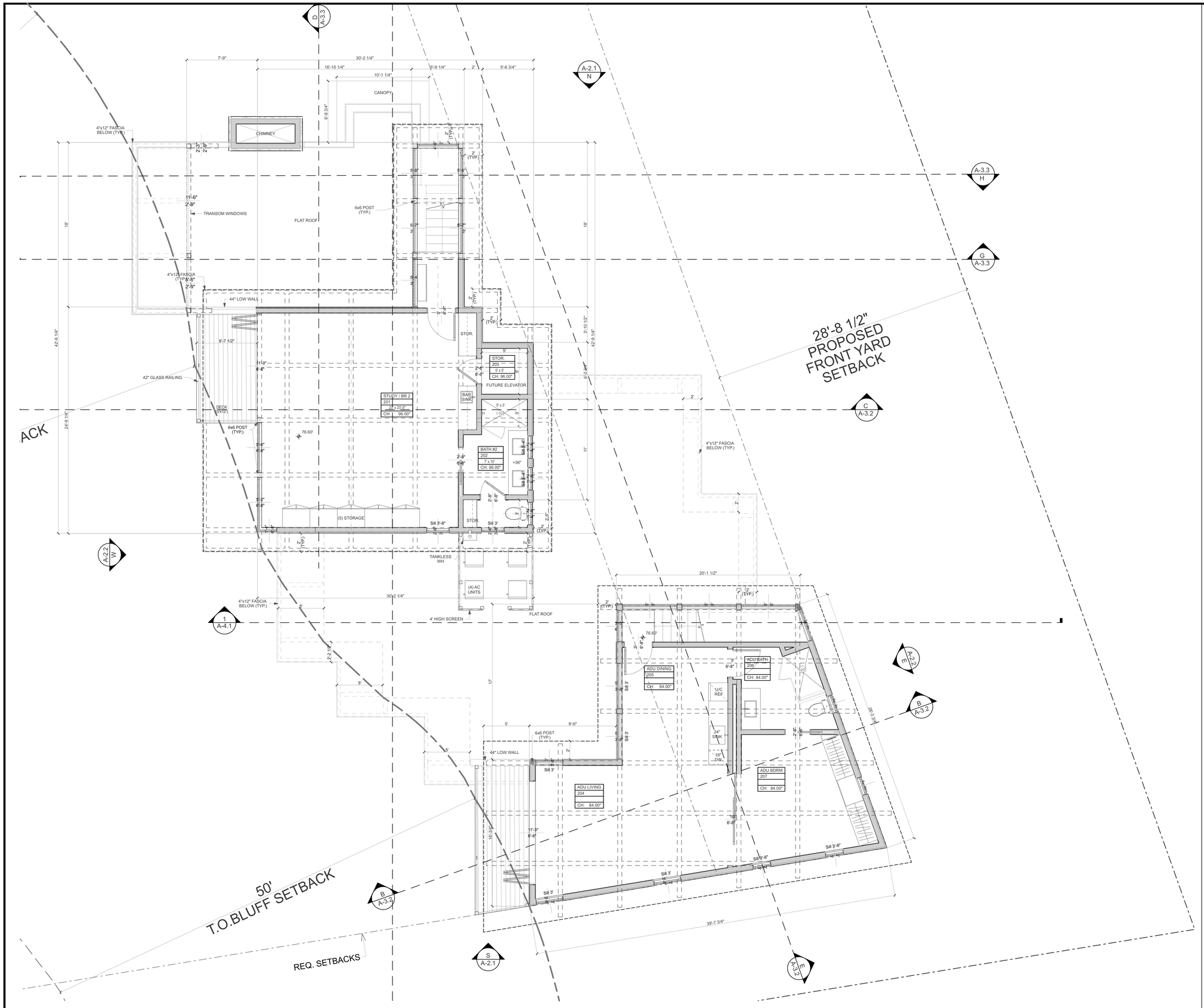
SHEET TITLE

FIRST FLOOR
PARTIAL,
TURNAROUND

DRAWING NO.

A-1.2

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,



NOTES:

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

1

PLAN NORTH

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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MARK	DATE	DESCRIPTION

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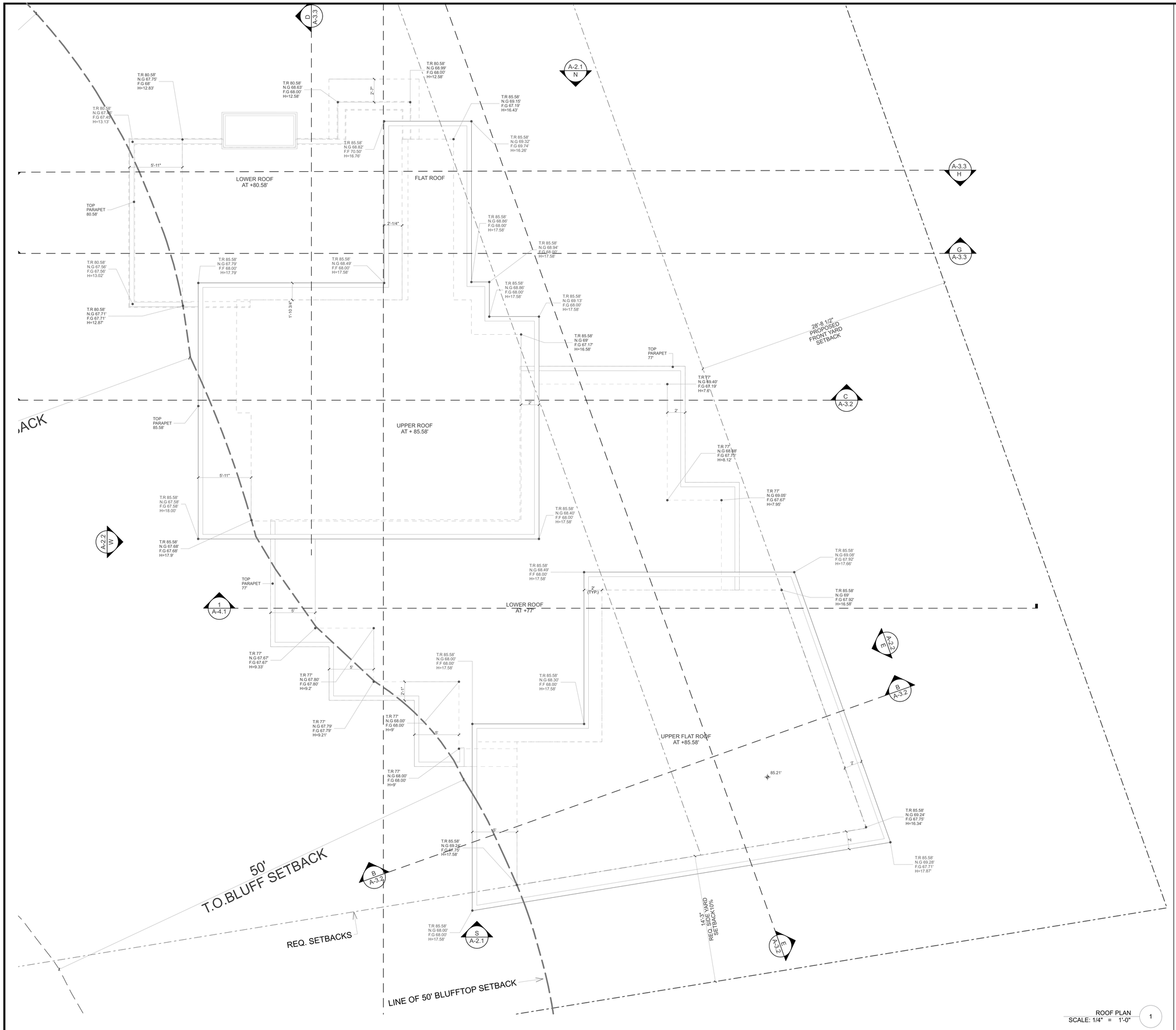
24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

SECOND FLOOR PLAN

DRAWING NO.
A-1.3

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,



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

1

PLAN NORTH

NOTES:

LEGEND

T.R.= TOP OF ROOF
N.G.= NATURAL GRADE
F.G.= FINISH GRADE
H= HEIGHT OF BUILDING

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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MARK	DATE	DESCRIPTION

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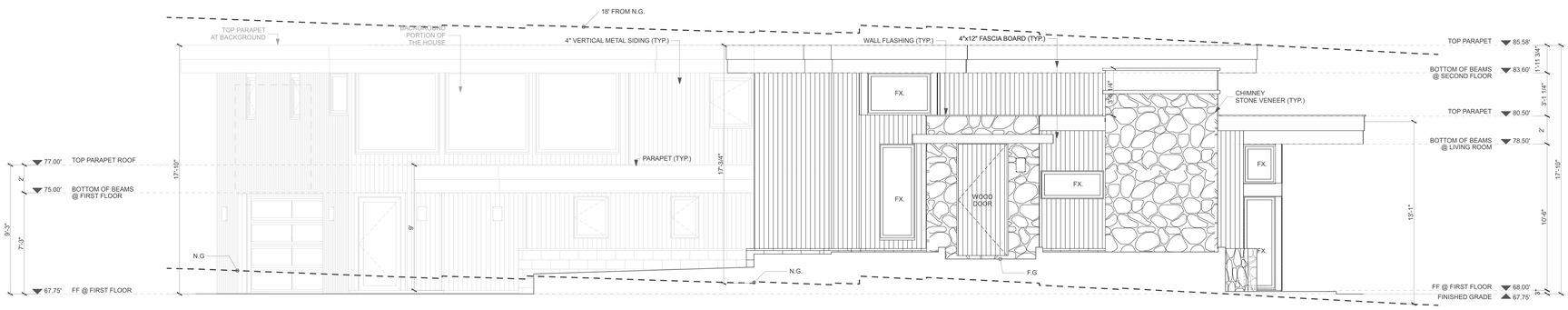
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

ROOF PLAN

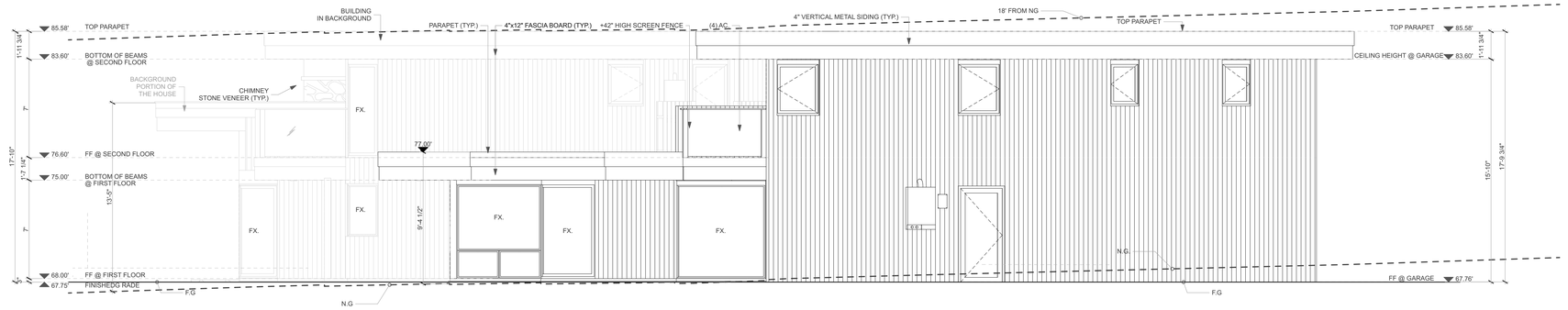
DRAWING NO.
A-1.4

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,



NORTH ELEVATION 1

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



SOUTH ELEVATION 2

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

NOTES:

LEGEND

N.G.= NATURAL GRADE

F.G.= FINISH GRADE

F.F. = FINISH FLOOR

F.S.= FINISH SLAB

LINE OF 18' FROM N.G.OR F.G.WHICHEVER IS LOWER

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
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SHEET TITLE

ELEVATIONS NORTH and SOUTH

DRAWING NO.
A-2.1

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

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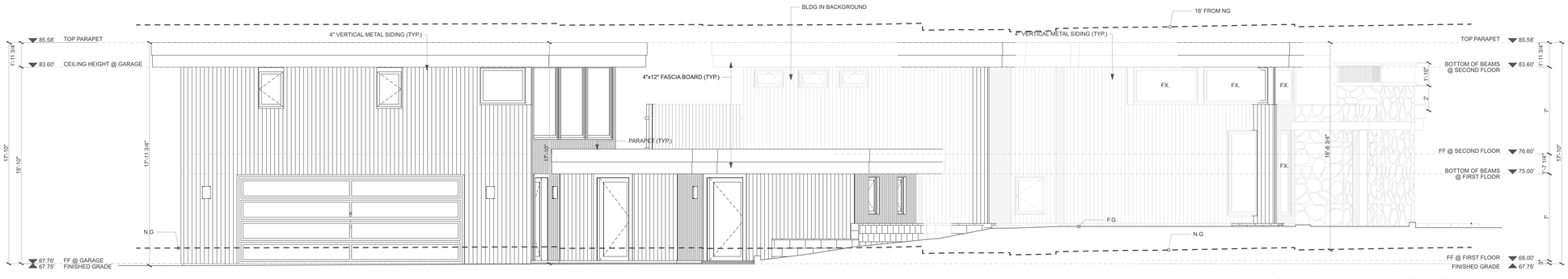
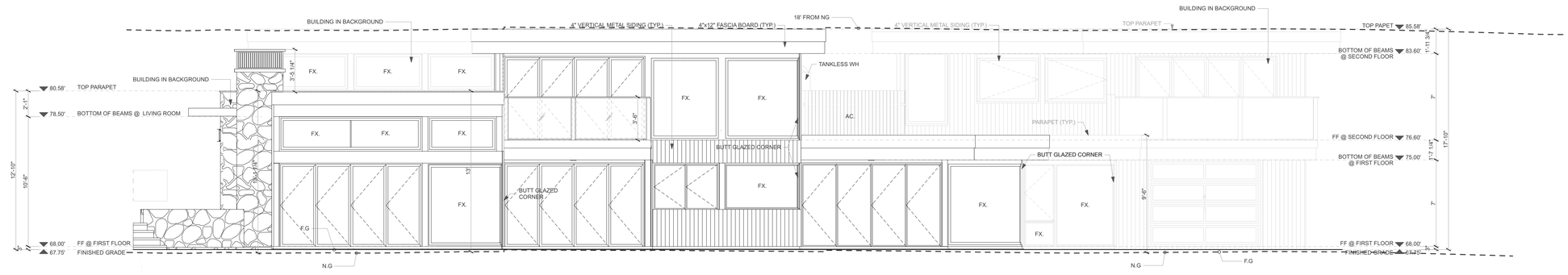


EAST ELEVATION 1

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



WEST ELEVATION 2

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

NOTES:

LEGEND

N.G.= NATURAL GRADE

F.G.= FINISH GRADE

F.F. = FINISH FLOOR

F.S.= FINISH SLAB

LINE OF 18' FROM N.G. OR F.G.WHICHEVER IS LOWER

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

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DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
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MARK	DATE	DESCRIPTION

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24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

ELEVATIONS EAST and WEST

DRAWING NO.

A-2.2

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

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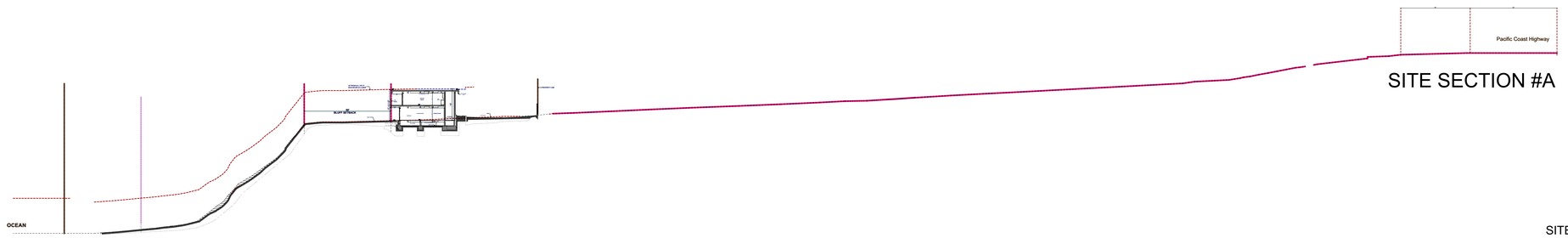
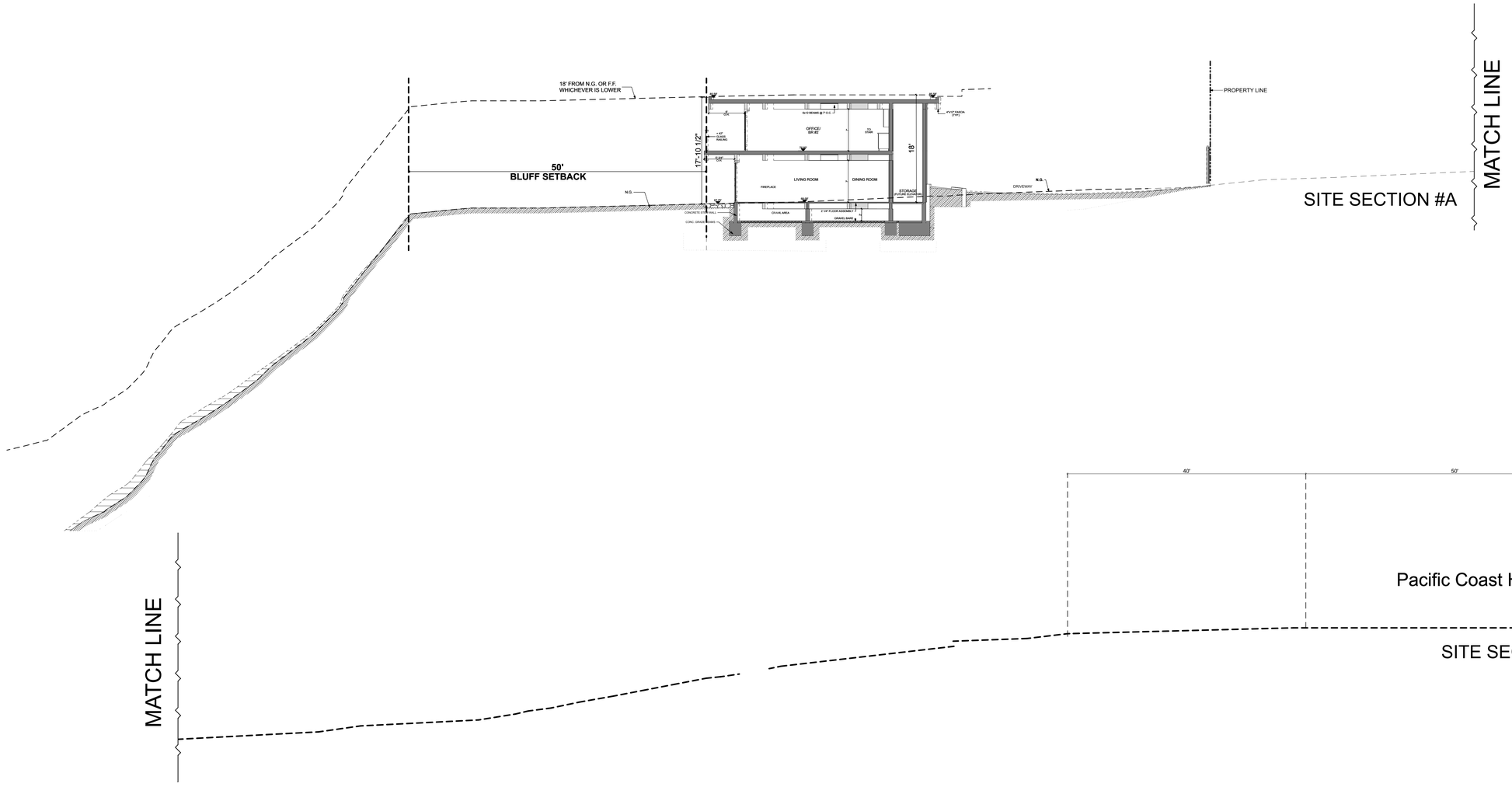


SITE SECTION #A

SITE BUILDING SECTION A
SCALE: 1" = 30' 1



SITE BUILDING SECTION A
SCALE: 1/8" = 1'-0" 3

SITE SECTION #A

SITE BUILDING SECTION A
SCALE: 1/8" = 1'-0" 5

NOTES:

LEGEND
N.G.= NATURAL GRADE
F.G.= FINISH GRADE
F.F. = FINISH FLOOR
F.S.= FINISH SLAB
LINE OF 18' FROM N.G. OR F.G.WHICHEVER IS LOWER

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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MARK	DATE	DESCRIPTION

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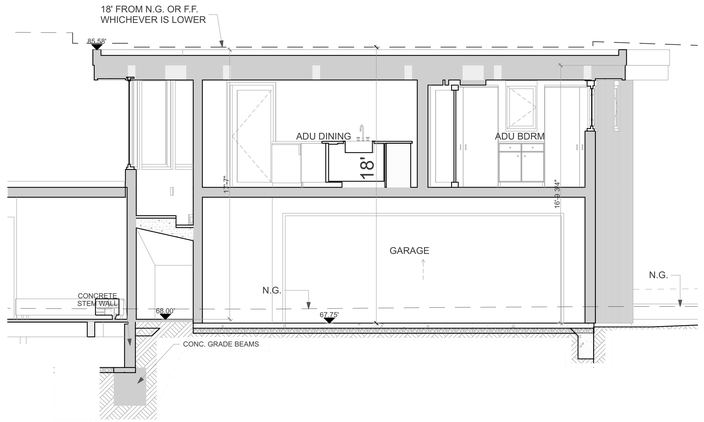
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

PROPOSED SITE SECTION A

DRAWING NO.
A-3.1

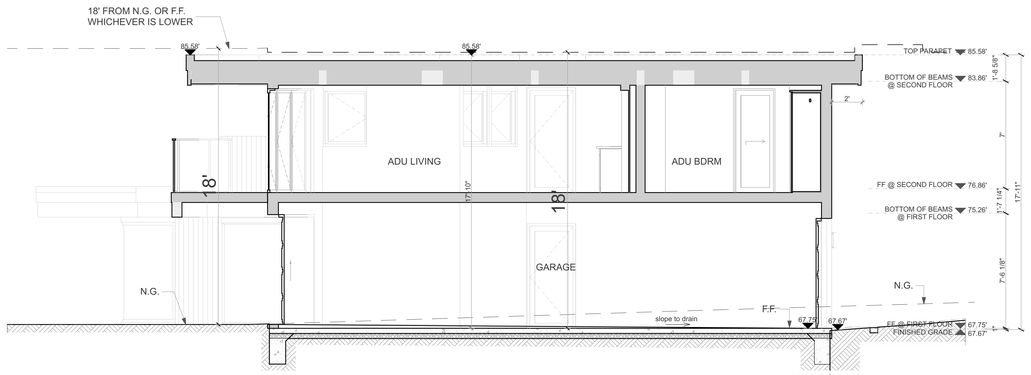
PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,



BUILDING SECTION E

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

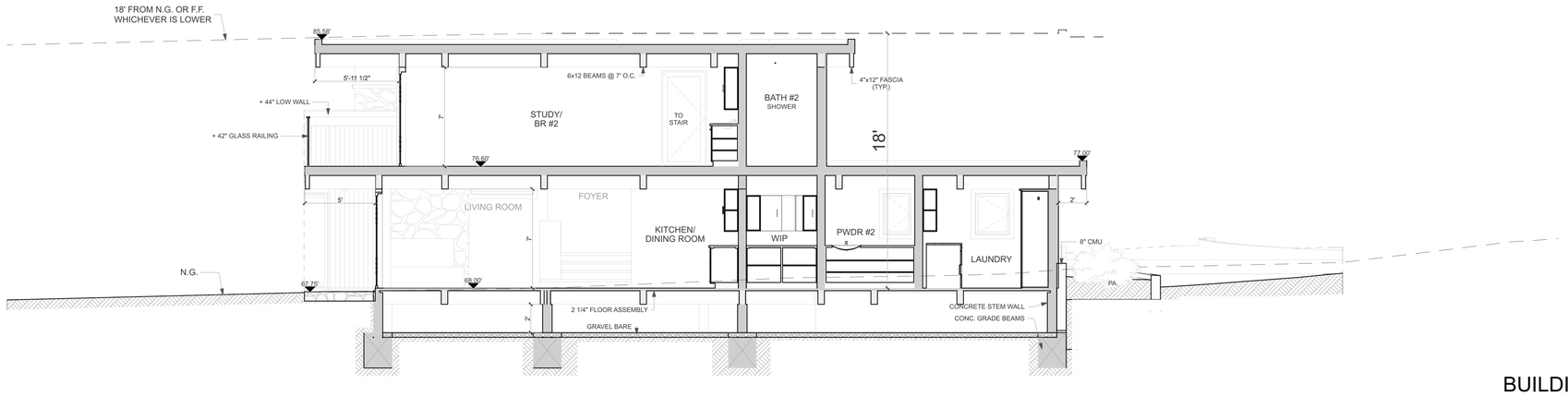
3



BUILDING SECTION B

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

1



BUILDING SECTION C

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

2

NOTES:

LEGEND

N.G.= NATURAL GRADE

F.G.= FINISH GRADE

F.F. = FINISH FLOOR

F.S.= FINISH SLAB

LINE OF 18' FROM N.G. OR F.G.WHICHEVER IS LOWER

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

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DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
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MARK	DATE	DESCRIPTION

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24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

PROPOSED
SECTIONS B, C, E

DRAWING NO.
A-3.2

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

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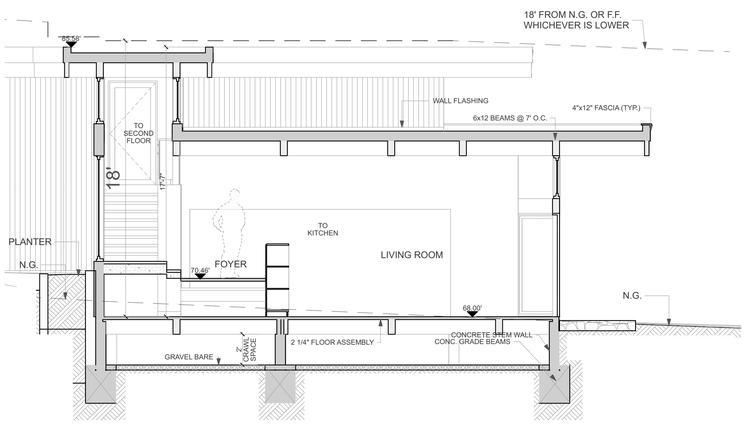
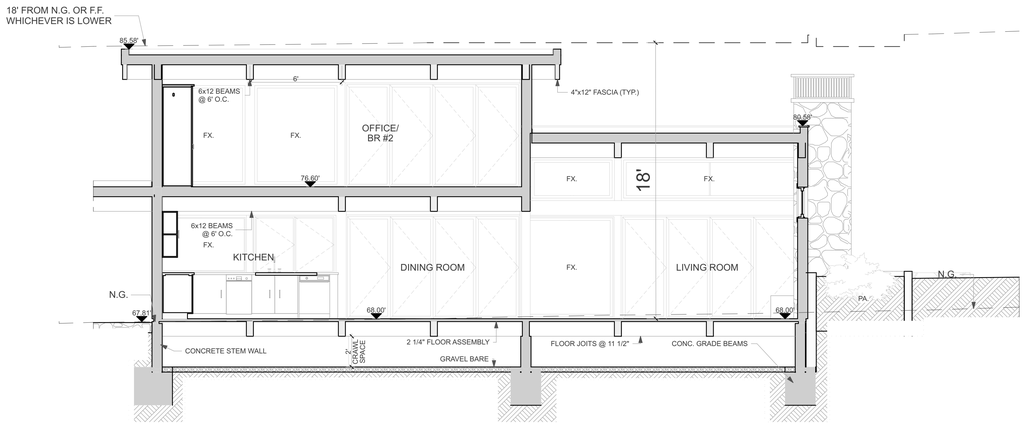


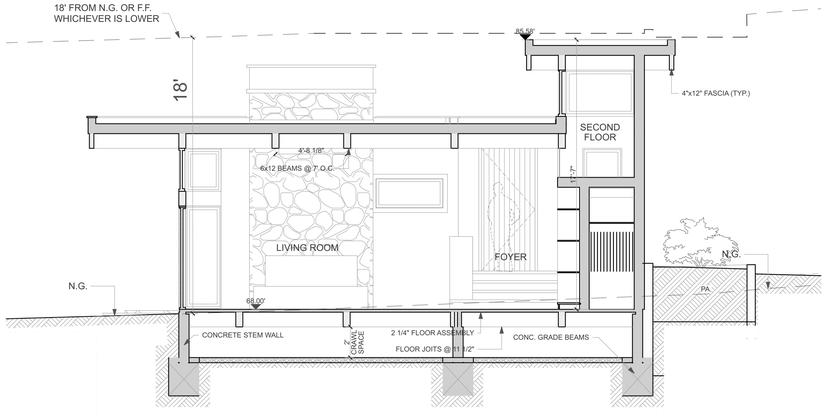
BUILDING SECTION H 4

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



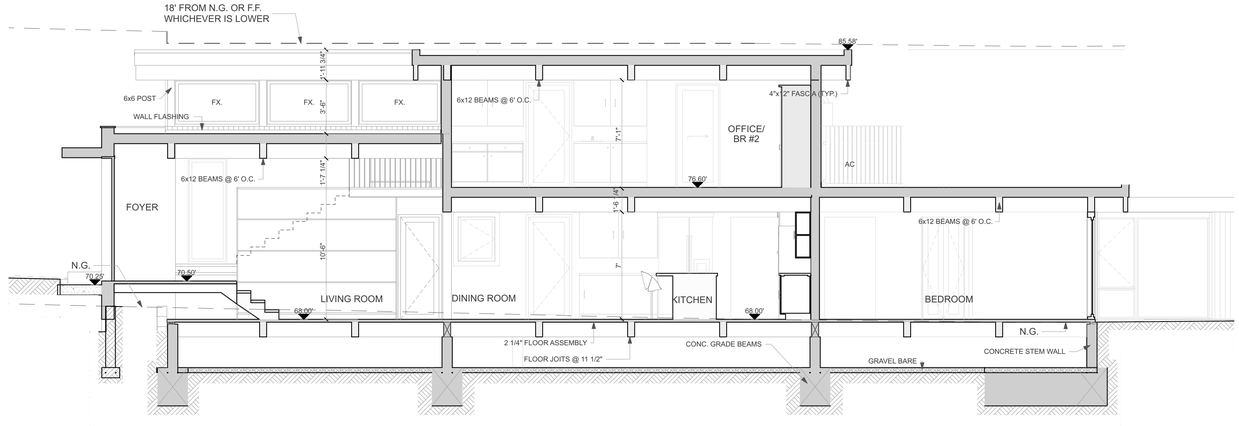
BUILDING SECTION D 1

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



BUILDING SECTION G 3

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



BUILDING SECTION F 2

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

NOTES:

LEGEND

N.G.= NATURAL GRADE

F.G.= FINISH GRADE

F.F. = FINISH FLOOR

F.S.= FINISH SLAB

LINE OF 18' FROM N.G. OR F.G.WHICHEVER IS LOWER

BLUFFTOP 1, LLC

33008 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16899
RENEWAL 11/30/2025
STATE OF CALIFORNIA

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MARK	DATE	DESCRIPTION

BURDGE ARCHITECTS
24911 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

SHEET TITLE

PROPOSED
SECTIONS D, F, G, H,

DRAWING NO.
A-3.3

PROJECT NO:	Project No. 1575-6
PROJECT	BLUFFTOP 1, LLC
DATE	Plot Date: 11/12/25
SCALE	
DRAWN BY	D.W.B.,

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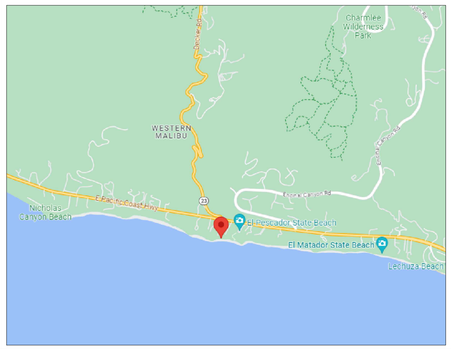
JENNY RESIDENCE: CIVIL PLANS



VICINITY MAP | 1

PROJECT LOCATION
33008 PACIFIC COAST HWY
MALIBU, CA 90265

LEGAL DESCRIPTION
ASSESSOR ID#: 4473-017-009

PROJECT INFORMATION
ZONING: RR2
LOT SIZE: 24,132.8 SQ. FT.

TSUNAMI INUNDATION ZONE: YES
ESA ZONE: YES (ADJACENT)

PROJECT DATA | 2

OWNER
BLUFFTOP LLC C/O BURDGE & ASSOCIATES, INC.
24911 PACIFIC COAST HWY
MALIBU, CA 90265

PROJECT DESIGNER/ARCHITECT
BURDGE ARCHITECTS
24911 PACIFIC COAST HWY
MALIBU, CA 90265
310-456-5905

CIVIL ENGINEER
JAMES TUCHSCHER, P.E.
TEG, INC.
130 PINE AVE, 3RD FLOOR
LONG BEACH, CA 90802
310.613.9980

GEOTECHNICAL ENGINEER
CALWEST GEOTECHNICAL
889 PIERCE COURT, #101
THOUSAND OAKS, CA 91360
818.991.7148
INFO@LCEGROUPINC.COM

GEOLOGIST:
LANDSPHASES INC.
5158 COCHRAN ST,
SIMI VALLEY, CA 93063
805.522.5174

SURVEYOR:
PEAK SURVEYS INC.
2488 TOWNSGATE RD, SUITE D
WESTLAKE VILLAGE, CA 91361
805.497.0102

PROJECT DIRECTORY | 3

GRADING QUANTITIES (CU.YD.)

	EXEMPT			NON - EXEMPT	REMEDIAL	TOTAL
	R&R	UNDER - STRUCTURE	SAFETY			
CUT	1184.2	366.4	0.3	97.1	0	1648.0
FILL	1184.2	0.1	70.1	56.2	0	1310.6
TOTAL	2368.4	366.5	70.4	153.3	0	2958.6
IMPORT	0	0	69.8		0	0.0
EXPORT	0	366.3	0	40.9	0	337.4

GRADING INFORMATION | 4

SHEET	DESCRIPTION
C-1.0	TITLE SHEET
C-2.0	EXISTING SITE PLAN
C-3.0	GRADING PLAN
C-4.0	DRAINAGE PLAN - PROPOSED STRUCTURE
C-5.0	CIVIL DETAILS
C-6.0	DRIVEWAY PROFILE
SK-P	PRELIMINARY FOUNDATION PLAN

SHEET INDEX | 5

PROJECT GENERAL NOTES

1) PROPOSED STARTING DATE:
PROPOSED COMPLETION DATE:

2) THIS PLANS CONFORMS TO THE COASTAL DEVELOPMENT PERMIT APPROVED BY THE CITY FOR 33008 PACIFIC COAST HWY, MALIBU, CA 90265
3) EXPORTED SOIL FROM A SITE SHALL BE TAKEN TO THE COUNTY LANDFILL OR TO A SITE WITH AN ACTIVE GRADING PERMIT AND THE ABILITY TO ACCEPT THE MATERIAL IN COMPLIANCE WITH THE CITY'S LOCAL IMPLEMENTATION PLAN (LIP).

DESIGN ENGINEER STATEMENT

I HEREBY VERIFY THAT THIS GRADING PLAN WAS PREPARED UNDER MY SUPERVISION IN ACCORDANCE WITH SECTION 3318.1 OF THE MALIBU BUILDING CODE. ALL SOILS ENGINEER AND ENGINEERING GEOLOGY RECOMMENDATIONS WERE INCORPORATED IN THE PLAN.

DESIGN ENGINEER SIGNATURE DATE

GENERAL GEOTECHNICAL NOTES

1. ALL WORK MUST BE IN COMPLIANCE WITH THE RECOMMENDATIONS INCLUDED IN THE GEOTECHNICAL CONSULTANT'S REPORT(S) AND THE APPROVED GRADING PLANS AND SPECIFICATIONS.
2. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC INSPECTIONS BY THE GEOTECHNICAL CONSULTANTS WITH MONTHLY INSPECTION REPORTS TO BE SUBMITTED TO THE GEOLOGY AND SOILS SECTION.
3. THE SOIL ENGINEER SHALL PROVIDE SUFFICIENT INSPECTIONS DURING THE PREPARATION OF THE NATURAL GROUND AND THE PLACEMENT AND COMPACTION OF THE FILL TO BE SATISFIED THAT THE WORK IS BEING PERFORMED IN ACCORDANCE WITH THE PLAN AND APPLICABLE CODE REQUIREMENTS.
4. ROUGH GRADING MUST BE APPROVED BY A FINAL ENGINEERING GEOLOGY AND SOILS ENGINEERING REPORT. AN AS-BUILT GEOLOGIC MAP MUST INCLUDED IN THE FINAL GEOLOGY REPORT. PROVIDE A FINAL REPORT STATEMENT THAT VERIFIES WORK WAS DONE IN ACCORDANCE WITH REPORT RECOMMENDATIONS AND CODE PROVISIONS. THE FINAL REPORT(S) MUST BE SUBMITTED TO THE GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION FOR REVIEW AND APPROVAL.
5. FOUNDATION, WALL AND POOL EXCAVATIONS MUST BE INSPECTED AND APPROVED BY THE CONSULTING GEOLOGIST AND SOIL ENGINEER, PRIOR TO THE PLACING OF STEEL OR CONCRETE.
6. BUILDING PADS LOCATED IN CUT/FILL TRANSITION AREAS SHALL BE OVER-EXCAVATED A MINIMUM OF THREE (3) FEET BELOW THE PROPOSED BOTTOM OF FOOTING IF GEOTECHNICAL REPORT DOES NOT SPECIFY GUIDELINES.

CITY OF MALIBU GENERAL NOTES

1. ANY MODIFICATIONS OF OR CHANGES IN APPROVED GRADING PLANS MUST BE APPROVED BY THE BUILDING OFFICIAL.
2. A COPY OF THE GRADING PERMIT AND APPROVED GRADING PLAN MUST BE IN THE POSSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE.
3. FIELD ENGINEER MUST SET GRADE STAKES FOR ALL DRAINAGE DEVICES AND THE CONTRACTOR SHALL OBTAIN INSPECTION BEFORE POURING.
4. ALL STORM DRAIN WORK IS TO BE DONE UNDER CONTINUOUS INSPECTION BY THE FIELD ENGINEER. WEEKLY STATUS REPORTS SHALL BE SUBMITTED BY THE FIELD ENGINEER TO THE CITY BUILDING DEPARTMENT.
5. PROVISIONS SHALL BE MADE FOR CONTRIBUTORY DRAINAGE AT ALL TIMES.
6. SEPARATE PLANS FOR TEMPORARY DRAINAGE AND WET WEATHER EROSION CONTROL MEASURES TO BE USED DURING THE RAINY SEASON MUST BE SUBMITTED PRIOR TO OCTOBER 1. THE EROSION CONTROL DEVICES SHOWN ON SAID PLANS MUST BE INSTALLED BY NOT LATER THAN NOVEMBER 1 AND MAINTAINED IN OPERABLE CONDITION UNTIL APRIL 15.
7. THE GRADING CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT VERIFYING THAT THE WORK DONE UNDER HIS DIRECTION WAS PERFORMED IN ACCORDANCE WITH THE APPROVED PLANS AND REQUIREMENTS OF CHAPTER 33 OF THE MALIBU BUILDING CODE OR DESCRIBING ALL VARIANCES FROM THE APPROVED PLANS AND REQUIREMENTS OF THE CODE.
8. ALL RECOMMENDATIONS INCLUDED IN THE CONSULTANT'S SOIL AND GEOLOGY REPORTS MUST BE COMPLIED WITH AND ARE A PART OF THE GRADING SPECIFICATIONS.
9. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH MONTHLY INSPECTION REPORTS TO BE SUBMITTED TO THE CITY BUILDING DEPARTMENT.
10. THE CONSULTING GEOLOGIST MUST APPROVE ROUGH GRADING BY FINAL REPORT. FINAL REPORT MUST INCLUDE AN AS-BUILT GEOLOGIC MAP.
11. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE GRADING INSPECTOR. A PRE-GRADING MEETING ON THE SITE REQUIRED BEFORE THE START OF GRADING WITH THE FOLLOWING PEOPLE PRESENT: OWNER, GRADING CONTRACTOR, DESIGN CIVIL ENGINEER, SOIL ENGINEER, GEOLOGIST, GRADING INSPECTOR, AND WHEN REQUIRED, THE ARCHAEOLOGIST AND PALEONTOLOGIST. THE REQUIRED INSPECTIONS FOR GRADING WILL BE EXPLAINED AT THIS MEETING.
12. FILL SHALL BE BENCHED INTO COMPETENT MATERIAL PER CITY OF MALIBU STANDARD OR SOILS ENGINEER'S DIRECTIONS.
13. ALL EXISTING FILLS SHALL BE APPROVED BY THE BUILDING OFFICIAL OR REMOVED PRIOR TO PLACING ADDITIONAL FILLS.
14. THE BUILDING OFFICIAL SHALL APPROVE STOCK PILING OF EXCESS MATERIAL PRIOR TO EXCAVATION.
15. THE FIELD ENGINEER, AS A CONDITION OF ROUGH GRADE APPROVAL, SHALL PROVIDE A BLUE TOP WITH ACCOMPANYING WITNESS STAKE, SET AT THE CENTER OF EACH PAD REFLECTING THE PAD ELEVATION FOR PRECISE PERMITS AND A BLUE TOP WITH WITNESS STAKE SET AT THE DRAINAGE SWALE HIGH POINT REFLECTING THE HIGH POINT ELEVATION FOR PRELIMINARY PERMITS.
16. ALL TRENCH BACKFILLS SHALL BE TESTED AND APPROVED BY THE SOIL ENGINEER.

CITY OF MALIBU GENERAL NOTES

17. SUB-DRAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUB-DRAIN CONSTRUCTION AND SURVEY FOR LOCATION. THE AS GRADED PLAN SHALL SHOW ALL SUB-DRAIN LOCATIONS AND ELEVATIONS.
18. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH DURING AND AFTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY SLOPE STABILITY PROBLEM EXISTS. SHOULD EXCAVATION DISCLOSE ANY GEOLOGICAL HAZARDS OR POTENTIAL GEOLOGICAL HAZARDS, THE ENGINEERING GEOLOGIST SHALL SUBMIT RECOMMENDED REMEDIATION TO THE BUILDING OFFICIAL FOR APPROVAL.
19. WHERE SUPPORT OR BUTTRESSING OF CUT AND NATURAL SLOPES IS DETERMINED TO BE NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, THE SOIL ENGINEER SHALL SUBMIT DESIGN, LOCATIONS, AND CALCULATIONS TO THE BUILDING OFFICIAL PRIOR TO CONSTRUCTION. THE ENGINEERING GEOLOGIST AND SOIL ENGINEER SHALL INSPECT AND CONTROL THE CONSTRUCTION OF THE BUTTRESSING AND CERTIFY TO THE STABILITY OF THE SLOPE AND ADJACENT STRUCTURES UPON COMPLETION.
20. WHEN CUT PADS ARE BROUGHT TO NEAR GRADE, THE ENGINEERING GEOLOGIST SHALL DETERMINE IF THE BEDROCK IS EXTENSIVELY FRACTURED OR FAULTED AND WILL READILY TRANSMIT WATER. IF CONSIDERED NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, A COMPACTED FILL BLANKET WILL BE PLACED.
21. THE COMPACTION REPORT AND APPROVAL FROM THE SOIL ENGINEER SHALL INDICATE THE TYPE OF FIELD TESTING PERFORMED. EACH TEST SHALL BE IDENTIFIED WITH THE METHOD OF OBTAINING THE IN PLACE DENSITY, WHETHER SAND CONE OR NUCLEAR GAUGE, AND SHALL BE SO NOTED FOR EACH TEST.
22. EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE SHOWN CLEARLY ON APPROVED PLANS.
23. THE FIELD ENGINEER SHALL SUBMIT A LETTER OF CERTIFICATION TO THE BUILDING OFFICIAL STATING THAT THE GRADING WAS DONE IN COMPLIANCE WITH THE APPROVED GRADING PLAN.
24. PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS, AS APPROVED BY THE CITY OF MALIBU, ARE CONSIDERED A PART OF THE APPROVED GRADING PLAN. ALL RECOMMENDATIONS CONTAINED ARE TO BE COMPLIED WITH OR REVISIONS SUBMITTED FOR REVIEW.
25. ALL EXISTING DRAINAGE COURSES THROUGH THIS SITE SHALL REMAIN OPEN UNTIL FACILITIES TO HANDLE STORM WATER ARE APPROVED AND FUNCTIONAL; HOWEVER, IN ANY CASE, THE PERMITTEE SHALL BE HELD LIABLE FOR ANY DAMAGE DUE TO OBSTRUCTING NATURAL DRAINAGE PATTERNS.
26. ROOF GUTTERS SHALL BE INSTALLED TO PREVENT ROOF DRAINAGE FROM FALLING ON MANUFACTURED SLOPES. GUTTERS SHALL BE CONNECTED TO NON-EROSIVE PIPING OR OTHER METHOD ACCEPTABLE TO THE BUILDING OFFICIAL.
27. ANY EXCAVATIONS ADJACENT TO OTHER PROPERTY OR STRUCTURES ARE SUBJECT TO THE PROVISIONS OF THE CALIFORNIA CIVIL CODE, SECTION 832, AND IS THE RESPONSIBILITY OF THE PERMITTEE AND OR OWNER.
28. NO GRADING OR CONSTRUCTION SHALL OCCUR WITHIN THE PROTECTED ZONE OF ANY OAK TREE. THE PROTECTED ZONE SHALL MEAN THAT AREA WITHIN THE DRIP LINE OF AN OAK TREE EXTENDING THERE FROM A POINT AT LEAST FIVE FEET OUTSIDE THE DRIP LINE, OR 15 FEET FROM THE TRUNK(S) OF A TREE, WHICHEVER IS GREATER.

PUBLIC WORKS NOTES

1. ALL WORK ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (SSPWC) "GREEN BOOK."
2. CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (CAL-OSHA) SAFETY STANDARDS. IF REQUESTED BY THE INSPECTOR, THE CONTRACTOR SHALL PROVIDE PROOF OF A PERMIT FROM SAID DIVISION.
3. CONTRACTOR SHALL CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2489 EXT. 341 FOR PRE-CONSTRUCTION MEETING PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION OR GRADING OPERATIONS. CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS INSPECTOR 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION AND 24 HOURS IN ADVANCE OF SPECIFIC INSPECTION NEEDS DURING THE COURSE OF THE WORK.
4. NO IMPROVEMENTS ARE PROPOSED WITHIN THE PUBLIC RIGHT OF WAY.
5. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CITY PUBLIC RIGHT OF WAY SHALL REQUIRE A CITY ENCROACHMENT PERMIT. CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2489 EXT. 341 TO APPLY FOR A PERMIT.
6. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CALTRANS PUBLIC RIGHT OF WAY SHALL REQUIRE A CALTRANS ENCROACHMENT PERMIT. SUBMIT A COPY OF THE CALTRANS ENCROACHMENT PERMIT TO THE PUBLIC WORKS DEPARTMENT.
7. ALL WORK SHALL BE PERFORMED DURING CITY WORKING HOURS AND IN COMPLIANCE WITH THESE PLANS.
8. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORK.
9. CONTRACTOR SHALL LOCATE, PROTECT, AND SAVE ANY AND ALL SURVEY MONUMENTS THAT WILL BE OR MAY BE DAMAGED OR DESTROYED BY THEIR OPERATIONS. ONCE FOUND, THE CONTRACTOR SHALL THEN NOTIFY BOTH THE DEVELOPER'S SUPERVISING CIVIL ENGINEER AND THE PUBLIC WORKS INSPECTOR. THE SUPERVISING CIVIL ENGINEER SHALL RESET ALL SAID MONUMENTS PER THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY INSOFAR AS IT MAY BE AFFECTED BY THESE OPERATIONS.
11. EXISTING TRAFFIC SIGNS ARE NOT TO BE REMOVED WITHOUT PRIOR NOTIFICATION AND APPROVAL OF THE CITY ENGINEER. AS A MINIMUM, CONSTRUCTION WORK ZONE TRAFFIC SIGNS AND STRIPING SHALL BE FURNISHED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH THE "WORK AREA TRAFFIC HANDBOOK" (THE "WATCH MANUAL"), PUBLISHED BY BNI BUILDING NEWS, INC. A TRAFFIC CONTROL PLAN, PREPARED BY THE DEVELOPER, MAY BE REQUIRED BY THE CITY.
12. DUST CONTROL SHALL BE MAINTAINED AT ALL TIMES.
13. EROSION CONTROL PLANS SHALL BE PROVIDED FOR ALL PROJECTS. GRADING AND CLEARING IS PROHIBITED FROM NOVEMBER 1 TO MARCH 31 FOR ALL DEVELOPMENTS WITHIN OR ADJACENT TO ESHA AND/OR INCLUDING GRADING ON SLOPES GREATER THAN 4:1.
14. ALL UNDERGROUND UTILITIES AND SERVICE LATERALS SHALL BE INSTALLED PRIOR TO CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS, AND PAVING UNLESS OTHERWISE PERMITTED BY THE CITY ENGINEER.

PUBLIC WORKS NOTES

15. THE DEVELOPER SHALL COMPLY WITH NPDES REQUIREMENTS. THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES AND SHALL BE KEPT UPDATED.
16. ALL RECOMMENDATIONS MADE BY THE GEOTECHNICAL/SOILS ENGINEER (AND ENGINEERING GEOLOGIST, WHERE EMPLOYED), AND CONTAINED IN THE REPORTS REFERENCED HERON, AS APPROVED OR CONDITIONS BY THE CITY, SHALL BE CONSIDERED A PART OF THE GRADING PLAN.
17. ALL STORM DRAIN PIPE WITHIN THE PUBLIC RIGHT OF WAY, AND EASEMENTS SHALL BE REINFORCED CONCRETE PIPE (RCP).
18. TERRACE DRAINS, INTERCEPTOR DRAINS, AND DOWN DRAINS SHALL BE CONSTRUCTED OF 3" P.C.C. REINFORCED WITH6"x6" x #10 W.W.M. AND SHALL BE EITHER SEMICIRCULAR OR TRIANGULAR CROSS SECTION. CONCRETE COLOR SHALL BE "OMAHA TAN" OR APPROVED EQUIVALENT.
19. GRADING QUANTITIES:
CUT 1648.0 CU.YD. FILL: 1310.6 CU.YD.
EXPORT 337.4 CU.YD. IMPORT: 0 CU.YD.
20. TOTAL DISTURBED AREA: 12603.6 (0.29 ACRE)
(INCLUDING GRADING, CLEARING, AND LANDSCARING AREA)
TOTAL EXISTING IMPERVIOUS SURFACE AREA: 0 SQ.FT.
TOTAL PROPOSED IMPERVIOUS SURFACE AREA: 9394.6 SQ.FT.
(0.22 ACRE)
21. ALL SLOPES ON PRIVATE PROPERTY ADJOINING STREETS, DRAINAGE CHANNELS, OR OTHER PUBLIC FACILITIES SHALL BE GRADED NOT STEEPER THAN 2:1 FOR CUT AND FILL UNLESS SPECIFICALLY APPROVED BY THE CITY ENGINEER ON RECOMMENDATION OF THE PROJECT'S GEOTECHNICAL/ SOILS CONSULTANT.
22. ALL CATCH BASINS AND DRAINAGE INLETS SHALL BE STENCILED WITH THE CITY OF MALIBU STORM DRAIN LOGO.

GENERAL NOTES | 6

TEG
TUCHSCHER ENGINEERING GROUP
130 PINE AVE, 3RD FLOOR
LONG BEACH, CA 90802
310.613.9980
www.TEGLosAngeles.com

STAMP
REGISTERED PROFESSIONAL ENGINEER JAMES TUCHSCHER C71649 CIVIL STATE OF CALIFORNIA
STAMP DATE 11/12/2025

DRAWING TITLE SHEET

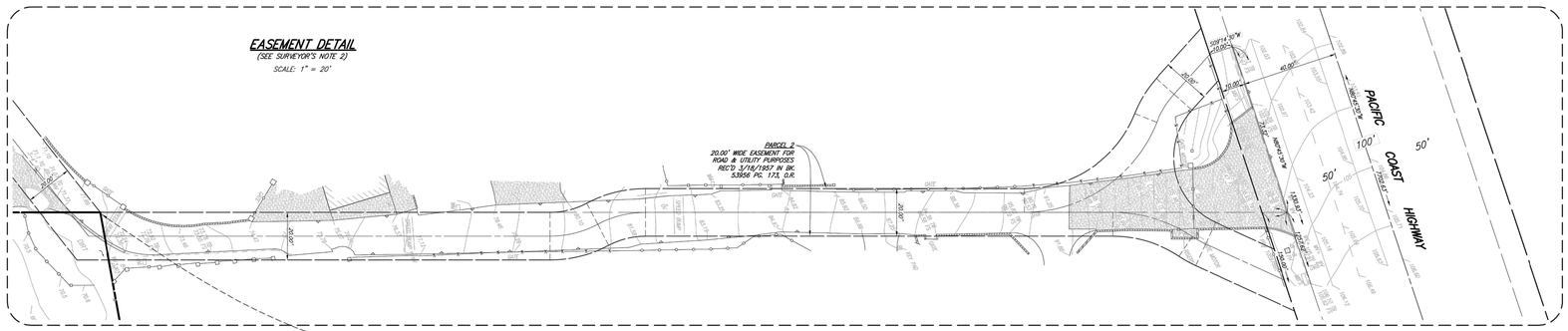
PROJECT
JENNY RESIDENCE
33008 PACIFIC COAST HWY
MALIBU, CA 90265

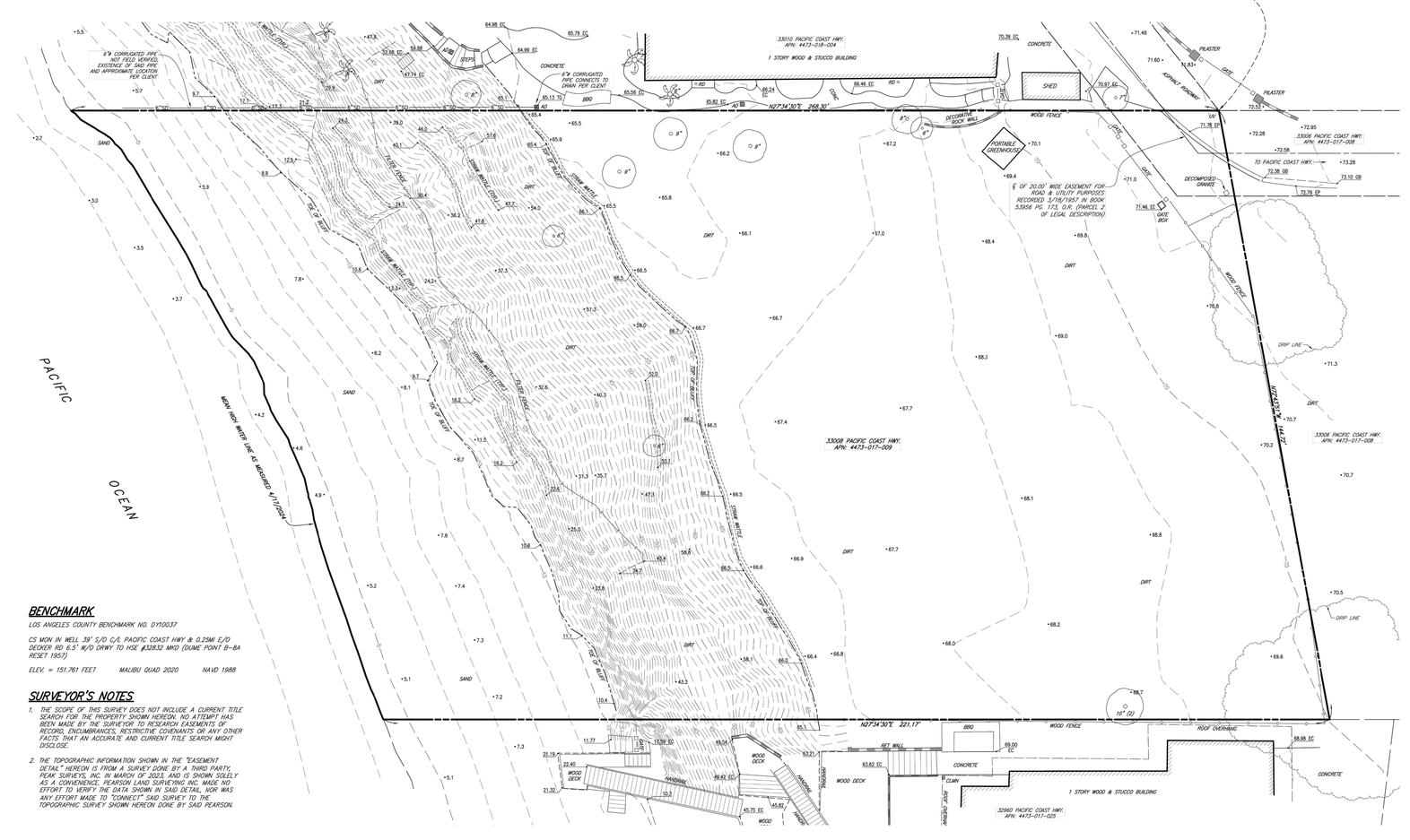
REVISIONS	BY
1 7/14/23	RC
2 11/13/23	MT
3 2/27/24	MT
4 10/24/24	MT
5 10/23/25	MT

JOB #: 23-2457
DATE: 11/13/23
SCALE: NTS

C-1.0
SHEET 1 OF 7

PLANNING PC-2
JENNY RESIDENCE





BENCHMARK

LOS ANGELES COUNTY BENCHMARK NO. DY10037

CS MON IN WELL 39' S/O C/L PACIFIC COAST HWY & 0.25MI E/O DECKER RD 6.5' W/O DRWY TO HSE #33832 MKD (DUME POINT B–8A RESET 1957)

ELEV. = 151.761 FEET. MALIBU QUAD 2020 NAVD 1988

SURVEYOR'S NOTES

1. THE SCOPE OF THIS SURVEY DOES NOT INCLUDE A CURRENT TITLE SEARCH FOR THE PROPERTY SHOWN HEREON. NO ATTEMPT HAS BEEN MADE BY THE SURVEYOR TO RESEARCH EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MIGHT DISCLOSE.
2. THE TOPOGRAPHIC INFORMATION SHOWN IN THE "EASEMENT DETAIL" HEREON IS FROM A SURVEY DONE BY A THIRD PARTY, PEAK SURVEYS, INC. IN MARCH OF 2023, AND IS SHOWN SOLELY AS A CONVENIENCE. PEARSON LAND SURVEYING INC. MADE NO EFFORT TO VERIFY THE DATA SHOWN IN SAID DETAIL, NOR WAS ANY EFFORT MADE TO "CONNECT" SAID SURVEY TO THE TOPOGRAPHIC SURVEY SHOWN HEREON DONE BY SAID PEARSON.

BOUNDARY AND TOPOGRAPHIC SURVEY

33008 PACIFIC COAST HIGHWAY

CLIENT: RON JENNY
33010 PACIFIC COAST HWY.
MALIBU, CA 90265

SITE ADDRESS: 33008 PACIFIC COAST HWY.
MALIBU, CA 90265

ASSESSOR'S PARCEL NO: 4473-017-009

LEGEND

P.W.F.B.	COUNTY OF LOS ANGELES PUBLIC WORKS FIELD BOOK
C.E.F.B.	CITY OF LOS ANGELES ENGINEERS FIELD BOOK
O/S	OFFSET
P/L	PROPERTY LINE
C/L & ℄	CENTERLINE
R/W	RIGHT-OF-WAY
S. & W.	SPIKE & WASHER
I.P.	IRON PIPE
C.N.	CONCRETE NAIL
B.M.S.	BRASS NAIL
R/R SPK.	RAILROAD SPIKE
P.M.	PUNCH MARK
L. & T.&S	LEAD & TAG
L. & T.	LEAD & TAC
T.C., TC	TOP OF CURB
PROS.	PROLONGATION OF LINE
P.R.C.	POINT OF REVERSE CURVE
AD	AREA DRAIN
RD	ROOF DRAIN
GB	GRADE BREAK
RD	ROOF DRAIN
S.M.H.	SEWER MANHOLE
P.I.	POINT OF INTERSECTION
B.C.	BEGINNING OF CURVE
E.C.	END OF CURVE
CB	CATCH BASIN
MH	MANHOLE (SEWER, STORM DRAIN, POWER, TELEPHONE)
PP	POWER POLE
DS	DOWNSPOUT
GM/WM	GAS/WATER METER
GV/WV	GAS/WATER VALVE
PL	PLANTER
GP	GUARD POST
APPR.	DRIVEWAY APPROACH
W	WROUGHT IRON (FENCE)
CHLK	CHAIN LINK (FENCE)
FL	FLOW LINE
TW	TOP OF WALL
TF	TOP OF F.
BF	BOTTOM OF F.
CD	CURB DRAIN
ST.L	STREET LIGHT
SLPB	STREET LIGHT PULL BOX
E's & C's, ETC.	SOUTHERLY, EASTERLY, ETC.
S/F, E/F, ETC.	SOUTH FACE, EAST FACE, ETC., OF IMPROVEMENT
( )	RECORD DATA PER UNDERLYING MAP
( )	RECORD DATA PER C.E.F.B.
	BUILDING FOOT PRINT LINE
	OVERHANG LINE
	EDGE OF ASPHALT
	OVERHEAD UTILITY LINE
	UNDERGROUND LINE W/SIZE OF LINE
	WALL
	YARD LIGHT
	DOOR
	TREE WITH TRUNK DIAMETER
	DIRECTION OF WATER DRAINAGE FLOW

LEGAL DESCRIPTION

PARCEL 1:

THAT PORTION OF THE RANCHO TOPANGA MALIBU SEQUIT, IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1, PAGE 407, ET SEQ, OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF THE 80 FOOT STRIP OF LAND DESCRIBED IN THE DEED FROM T. R. CADWALADER, TRUSTEE, TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228 PAGE 342, OF OFFICIAL RECORDS OF SAID COUNTY, DISTANT THEREON NORTH 89° 45' 30" WEST 1107.62 FEET FROM A POINT BEARING SOUTH 9° 14' 30" WEST 40 FEET FROM ENGINEER'S CENTER LINE STATION 269 PLUS 88.44 AT THE EASTERLY EXTREMITY OF THAT CERTAIN COURSE IN THE CENTER LINE OF SAID 80 FOOT STRIP OF LAND DESCRIBED IN SAID DEED AS SOUTH 89° 45' 30" EAST 7702.63 FEET; THENCE NORTH 89° 45' 30" WEST 150.00 FEET; THENCE SOUTH 27° 34' 30" WEST TO THE ORDINARY HIGH TIDE OF THE PACIFIC OCEAN; THENCE EASTERLY ALONG SAID TIDE LINE TO A LINE BEARING SOUTH 27° 34' 30" WEST FROM THE POINT OF BEGINNING; THENCE NORTH 27° 34' 30" EAST TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID LAND LYING NORTH OF A LINE BEARING NORTH 73° 43' 51" WEST 144.71 FEET FROM A POINT IN THE SOUTHEAST LINE OF SAID LAND DISTANT THEREON SOUTH 27° 34' 30" WEST 526.03 FEET FROM THE NORTHEAST CORNER OF SAID LAND TO A POINT IN THE NORTHWEST LINE OF SAID LAND DISTANT THEREON SOUTH 27° 34' 30" WEST 499.24 FEET FROM THE NORTHWEST CORNER OF SAID LAND.

EXCEPT THEREFROM ALL MINERALS, OIL, PETROLEUM, ASPHALTUM, GAS, COAL AND OTHER HYDROCARBON SUBSTANCES CONTAINED IN, ON, WITHIN AND UNDER SAID LAND, BUT WITHOUT THE RIGHT OF ENTRY, AS RESERVED IN THE DEED FROM MARBLEHEAD LAND COMPANY, A CORPORATION RECORDED ON NOVEMBER 13, 1942 IN BOOK 19037 PAGE 347, OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL 2:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES, TO BE USED IN COMMON WITH OTHERS, OVER THAT PORTION OF RANCHO TOPANGA MALIBU SEQUIT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1 PAGE 407, ET SEQ, OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. INCLUDED IN THAT CERTAIN BASEMENT DEED, EXECUTED BY EDWARD C. CAZIER ET AL., RECORDED MARCH 15, 1957 AS INSTRUMENT NO. 4281, IN BOOK 53956 PAGE 173, OF OFFICIAL RECORDS.

REVISIONS

10/22/2024 ADDED 6"ø CORRUGATED STORM DRAIN PIPE PER DIRECTION FROM CLIENT. THE LOCATION AND EXTENT OF SAID PIPE IS NOT FIELD VERIFIED

PROFESSIONAL LAND SURVEYOR THOMAS P. MCDERMOTT No. 8555 STATE OF CALIFORNIA

SIGNED _____ DATE: 10/22/2024

PEARSON LAND SURVEYING, INC.
Thomas McDermott, PLS 8555
23371 Mulholland Dr. #330
Woodland Hills, CA 91364
Phone: (818) 468-9714
info@pearsonlandsurveying.com

DRAWN BY: BT	JOB NO.: 24JEN0201	DATE: 4/17/2024
CHECKED BY: TPM	SCALE: 1" = 10'	SHEET 1 OF 1

TEG
130 PINE AVE, 3RD FLOOR
LONG BEACH, CA 90802
310.613.9980
www.TEGLosAngeles.com
TUCHSCHER ENGINEERING GROUP

STAMP
REGISTERED PROFESSIONAL ENGINEER JAMES TUCHSCHER C 71649 CIVIL STATE OF CALIFORNIA

STAMP DATE 11/12/2025

DRAWING
EXISTING SITE PLAN

PROJECT
JENNY RESIDENCE
33008 PACIFIC COAST HWY
MALIBU, CA 90265

REVISIONS	BY
1 7/14/23	RC
2 11/13/23	MT
3 2/27/24	MT
4 10/24/24	MT
5 10/23/25	MT

JOB #: 23-2457
DATE: 11/13/23
SCALE: 1" = 15'-0"

C-2.0
SHEET 2 OF 7

PLANNING PC-2

JENNY RESIDENCE

CITY OF MALIBU GENERAL NOTES

1. ANY MODIFICATIONS OF OR CHANGES IN APPROVED GRADING PLANS MUST BE APPROVED BY THE BUILDING OFFICIAL.
2. A COPY OF THE GRADING PERMIT AND APPROVED GRADING PLAN MUST BE IN THE POSSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE.
3. FIELD ENGINEER MUST SET GRADE STAKES FOR ALL DRAINAGE DEVICES AND THE CONTRACTOR SHALL OBTAIN INSPECTION BEFORE POURING.
4. ALL STORM DRAIN WORK IS TO BE DONE UNDER CONTINUOUS INSPECTION BY THE FIELD ENGINEER. WEEKLY STATUS REPORTS SHALL BE SUBMITTED BY THE FIELD ENGINEER TO THE CITY BUILDING DEPARTMENT.
5. PROVISIONS SHALL BE MADE FOR CONTRIBUTORY DRAINAGE AT ALL TIMES.
6. SEPARATE PLANS FOR TEMPORARY DRAINAGE AND WET WEATHER EROSION CONTROL MEASURES TO BE USED DURING THE RAINY SEASON MUST BE SUBMITTED PRIOR TO OCTOBER 1. THE EROSION CONTROL DEVICES SHOWN ON SAID PLANS MUST BE INSTALLED BY NOT LATER THAN NOVEMBER 1 AND MAINTAINED IN OPERABLE CONDITION UNTIL APRIL 15.
7. THE GRADING CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT VERIFYING THAT THE WORK DONE UNDER HIS DIRECTION WAS PERFORMED IN ACCORDANCE WITH THE APPROVED PLANS AND REQUIREMENTS OF CHAPTER 33 OF THE MALIBU BUILDING CODE OR DESCRIBING ALL VARIANCES FROM THE APPROVED PLANS AND REQUIREMENTS OF THE CODE.
8. ALL RECOMMENDATIONS INCLUDED IN THE CONSULTANT'S SOIL AND GEOLOGY REPORTS MUST BE COMPLIED WITH AND ARE A PART OF THE GRADING SPECIFICATIONS.
9. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH MONTHLY INSPECTION REPORTS TO BE SUBMITTED TO THE CITY BUILDING DEPARTMENT.
10. THE CONSULTING GEOLOGIST MUST APPROVE ROUGH GRADING BY FINAL REPORT. FINAL REPORT MUST INCLUDE AN AS-BUILT GEOLOGIC MAP.
11. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE GRADING INSPECTOR. A PRE-GRADING MEETING ON THE SITE REQUIRED BEFORE THE START OF GRADING WITH THE FOLLOWING PEOPLE PRESENT: OWNER, GRADING CONTRACTOR, DESIGN CIVIL ENGINEER, SOIL ENGINEER, GEOLOGIST, GRADING INSPECTOR, AND WHEN REQUIRED, THE ARCHAEOLOGIST AND PALEONTOLOGIST. THE REQUIRED INSPECTIONS FOR GRADING WILL BE EXPLAINED AT THIS MEETING.
12. FILL SHALL BE BENCHED INTO COMPETENT MATERIAL PER CITY OF MALIBU STANDARD OR SOILS ENGINEER'S DIRECTIONS.
13. ALL EXISTING FILLS SHALL BE APPROVED BY THE BUILDING OFFICIAL OR REMOVED PRIOR TO PLACING ADDITIONAL FILLS.
14. THE BUILDING OFFICIAL SHALL APPROVE STOCK PILING OF EXCESS MATERIAL PRIOR TO EXCAVATION.
15. THE FIELD ENGINEER, AS A CONDITION OF ROUGH GRADE APPROVAL, SHALL PROVIDE A BLUE TOP WITH ACCOMPANYING WITNESS STAKE, SET AT THE CENTER OF EACH PAD REFLECTING THE PAD ELEVATION FOR PRECISE PERMITS AND A BLUE TOP WITH WITNESS STAKE SET AT THE DRAINAGE SWALE HIGH POINT REFLECTING THE HIGH POINT ELEVATION FOR PRELIMINARY PERMITS.
16. ALL TRENCH BACKFILLS SHALL BE TESTED AND APPROVED BY THE SOIL ENGINEER.

CITY OF MALIBU GENERAL NOTES

17. SUB-DRAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUB-DRAIN CONSTRUCTION AND SURVEY FOR LOCATION. THE AS GRADED PLAN SHALL SHOW ALL SUB-DRAIN LOCATIONS AND ELEVATIONS.
18. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH DURING AND AFTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY SLOPE STABILITY PROBLEM EXISTS. SHOULD EXCAVATION DISCLOSE ANY GEOLOGICAL HAZARDS OR POTENTIAL GEOLOGICAL HAZARDS, THE ENGINEERING GEOLOGIST SHALL SUBMIT RECOMMENDED REMEDIATION TO THE BUILDING OFFICIAL FOR APPROVAL.
19. WHERE SUPPORT OR BUTTRESSING OF CUT AND NATURAL SLOPES IS DETERMINED TO BE NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, THE SOIL ENGINEER SHALL SUBMIT DESIGN, LOCATIONS, AND CALCULATIONS TO THE BUILDING OFFICIAL PRIOR TO CONSTRUCTION. THE ENGINEERING GEOLOGIST AND SOIL ENGINEER SHALL INSPECT AND CONTROL THE CONSTRUCTION OF THE BUTTRESSING AND CERTIFY TO THE STABILITY OF THE SLOPE AND ADJACENT STRUCTURES UPON COMPLETION.
20. WHEN CUT PADS ARE BROUGHT TO NEAR GRADE, THE ENGINEERING GEOLOGIST SHALL DETERMINE IF THE BEDROCK IS EXTENSIVELY FRACTURED OR FAULTED AND WILL READILY TRANSMIT WATER. IF CONSIDERED NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, A COMPACTED FILL BLANKET WILL BE PLACED.
21. THE COMPACTION REPORT AND APPROVAL FROM THE SOIL ENGINEER SHALL INDICATE THE TYPE OF FIELD TESTING PERFORMED. EACH TEST SHALL BE IDENTIFIED WITH THE METHOD OF OBTAINING THE IN PLACE DENSITY, WHETHER SAND CONE OR NUCLEAR GAUGE, AND SHALL BE SO NOTED FOR EACH TEST.
22. EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE SHOWN CLEARLY ON APPROVED PLANS.
23. THE FIELD ENGINEER SHALL SUBMIT A LETTER OF CERTIFICATION TO THE BUILDING OFFICIAL STATING THAT THE GRADING WAS DONE IN COMPLIANCE WITH THE APPROVED GRADING PLAN.
24. PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS, AS APPROVED BY THE CITY OF MALIBU, ARE CONSIDERED A PART OF THE APPROVED GRADING PLAN. ALL RECOMMENDATIONS CONTAINED ARE TO BE COMPLIED WITH OR REVISIONS SUBMITTED FOR REVIEW.
25. ALL EXISTING DRAINAGE COURSES THROUGH THIS SITE SHALL REMAIN OPEN UNTIL FACILITIES TO HANDLE STORM WATER ARE APPROVED AND FUNCTIONAL; HOWEVER, IN ANY CASE, THE PERMITTEE SHALL BE HELD LIABLE FOR ANY DAMAGE DUE TO OBSTRUCTING NATURAL DRAINAGE PATTERNS.
26. ROOF GUTTERS SHALL BE INSTALLED TO PREVENT ROOF DRAINAGE FROM FALLING ON MANUFACTURED SLOPES. GUTTERS SHALL BE CONNECTED TO NON-EROSIVE PIPING OR OTHER METHOD ACCEPTABLE TO THE BUILDING OFFICIAL.
27. ANY EXCAVATIONS ADJACENT TO OTHER PROPERTY OR STRUCTURES ARE SUBJECT TO THE PROVISIONS OF THE CALIFORNIA CIVIL CODE, SECTION 832, AND IS THE RESPONSIBILITY OF THE PERMITTEE AND OR OWNER.
28. NO GRADING OR CONSTRUCTION SHALL OCCUR WITHIN THE PROTECTED ZONE OF ANY OAK TREE. THE PROTECTED ZONE SHALL MEAN THAT AREA WITHIN THE DRIP LINE OF AN OAK TREE EXTENDING THERE FROM A POINT AT LEAST FIVE FEET OUTSIDE THE DRIP LINE, OR 15 FEET FROM THE TRUNK(S) OF A TREE, WHICHEVER IS GREATER.

City of Malibu

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

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE

PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER:

PROJECT ADDRESS: 33008 PACIFIC COAST HIGHWAY, MALIBU, CA 90265

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

	Exempt R&R	Exempt Understructure	Exempt Safety	Non-Exempt	Remedial	Total
Cut	1184.2 CU. YD.	366.4 CU YD.	3.3 CU YD.	97.1 CU YD.	0 CU. YD.	1648 CU YD.
Fill	1184.2 CU. YD.	6.1 CU YD.	70.1 CU YD.	56.2 CU YD.	0 CU. YD.	1316.6 CU YD.
Total	2368.4 CU. YD.	366.5 CU YD.	70.4 CU YD.	153.3 CU YD.	0 CU. YD.	2964.6 CU YD.
Import			68.8 CU YD.			
Export		366.5 CU YD.		40.9 CU YD.		337.4 CU YD.

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

PREPARED BY: JAMES TUCHSCHER
PRINT NAME

SIGNATURE

DATE: 10/23/2025

REGISTERED PROFESSIONAL ENGINEER JAMES TUCHSCHER C77649 CIVIL STATE OF CALIFORNIA

Page 1 of 1
P:\Forms\COUNTER FORMS\PLN Grading Verification Certificate_100207.doc

GRADING PLAN LEGEND

- STRUCTURE OUTLINE ON GRADE
- (100') EXISTING MAJOR GRADE CONTOUR
- (101') EXISTING MINOR GRADE CONTOUR
- 100' PROPOSED MAJOR GRADE CONTOUR
- 101' PROPOSED MINOR GRADE CONTOUR
- (100') REMOVED MAJOR GRADE CONTOUR
- (101') REMOVED MINOR GRADE CONTOUR
- CUT & FILL TRANSITION
- GRADE TRANSITION
- DISTURBED AREA BOUNDARY
- (E) FENCE
- SETBACK LINE
- CUT AREA
- FILL AREA
- REMOVE AND RECOMPACT AREA
- SITE WALL

DISTURBED AREA

TOTAL DISTURBED AREA	12603.6 SQ.FT.	0.29 ACRES

CONSTRUCTION NOTES

1	OUTLINE OF HAMMERHEAD TURNAROUND, PER MALIBU FIRE DEPARTMENT REQUIREMENTS
2	PROPOSED TRASH ENCLOSURE
3	EXISTING PRIVATE DRIVEWAY FROM PACIFIC COAST HIGHWAY
4	GUEST PARKING AREA
5	EXISTING NEIGHBOR'S FENCE TO REMAIN
6	EXISTING SITE WALL
7	EXISTING NEIGHBORING STRUCTURE
8	TRENCH DRAIN OUTLINE
9	PROPOSED DISPERSAL FIELD
10	FUTURE DISPERSAL FIELD
11	SEPTIC TANK PER OWTS PLANS
12	ON-GRADE WOOD DECK PATIO
13	BIOFILTRATION PLANTER BOX PER DETAIL 8/C-5.0

DISTURBED AREA BOUNDARY
BIOFILTRATION PLANTER F.G. 66.50'
DETENTION TANK F.S. 59.00
TOP 68.00' F.G. 66.50' F.S. 64.85'
TOP 68.00' F.G. 66.50' F.S. 64.85'
T.W. 71.00' F.G. 70.50' F.S. 68.50'
PATIO/CONCRETE PAVERS F.S. 67.00
F.S. 67.25'
F.S. 70.51'
F.S. 67.30'
T.C. 67.93'
T.C. 71.01' F.S. 70.51'
T.C. 71.17' F.S. 70.67'
T.C. 71.05' F.S. 70.59'
F.S. 67.24'
STRUCTURE BELOW FOYER FLOOR F.S. 68.85'
F.S. 70.89'
T.C. 71.50'
T.C. 70.94' F.S. 70.44'
F.G. 70.67
F.G. 70.56'
F.S. 67.50'
F.S. 67.75'
T.C. 70.17'
T.C. 70.67'
T.C. 69.50'
T.C. 68.50'
T.C. 68.38'
F.S. 67.53'
F.S. 67.75'
F.S. 61.77'
F.S. 61.14'
F.G. 67.50'
F.S. 67.75'
F.S. 67.73'
F.S. 68.78'
F.S. 67.50'
F.G. 70.03'
F.G. 67.50'
SIDEYARD F.S. 67.50'
CRAWLSPACE BELOW 1ST FLOOR F.S. 64.85'
GARAGE F.F. 67.75'
P/L L = 288.80'
P/L L = 144.72'
P/L L = 255.37'
E.G. 72.12'
E.G. 72.00'
E.G. 70.97'
E.G. 70.27'
F.S. 70.18'
E.G. 69.61'
E.G. 69.94'
F.S. 71.38'
T.C. 71.97'
T.W. 75.09'
F.S. 71.51'
T.W. 75.39'
F.S. 71.89'
(E) PAVING D.G. TO REMAIN
REMOVAL AND RECOMPACTION OF SOIL BELOW PROPOSED CONCRETE SLAB-ON-GRADE TO EXPOSE TERRACED DEPOSITS, WITH 3' HORIZONTAL OFFSET FROM THE OUTLINE OF SLAB-ON-GRADE, PER CALWEST GEOTECHNICAL REPORT, SECTION 10.1.2, DATED 6/2/22
REMOVAL AND RECOMPACTION OF SOIL BELOW PROPOSED CONCRETE SLAB-ON-GRADE TO EXPOSE TERRACED DEPOSITS, WITH 3' HORIZONTAL OFFSET FROM THE OUTLINE OF SLAB-ON-GRADE, PER CALWEST GEOTECHNICAL REPORT, SECTION 10.1.2, DATED 6/2/22
PER CALWEST RECOMMENDATIONS, LIMITS OF REMOVAL & RECOMPACTION SHALL NOT INCLUDE THE PROPOSED DISPERSAL FIELD. DURING CONSTRUCTION, SURFICIAL SOILS TO BE REMOVED BY SEPTIC CONTRACTOR AND DISPERSAL FIELD TO BE CONSTRUCTED PER OWTS PLANS.
REMOVAL AND RECOMPACTION OF SOIL BELOW PROPOSED CONCRETE SLAB-ON-GRADE TO EXPOSE TERRACED DEPOSITS, WITH 3' HORIZONTAL OFFSET FROM THE OUTLINE OF SLAB-ON-GRADE, PER CALWEST GEOTECHNICAL REPORT, SECTION 10.1.2, DATED 6/2/22
50.00' BLUFF SETBACK
15.00' BLUFF SETBACK
DISTURBED AREA BOUNDARY
DISTURBED AREA ROUNDABOUT

DIGALERT — EXCAVATION NOTICE
BEFORE A PERMIT TO EXCAVATE WILL BE VALID, CONTACT DIG ALERT FOR DIG ALERT IDENTIFICATION NUMBER 48 HOURS BEFORE EXCAVATION
CALL 811

TUCHSCHER ENGINEERING GROUP
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130 PINE AVE, 3RD FLOOR
LONG BEACH, CA 90802
310.613.9980
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STAMP
REGISTERED PROFESSIONAL ENGINEER JAMES TUCHSCHER C77649 CIVIL STATE OF CALIFORNIA

STAMP DATE 11/12/2025

DRAWING
GRADING PLAN

PROJECT
JENNY RESIDENCE
33008 PACIFIC COAST HWY
MALIBU, CA 90265

REVISIONS	BY
1 7/14/23	RC
2 11/13/23	MT
3 2/27/24	MT
4 10/24/24	MT
4.1 10/23/25	MT

JOB #: 23-2457
DATE: 11/13/23
SCALE: 1/8" = 1'-0"

C-3.0
SHEET 3 OF 7

PLANNING PC-2

JENNY RESIDENCE

GRADING PLAN — SCALE: 1/8" = 1'-0" — 1

PUBLIC WORKS NOTE
NO CITY/COUNTY STORM DRAIN INLETS WITHIN 250 FEET FROM PROPERTY LINE.

PUBLIC WORKS NOTE
INSTALL STENCIL AT ALL CATCH BASIN INLET DRAINS WITHIN 250 FT PER PER DETAIL 1/C-5.0

DRAINAGE PLAN LEGEND

- 1ST FLOOR OUTLINE
- 2ND FLOOR OUTLINE
- (100') EXISTING MAJOR GRADE CONTOUR
- (101') EXISTING MINOR GRADE CONTOUR
- 100' PROPOSED MAJOR GRADE CONTOUR
- 101' PROPOSED MINOR GRADE CONTOUR
- 4"Ø SOLID SCHEDULE 40 PVC PIPE
- 6"Ø SOLID SCHEDULE 40 PVC PIPE
- 3"Ø SOLID SCHEDULE 40 PVC PIPE
- 4"Ø PERFORATED SCHEDULE 40 PVC PIPE W/ HOLES FACING DOWNWARD
- DISTURBED AREA
- 4"Ø TRENCH DRAIN PER PLAN
- 4"Ø GUTTER
- 4"Ø AREA DRAIN W/ MIN. 2% SLOPE TO DRAIN
- 4"Ø DOWNSPOUT PER PLAN
- CLEANOUT PER PLAN
- CATCH BASIN PER PLAN
- IMPERMEABLE AREA
- NON-SPECIFIC PERMEABLE AREA
- NATURAL GRADE/LANDSCAPING AREA
- INTERLOCKING PERMEABLE PAVERS PER PLAN
- GRAVEL AREA
- LID LANDSCAPING AREA
- EXISTNG ASPHALT TO REMAIN
- DIRECTION OF PIPE FLOW (SLOPED AT 2% UNLESS OTHERWISE STATED)
- 2% SLOPE PERCENTAGE OF PIPE FLOW
- PERF. DIRECTION OF PERFORATED PIPE FLOW
- PRESS. DIRECTION OF PRESSURIZED PIPE FLOW
- DIRECTION OF DISCHARGE

CONSTRUCTION NOTES

1. 4" TRENCH DRAIN AT DRIVEWAY PER DETAIL 5/C-5.0
2. EXISTING PRIVATE DRIVEWAY FROM PACIFIC COAST HIGHWAY
3. 4" DOWNSPOUT PER DETAIL 3/C-5.0
4. 4" GUTTER W/ MIN. 2% SLOPE PER DETAIL 3/C-5.0
5. 4" CLEANOUT
6. 182.9 SQ.FT. PROPOSED BIOFILTRATION PLANTER PER DETAIL 8/C-5.0
7. 24" CLOSED-GRATE SQUARE CONCRETE CATCH BASIN PER DETAIL 2/C-5.0
8. SEE CONTINUATION OF PRESSURIZED PIPE ON C-4.1
9. GRAVEL GUEST PARKING AREA
10. 4" DOWNSPOUT PER DETAIL 3/C-5.0 TO DISCHARGE ONTO ROOF LEVEL BELOW
11. DECK WITH INTERLOCKING PERMEABLE PAVERS
12. 18" OPEN-GRATE SQUARE CONCRETE CATCH BASIN PER DETAIL 6/C-5.0
13. SEPTIC TANK PER OWTS PLANS
14. DISPERSAL FIELD PER OWTS PLANS
15. SEWAGE PIPES PER OWTS PLANS
16. 8" SQUARE CLOSED-GRATE CONCRETE CATCH BASIN AS CLEANOUT PER DETAIL 2/C-5.0
17. 12" SQUARE CLOSED-GRATE CONCRETE CATCH BASIN AS SPLASHBOX PER DETAIL 2/C-5.0
18. 24" SQUARE CONCRETE CATCH BASIN AS CLEANOUT
19. PARAPET
20. 4" SCUPPER
21. 4" OVERFLOW SCUPPER SET 2" ABOVE ROOF SURFACE
22. TREE, PER LANDSCAPING PLAN
23. PROPOSED CONCRETE PICKLEBALL COURT
24. FUTURE DISPERSAL FIELD PER OWTS PLANS
25. PROPOSED SITE WALL
26. 12" SWALE PER DETAIL 7/C-5.0
27. 12" SQUARE OPEN-GRATE CONCRETE CATCH BASIN AS SPLASHBOX PER DETAIL 6/C-5.0
28. (E) PAVING D.G. TO REMAIN 4.1
29. 5000 GAL DETENTION TANK BY JENSEN PER DETAIL 9/C-5.0
30. EXISTING 6"Ø PIPE

DRAINAGE NOTES

1. 2% MIN. SLOPE TO DRAINAGE DEVICE AND / OR STREET AT ALL PAD AREAS.
2. 2% MIN. SLOPE AWAY FROM BUILDINGS AT AREAS OF HARDSCAPE AT ADJACENT 5 FEET.
3. 5% MIN. SLOPE AWAY FROM BUILDINGS AT AREAS OF SOFTSCAPE AT ADJACENT 5 FEET.
4. PROVIDE CATCH BASIN INLET DRAINS WITH STENCIL PER DETAIL 1/C-5.0.

DISTURBED AREA		
TOTAL DISTURBED AREA	12603.6 SQ.FT.	0.29 ACRES

P/L L = 288.80'

P/L L=144.72'

P/L L = 255.37'

50.00' BLUFF SETBACK

15.00' BLUFF SETBACK

DISTURBED AREA BOUNDARY

OVERFLOW PIPE

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STAMP

REGISTERED PROFESSIONAL ENGINEER
JAMES TUCHSCHER
C71649
CIVIL
STATE OF CALIFORNIA

STAMP DATE
11/12/2025

DRAWING
DRAINAGE PLAN - PROPOSED STRUCTURE

PROJECT
JENNY RESIDENCE
33008 PACIFIC COAST HWY
MALIBU, CA 90265

REVISIONS	BY
1 7/14/23	RC
2 11/13/23	MT
3 2/27/24	MT
4 10/24/24	MT
4.1 10/23/25	MT

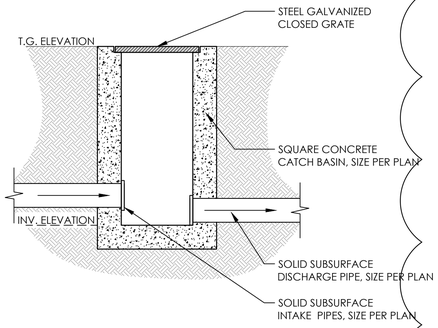
JOB #: 23-2457
DATE: 11/13/23
SCALE: 1/8" = 1'-0"

C-4.0
SHEET 4 OF 7

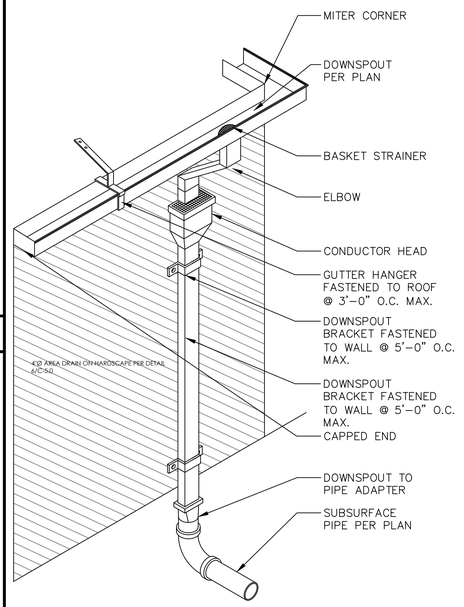
PLANNING PC-2

JENNY RESIDENCE

DRAIN SIGNAGE | 1



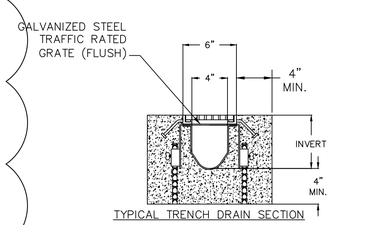
CATCH BASIN DETAIL | 2



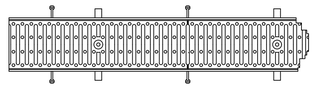
GUTTER AND DOWNSPOUT DETAIL | 3

NOT IN USE | 4

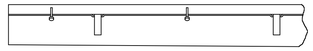
4



TYPICAL TRENCH DRAIN SECTION

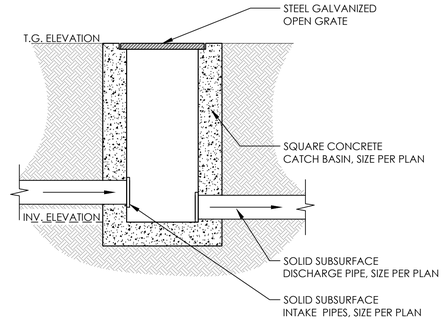


TYPICAL PLAN VIEW

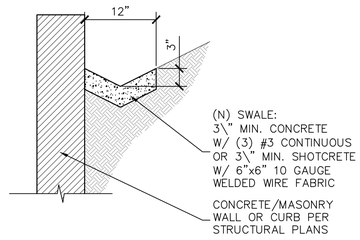


TYPICAL ELEVATION

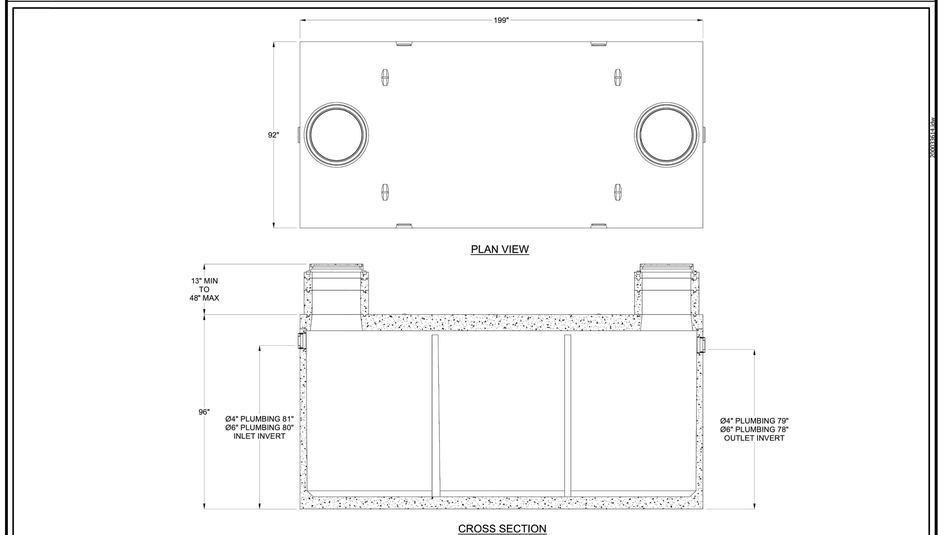
TRENCH DRAIN DETAIL | 5



CATCH BASIN DETAIL | 6



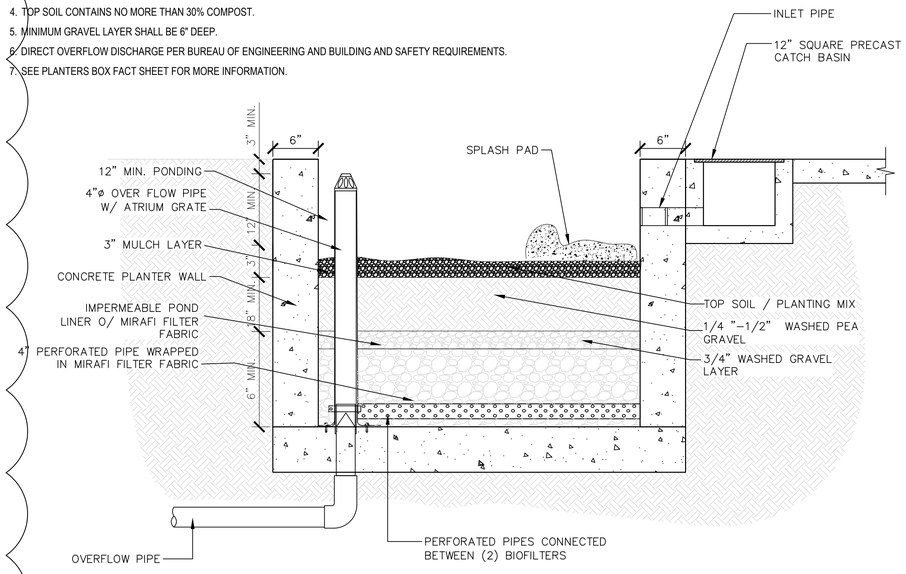
CONCRETE SWALE DETAIL | 7



JENSEN 5000 GAL DETENTION TANK DETAIL | 9

NOTES:

1. AT LEAST 15 INCHES SHALL BE PROVIDED BETWEEN THE PLANTING SURFACE AND THE CREST OF EACH PLANTER
2. PLANTERS SHALL NOT BE LOCATED ON UNEVEN OR SLOPED SURFACES.
3. TOP SOIL/PLANTING MIX IS AT LEAST 18" DEEP.
4. TOP SOIL CONTAINS NO MORE THAN 30% COMPOST.
5. MINIMUM GRAVEL LAYER SHALL BE 6" DEEP.
6. DIRECT OVERFLOW DISCHARGE PER BUREAU OF ENGINEERING AND BUILDING AND SAFETY REQUIREMENTS.
7. SEE PLANTERS BOX FACT SHEET FOR MORE INFORMATION.



BIO-FILTER PLANTER DETAIL | 8

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STAMP

REGISTERED PROFESSIONAL ENGINEER JAMES TUCHSCHERER C71649 CIVIL STATE OF CALIFORNIA

STAMP DATE 11/12/2025

DRAWING
CIVIL DETAILS

PROJECT
JENNY RESIDENCE
33008 PACIFIC COAST HWY
MALIBU, CA 90265

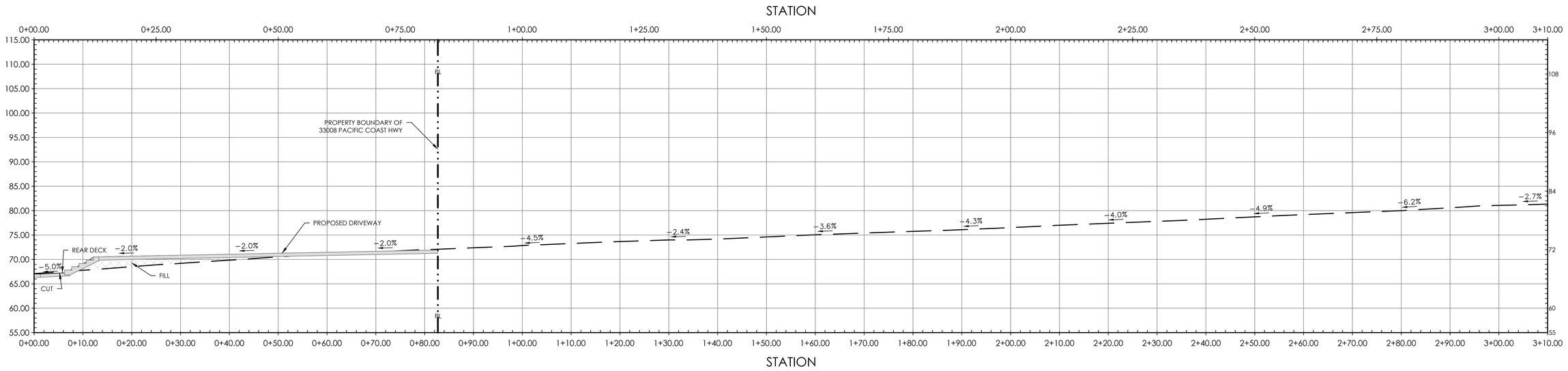
REVISIONS	BY
1 7/14/23	RC
2 11/13/23	MT
3 2/27/24	MT
4 10/24/24	MT
5 10/23/25	MT

JOB #: 23-2457
DATE: 11/13/23
SCALE: NTS

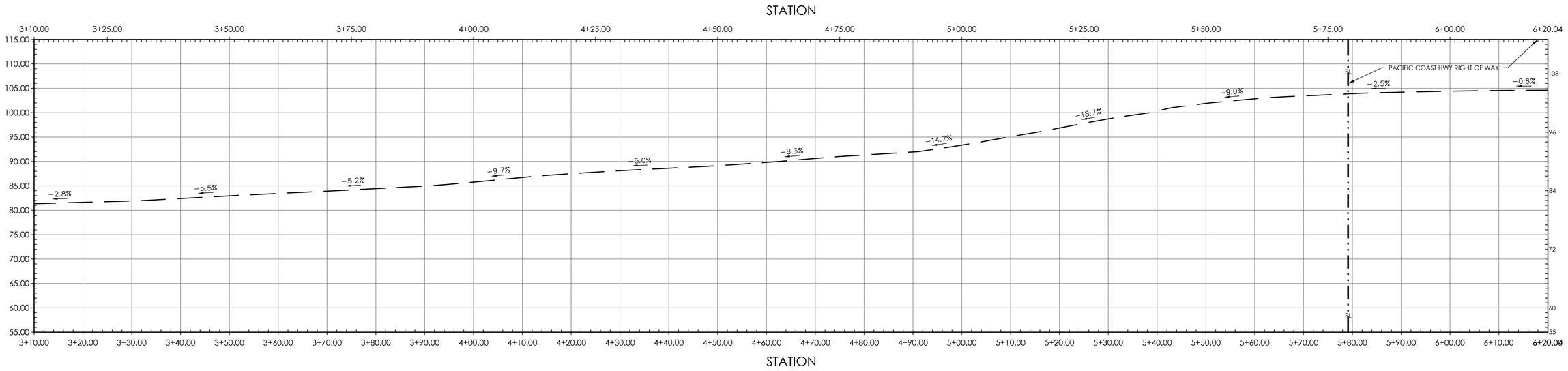
C-5.0
SHEET 5 OF 7

PLANNING PC-2

JENNY RESIDENCE



DRIVEWAY PROFILE (STA. 0+00.00 - 3+10.00) SCALE: 1" = 10'-0" 2



DRIVEWAY PROFILE (STA. 3+10.00 - 6+20.04) SCALE: 1" = 10'-0" 2

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JAMES TUCHSCHER
C77649
CIVIL
STATE OF CALIFORNIA

STAMP DATE
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DRAWING
DRIVEWAY PROFILE

PROJECT
JENNY RESIDENCE
33008 PACIFIC COAST HWY
MALIBU, CA 90265

REVISIONS	BY
1 7/14/23	RC
2 11/13/23	MT
3 2/27/24	MT
4 10/24/24	MT
5 10/23/25	MT

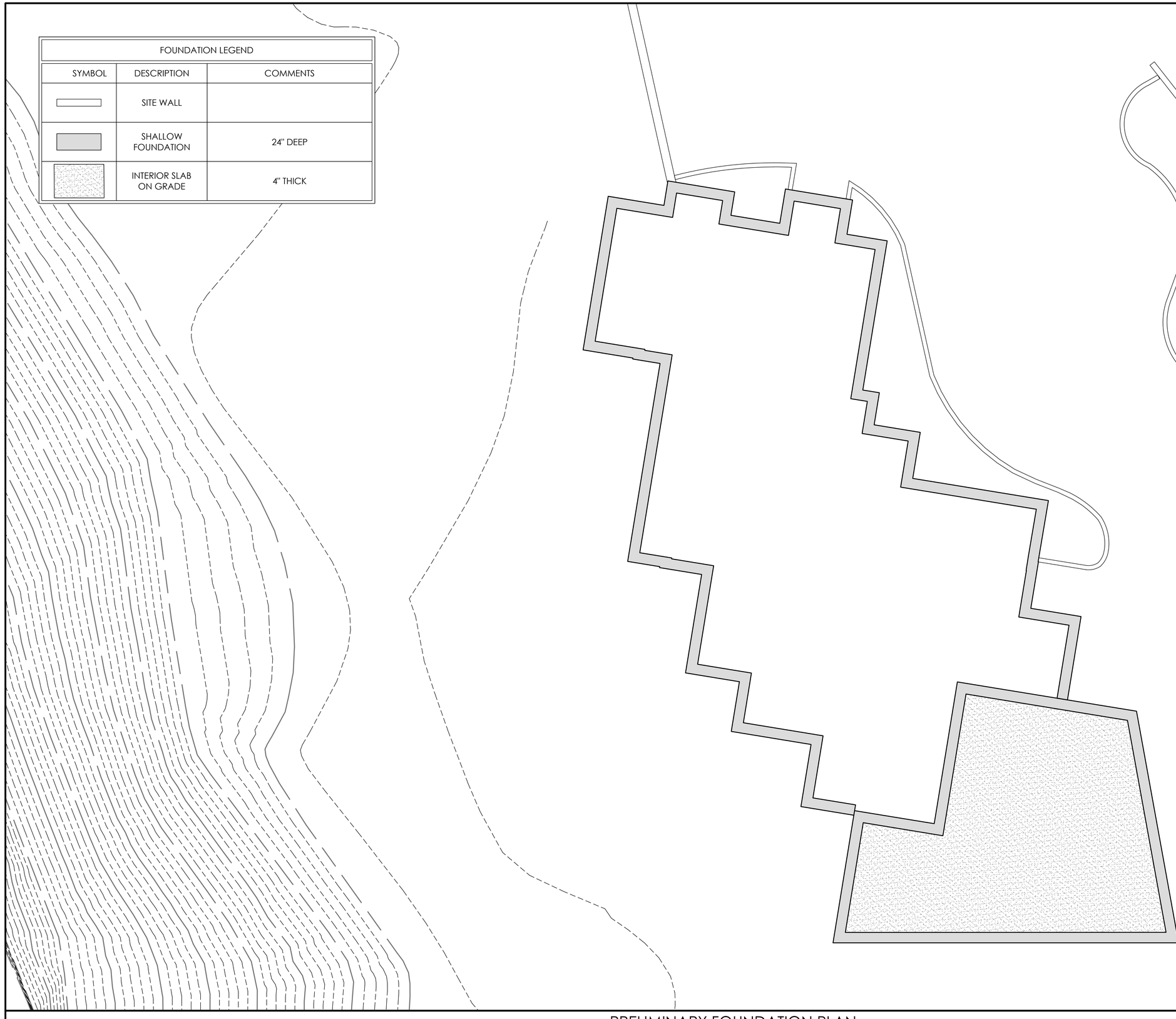
JOB #: 23-2457
DATE: 11/13/23
SCALE: 1" = 10'-0"

C-6.0
SHEET 6 OF 7

PLANNING PC-2

JENNY RESIDENCE

FOUNDATION LEGEND		
SYMBOL	DESCRIPTION	COMMENTS
	SITE WALL	
	SHALLOW FOUNDATION	24" DEEP
	INTERIOR SLAB ON GRADE	4" THICK



PRELIMINARY FOUNDATION PLAN

SCALE: 3/16" = 1'-0"

1

TEG
130 PINE AVE, 3RD FLOOR
LONG BEACH, CA 90802
310.613.9980
www.TEGLosAngeles.com
TUCHSCHER ENGINEERING GROUP

STAMP

REGISTERED PROFESSIONAL ENGINEER
JAMES TUCHSCHER
C77649
CIVIL
STATE OF CALIFORNIA

STAMP DATE
11/12/2025

DRAWING
PRELIMINARY
FOUNDATION PLAN

PROJECT
JENNY RESIDENCE
33008 PACIFIC COAST HWY
MALIBU, CA 90265

REVISIONS	BY
△	
△	
△	
△	
△	
△	
△	
△	
△	

JOB #: 23-2457
DATE: 8/10/23
SCALE: 3/16" = 1'-0"

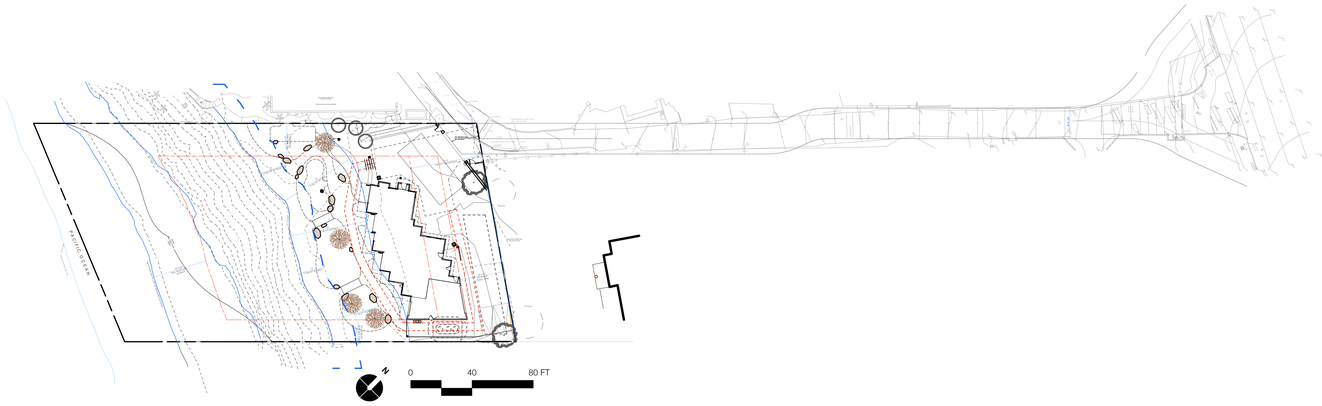
S1-P
SHEET 8 OF 8

PLANNING SUBMITTAL

JENNY RESIDENCE

33008 PACIFIC COAST HIGHWAY

MALIBU, CA 90265



vicinity map

Project Description

Exterior landscape, lighting and irrigation for new single family residence with attached garage.

Project Details

project address: 33008 Pacific Coast Highway
Malibu, CA 90265

owner: Ronald Jenny
33010 Pacific Coast Highway
Malibu, CA 90265

assessors number: 4473-017-009

zoning: RR2

total proposed landscape area: 3,417 SF
low water use - 3,327 SF
med water use - 90 SF
high water use - 0 SF

total irrigated landscape: 3,417 SF

water supply type: potable

water municipality: Los Angeles Water District 29

Consultants

architect: Burdge & Associates
24911 PCH
Malibu, CA 90265
p: 310.456.5905

landscape: Barefoot Design, Inc.
1187 Coast Village Road, #287
Santa Barbara, CA 93108
p: 805.697.7466

Sheet Index

sheet #	Title
L0.00	Cover Sheet
L1.00	Hardscape & Lighting Plan
L1.01	Hardscape Details
L2.00	Irrigation Plan
L2.01	Irrigation Details
L3.00	Planting Plan - Front
L3.01	Planting Details

Statement of Compliance

I have complied with the criteria of the Landscape Water Conservation Ordinance and applies them for the efficient use of water in the landscape design.

Preparer Name: Jessica Harlin

Preparer Signature:

Professional License / Designation: Landscape Architect, #6606

BAREFOOT DESIGN
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Santa Barbara, CA 93108
TEL 805.697.7466
WEB www.barefoot-design.net

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5/11/23

PROJECT:

BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS

Cover Sheet

DATE 11/12/25

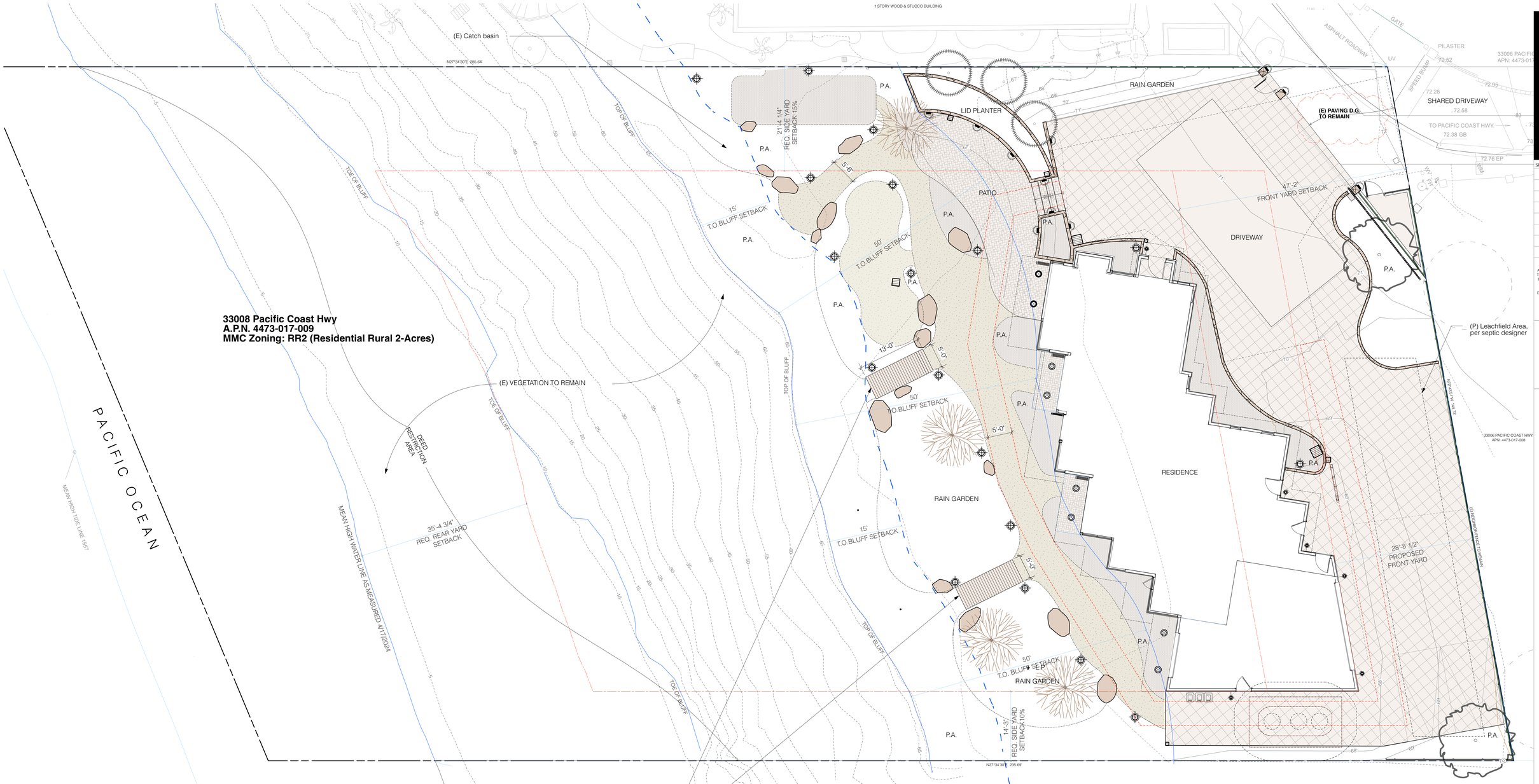
SCALE 1" = 40'-0"

DRAWN KR

JOB 23-06

SHEET **L0.00**

1 OF 9 SHEETS



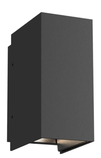
6 L1.01 (P) Prefabricated Boardwalk, Set on Grade (NO FOOTINGS)
- MFR: Fifthroom, PRODUCT: No Rail Cedar Pedestrian Bridge
(or approved equal)

Materials Legend:

symbol	description	area	detail
	Driveway Pavers	4,513 SF	8 L1.01
	Permeable Pavers	616 SF	7 L1.01
	Concrete	947 SF	3,4 L1.01
	Decomposed Granite	1,816 SF	1, 2 L1.01
	3/8" Gravel Mulch	1,251 SF	
	Shovel Cut Edge		2 L1.01
	Santa Barbara Sandstone Boulders, set in grade		5 L1.01
	Catch Basin - See Civil Drainage Plan		

FX Luminaire - Overhang Recessed Light

WAC Lighting - Beam Mounted Light


Kuzco - Sconce

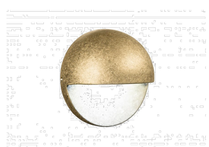
Lighting Legend

symbol	description	quantity	manufacturer	model	lumen	wattage	color temp (K)	notes
L	controller *(to be programmed to turn outdoor lighting off during daytime hours)*	1	FX Luminaire	LZD-300-SS	N/A	N/A	N/A	
	beam mounted light	2	WAC Lighting	FM-W47205-30-BK	900	11.9	3000	
	overhang recessed light	6	FX Luminaire	RC-3LED-SV	261	4.2	2700	
	pathlight	18	FX Luminaire	PFLEDTA - CU + P - 1LED - 18RA - CU	39	2	2700	18" height
	wall lights	11	FX Luminaire	MS - 1LED - BS	101	1.9	2700	
	sconce	6	Kuzco	EW48003-BK-UNV	1020	12	3000	

notes:
1. Wiring and transformer locations to be provided by Electrician.
2. Location of lights are diagrammatic. Final location to be set prior to installation by Landscape Architect.

FX Luminaire - Luxor Controller

FX Luminaire - Path Light


FX Luminaire - Wall Light

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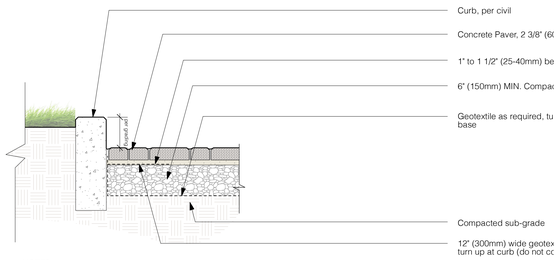
5/11/23

PROJECT:

BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS: **Hardscape & Lighting Plan**

DATE 11/12/25
SCALE 1/8" = 1'-0"
DRAWN KR
JOB 23 - 06
SHEET **L1.00**
2 OF 9 SHEETS



NOTES:

1. Thickness of aggregate base will vary with subgrade conditions and climate. Colder clinmates may require a thicker base.

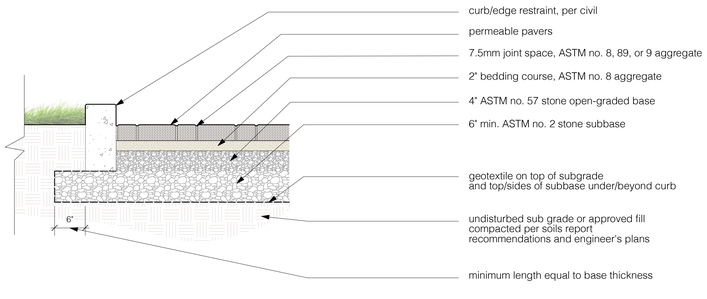
2. Concrete pavers should be placed on a cement treated base of soil is extremeley weak or constantly saturated, pavers can be overlaid or inlaid on existing asphalt or concrete driveways.

3. Consult ICPI tech spec 2 for guidelines on specifications of base materials, subgrade and soil compaction.

4. Plastic, aluminum or precast concrete edging may be used.

8 Interlocking Pavers

scale: 1" = 1'-0"



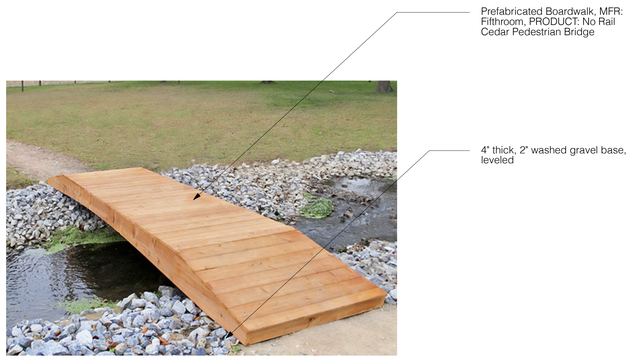
Notes:
1. Cross section as shown, is suitable for residential driveways, patios, and sidewalks.

2. Depth of aggregate base subject to site specific conditions (soil conditions, groundwater levels, climatic conditions). Contact sales represantitive.

3. Drain pipes may be required within aggregate base depending on the permeability of the subgrade soils. Verify drainage needs with the geotechnical engineer. Ensure drain pipes are able to daylight via gravity flow to surface, or connect to catch basin.

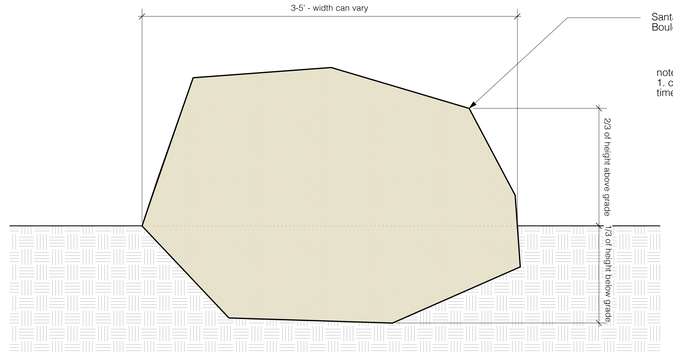
7 Permeable Interlocking Pavers

scale: 1" = 1'-0"



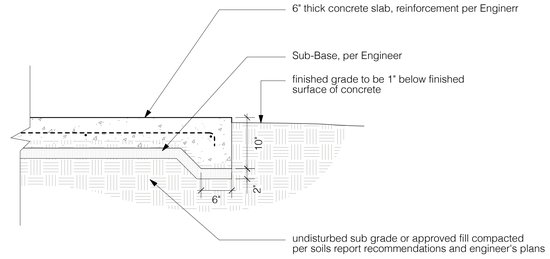
6 Prefabricated Boardwalk

scale: n/a



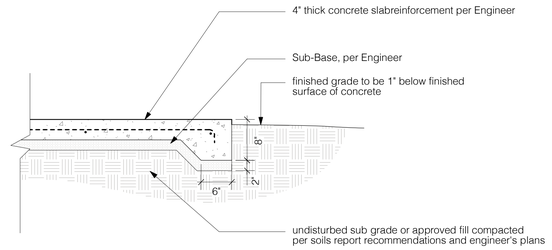
5 Boulder Set in Grade

scale: 1" = 1'-0".



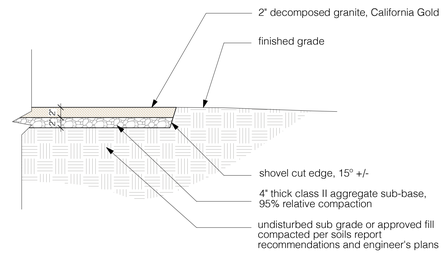
4 6" Integral Color Concrete Paving, TYP.

scale: 1" = 1'-0".



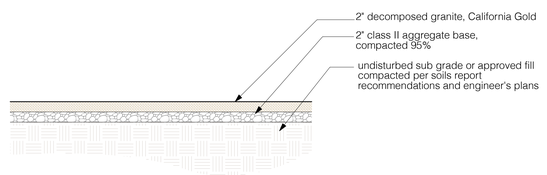
3 4" Integral Color Concrete Paving, TYP.

scale: 1" = 1'-0".



2 Shovel Cut Edge @ Decomposed Granite

scale: 1" = 1'-0".



1 Decomposed Granite Paving

scale: 1" = 1'-0".

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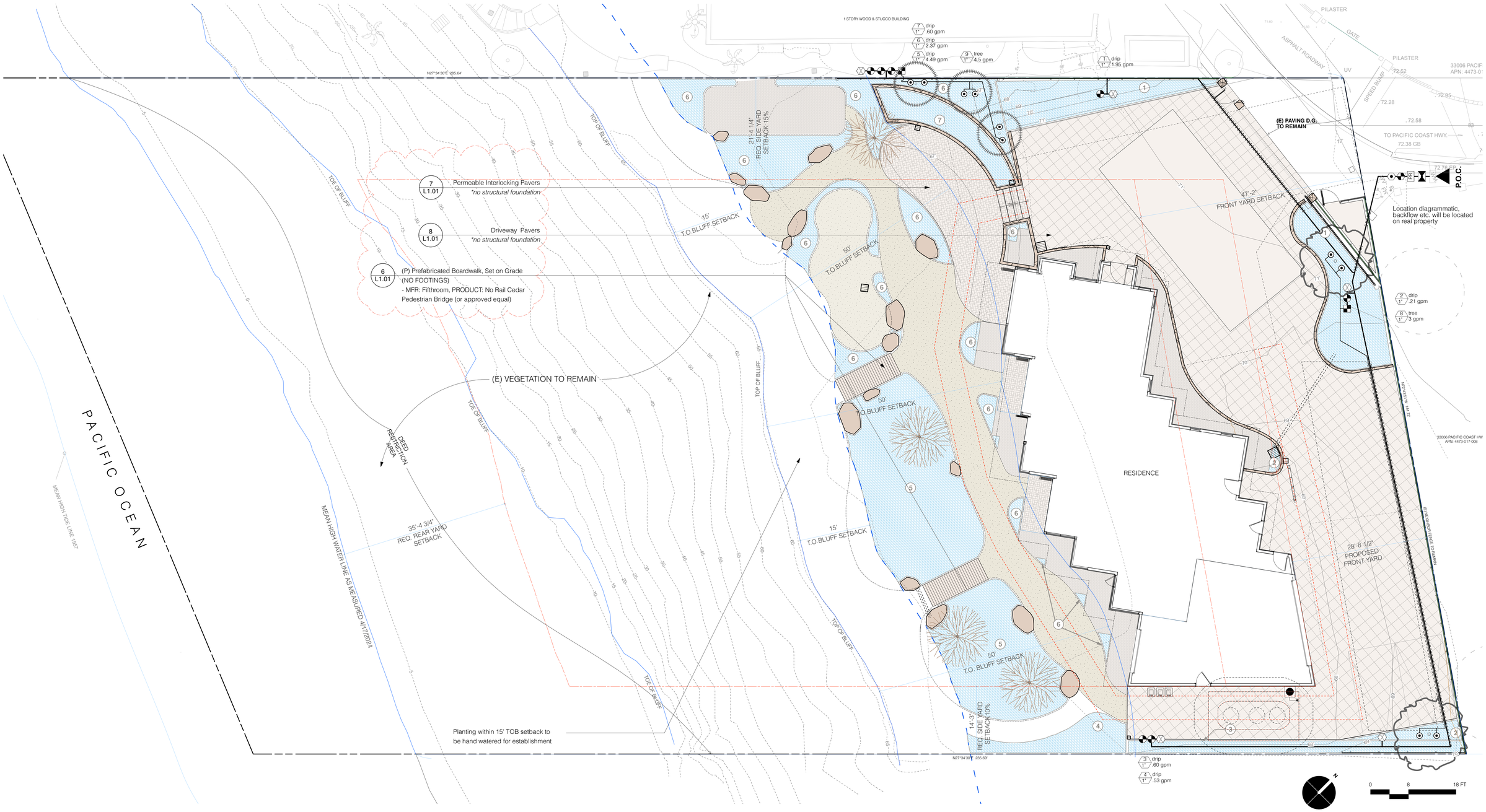
5/11/23

PROJECT:
BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS: Hardscape & Lighting Plan

DATE 11/12/25
SCALE as noted
DRAWN KR
JOB 23-06
SHEET **L1.01**
3 OF 9 SHEETS



Project Information

Total Landscaped Area (Proposed): 3,417 SF
Landscape Area with Low Water: 3,327 SF
Landscape Area with Med Water: 90 SF
Landscape Irrigated with High Water Use: 0 SF
Total New Irrigated Area: 3,417 SF
Project Type: residential
Water Supply Type: potable
Water Municipality: Los Angeles Waterworks District 29

Valve Identification

valve number — # type — valve type
valve size — 1" flow — valve flow rate

Lateral Line Sizing

0-6 gpm	1/2"	class 315
6-10 gpm	3/4"	class 200
10-16 gpm	1"	class 200
16-26 gpm	1 1/4"	class 200
26-35 gpm	1 1/2"	class 200
35-55 gpm	2"	class 200
55-80 gpm	2 1/2"	class 200
80-120 gpm	3"	class 200

Mainline Sizing

0-4 gpm	1/2"	schedule 40
4-8 gpm	3/4"	schedule 40
8-12 gpm	1"	schedule 40
12-22 gpm	1 1/4"	schedule 40
22-30 gpm	1 1/2"	schedule 40
30-50 gpm	2"	class 315
50-70 gpm	2 1/2"	class 315
70-120 gpm	3"	class 315

Irrigation Legend

symbol	description	manufacture / model
	domestic mainline	2" sch 40 PVC
	irrigation lateral	see Lateral Line Sizing
	irrigation sleeve	see Irrigation Notes
P.O.C.	point of connection	(N) 1" dedicated water meter, labeled "FOR IRRIGATION ONLY"
	irrigation controller	HUNTER I-Core IC-600-SS controller w/ (3) HUNTER ICM-600 Module & (1) HUNTER Wireless Rain-clik Rain Sensor WR-CLICK-TR. Rain Sensor to be programmed to automatically shutoff when onsite rainfall exceeds 1/4 inch.
	backflow preventer	1-1/2" FEBCO 825Y or approved equal
PR	pressure regulator	HONEYWELL D06-G with gauge (70 psi)
	master control valve	HUNTER IBV-151G-FS-R (65 psi)
	flow sensor	HUNTER HFS w/ FCT-100 (65 psi)

symbol	description	manufacture / model
	spray valve	WEATHERMATIC 11024FCR (65 psi)
	drip valve	WEATHERMATIC 11024FCR w/ pressure regulating Y-Filter (30 psi)
	hose bib	3/4" brass hose bibb
	manual shut-off valve	PVC ball valve, size to match mainline
	root watering system	HUNTER RZWS (65 psi), see Emitter Legend for size and model
#	drip irrigation zones	HUNTER 1/2" Supply Tubing w/ HUNTER Point Source Emitters, see Emitter Legend

Hydrozone Legend

valve/zone	description	area	plant type	exposure
1	Shrubs & Grasses - Driveway	582 SF	L	Full Sun
2	Shrubs & Grasses - Driveway	60 SF	L	Full Sun
3	Hedge	175 SF	L	Full Sun
4	Native Shrubs & Grasses - Bluff	155 SF	L	Full Sun
5	Rainwater Garden	1342 SF	L	Full Sun
6	Native Shrubs & Grasses - Bluff	707 SF	L	Full Sun
7	Native Shrubs & Grasses - Bluff	180 SF	L	Full Sun
8	Trees - Driveway	30 SF	L	Full Sun
9	Trees - Citrus	90 SF	M	Full Sun

Emitter Legend

plant material	equipment
flatted groundcover	Microspray Emitters
4" pot	2 - HE-20-B Emitters per plant
1 gallon	2 - HE-20-B Emitters per plant
5 gallon shrubs	3 - HE-20-B Emitters per plant
15 gallon shrubs	4 - HE-20-B Emitters per plant
15 gallon trees	2 - RZWS-18-50-CV per tree
24" box trees	2 - RZWS-18-50-CV per tree
36" box trees	3 - RZWS-36-50-CV per tree
48" box trees	4 - RZWS-36-50-CV per tree
60" box trees and above	(Consult with a Local Arborist)

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5/11/23

PROJECT:
BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS
Irrigation Plan

DATE 11/12/25
SCALE 1/8" = 1'-0"
DRAWN KR
JOB 23-06
SHEET **L2.00**
4 OF 9 SHEETS

Maximum Applied Water Allowance Calculations:

ETo	40.6	
LA	3417	
SLA	0	
ETAF	0.23	
MAWA (Gallons)		**47,307**
MAWA (Inches per sq.ft.)		22.2
MAWA (Inches per DAY)		0.06

Maximum Applied Water Allowance Equation:
MAWA = (ETo) (0.62) [(.55 x LA) + (1-0.55 x SLA)]

Estimated Total Water Use:

ETo	40.6	
PFxHA (see chart)	710.4	
HA (same as LA)	3417	
IE (see chart)	0.41	
SLA	0	
ETWU (Gallons)		**22,077**
ETWU (Inches per sq.ft.)		10.4
ETWU (Inches per DAY)		0.03

Estimated Total Water Use Equation:
ETWU = ETo x 0.62 x [(PFxHA)/IE) +SLA]

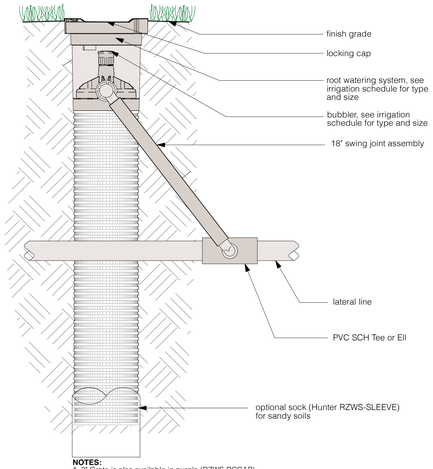
Irrigation Efficiency:

H.Z.	Description	Type	PF	Irrigation Method	IE	ETAF (PF/IE)	HA	ETAF x Area	PF x HA
Regular Landscape Areas									
1	Shrubs & Grasses - Driveway	Low	0.2	drip	0.81	0.16	607	98.33	121.4
2	Shrubs & Grasses - Driveway	Low	0.2	drip	0.81	0.16	60	9.72	12
3	Hedge	Low	0.2	drip	0.81	0.16	175	28.35	35
4	Native Shrubs & Grasses - Bluff	Low	0.2	drip	0.81	0.16	155	25.11	31
5	Rainwater Garden	Low	0.2	drip	0.81	0.16	1342	217.40	268.4
6	Native Shrubs & Grasses - Bluff	Low	0.2	drip	0.81	0.16	778	126.04	155.6
7	Native Shrubs & Grasses - Bluff	Low	0.2	drip	0.81	0.16	180	29.16	36
8	Trees - Driveway	Low	0.2	tree	0.81	0.16	30	4.86	6
9	Trees - Citrus	Med	0.5	tree	0.81	0.41	90	36.45	45
				Subtotal:	**0.81**	**0.19**	**3417**	**575.42**	710.4
Special Landscape/Hardscape Areas									
N/A								0.00	0
				Subtotal:	**0.00**	**0.00**	**0**	**0.00**	**0**

Average System IE (IE is a derivative of DU defined as
IE = DU x IME. Where IME= Irrigation Management Efficiency

Definitions:

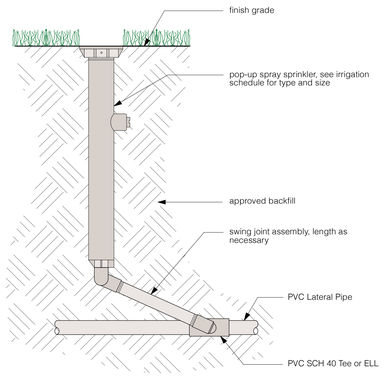
ETo	Reference provided in Appendix A - CIMIS
ETAF	Evapotranspiration Adjustment Factor - 0.55 or less
HA	Hydro zone area = Irrigated area
IE	Irrigation efficiency. Must exceed 0.71.
LA	Landscaped area
PF	Plant water use factor- WUCLOS
SLA	Special landscaped area WITHIN the landscaped area



NOTES:
1. 3" Grate is also available in purple (RZWS-RCCAP).
2. Install product so that the grate is even with finish grade or top of mulch.
3. Optional sand sock (RZWS-SLEEVE) to cover mesh basket area.
4. When installing in extremely hard or clay soils, add 3/4" gravel under and around the unit to allow faster water infiltration and root penetration.
5. Once RZWS has been installed fill the basket with pea gravel before locking lid.

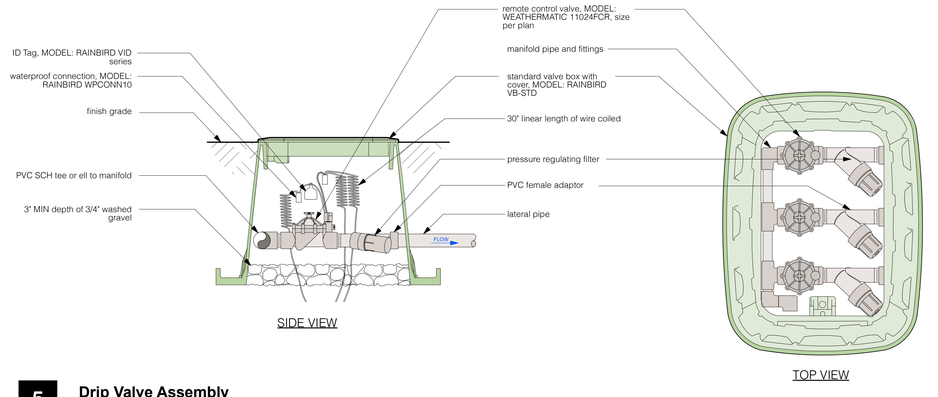
7 Root Watering System

scale: N.T.S.



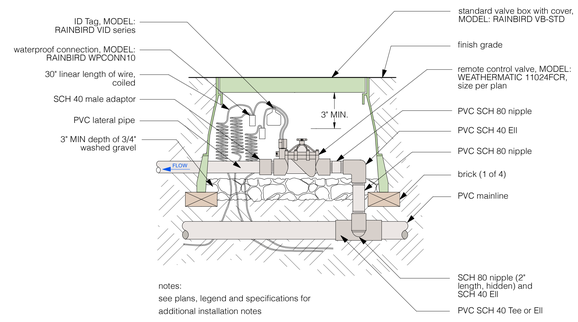
6 Spray Head

scale: N.T.S.



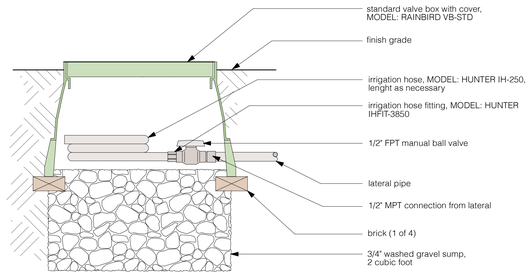
5 Drip Valve Assembly

scale: N.T.S.



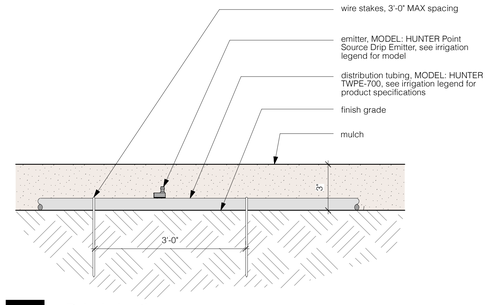
4 Valve Assembly

scale: N.T.S.



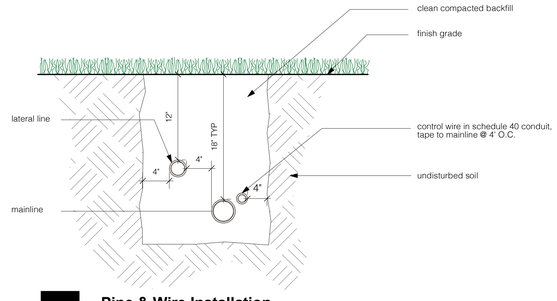
3 Manual Flush Valve

scale: N.T.S.



2 Drip Irrigation

scale: N.T.S.



1 Pipe & Wire Installation

scale: N.T.S.

3 BAREFOOT DESIGN
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Santa Barbara, CA 93108
TEL 805/697-7466
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SUBMITTALS

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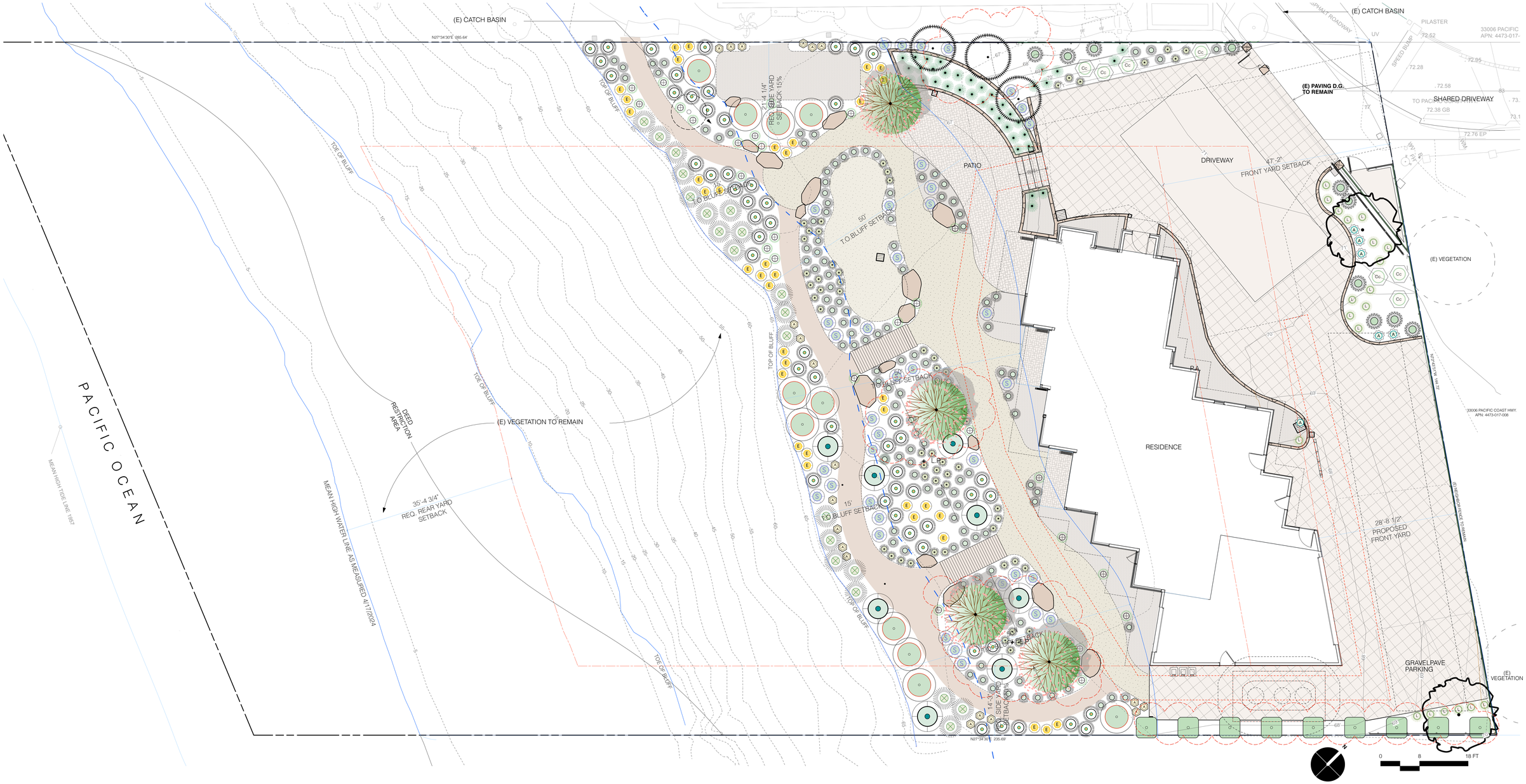
5/11/23

PROJECT:

BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS
Irrigation Details & Water Use

DATE 11/12/25
SCALE as noted
DRAWN KR
JOB 23-06
SHEET **L2.01**
5 OF 9 SHEETS



Plant Palette

Botanic Name	Common Name	Size	Quantity	WUCOLS	MAX Height
Trees & Large Shrubs					
Arctostaphylos glauca	Big Berry Manzanita	15g	4	Med	10'-0" - 20'-0"
Citrus spp.	Assorted Citrus Varieties	24" Box	3	Med	12'-0"
Quercus tomentella	Island Oak	48" Box	2	Low	35'-0"

Botanic Name	Common Name	Size	Quantity	WUCOLS	MAX Height
Shrubs & Perennials					
Achillea millefolium	Yarrow	1g	20	Low	< 1'-0"
Aeonium 'Mint Saucer'	Mint Saucer Aeonium	1g	6	Low	< 1'-0"
Baccharis pilularis	Prostrate Coyote Bush	1g	11	Low	2'-0"
Carex praegracilis	Clustered Field Sedge	1g	58	Low	1'-0"
Carpenteria californica	Bush Anemone	1g	7	Low	6'-0"
Chondropetalum tectorum	Cape Rush	5g	10	Low	3'-0"
Dudleya pulverulenta	Chalk Dudleya	1g	26	Low	< 1'-0"
Encelia californica	Bush Sunflower	1g	37	Low	4'-0"
Juncus patens	California Grey Rush	1g	127	Low	2'-0"
Leymus condensatus	Wild Rye	5g	54	Low	4'-0"
Lomandra 'Platinum Beauty'	Platinum Beauty Basket Rush	1g	20	Low	3'-0"
Lomandra 'Seascape'	Seascape Rush	1g	39	Low	3'-0"
Muhlenbergia rigens	Deer Grass	1g	21	Low	4'-0"
Prunus ilicifolia ssp. lyonii	Lyon's Catalina Cherry	15g	9	Low	15'-0"
Salvia apiana	White Sage	1g	8	Low	3'- 0"
Salvia leucophylla	Purple Sage	1g	39	Low	2'-0"
Groundcovers					
Walk-On Bark			882 SF	N/A	

BAREFOOT DESIGN
1187 Coast Village Road, #387
Santa Barbara, CA 93108
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5/11/23

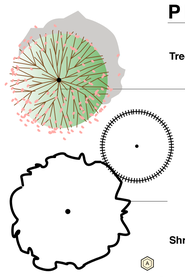
PROJECT:

BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS: **Planting Plan**

DATE 11/12/25
SCALE 1/8" = 1'-0"
DRAWN KR
JOB 23-06
SHEET **L3.00**
6 OF 9 SHEETS

Plant Palette



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Groundcovers					
Walk-On Bark			882 SF	N/A	

General Notes

1. Refer to Architectural and Civil Engineer for hardscape and walls.
2. Refer to Civil Engineer for all grading and drainage

Planting Notes

All plant materials shall be set out as shown on plan. Final locations shall be approved by the Landscape Designer prior to planting.

1. Landscape Contractor shall be responsible for becoming aware of all underground utilities, pipes and structures. The Contractor shall be held responsible for contacting all utility companies for field location of underground utility lines prior to any excavation.

2. Do not willfully proceed with construction as designed when it is obvious that unknown obstructions and/or grade differences exist that may not have been known during design. Such conditions shall be immediately brought to the attention of the landscape designer, Barefoot Design, 805.697.7466.

3. The Landscape Contractor shall assume full responsibility for all necessary revisions due to failure to give such notification.

4. Landscape Contractor shall be responsible for any coordination with subcontractors as required to accomplish planting operations.

5. The Landscape Contractor shall allow for the addition of specified quantities of soil amendments and conditioners in soil preparation and finish grading, per recommendation of soils report.

6. Recommendations in the Soils Management Report shall be incorporated into the landscape installation and a copy of the report is to be on-site at the time of inspection.

Unless soils have greater than 6% organic matter in the top 6" of soil, compost at a rate of a minimum of (4) cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of 6" into the soil.

7. It is the Landscape Contractor's responsibility to furnish plant material free of pests or plant diseases. Contract-grown or 'tagged' material must be inspected by the Landscape Contractor and certified disease free. It is the Landscape Contractor's obligation to warranty all plant materials.

8. The Landscape Contractor shall provide healthy, vigorous plant stock grown under climatic conditions similar to the conditions in the locality of the project.

9. Specimen trees will be selected and tagged by Landscape Designer prior to plant installation. Landscape Contractor is responsible to do their own quantity take-offs for all plant materials and sizes shown on plans. All substitutions shall be reviewed and approved by the Landscape Designer.

10. See details and specifications for staking method, plant pit dimensions and backfill requirements. If details have not been provided, contact Landscape Designer. Plant crown elevations relative to finish grade are shown on planting details and shall be strictly adhered to. Proper compaction of backfill to prevent settlement shall be required.

11. The Landscape Designer will approve finish grades at all landscape areas prior to planting.

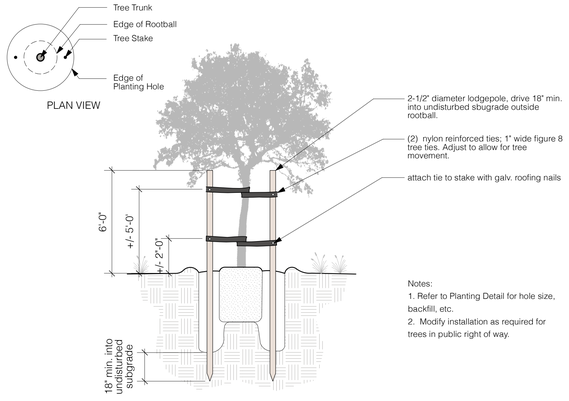
12. The Landscape Designer reserves the right to adjust the location of plant material during installation as appropriate to the project.

13. Landscape mulch shall be applied at 3 inches thick over all landscape surfaces except lawn areas and per City of Malibu guidelines. Mulch must be approved by Landscape Designer. 0-5 feet from structure, flammable mulch is prohibited. 5 feet to 30 feet, limited non-continuous use of organic mulch is permitted with a maximum application area of 20 feet x 20 feet, and a minimum 5 foot separation between application areas. 30 feet from the structure, organic mulch and wood chips are permitted.

14. All side and rear yard hedges shall be maintained at or below 6'-0" in height.

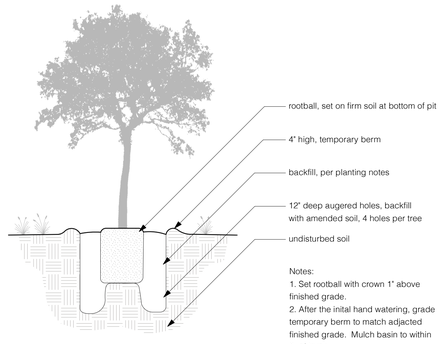
15. View impermeable hedges occurring within the front setback serving the same function as a fence or wall shall be maintained at or below 42" in height.

16. Vegetation shall be situated on the propoerty so as not to obstruct the primary view from private property at any given time. Giving consideration to the plant materials future growth.



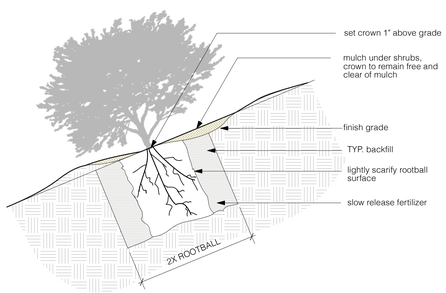
6 Tree Staking

scale: N.T.S.



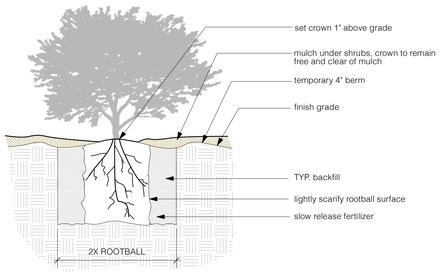
5 Tree Planting

scale: N.T.S.



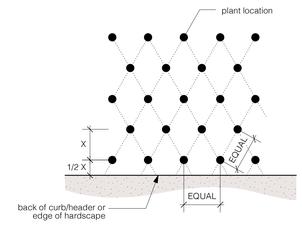
4 Shrub Planting on Slope

scale: N.T.S.



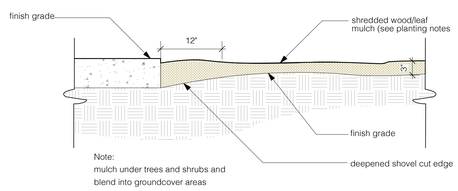
3 Shrub Planting

scale: N.T.S.



2 Groundcover Layout

scale: N.T.S.



1 Mulch Installation

scale: N.T.S.

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5/11/23

PROJECT:

BLUFFTOP 1
33008 Pacific Coast Highway, Malibu, CA, 90265

SHEET CONTENTS: **Planting Details**

DATE	11/12/25
SCALE	as noted
DRAWN	KR
JOB	23-06
SHEET	**L3.01**

7 OF 9 SHEETS

Site Photos

CDP No. 23-034
33008 Pacific Coast Highway

ATTACHMENT 3

Southeastern View of Proposed Residence

Northern View of Proposed Residence

Access Easement that Connects PCH to the Project Site

View of Proposed Residence from 33006 PCH

City of Malibu

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

BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu Biologist

FROM: City of Malibu Planning Department **REVISED DATE** 05/30/2025

PROJECT NUMBER: CDP 23-034

JOB ADDRESS: 33008 PACIFIC COAST HWY

APPLICANT / CONTACT: Arfakhashad Munaim, Schmitz & Associates, Inc.

APPLICANT EMAIL: amunaim@schmitzandassociates.net

PLANNER: Raneika Brooks

PROJECT DESCRIPTION: new 2-story single family residence with attached garage, and new driveway access and landscaping.

REVISION:

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

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

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

Building Plan Check (BPC) Required ☐ Yes ☐ No BPC Fees Req'd $_____

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

Courtney McCammon — 6/6/25

Signature Date

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

Contact Information:

Courtney McCammon, City Biologist, biology@malibucity.org, (310) 456-2489, extension 277

City of Malibu

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

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email)	Arfakhashad Munaim, Schmitz & Associates, Inc. amunaim@schmitzandassociates.net	
Project Address:	**33008 PACIFIC COAST HWY** Malibu, CA 90265	
Planning Case No.:	CDP 23-034	
Project Description:	new 2-story single family residence with attached garage, and new driveway access and landscaping.	
Date of Review:	June 6, 2025	
Reviewer:	Courtney McCammon	Signature: Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email: biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	5/30/25
Site Survey:	5/30/25
Landscape Plan:	5/30/25
Hydrozone Plan:	5/30/25
Irrigation Plan:	5/30/25
Fuel Modification Plan:	5/30/25
Grading Plan:	5/30/25
OWTS Plan:	5/30/25
Bio Assessment:	April and July 2023 (Elizabeth Moorman)
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	1/9/24 - memo
Previous Reviews:	5/31/23 (Incomplete), 11/3/23 (Incomplete), 1/14/24 (Incomplete), 8/22/24 (Incomplete), 12/12/24 (Incomplete)

REVIEW FINDINGS

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

Recycled Paper

DISCUSSION:

1. The Maximum Applied Water Allowance (MAWA) for this project totals 47,307 gallons per year (gpy). The Estimated Applied Water Use (EAWU) totals 22,077 gpy. Therefore, the project meets the Landscape Water Conservation Ordinance Requirements.

2. The former Planning Director and Senior Planning Staff have determined that the project is in compliance with Malibu LIP Chapter 4 because the residence and any other development requiring fuel modification are located 100 feet from the stream. The Planning Department is allowing development not requiring fuel modification within the 100-foot buffer.

RECOMMENDATIONS:

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

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

   B. Prior to or at the time of a Planning final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.

   C. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with the Landscape Water Conservation Ordinance (MMC Chapter 9.22). The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 9.22. (form attached)

   D. Prior to Final Plan Check Approval, if your property is serviced by the Los Angeles County Waterworks District No. 29, please provide landscape water use approval from that department. For approval contact:

      LA County Waterworks District 29
      Address: 23533 Civic Center Way, Malibu, CA 90265
      Email: wwsmaeng@dpw.lacounty.gov
      Phone: (310) 317 – 0209

      Please note: submit plans through EPIC-LA using the "Waterworks Division Landscape Water Efficiency Approval" application. This action may require several weeks. As such, the applicant should submit their approved landscape plans as soon as feasible in order to avoid a delay at plan check.

   E. Vegetation forming a view impermeable condition (hedge), serving the same function as a fence or wall, occurring within the side or rear yard setback shall be maintained at or below six feet in

height. View impermeable hedges occurring within the front yard setback serving the same function as a fence or wall shall be maintained at or below 42 inches in height. Three sequential violations of this condition will result in a requirement to permanently remove the vegetation from the site.

F. Vegetation shall be situated on the property so as not to obstruct the primary view from private property at any given time (given consideration of its future growth).

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

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

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

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

K. All new development including structures, septic systems, or landscaping, shall be set back no less than (*100*) feet from the (*stream*).

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

M. Necessary boundary fencing of any single area exceeding ½ acre shall be of an open rail-type design with a wooden rail at the top (instead of wire), be less than 40 inches high, and have a space greater than 14 inches between the ground and the bottom post or wire. A split rail design that blends with the natural environment is preferred.

2. **PRIOR TO ISSUING A CERTIFICATE OF OCCUPANCY**, the City Biologist shall inspect the project site and determine that all planning conditions to protect natural resources are in compliance with the approved plans.

-o0o-

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

cc: Planning Project file
Planning Department

City of Malibu

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

COASTAL ENGINEERING REVIEW SHEET

Project Information

Date: January 6, 2025 **Review Log #:** C785
Site Address: 33008 Pacific Coast Highway **Lat:** **Lon:**
Lot/Tract/PM #: **Planning #:** CDP23-034 P5
Applicant: A.K. Munaim, amunaim@schmitzandassociates.net
Anna Mattioli, anna@buaia.com **BPC/GPC #:**
Phone #: (818) 338-3636 **Planner:** Raneika Brooks
Project Type: Proposed NSFR and OWTS

Submittal Information

Consultant(s): GeoSoils, Inc., (David W. Skelly, RCE 47857)
Report Date(s): 4/20/2023
Project Plan(s): Burdge Architects, architectural plan set **11-22-2024 response**, **revised plans 11-5-2024**, 5-1-2023**.**

5th Planning submittal
Tuchscher Engineering Group, civil, grading, drainage and foundation plan set 4-28-2023.
CalWest Geotechnical Consulting Engineers 6-30-2022, 5-12-2023
Land Phases, Inc. Report of Engineering Geologic Study 4-29-2023
Previous Reviews: 2-2-2024, 6-30-2023
FEMA SFHA: X, VE (FEMA, 4/21/2021)

Review Findings

Planning Stage

☒ This project is **ACCEPTABLE** in **PLANNING** stage from a coastal engineering perspective, with conditions listed. The listed Building Plan-Check Coastal Review Comments shall be addressed prior to Building Plan-Check approval.

☐ This project is **ACCEPTABLE** in **PLANNING** stage from a coastal engineering perspective. The listed Planning Stage Coastal Review Comments shall be addressed prior to Planning-stage approval.

Remarks:

The referenced plans and reports were reviewed by the City from a coastal engineering perspective relative to the requirements of the following City codes and guidelines:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)

- Malibu Municipal Code – Title 15, Buildings and Construction
- City of Malibu Guidelines for the Preparation of Coastal Engineering Reports and Procedures for Report Submittal. (referred to herein as *Coastal Engineering Report Guidelines*), and
- California Coastal Commission Sea Level Rise Policy Guidance, Final Adopted Science Update, November 7, 2018

The proposed project will consist of the construction of a new 4,856 SF two-story single-family residence with attached garage, concrete pickleball court, decking, site retaining walls, landscaping, and hardscape. The proposed garage will have a concrete slab-on-grade floor; the habitable portion of the residence will have a raised floor construction to maximize pervious areas for subsurface site drainage. The crawl space beneath the main house will have a finished grade at elevation +64.83 ft NAVD88, and the main finished floor is at +68.00 ft NAVD88. The garage finished floor is at elevation +67.75 ft NAVD88. The proposed development is located at the top of a bluff behind a setback established by Project Geotechnical Engineer.

Based on an astronomical tide of +8.0 ft NAVD88 for Santa Monica Bay and a 100-year design window to year 2120, the Coastal Engineering Consultant has presented results of wave uprush analyses for two scenarios in the report for projected sea level rises (SLR) of 4 ft and 7.9 ft, respectively, for the Low Risk Aversion and High Aversion projection of the California Coastal Commission's (CCC) adopted Sea Level Rise Policy Guidance (November 2018). No allowance is given for potential storm surge.

For a Still Water level (SWL) of 12 ft with a projected SLR of 4 ft and for deep-water wave of H'o =11.7 ft and T=10 sec period, the Consultant has computed a maximum storm wave uprush to elevation +18 ft NAVD88 against the face of bluff. For a SWL of 15.9 ft with a projected SLR of 7.9 ft and for a deep-water wave of H'o = 3.8 ft and a T=18 sec period, the Consultant has computed a maximum storm wave uprush to elevations +25.6 ft NAVD88 against the face of bluff.

The Consultant has shown that maximum wave runups up to elevation +25.6 ft NAVD88 will not overtop erosion resistant bedrock underlying the site and cause wave-induced erosion of the terrace deposits overlying the bedrock. The Consultant concludes that the proposed development with the recommended slope setback by the Project Geotechnical Consultant should be safe from future wave runups and bluff retreat.

Geology received a bluff edge determination from Planning, and bluff retreat has been included in the consideration of bluff setback. Geology accepted the revised project as proposed on 12/13/2024.

Building Plan Check Stage Review Comments:

Upon submittal to Building Plan Check, please include the following standard items:

1. There appear typos on Page 4 of the report regarding the datum used in the report; please clarify and correct as appropriate.
2. The report indicates the beach below the bluff is mapped as FEMA VE Zone with a base flood (BFE) of +15 ft NAVD88. However, the FEMA map (06037C1492G, dated April 21, 2021) shows the VE Zone BFE as +14 ft NAVD88. Please clarify and correct.
3. Please reference the NAVD88 elevation data on all architectural plans.
4. The Project Coastal Engineer's recommendations, contained in the coastal engineering report and addendums, shall be incorporated into the plans as notes and details, and referenced on the project structural plans. One set of plans shall be submitted to the coastal engineering review staff for Building

Plan Check. Additional review comments may be raised at that time that may require a response. The Project Coastal Engineer shall review, sign and stamp the final building plans.

5. The final project plans shall show the land and beach contours, and that include: design beach profile, storm scour profile, design stillwater levels, wave uprush limits for the maximum breaking waves showing the landward extent of the uprush limit, the Mean High Tide line with month and year on plans based on available historical surveys, and the location and elevations of existing shore protection.
6. Supplemental recommendations provided by the Coastal Engineer shall be reviewed by the City Coastal Engineering Staff and by the project geotechnical consultant and NOWTS consultant.
7. The final approved NOWTS plan and above items should be submitted to the Coastal Engineering Reviewers in Building Plan Check, along with a Building Plan Check review fee of $870.

Limitations:

This coastal engineering peer review has been performed to provide technical assistance to the City of Malibu with its discretionary permit decisions and is limited to review of the documents identified herein in accordance with the guidelines of the City of Malibu and local standard of practice in respect to coastal developments. The opinions, conclusions and recommendations provided by the applicant's Coastal Engineering Consultant do not necessarily represent the opinions of the peer reviewer or the City of Malibu.

Reviewed by:

Lauren J. Doyel, G.E. #2981, Exp. 6-30-25
Geotechnical Engineering Reviewer (805-496-1222)
Email: ldoyel@malibucity.org

1-6-2025
Date

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

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

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

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator

FROM: City of Malibu Planning Department **REVISED DATE** 11/22/2024

PROJECT NUMBER:	CDP 23-034
JOB ADDRESS:	33008 PACIFIC COAST HWY
APPLICANT / CONTACT:	Arfakhashad Munaim, Schmitz & Associates, Inc.
APPLICANT ADDRESS:	28230 Agoura Hills Agoura Hills, CA 91301
APPLICANT PHONE #:	(818) 338-3636
APPLICANT FAX #:	
APPLICANT EMAIL:	amunaim@schmitzandassociates.net
PROJECT DESCRIPTION:	new 2-story single family residence with attached garage, and new driveway access and landscaping.

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

✓ **Conformance Review Complete** for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Municipal Code (MMC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

____ **Conformance Review Incomplete** for the City of Malibu LCP/LIP and MMC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: ☐ **NOT REQUIRED**

☑ **REQUIRED (attached hereto)** ☐ **REQUIRED (not attached)**

Signature 12/19/2024

Signature Date

Rev 141008

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

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

FROM: **City of Malibu Planning Department** **REVISED DATE** **11/22/2024**

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not an onsite wastewater treatment system (OWTS) Plot Plan approval is required.

The Environmental Health Specialist may be contacted Tuesday and Thursday from 8:00 am to 11:00 am, or by calling (310) 456-2489, extension 364.

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Arfakhashad Munaim, Schmitz & Associates, Inc. amunaim@schmitzandassociates.net		
Project Address:	**33008 Pacific Coast Highway** Malibu, California 90265		
Planning Case No.:	CDP 23-034		
Project Description:	New 2-story single family residence with attached garage, basement, and new driveway access and landscaping.		
Date of Review:	December 19, 2024		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Burdge Architects: Plans dated 5-1-2023, 10-18-2023, 8-5-2024, 11-5-2024
Grading Plans:	TEG: Plans dated 4-28-2023, 8-10-2023, 11-13-2023, 2-27-2024, 10-24-2024
Landscape Plans:	Barefoot Design: Plans dated 5-1-2023; revised plans dated 10-16-2023, 11-27-2023, 10-30-2024
OWTS Plan:	Ensitu: OWTS plan dated 5-1-2023; revised plan dated 8-7-2023, 11-13-2023, 11-21-2024
OWTS Report:	Ensitu: OWTS plan dated 5-12-2023; update report dated 8-7-2023; Response to comments dated 8-6-2024, 11-21-2024
Percolation Report:	Donald B. Kowalewsky: Percolation Testing Reports dated 6-9-2023 and 7-25-2023
Geology Report:	CalWest: Geotechnical Engineering Investigation dated 6-30-2022; Addendum reports dated 8-18-2023, 7-26-2024, 11-15-2024 Land Phases: Engineering Geologic Study dated 4-29-2023; Add. #1 dated 8-3-2023; Add. #2 dated 8-4-2023; Add. #3 dated 7-15-2024, 11-12-2024
Coastal Report:	GeoSoils: Coastal Hazard and Wave Runup Study dated 4-20-2023; Response to City of Malibu Coastal Engineering Review Sheet dated 7-29-2024
Reduction in Setback:	CalWest: Letter dated 11-6-2023; TEG: Letter dated 5-5-2023
Previous Reviews:	6-1-2023, 11-3-2023, 2-1-2024

REVIEW FINDINGS

Planning Stage:	☒	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program (LCP)/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	☐	**CONFORMANCE REVIEW INCOMPLETE** for the City of Malibu LCP/LIP and MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
OWTS Plot Plan:	☐	**NOT REQUIRED**
	☒	**REQUIRED (attached hereto)** ☐ **REQUIRED (not attached)**

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new advanced onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed advanced OWTS meets the minimum requirements of the Malibu Municipal Code (MMC) and the City of Malibu Local Coastal Program (LCP)/Local Implementation Plan (LIP). Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the subject development project. In order to obtain Environmental Health final approval of the project OWTS Plot Plan and associated construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.

Conditions of Planning Conformance Review for Building Plan Check Approval:

1) **OWTS on all final Project Plans:** The final architectural site plan, grading plans, and landscape plans must show the proposed onsite wastewater treatment system (OWTS), including the treatment tank, present/future dispersal area(s), and all lines of connection to the residence.

2) **Building Plans:** All project plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

   Architectural Plans:

   - The final architectural plans must show no more than a 2 bedroom and 41 drainage fixture units (DFU) single-family residence and a 1 bedroom and 10 DFU accessory dwelling unit, or as otherwise indicated by the OWTS Designer in the final design report. Currently, the plans show 3 bedrooms and 51 DFU with the utilization of low flow water closets (i.e., toilets) with a DFU value of three (3) each.

   - Show and label all drainage fixtures on the final architectural floor plans.

   - **Proof of 1.6 Gallon or Less Flushometer Water Closet:** The 2022 California Plumbing Code permits water closets to be computed as 3 DFU if the proposed water closet is categorized as a flushometer tank with a 1.6 gallon per flush or less and is ANSI approved. Specifications of the flushometer tank shall be submitted.

   - The OWTS Designer references water closets to be computed as 3 DFU. Please provide the make and model number of the water closet that is ANSI approved and incorporate the low flow specification sheet into the final architectural plan set.

   - **Certified Fixture Unit Worksheet:** To better assist the permit technicians in issuing the plumbing permits please provide the fixture unit worksheet showing all existing and proposed bedrooms and drainage fixture units must be completed and certified by an Architect, Civil Engineer, Environmental Health Specialist, City Registered practitioner, or an “A”, “C-42”, “C-36” Contractor License.

   - Please incorporate the fixture unit worksheet into the final plan set.

Grading Plans and OWTS: A note on the final grading plans per the OWTS Designer Ensitu Engineering shall state: "*Removal and recompaction shall not be allowed in the proposed OWTS present dispersal area.*"

3) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The OWTS Plot Plan shall show essential features of the OWTS, existing improvements, and proposed/new improvements. The plot plan must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend.

4) **Final OWTS Design Report, Plans, and System Specifications:** A final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS. All plans and reports must be signed by a City Registered OWTS Designer, and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

Notes on the final OWTS plan and plot plan: The following notes shall be added to the final OWTS plan and OWTS plot plan:

"*Removal and recompaction shall not be allowed in the proposed OWTS present dispersal area.*"

and

"*The future dispersal area material shall be removed to a depth below the removal and recompaction area and must be observed by a soils engineer and OWTS designer of record to ensure the dispersal area shall be located in uncompacted native soil prior to installation of the future expansion dispersal field.*"

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

a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (gpd), and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing drainage fixture units, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design.

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

c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter, ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and the design basis for engineered systems.

d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit, subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day (gpd) and gallons per square foot per day (gpsf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gpd). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units, and building occupancy characteristics.

e. All OWTS design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the plan scale is such that more space than is available on the 11" x 17" plot plan is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health). [Note: For OWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

5) Traffic-Rated Slab Plan for the OWTS Dispersal Area: All project traffic rated slab plans shall be prepared by a California licensed civil engineer and submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

6) Notice of Decision: The final OWTS plans shall include the Conditions of Approval sections of the Notice of Decision (NOD) from the Planning Department. The Acceptance of Conditions Affidavit must be signed and notarized by the owner of the property and incorporated into the final OWTS plans.

7) Architect / Engineer Certification for Reduction in Setbacks to Buildings or Structures:
All proposed reductions in setbacks from the OWTS to structures or other features less than those shown in Malibu Municipal Code (MMC) Section 15.42 must be supported by letters from the project consultants. The wastewater plans and the construction plans must be specifically referenced in all certification letters. The construction plans for all structures and/or buildings with reduced setback must be approved by City of Malibu Building Safety prior to Environmental Health final approval. The architectural and/or structural plans submitted for Building Safety plan check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. All plans must show the location of OWTS components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

- Structures – All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in MMC Section 15.42) must be supported by a letter from the project Structural Engineer and a letter from the project Soils Engineer (i.e., a Geotechnical Engineer or Civil Engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS, and will not adversely affect the structural integrity of the structures for which the setback is reduced.

- Buildings – All proposed reductions in setback from the OWTS to buildings (i.e., setbacks less than those shown in MMC Section 15.42) also must be supported by a letter from the project Architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California licensed architect, then the required Architect's certification may be supplied by an Engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setback to the OWTS; in this case the Engineer must include in the letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback(s), then the Architect (or Engineer) must provide associated construction documents for review and approval during Building Plan Check.

8) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.

9) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

10) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. ***Please note only original "wet* signature" documents are acceptable**.

11) **Advanced Onsite Wastewater Treatment System (OWTS) Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified* copy issued by the City of Malibu Recorder**.

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

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

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

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

16) **Environmental Health Final Review and Reduction in Setback Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specifications.

17) **Operating Permit Application and Fee:** In accordance with Malibu Municipal Code, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

-o0o-

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

cc: Environmental Health file
Planning Department

33008 PACIFIC COAST HWY (CDP 23-034)
MALIBU, CA 90265

S.F.D.:	2 Bedroom/41 Fixture Units (N)
A.D.U.:	1 Bedroom/10 Fixture Units (N)
TREATMENT TANK:	3,634 Gallon MicroSepTec ES12 w/UV Disinfection Unit (N)
ACTIVE:	1 – 1,722 ft² Leach Field (N)
FUTURE:	1 – 2,226 ft² Leach Field (F)
PERC RATE:	T = 22.86 to 32 min/in
DESIGNER:	John Yaroslaski, RCE 60149
REFERENCE:	Ensitu: OWTS report and plan dated 5-12-2023; update report and plan dated 8-7-2023; 11-21-2024
	Donald B. Kowalewsky: Percolation Testing Reports dated 6-9-2023 and 7-25-2023
	CalWest: Geotechnical Engineering Investigation dated 6-30-2022; Addendum report dated 8-18-2023
	Land Phases: Engineering Geologic Study dated 4-29-2023; Add. #1 dated 8-3-2023; Add. #2 dated 8-4-2023

NOTES:

1. This conformance review is for a new single-family dwelling, accessory dwelling unit, and new advanced onsite wastewater treatment system (OWTS). The new OWTS conforms to the requirements of the Malibu Municipal Code (MMC) and the Local Coastal program (LCP).

2. This review relates only to the minimum requirements of the MMC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of wastewater treatment.

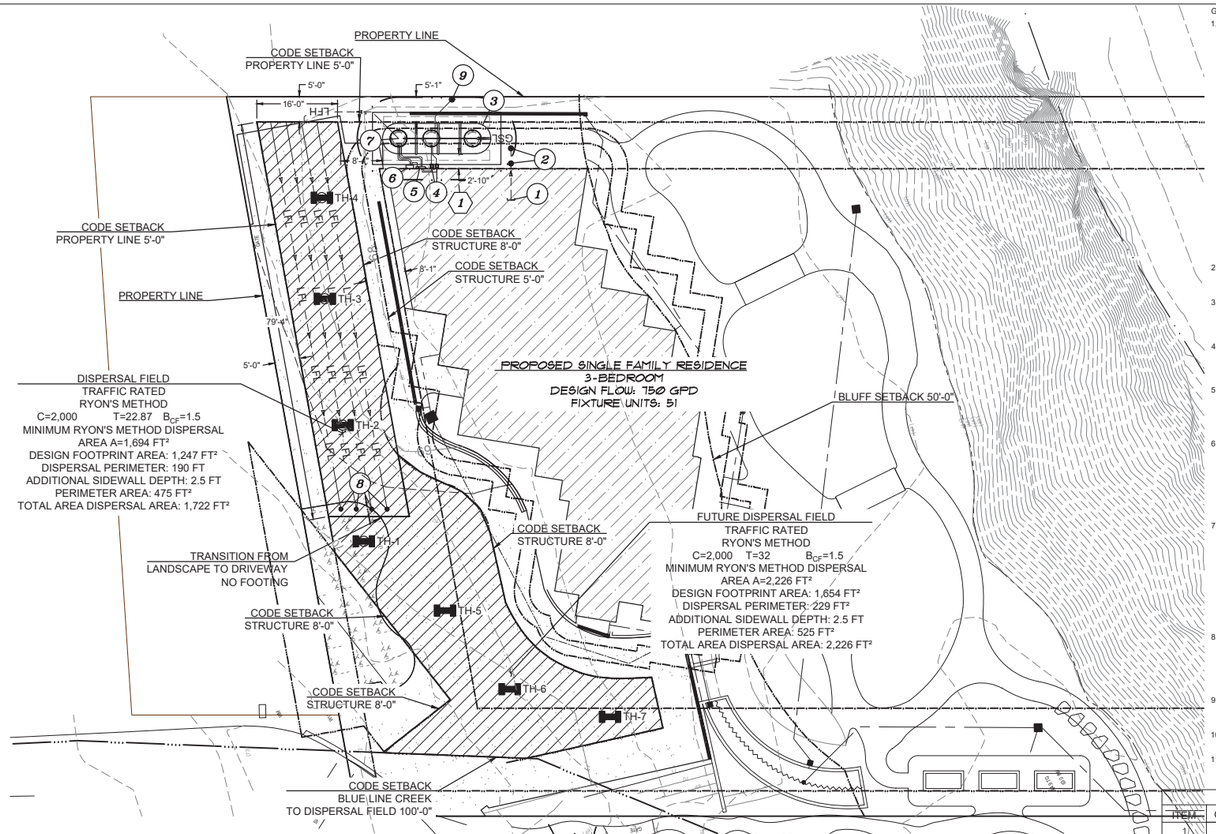
3. This review is valid for one year or until the MMC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

SIGNATURE: _____ DATE: 12/19/2024

THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS



GENERAL NOTES:

1. EXISTING OWTS COMPONENTS LOCATION AND ABANDONMENT:
   - 1.1. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) COMPONENTS. THE LOCATIONS ON THE ENGINEERING PLANS ARE INFORMATIONAL AND MAY NOT INCLUDE ALL COMPONENTS OF THE OWTS. MANY ITEMS, SUCH AS TANKS, PIPING, DISTRIBUTION DEVICES, SEEPAGE PITS, DISPERSAL FIELDS, AND OTHER APPURTENANCES ARE BURIED AND NOT LOCATABLE BY THE SURVEYOR OR UTILITIES LOCATOR .
   - 1.2. PRIOR TO COMMENCING WORK TO ABANDON, REMOVE, OR REPLACE EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) COMPONENTS AN "OWTS ABANDONMENT PERMIT" SHALL BE OBTAINED FROM THE CITY OF MALIBU. ALL WORK PERFORMED IN THE OWTS ABANDONMENT, REMOVAL, OR REPLACEMENT AREA SHALL BE PERFORMED IN STRICT ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL AND OCCUPATIONAL SAFETY AND HEALTH REGULATORY REQUIREMENTS. THE OBTAINMENT OF ANY SUCH REQUIRED PERMITS OR APPROVALS FOR THIS SCOPE OF WORK SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND THEIR AGENTS.
   - 1.3. THE EXISTING OWTS COMPONENTS INCLUDING; SEPTIC TANK(S), PIPING, CLEANOUT(S) SEEPAGE PIT(S), DISPERSAL FIELD(S), AND ALL OTHER APPURTENANCES SHALL BE PROPERLY ABANDONED PURSUANT TO CITY OF MALIBU ORDINANCE 435, SECTION 15.40.170 C, AND SECTION 15.40.170 D, TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES. METHOD OF ABANDONMENT SHALL BE DETERMINED BY THE ENGINEER AND/OR THE OWNER'S REPRESENTATIVE
2. SEWER PIPE SHALL BE BEDDED IN ACCORDANCE WITH SPECIFICATIONS AND TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND ORDINANCES.
3. SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS, VENTS, BACKWATER VALVES, ETC.) SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.
4. ELECTRICAL COMPONENTS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA ELECTRICAL CODE, LOCAL ELECTRICAL CODE, AND ORDINANCES.
5. A REGISTERED GEOTECHNICAL ENGINEER, UNDER THE DIRECTION OF THE OWNER, SHALL DETERMINE IF THE WASTEWATER LOADING RATE WILL CAUSE THE EXISTING SLOPE TO BECOME UNSTABLE. ENSITU ENGINEERING INC., IS NOT A GEOTECHNICAL ENGINEERING FIRM, THEREFORE, WE CAN NOT PREDICT AND/OR DETERMINE THE STABILITY OF THE EXISTING SLOPE.
6. THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE INSTALLATION OF THE TANK AND DISPERSAL SYSTEM COMPONENTS OF THE AOWTS (INCLUDING BUT NOT LIMITED TO; (A) TANK EXCAVATION, BEDDING, AND BACKFILL (B) SEEPAGE PITS EXCAVATION, CONSTRUCTION, AND BACKFILL (C) SUBSURFACE DISPERSAL SYSTEM BEDDING, FILL MATERIAL, CONSTRUCTION, AND BACKFILL) AND PROVIDE THE CITY INSPECTOR WITH A FIELD MEMORANDUM(S) DOCUMENTING AND VERIFYING THAT THE TANK AND DISPERSAL SYSTEM COMPONENTS WERE INSTALLED PER APPROVED AOWTS PLANS.
7. LEACH FIELDS AND DISPERSAL SYSTEMS DESIGNATED AS SAND CATEGORY: ANY REMAINING FILL MATERIAL AND ANY BEACH SAND SEDIMENT THAT MIGHT HAVE REDUCED PERMEABILITY FROM EXISTING LEACH FIELD OPERATIONS ENCOUNTERED BELOW THE BOTTOM OF THE PROPOSED LEACH FIELD OR ANY MATERIAL ENCOUNTERED IN THE CONSTRUCTION OF THE LEACH FIELD THAT IS NOT CATEGORIZED AS BEACH SAND DEPOSITS SHALL BE EXCAVATED TO THE LEVEL OF THE NATIVE BEACH SAND DEPOSITS AND REPLACED WITH DOUBLE- WASHED SAND. THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE EXCAVATION OF THE LEACH FIELD AND CONFIRM IN WRITING THAT ALL THE DELETERIOUS FILL AND NON-BEACH SAND MATERIALS BELOW THE LEACH FIELD HAVE BEEN REMOVED AND REPLACED WITH CLEAN SAND AND THE LEACH FIELD WAS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED OWTS PLANS.
8. SUBSURFACE DRIP LINE SHALL BE PLACED IN UNCOMPACTED NATIVE SOILS RIPPED AND TILLED A MINIMUM OF 18 INCHES. SOIL SHALL BE AMENDED TO BE 30% SAND, 30% MULCH, 40% NATIVE OR LANDSCAPE DESIGNER SHALL BE CONTACTED TO ADVISE CONTRACTOR ON TYPE OF TOPSOIL TO IMPORT FOR MINIMUM BURIAL DEPTH. DISPERSAL FIELD SHALL BE PLANTED AND ESTABLISHED PRIOR TO OCCUPANCY (ENGINEER TO VERIFY)
9. ALL DIMENSIONS AND GRADES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO SYSTEM INSTALLATION. BUILDING SEWER DEPTH OR CONNECTION POINT WAS NOT PROVIDED AND SHALL BE DETERMINED BY CONTRACTOR PRIOR TO CONSTRUCTION
10. CONTRACTOR TO VERIFY DEPTH AND LOCATION OF BUILDING SEWER CONNECTION, MINIMUM 2% SLOPE FROM STRUCTURE TO CONNECTION POINT.
11. ONSITE WASTEWATER TREATMENT SYSTEM SHALL BE VENTED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.

EQUIPMENT SCHEDULE

ITEM	QTY	DESCRIPTION	MFG/PART NUMBER
1	1	CONNECTION TO BUILDING SEWER[1]	
2	1	GRAVITY CLEAN-OUT AND BACKWATER VALVE[1]	INDUSTRIAL BACKWATER VALVE (SPEARS MODEL S475P FOR 4") 8" I.D. VALVE BOX (CHRISTY MODEL F08)
3	1	TREATMENT TANK[1][2]	MICROSEPTEC ES12
4	2	AIR COMPRESSOR[1][2]	MICROSEPTEC
5	1	REMOTE TELEMETRY CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES.[1][2]	MICROSEPTEC
6	1	CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES.[1][2]	GEOFLOW
7	1	DUPLEX PUMP SYSTEM[1][2]	MICROSEPTEC
8	1	PRESSURE CLEANOUT (TRAFFIC)	8" I.D. VALVE BOX (CHRISTY MODEL F08)
9	1	VENT ASSEMBLY[1][2]	ORENCO
[1]		ALL PLUMBING APPURTENANCES AND WORK SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE PLUMBING CODES. APPURTENANCES AND WORK INCLUDE, BUT ARE NOT LIMITED TO: CONNECTION TO BUILDING PLUMBING, VENTILATION, ISOLATION, BACKWATER VALVES, CLEANOUTS, AND FITTINGS.	
[2]		ALL ELECTRICAL APPURTENANCES INCLUDING BUT NOT LIMITED TO; CONDUIT, CONDUCTOR, CONTROL PANELS, CONTACTORS, FLOATS, PUMPS, DISCONNECTS, AND COMMUNICATION DEVICES SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE ELECTRICAL CODE AND CURRENT NATIONAL ELECTRIC CODE. CONDUIT AND CONDUCTOR RUNS AND SIZING SHOWN ON PLAN ARE FOR ALIGNMENT AND COST ESTIMATION. ELECTRICAL CONTRACTOR SHALL SPECIFY ALL ELECTRICAL APPURTENANCES. CONTROL AND POWER CONDUCTORS SHALL BE PLACED IN SEPARATE CONDUIT	

PIPING SCHEDULE

TAG	DESCRIPTION	SPECIFICATION
GSL	PROPOSED GRAVITY SEWER LINE	4" SCH40 PVC
PVL	PROPOSED AIR VENT LINE	4" SCH40 PVC
RCRC	RECIRCULATION RETURN LINE	1½" SCH80 PVC
LFH	DISPERSAL FIELD HEADER	1½" SCH80 PVC
LFL	DISPERSAL FIELD LATERAL	1½" SCH80 PVC

LEGEND

ITP-XX	RYON'S METHOD PERCOLATION TEST LOCATION
	PROPOSED DISPERSAL FIELD
	BUILDINGS AND STRUCTURES
	SITE WALL
	DRIVEWAY
	LANDSCAPE AREA
	SAND REPLACEMENT AREA (TO BE VERIFIED BY CONTRACTOR AND INSPECTED BY GEOLOGIST) SAND REPLACEMENT SHALL BE A MINIMUM OF 2' BELOW LIMIT OF REMOVAL AND COMPACTION AND A MINIMUM OF 1' FROM THE PERIMETER OF THE DISPERSAL FIELD

SETBACK REDUCTIONS

	COMPONENT	SITE ELEMENT	CODE REQUIREMENT	ACTUAL
1	SEPTIC TANK	STRUCTURE	5'	2'-10"

OWTS Capacity (Design and Maximum)

Component	Description	Size/Capacity	Design Capacity	Max Capacity
Treatment Volume (Fixture Unit Capacity)	1-MicroSepTec ES12	3,634 gallons	51 fixture units	105 fixture units
Treatment (Organic Capacity)	1-MicroSepTec ES12	2.00 lb BOD5/day	750 gpd at 220 mg/L BOD5	1200 gpd at 220 mg/L BOD5
Disinfection	1-MicroSepTec ES12	1,200 gpd	750 gpd	1,200 gpd
Ryons Method Malibu County	Dispersal Field	1722 square feet primary dispersal. 2226.5 square feet future dispersal	1500 gallon tank. T=22.86 for present. T=32 for future. C=2250	2,000 gallon tank. Ryons Method T=22.86. A=1722

Septic Tank (ST) Calculations

Total Existing Fixture Units		
Total Proposed Fixture Units	51	
Total Fixture Units	51	
Minimum Septic Tank Size based on Fixtures	2250	gal
Total Proposed Dwelling Units	2	
Total Proposed Bedrooms	3	bedrooms
Minimum Septic Tank Size based on Bedrooms, C	1500	gal
Design Septic Tank Size	3634	gal
Leaching Field (LF) Calculations		
Present Dispersal Area		
C	2250	gal
T	22.86	min
Leaching Bed	Yes	Yes of No
B_{DF}	1.5	
Area Required, A_r	1694	ft²
Actual Footprint Area, A_F	1247	ft²
Actual Dispersal Perimeter, P_F	190	ft
Sidewall Depth Below Dist Pipe, d_F	3.5	ft
d_S	1	ft
d_T	2.5	ft
A_F	475	ft²
A_T	1722	ft²
Future Dispersal Area		
C	2250	gal
T	32	min
Leaching Bed	Yes	Yes of No
B_{DF}	1.5	
Area Required, A_r	2226	ft²
Actual Footprint Area, A_F	1654	ft²
Actual Dispersal Perimeter, P_F	229	ft
Sidewall Depth Below Dist Pipe, d_F	3.5	ft
d_S	1	ft
d_T	2.5	ft
A_F	572.5	ft²
A_T	2226.5	ft²

Fixture Units Summary

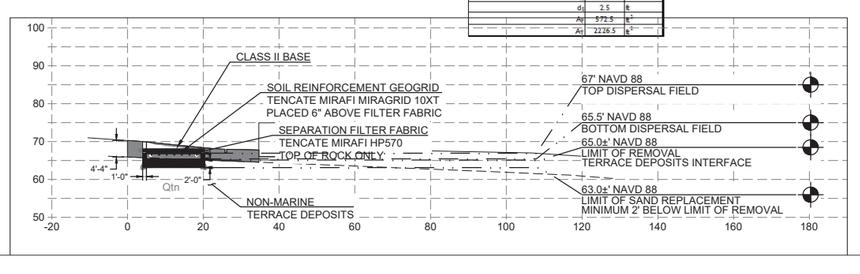
Total Proposed Fixture Units	51	
Total Fixture Units	51	
Dwelling Units Summary		
Total Proposed Dwelling Units	2	
Proposed Bedroom Summary		
Total Proposed Bedrooms	3	bedrooms
Number of Proposed Master Bedrooms	2	bedrooms
Number of Proposed Standard Bedrooms	1	bedrooms
Flow Calculations (Q)		
Peak Flow per Master Bedroom	300	gpd
Peak Flow per Standard Bedroom	150	gpd
Average Flow per Master Bedroom	200	gpd
Average Flow per Standard Bedroom	100	gpd
Flow Calculations Proposed (Q_P)		
Peak Flow, Q_P	750	gpd
Average Flow, Q_A	500	gpd
Design Flow, Q_D	750	gpd

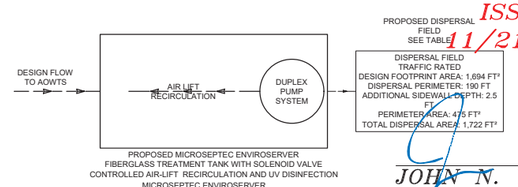
MicroSepTec Design

Design Flow	750	gpd
Design Influent BOD	220	mg/L
Design Effluent BOD	20	mg/L
Design Organic Loading BOD	1.25	lb BOD_5
MicroSepTec Model Specified	ES12	
MicroSepTec Tank Volume	3634	gal
MicroSepTec ES12 Base Organic Removal (1)	2.00	lb BOD_5
Minimum Number of MicroSepTec ES12 Required	1	units
Design Organic Removal	2.00	lb BOD_5
Design Tank Volume	3634	gal
Maximum Effluent Flow Based on Organic loading	1200	gpd
Maximum Effluent Flow Based on Hydraulic Loading	1200	gpd
Maximum Fixtures Based on Design Tank Volume	105	

Ryons T Calculations

Present Dispersal Area			Future Dispersal Area		
Test Pit Number	Depth ft	T minutes	Test Pit Number	Depth ft	T minutes
1	5	20.33	1	5	32
2	5	21.23	2	5	30
3	5	22.86	3	5	12
4	5	9.78			
T Average		18.55	T Average		24.67
T Maximum		22.86	T Maximum		32
T Present (T_P)		**22.86**	**T Future (T_F)**		**32**





PROPOSED DISPERSAL FIELD SEE TABLE

PROPOSED MICROSEPTEC ENVIROSERVER
FIBERGLASS TREATMENT TANK WITH SOLENOID VALVE
CONTROLLED AIR-LIFT RECIRCULATION AND UV DISINFECTION
MICROSEPTEC ENVIROSERVER
MODEL ES12

FINAL FOR APPROVAL ISSUED 11/21/2024

JOHN N. YAROSLASKI
PRINCIPAL ENGINEER

REGISTERED PROFESSIONAL ENGINEER
JOHN N. YAROSLASKI
60149
EXP 06/2026
CIVIL
STATE OF CALIFORNIA

DATE: 11/21/2024
DESIGNED BY: JNY
DRAWN BY: JNY
CHECKED BY: JNY

JOB NO. 144-119

SHEET 1 OF 1

ENSITU

7420 CARMELITA AVE.
ATASCADERO, CA 93422
Tel: 805.772.0150
Fax: 805.772.0813
ENSITU@ensitu.com

ENSITU ENGINEERING, INC.
"Dedicated to achieving higher standards in onsite and decentralized wastewater systems."

REVISIONS

NO.	DATE	BY

33008 PACIFIC COAST HIGHWAY CONFORMANCE REVIEW DESIGN PLANS
CR-SITE PLANS AND TABLES 11x17
MALIBU, CALIFORNIA

Project Engineer: John N. Yaroslaski, P.E. # 60149
DRAWING FILE: J:\144-119 33008 Pacific Coast Highway PWCR\144-119 33008 Pacific Coast Highway PWCR-05.dwg
CREATION TIME: Thursday, November 21, 2024 7:25:51 PM
MOD. TIME: Thursday, November 21, 2024 7:25:51 PM
PLOT TIME: Thursday, November 21, 2024 7:28:08 PM

City of Malibu

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date: December 13, 2024 **Review Log #:** **5079**

Site Address: 33008 Pacific Coast Highway

Lot/Tract/PM #: **Planning #:** **CDP 23-034 P5**

Applicant/Contact: AK Munaim, amunaim@schmitzandassociates.net **BPC/GPC #:**

Contact Phone #: (818) 338-3636 **Fax #:** **Planner:** Raneika Brooks

Project Type: New 2-story single-family residence with partial basement, pickleball court, access driveway, retaining walls, grading, surface drainage improvements, and new Onsite Wastewater Treatment System (OWTS).

Submittal Information

Consultant(s) / Report Date(s):
*(Current submittal(s) in **Bold**.)*

CalWest Geotechnical Consulting Engineers. (R. Haro, GE 2990, L. Liston, RCE 93123)
11-15-2024, 7-23-2024, 11-6-2023**,** 6-30-2022, 5-12-2023
Land Phases, Inc. Report of Engineering Geologic Study (J. Holt CEG 2282**): 11-12-2024,** 7-15-2024**,** 8-4-2023**,** 4-29-2023.
GeoSoils, Inc. Coastal Hazard and Wave Runup Study (D. Skelly RCE 47857): 7-29-2024, 4-2-2023
Burdge Architects, Revised Project Site and Architectural Plans 11-5-2024.
Tuchscher Engineering Group, civil, grading, drainage and foundation plan set 4-28-2023 and **Total Grading Yardage Verification Certificate dated 10-24-2024.**
Pearson Land Surveying, Site Survey date 4/17/2024 (topography), plotted 8/5/2024.
Barefoot Design Landscape Plans 7 sheets dated 9-6-2024.

Previous Reviews: 11-11-2024, 1-31-2024, 6-27-2023

Review Findings

Planning Review

☒ The development project is **ACCEPTABLE** from a geotechnical perspective, with the following comments to be addressed prior to building plan check stage completion.

☐ The development project is **NOT ACCEPTABLE** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to acceptance.

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal.

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

☐ The plans are **NOT COMPLETE** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage completion.

Project submittals were reviewed from a geotechnical perspective for conformance with applicable codes, guidelines, and standards of practice, including the following current City adopted standards:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)
- Malibu Municipal Code – Title 15, Buildings and Construction
- City of Malibu Guidelines for the Preparation of Geotechnical Reports and Procedures for Report Submittal (November 2013) referred to herein as Geotechnical Report Guidelines

In the case of conflicting requirements between the Geotechnical Guidelines and any other referenced standards, the latest standard will apply. The Applicant is responsible for complying with the submittal requirements for all Planning variances, as appropriate; any questions regarding variances should be directed to the case Planner.

Remarks:

The referenced CalWest geotechnical report, supporting Land Phases geologic report, GeoSoils coastal hazard study, architectural plans, and civil plans were reviewed by the City's consultants from a geotechnical perspective. Based on the current submitted information, the project includes the construction of a new 4,189 SF two-story single-family residence with attached garage, concrete pickleball court, decking, site retaining walls, landscaping, and hardscape. The proposed garage will have a concrete slab-on-grade floor; the habitable portion of the residence will have a raised floor construction to maximize pervious areas for subsurface site drainage. Grading will consist of approximately 1,185 CY of R & R; 370 CY of cut under structure; 113 CY of cut (non-exempt) and 57 CY of fill (non-exempt); and 352 CY of net export. The improvements will be serviced by a new advanced onsite wastewater treatment system (OWTS). Surface and subsurface drainage improvements will be installed and conveyed offsite to a non-erosive outlet. Landscaping plans were presented and must conform to the recommendations of the project geotechnical consultants.

The site is located on a coastal bluff in western Malibu. The project geotechnical consultant has evaluated gross static and pseudo-static slope stability for the site based on requirements of LCP-LIP chapter 9.4 and the City of Malibu Geotechnical Guidelines (both 2002 and 2013) and evaluated bluff retreat rates in accordance with Chapter 10.4 of the LCP-LIP for the 100-year project life duration. The consultants conclude that a bluff retreat rate of 2 inches per year (.05 meters per year) on average is reasonable, after conducting a site specific study, evaluating regional studies (Our Coast Our Future and Scripps Cliff Erosion Study), and taking into account improvements in site grading and drainage.

Building Plan-Check Stage Review Comments:

1. The Project Geologic and Geotechnical Consultants must review the proposed landscape plans for conformance with their assumptions, analyses, conclusions and recommendations.
2. The Project Geologic and Geotechnical Consultants must provide updated 111 statements in accordance with City Geotechnical Guidelines to accompany 1) the project plans and any modifications, 2) Land Phases updated bluff analyses and conclusions and 3) Cal West's Section 3 Summary and Conclusions and Section 4 Assumptions and Limitations in which the consultant provides an opinion on feasibility and risks are discussed.
3. Include a note on the OWTS plans stating, "*The Project Engineering Geologist shall observe and approve the installation of the seepage pits and provide the City inspector with a field memorandum(s) documenting and verifying that the seepage pits were installed per the approved OWTS plans.*"
4. Please clearly show the limits and depths of the recommended R & R grading on the plans.
5. Indicate the bearing material and depth for all foundation types on the foundation plans in accordance with recommendations by the Project Geotechnical Consultant.
6. The Project Geotechnical Consultant states that the on-site soils are suitable for vertical excavations up to 5 feet. However, they recommend verification of this during construction. Please include the following note on the grading and foundation plans: "*The Project Geotechnical Consultant shall review the excavations for the R & R grading and provide revised recommendations, as appropriate, if variations in the soils/bedrock are encountered.*"
7. The following note needs to be included in the grading and building plans. *'Prior to the placement of concrete slabs, the slab subgrade soils shall be pre-moistened to at least 2% above the optimum moisture content to the depth specified by the geotechnical engineer. The pre-moistened soils should be tested and verified to be by the geotechnical engineer within one day prior to the placement of the moisture barrier and sand.'*
8. Include the following note on all the Foundation Plans: "*All foundation excavations must be observed and approved by the Project Geotechnical Consultant prior to placement of reinforcing steel.*"
9. Include the Project Geotechnical Consultant's recommendation for vapor retarder thickness below slabs-on-grade on the plans, as appropriate.
10. Include the Project Geotechnical Consultant's recommendation for moisture conditioning of subgrade soils below slabs-on-grade on the plans, as appropriate.
11. Please include details for the swimming pool subdrain and suitable outlet recommended by the Project Geotechnical Consultants on the swimming pool plans.
12. The following notes must be added to the grading plan:
    - The Project Geotechnical Consultant should determine the expansion potential of the finish grade materials at the completion of grading. Grading and Foundation design recommendations should be revised if the expansion potential of finish grade materials substantially differs from the assumed expansion range.
    - At the completion of grading, samples of the onsite soil should be collected and tested for corrosion potential. Final recommendations for mitigation measures including cement type should be based on the corrosion potential of the finish grade materials.
13. Include the following note on the foundation plans and details: *"An evaluation of soil Expansion Index shall be made in accordance with Section 6.2.1 of the City of Malibu's geotechnical guidelines at the completion of grading by the Project Geotechnical Consultant, who shall provide appropriate recommendations."*

14. Include the following note on the foundation plans and details: *"An evaluation of soil corrosivity shall be made in accordance with Section 6.2.1 of the City of Malibu's geotechnical guidelines at the completion of grading by the Project Geotechnical Consultant, who shall provide appropriate recommendations."*
15. Please include the following note on the retaining walls and foundation plans: "*The Project Geotechnical Consultant shall review the retaining wall design for the earth pressure and any surcharge required in the wall design."*
16. One set of final e-OWTS plans incorporating the Project Geotechnical and Environmental Health Specialists' recommendations and items in this review sheet must be **reviewed and e-stamped and e-signed by the Project Engineering Geologist**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

Please direct questions regarding this review sheet to the City's Geotechnical consultants listed below.

Engineering Geology Review by: _____ *12-13-2024*

Christopher Sexton C.E.G. 1441, Exp. 11-30-26 Date
Engineering Geology Reviewer (805-496-1222)
Email: chris@geodynamics-inc.com

Geotechnical Review by: _____ *12-13-2024*

Lauren J. Doyel, G.E. 2981, Exp. 6-30-25 Date
Geotechnical Engineering Reviewer (805-496-1222)
Email: ldoyel@malibucity.org

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

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

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

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

1. Show the name, address, and phone number of the Project Geotechnical Consultant(s) on the cover sheet of the Building Plans.
2. Include the following note on Grading and Foundation Plans: "*Subgrade soils shall be tested for Expansion Index prior to pouring footings or slabs; Foundation Plans shall be reviewed and revised by the Project Geotechnical Consultant, as appropriate.*"
3. Include the following note on the foundation plans and details: "An evaluation of soil corrosivity shall be made in accordance with Section 6.2.1 of the City of Malibu's geotechnical guidelines at the completion of grading by the Project Geotechnical Consultant, who shall provide appropriate recommendations."
4. Include the following note on the Foundation Plans: "*All foundation excavations must be observed and approved by the Project Geotechnical Consultant prior to placement of reinforcing steel."*
5. The Foundation Plans for the proposed project shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Project Geotechnical Consultant's recommendations.
6. Show the onsite wastewater treatment system on the Site Plan.
7. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.
8. A comprehensive Site Drainage Plan, incorporating the Project Geotechnical Consultant's recommendations, shall be included in the Plans. Show all area drains, outlets, and non-erosive drainage devices on the Plans. Water shall not be allowed to flow uncontrolled over descending slopes.

Grading Plans (as Applicable)

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

Retaining Walls (As Applicable)

1. Include the following note on the retaining walls and foundation plans: "*The Project Geotechnical Consultant shall review the retaining wall design for the earth pressure and any surcharge required in the wall design."*
2. Show retaining wall backdrain and backfill design, as recommended by the Geotechnical Consultant, on the Plans.
3. Retaining walls separate from a residence require separate permits. Contact the Building and Safety Department for permit information. One set of retaining wall plans shall be submitted to the City for review by City geotechnical staff. Additional concerns may be raised at that time which may require a response by the Project Geotechnical Consultant and applicant.

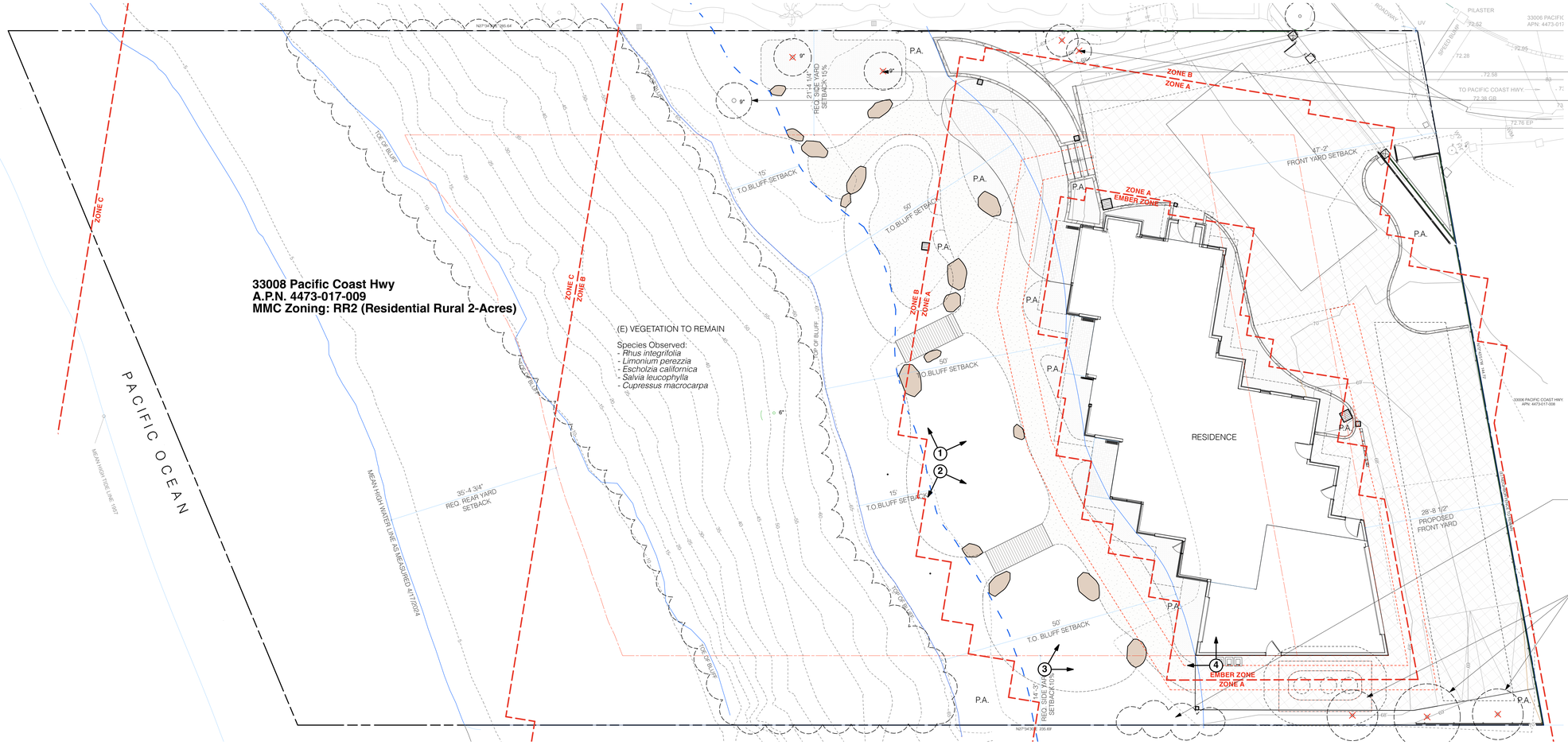


Photo 1

Photo 2

Photo 3

Photo 4

3 BAREFOOT DESIGN
1187 Coast Village Road, #387
Santa Barbara, CA 93108
TEL 805.687.7466
WEB www.barefoot-design.net

SUBMITTALS

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE BAREFOOT DESIGN AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE BAREFOOT DESIGN. WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF BAREFOOT DESIGN PRIOR TO THE COMMENCEMENT OF ANY WORK.

5/11/23

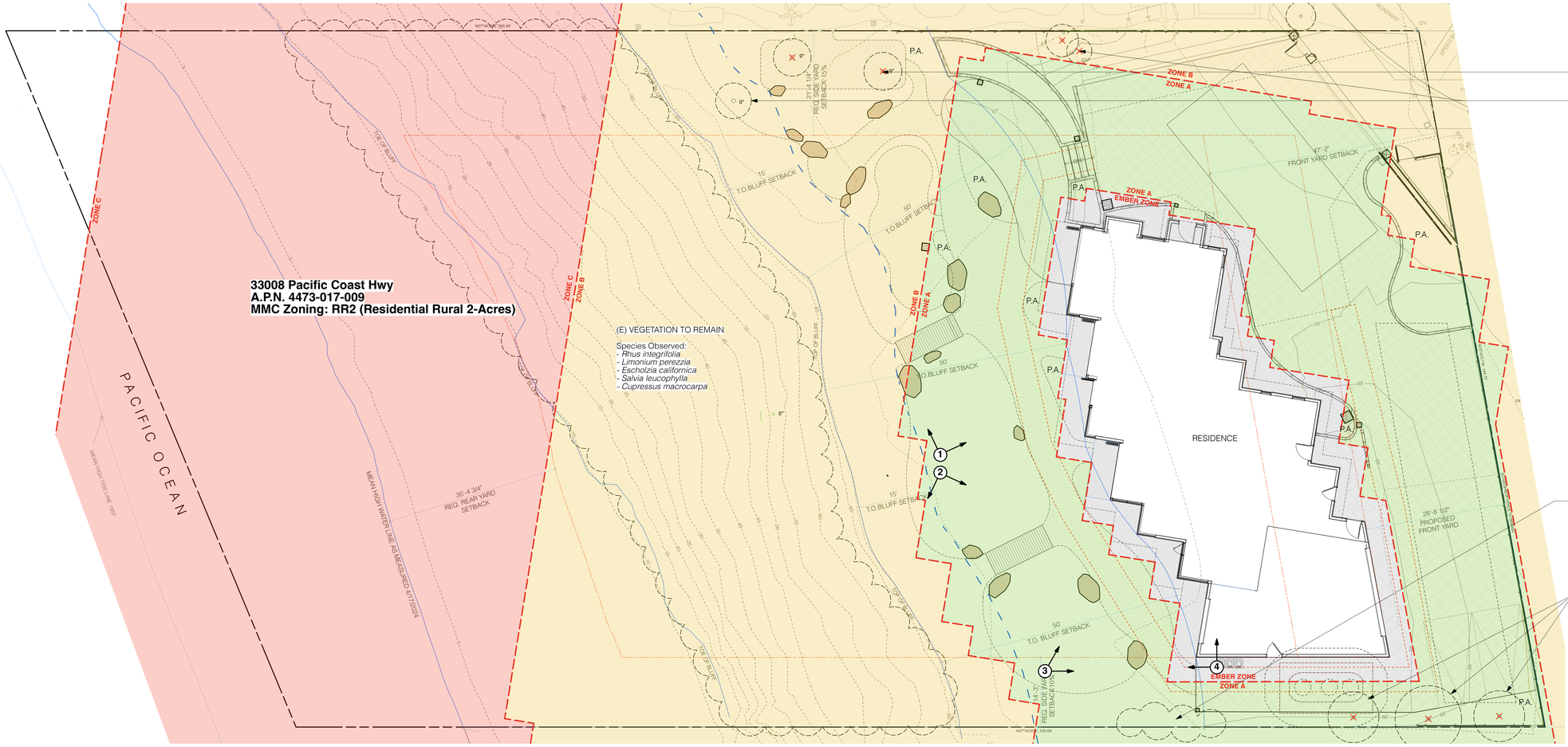
PROJECT:

BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS

Site Photos

DATE 5/13/25
SCALE 1" = 10'-0"
DRAWN KR
JOB 23 - 06
SHEET **FM1.00**
2 OF 9 SHEETS



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5/11/23

PROJECT:

BLUFFTOP 1
33008 Pacific Coast Highway, Malibu *CA*, 90265

SHEET CONTENTS

Fuel Modification Plan

DATE 3/13/25
SCALE 1" = 10'-0"
DRAWN KR
JOB 23 - 06
SHEET **FM1.01**
3 OF 9 SHEETS

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

FUEL MODIFICATION UNIT
605 NORTH ANGELENO AVENUE
AZUSA, CA 91702
(626) 969-5205
Email: forestryfuelmodification@fire.lacounty.gov
Website: https://fire.lacounty.gov/forestry-fuel-modification/

"Proud Protectors of Life, Property, and the Environment"

ANTHONY C. MARRONE
FIRE CHIEF FORESTER &
FIRE WARDEN

BOARD OF SUPERVISORS
HILDA L. SOLIS
FIRST DISTRICT
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SECOND DISTRICT
LINDSEY P. HORVATH
THIRD DISTRICT
JANICE HAHN
FOURTH DISTRICT
KATHRYN BARGER
FIFTH DISTRICT

Fuel Modification Plan Notes

Ember Resistant Zone (Pending State Fire Marshal Approval)

- Extends 5 feet beyond the edge of any combustible structure, accessory structure, appendage, or projection. The areas beneath eaves, overhangs or parts of structures including attached decks and pergolas shall be included in the ember resistant zone.
- This area shall be free of materials or landscaping known to be receptive to flying embers.
- **Disclaimer:** Please be advised, plants approved within the first five feet of the structure today, may not be compliant when the occupancy inspection or future defensible space inspections take place. Once the State Fire Code PRC 4291 and/or the LA County Fire Code Section 325 are updated to reflect the requirements of AB3074, they will take precedent. Defensible space is a year-round requirement and structures in a fire hazard severity zone must comply with the most current defensible space fire codes.

Zone A

- Extends 30 feet beyond the edge of any combustible structure, accessory structure, appendage, or projection. Projections such as eaves, covered entryways, attached pergolas, decks etc. shall be the point at which this distance is measured.
- Irrigation shall be provided to maintain healthy vegetation and fire resistance.
- Vegetation in this zone shall consist primarily of mowed grasses, low growing ground covers and adequately spaced shrubs. The overall density and arrangement shall provide adequate defensible space and significantly reduce fire intensity.
- Plant species selected for Zone A shall possess characteristics which increase fire resistance. Such characteristics are high moisture content, plants producing little leaf litter, slow growing plants and plants that do not require pruning to reduce their size at maturity. Species selection should reference the Fuel Modification Plant List. The list is not a pre-approved plant list. Other species may be used subject to approval after review.
- Trees are generally not recommended except for dwarf varieties or mature trees less than 25' tall and wide at maturity. Trees shall be positioned so their canopies do not extend over the roof of any structure.
- Vines and climbing plants are not allowed on any combustible structure requiring review.

Zone B

- Extends from the outer edge of Zone A an additional 70 feet for a total of 100 feet from the structure.
- Irrigation shall be provided to maintain healthy vegetation and fire resistance.
- Vegetation in this zone shall be arranged in a manner that does not create vertical or horizontal fuel ladders. Vegetation in this zone can be planted at a slightly higher density than Zone A but the overall density and arrangement shall provide adequate defensible space and significantly reduce fire intensity.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CARSON	EL MONTE	INGLEWOOD	LAWNDALE	PICO RIVERA	SIGNAL HILL
ARTESIA	CERRITOS	GARDENA	IRWINDALE	LOMITA	POMONA	SOUTH EL MONTE
AZUSA	CLAREMONT	GLENDORA	LA CANADA-FLINTRIDGE	LYNWOOD	RANCHO PALOS VERDES	SOUTH GATE
BALDWIN PARK	COMMERCE	HAWAIIAN GARDENS	LA HABRA	MALIBU	ROLLING HILLS	TEMPLE CITY
BELL	COVINA	HAWTHORNE	LA MIRADA	MAYWOOD	ROLLING HILLS ESTATES	VERNON
BELL GARDENS	CUDAHY	HERMOSA BEACH	LA PUENTE	NORWALK	ROSEMEAD	WALNUT
BELLFLOWER	DIAMOND BAR	HIDDEN HILLS	LAKEWOOD	PALMDALE	SAN DIMAS	WEST HOLLYWOOD
BRADBURY	DUARTE	HUNTINGTON PARK	LANCASTER	PALOS VERDES ESTATES	SANTA CLARITA	WESTLAKE VILLAGE
CALABASAS		INDUSTRY		PARAMOUNT		WHITTIER

- Existing California native plants may be approved to remain if determined to be acceptable upon review and are properly spaced and maintained.
- Plant species selected for Zone B shall possess characteristics which increase fire resistance. Such characteristics are high moisture content, plants producing little leaf litter, slow growing plants and plants that do not require pruning to reduce their size at maturity. Species selection should reference the Fuel Modification Plant List. The list is not a pre-approved plant list. Other species may be used subject to approval after review.
- Trees in Zone B may be medium to large at maturity provided they are properly positioned and do not create any vertical or horizontal fuel ladders. Tree selections are subject to denial upon review.

Zone C

- Extends from the outer edge of Zone B an additional 100 feet for a total of 200 feet from the structure.
- Maintenance/modification of vegetation exceeding 100 feet but not to exceed 200 feet from structures may be determined necessary. Any required maintenance/modification is to be determined upon on-site inspection (Fire Code 325.2.2).

Fire Access Road Zone

- Extends a minimum of 10 feet from the edge of any public or private road, driveways and turnarounds used by firefighting resources.
- Clear and remove flammable vegetation on each side of access roads (Fire Code 325.10).
- Fire access roads shall have an unobstructed vertical clearance a minimum width of 20' and vertically clear to the sky (Fire Code 503.2.1).
- Additional clearance beyond 10 feet may be required upon an on-site inspection.
- All proposed plantings, unless otherwise approved, shall be positioned so they do not obstruct access at maturity. Pruning will not be considered as an alternative to plant selection.

Maintenance

Routine maintenance shall be regularly performed in all zones. Above all else, regular maintenance is paramount to the fire resistance of a well-planned fire-resistant landscape. Critical items are outlined below. Additional information may be found on our website listed in the header of this document.

- Start with the structure. Remove leaf litter and other combustible debris from roofs, eaves, rain gutters etc.
- Ensure the ember resistant zone is maintained free of any material known to be receptive to flying embers.
- Remove any plant or portion of a plant that is dead or dying throughout all zones.
- Remove downed, accumulated plant litter and dead wood throughout all zones.
- Prune to reduce the overall amount and continuity of fuels. Eliminate horizontal and vertical fuel ladders throughout all zones.
- All invasive species and their parts should be removed from the site.
- Ensure irrigation systems are functioning properly.
- Compliance with the fire code is a year-round responsibility. Enforcement will occur following inspection by the Fire Department. Annual inspections for brush clearance code requirements are conducted following the natural drying of fine fuels between the months of April and June depending on the geographic region each dwelling exists.
- Inspection for compliance with an approved fuel modification plan may occur at any time.
- All future planting shall be in accordance with the County of Los Angeles Fire Department Fuel Modification Guidelines and approved prior to installation.

Approval of this Fuel Modification Plan constitutes approval for only those Codes reviewed as part of the Fuel Modification process and does not replace the needed approval of any other office or agency with jurisdiction and review responsibility for those items which may or may not be illustrated on the plan.

Description of Fire Zones

EMBER ZONE: 0'-5' from Residence
- area shall be free of materials known to be receptive to flying embers

Fire Zone A: 5-30' from Residence
- Vegetation in this zone is composed of high moisture containing tree's, shrubs, groundcovers (especially succulent species) and lawn and lawn substitutes.
- All plants will be irrigated by automatic systems to maintain healthy vegetation with a high live fuel moisture and greater fire resistance.
- Landscaping and vegetation in this zone will consist of primarily green lawns, groundcovers, mulch, adequately spaced small shrubs and hardscape.
- Plants in Zone A shall be highly fire resistant and selected from the approved plant list.
- Existing Native vegetation shall be modified by thinning and removal of high risk species.
- Trees shall be limbed up to at least 6 feet above bare earth and a minimum of 3 times the height of underlying plants.

Fire Zone B: 30'-100' from Residence
- Landscaping and vegetation in this zone will consist of primarily green lawns, groundcovers, mulch, adequately spaced small shrubs and hardscape.
- All plants will be irrigated by automatic systems to maintain healthy vegetation with a high live fuel moisture and greater fire resistance.
- Plants in Zone B shall be fire resistant and selected from the approved plant list.
- Existing Native vegetation shall be modified by thinning and removal of high risk species.
- Trees shall be limbed up to at least 6 feet above bare earth and a minimum of 3 times the height of underlying plants.

Fire Zone C: 100'-200' from Residence
- Multicut and remove all dead wood in areas with existing native shrub cover.
- Remove up to 20% of native vegetation.
- Remove exotic species.

Plant Palette

Botanic Name	Common Name	Size	Quantity	WUCOLS	MAX Height
Trees & Large Shrubs					
Arctostaphylos glauca	Big Berry Manzanita	15g	4	Med	10'-0" - 20'-0"
Citrus spp.	Assorted Citrus Varieties	24" Box	3	Med	12'-0"
Quercus tomentella	Island Oak	48" Box	2	Low	35'-0"

Botanic Name	Common Name	Size	Quantity	WUCOLS	MAX Height
Shrubs & Perennials					
Achillea millefolium	Yarrow	1g	20	Low	< 1'-0"
Aeonium 'Mint Saucer'	Mint Saucer Aeonium	1g	6	Low	< 1'-0"
Baccharis pilularis	Prostrate Coyote Bush	1g	11	Low	2'-0"
Carex praegracilis	Clustered Field Sedge	1g	58	Low	1'-0"
Carpenteria californica	Bush Anemone	1g	7	Low	6'-0"
Chondropetalum tectorum	Cape Rush	5g	10	Low	3'-0"
Dudleya pulverulenta	Chalk Dudleya	1g	26	Low	< 1'-0"
Encelia californica	Bush Sunflower	1g	37	Low	4'-0"
Juncus patens	California Grey Rush	1g	127	Low	2'-0"
Leymus condensatus	Wild Rye	5g	54	Low	4'-0"
Lomandra 'Platinum Beauty'	Platinum Beauty Basket Rush	1g	20	Low	3'-0"
Lomandra 'Seascape'	Seascape Rush	1g	39	Low	3'-0"
Muhlenbergia rigens	Deer Grass	1g	21	Low	4'-0"
Prunus ilicifolia ssp. lyonii	Lyon's Catalina Cherry	15g	9	Low	15'-0"
Salvia apiana	White Sage	1g	8	Low	3'- 0"
Salvia leucophylla	Purple Sage	1g	39	Low	2'-0"
Groundcovers					
Walk-On Bark			882 SF	N/A	

12066
COUNTY OF LOS ANGELES
FIRE DEPARTMENT
PREVENTION SERVICES BUREAU
FINAL
FUEL MODIFICATION PLAN
APPROVED

By_____ Date_____
FUEL MODIFICATION UNIT
The stamping of this plan and specifications SHALL NOT be held to permit or to be an approval of the violation of any provisions of any County/City or State law

BAREFOOT DESIGN
1187 Coast Village Road, #387
Santa Barbara, CA 93108
TEL 805.697.7466
WEB www.barefoot-design.net

SUBMITTALS

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5/11/23

PROJECT:
BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS
Planting Plan

DATE 5/14/25
SCALE 1/8" = 1'-0"
DRAWN KR
JOB 23-06
SHEET **L3.00**
6 OF 9 SHEETS

City of Malibu

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

FIRE DEPARTMENT REVIEW
REFERRAL SHEET

TO: Los Angeles County Fire Department

FROM: City of Malibu Planning Department **DATE:** 05/17/2023

PROJECT NUMBER:	CDP 23-034
JOB ADDRESS:	33008 PACIFIC COAST HWY
APPLICANT / CONTACT:	Arfakhashad Munaim, Schmitz & Associates, Inc.
APPLICANT ADDRESS:	28230 Agoura Hills Agoura Hills, CA 91301
APPLICANT PHONE #:	(818) 338-3636
APPLICANT FAX #:	
PROJECT DESCRIPTION:	new 2-story single family residence with attached garage, basement, and new driveway access and landscaping.

WATER & ACCESS ONLY FEPC2023-1860

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

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

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

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

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

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

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

J. Munaim — 04/24/2025

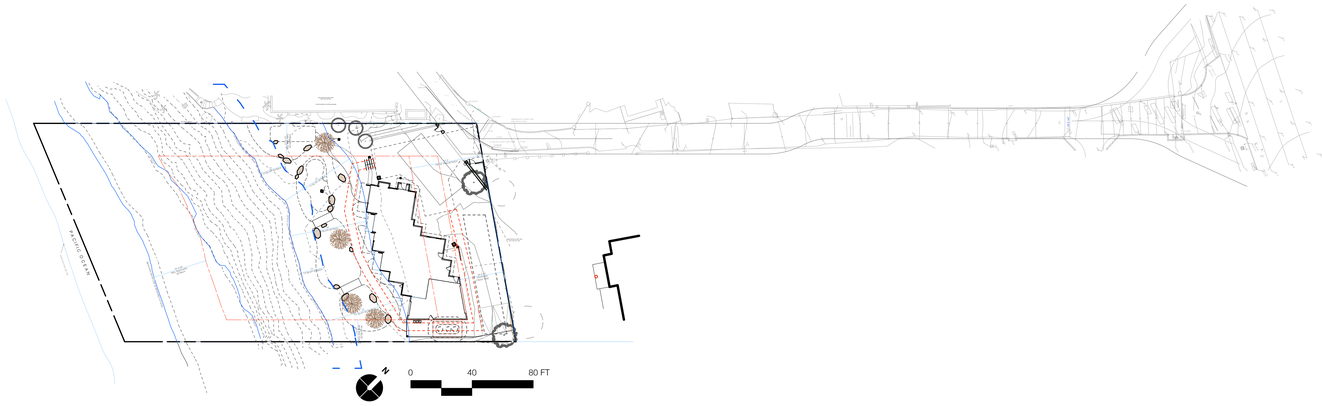
SIGNATURE **DATE**

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

Rev 04/21/10 mr

33008 PACIFIC COAST HIGHWAY

MALIBU, CA 90265



vicinity map

Project Description

Exterior landscape, lighting and irrigation for new single family residence with attached garage.

Project Details

project address: 33008 Pacific Coast Highway
Malibu, CA 90265

owner: Ronald Jenny
33010 Pacific Coast Highway
Malibu, CA 90265

assessors number: 4473-017-009

zoning: RR2

total proposed landscape area: 3,417 SF
low water use - 3,327 SF
med water use - 90 SF
high water use - 0 SF

total irrigated landscape: 3,417 SF

water supply type: potable

water municipality: Los Angeles Water District 29

Consultants

architect: Burdge & Associates
24911 PCH
Malibu, CA 90265
p: 310.456.5905

landscape: Barefoot Design, Inc.
1187 Coast Village Road, #287
Santa Barbara, CA 93108
p: 805.697.7466

Sheet Index

sheet #	Title
L0.00	Cover Sheet
L1.00	Hardscape & Lighting Plan
L1.01	Hardscape Details
L2.00	Irrigation Plan
L2.01	Irrigation Details
L3.00	Planting Plan - Front
L3.01	Planting Details

Statement of Compliance

I have complied with the criteria of the Landscape Water Conservation Ordinance and applies them for the efficient use of water in the landscape design.

Preparer Name: Jessica Harlin

Preparer Signature:

Professional License / Designation: Landscape Architect, #6606

BAREFOOT DESIGN
1187 Coast Village Road, #287
Santa Barbara, CA 93108
TEL 805.697.7466
WEB www.barefoot-design.net

SUBMITTALS

- Revision TOP and House Footprint 7/25/24
- Revision 10/30/24
- Revision 12/16/24

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REGISTERED LANDSCAPE ARCHITECT
JESSICA LEE HARLIN
No. 6606
March 31, 2026
Renewal Date
Signature
5/11/23
Date
STATE OF CALIFORNIA

PROJECT:

BLUFFTOP 1

33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS

Cover Sheet

DATE 9/6/24

SCALE 1" = 40'-0"

DRAWN KR

JOB 23-06

SHEET **L0.00**

1 OF 7 SHEETS

33008 Pacific Coast Hwy
A.P.N. 4473-017-009
MMC Zoning: RR2 (Residential Rural 2-Acres)

PACIFIC OCEAN

MEAN HIGH TIDE LINE 1957

MEAN HIGH WATER LINE AS MEASURED 4/17/2024

1 STORY WOOD & STUCCO BUILDING

(E) Catch basin

N27°34'30"E 285.64'

TOP OF BLUFF

TOE OF BLUFF

(E) VEGETATION TO REMAIN

35'-4 3/4" REQ. REAR YARD SETBACK

21'-14 1/4" REQ. SIDE YARD SETBACK 15%

15' T.O.BLUFF SETBACK

50' T.O.BLUFF SETBACK

P.A.

PATIO

LID PLANTER

RAIN GARDEN

DRIVEWAY

RESIDENCE

(E) HARDSCAPE TO REMAIN

47'-2" FRONT YARD SETBACK

28'-8 1/2" PROPOSED FRONT-YARD

13'-0"

5'-0"

5'-5"

ASPHALT ROADWAY

GATE

PILASTER

SPEED BUMP

SHARED DRIVEWAY

TO PACIFIC COAST HWY

72.38 GB

72.76 EP

72.52

72.28

72.95

72.58

72.00

NCP

NCP

NCP

(P) Leachfield Area, per septic designer

33006 PACIFIC COAST HWY. APN: 4473-017-008

33006 PACIFIC COAST HWY. APN: 4473-017-010

N27°34'30"E 235.69'

14'-3" REQ. SIDE YARD SETBACK 10%

0 10 20 FT

6 L1.01 (P) Prefabricated Boardwalk, Set on Grade (NO FOOTINGS)
- MFR: Fifthroom, PRODUCT: No Rail Cedar Pedestrian Bridge
(or approved equal)

Materials Legend:

symbol	description	area	detail
	Driveway Pavers	4,513 SF	8 L1.01
	Permeable Pavers	616 SF	7 L1.01
	Concrete	947 SF	3,4 L1.01
	Decomposed Granite	1,816 SF	1, 2 L1.01
	3/8" Gravel Mulch	1,251 SF	
	Shovel Cut Edge		2 L1.01
	Santa Barbara Sandstone Boulders, set in grade		5 L1.01
	Catch Basin - See Civil Drainage Plan		

Lighting Legend

symbol	description	quantity	manufacturer	model	lumen	wattage	color temp (K)	notes
L	controller *(to be programmed to turn outdoor lighting off during daytime hours)*	1	FX Luminaire	LZD-300-SS	N/A	N/A	N/A	
	beam mounted light	2	WAC Lighting	FM-W47205-30-BK	900	11.9	3000	
	overhang recessed light	6	FX Luminaire	RC-3LED-SV	261	4.2	2700	
	pathlight	18	FX Luminaire	PFLEDTA - CU + P - 1LED - 18RA - CU	39	2	2700	18" height
	wall lights	11	FX Luminaire	MS - 1LED - BS	101	1.9	2700	
	sconce	6	Kuzco	EW48003-BK-UNV	1020	12	3000	

notes:
1. Wiring and transformer locations to be provided by Electrician.
2. Location of lights are diagrammatic. Final location to be set prior to installation by Landscape Architect.

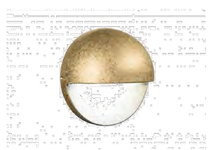
FX Luminaire - Overhang Recessed Light

WAC Lighting - Beam Mounted Light

Kuzco - Sconce

FX Luminaire - Luxor Controller

FX Luminaire - Path Light


FX Luminaire - Wall Light

1187 Coast Village Road, #387
Santa Barbara, CA 93108
TEL 805.687.7466
WEB www.barefoot-design.net

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REGISTERED LANDSCAPE ARCHITECT
JESSICA LEE HARMON
No.6606
March 31, 2026
Renewal Date
Signature
5/11/23
Date
STATE OF CALIFORNIA

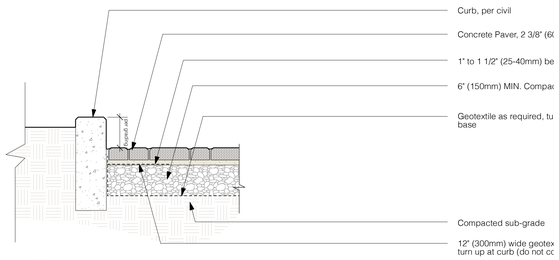
PROJECT:

BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS: **Hardscape & Lighting Plan**

DATE 9/6/24
SCALE 1/8" = 1'-0"
DRAWN KR
JOB 23 - 06

SHEET **L1.00**
2 OF 7 SHEETS



NOTES:

1. Thickness of aggregate base will vary with subgrade conditions and climate. Colder clinmates may require a thicker base.

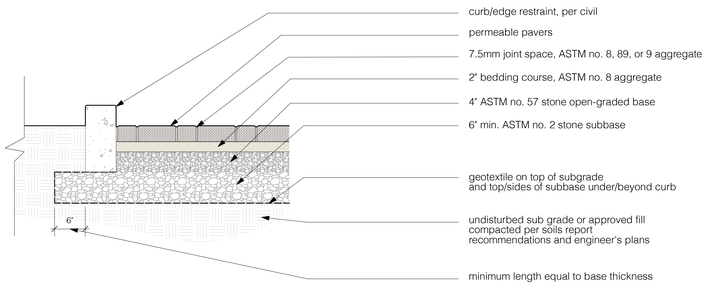
2. Concrete pavers should be placed on a cement treated base of soil is extremeley weak or constantly saturated, pavers can be overlaid or inlaid on existing asphalt or concrete driveways.

3. Consult ICPI tech spec 2 for guidelines on specifications of base materials, subgrade and soil compaction.

4. Plastic, aluminum or precast concrete edging may be used.

8 Interlocking Pavers

scale: 1" = 1'-0"



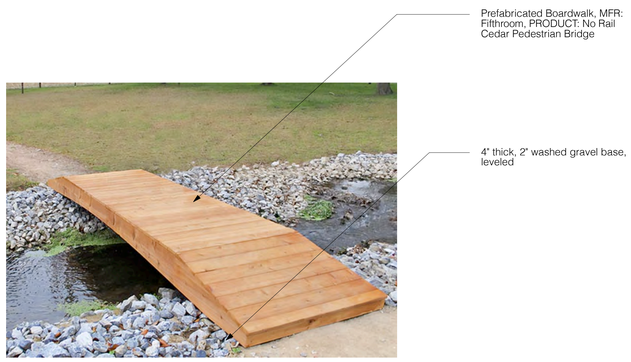
Notes:
1. Cross section as shown, is suitable for residential driveways, patios, and sidewalks.

2. Depth of aggregate base subject to site specific conditions (soil conditions, groundwater levels, climatic conditions). Contact sales represantitive.

3. Drain pipes may be required within aggregate base depending on the permeability of the subgrade soils. Verify drainage needs with the geotechnical engineer. Ensure drain pipes are able to daylight via gravity flow to surface, or connect to catch basin.

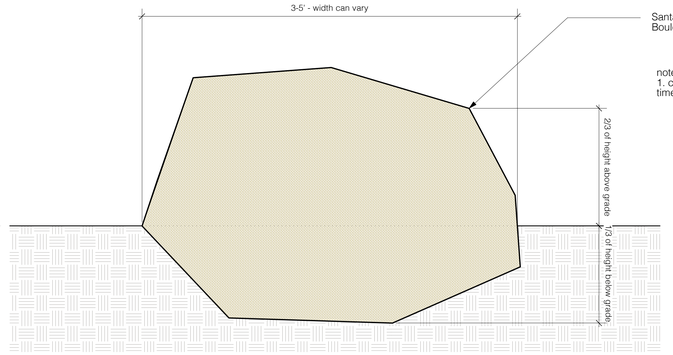
7 Permeable Interlocking Pavers

scale: 1" = 1'-0"



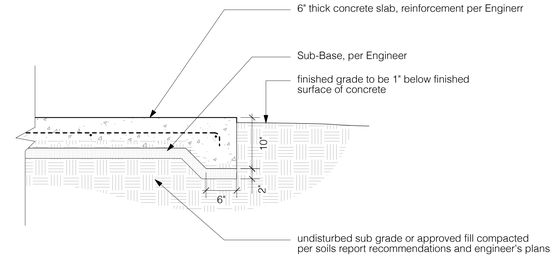
6 Prefabricated Boardwalk

scale: n/a



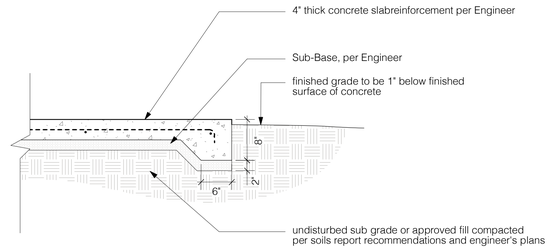
5 Boulder Set in Grade

scale: 1" = 1'-0".



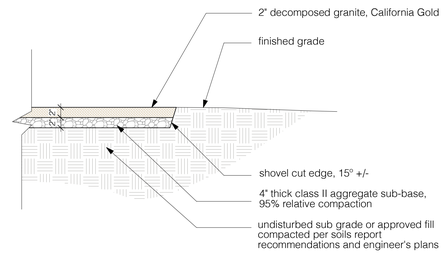
4 6" Integral Color Concrete Paving, TYP.

scale: 1" = 1'-0".



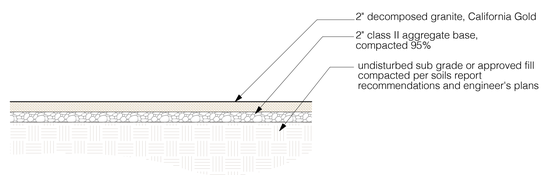
3 4" Integral Color Concrete Paving, TYP.

scale: 1" = 1'-0".



2 Shovel Cut Edge @ Decomposed Granite

scale: 1" = 1'-0".



1 Decomposed Granite Paving

scale: 1" = 1'-0".

1187 Coast Village Road, #387
Santa Barbara, CA 93108
TEL 805.687.7466
WEB www.barefoot-design.net

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REGISTERED LANDSCAPE ARCHITECT
JESSICA LEE HERMAN
No.6606
March 31, 2026
Renewal Date
Signature
5/11/23
Date
STATE OF CALIFORNIA

PROJECT:

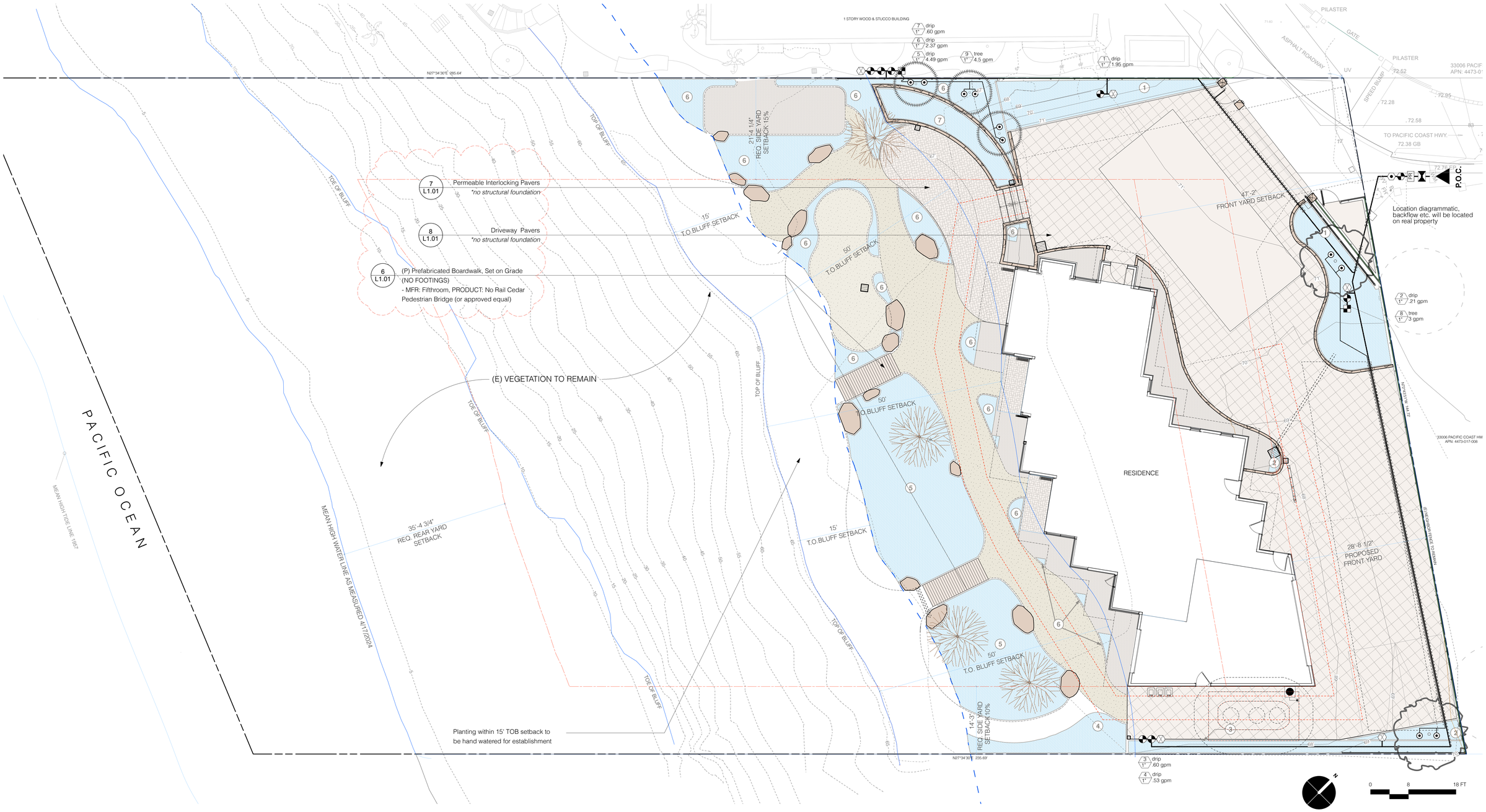
BLUFFTOP 1

33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS: **Hardscape & Lighting Plan**

DATE	9/6/24
SCALE	as noted
DRAWN	KR
JOB	23-06
SHEET	L1.01

3 OF 7 SHEETS



Project Information

Total Landscaped Area (Proposed): 3,417 SF
Landscape Area with Low Water: 3,327 SF
Landscape Area with Med Water: 90 SF
Landscape Irrigated with High Water Use: 0 SF
Total New Irrigated Area: 3,417 SF
Project Type: residential
Water Supply Type: potable
Water Municipality: Los Angeles Waterworks District 29

Valve Identification

valve number — # type — valve type
valve size — 1" flow — valve flow rate

Lateral Line Sizing

0-6 gpm	1/2"	class 315
6-10 gpm	3/4"	class 200
10-16 gpm	1"	class 200
16-26 gpm	1 1/4"	class 200
26-35 gpm	1 1/2"	class 200
35-55 gpm	2"	class 200
55-80 gpm	2 1/2"	class 200
80-120 gpm	3"	class 200

Mainline Sizing

0-4 gpm	1/2"	schedule 40
4-8 gpm	3/4"	schedule 40
8-12 gpm	1"	schedule 40
12-22 gpm	1 1/4"	schedule 40
22-30 gpm	1 1/2"	schedule 40
30-50 gpm	2"	class 315
50-70 gpm	2 1/2"	class 315
70-120 gpm	3"	class 315

Irrigation Legend

symbol	description	manufacture / model
	domestic mainline	2" sch 40 PVC
	irrigation lateral	see Lateral Line Sizing
	irrigation sleeve	see Irrigation Notes
P.O.C.	point of connection	(N) 1" dedicated water meter, labeled "FOR IRRIGATION ONLY"
	irrigation controller	HUNTER I-Core IC-600-SS controller w/ (3) HUNTER ICM-600 Module & (1) HUNTER Wireless Rain-clik Rain Sensor WR-CLICK-TR. Rain Sensor to be programmed to automatically shutoff when onsite rainfall exceeds 1/4 inch.
	backflow preventer	1-1/2" FEBCO 825Y or approved equal
PR	pressure regulator	HONEYWELL D06-G with gauge (70 psi)
	master control valve	HUNTER IBV-151G-FS-R (65 psi)
	flow sensor	HUNTER HFS w/ FCT-100 (65 psi)

symbol	description	manufacture / model
	spray valve	WEATHERMATIC 11024FCR (65 psi)
	drip valve	WEATHERMATIC 11024FCR w/ pressure regulating Y-Filter (30 psi)
	hose bib	3/4" brass hose bibb
	manual shut-off valve	PVC ball valve, size to match mainline
	root watering system	HUNTER RZWS (65 psi), see Emitter Legend for size and model
#	drip irrigation zones	HUNTER 1/2" Supply Tubing w/ HUNTER Point Source Emitters, see Emitter Legend

Hydrozone Legend

valve/zone	description	area	plant type	exposure
1	Shrubs & Grasses - Driveway	582 SF	L	Full Sun
2	Shrubs & Grasses - Driveway	60 SF	L	Full Sun
3	Hedge	175 SF	L	Full Sun
4	Native Shrubs & Grasses - Bluff	155 SF	L	Full Sun
5	Rainwater Garden	1342 SF	L	Full Sun
6	Native Shrubs & Grasses - Bluff	707 SF	L	Full Sun
7	Native Shrubs & Grasses - Bluff	180 SF	L	Full Sun
8	Trees - Driveway	30 SF	L	Full Sun
9	Trees - Citrus	90 SF	M	Full Sun

Emitter Legend

plant material	equipment
flatted groundcover	Microspray Emitters
4" pot	2 - HE-20-B Emitters per plant
1 gallon	2 - HE-20-B Emitters per plant
5 gallon shrubs	3 - HE-20-B Emitters per plant
15 gallon shrubs	4 - HE-20-B Emitters per plant
15 gallon trees	2 - RZWS-18-50-CV per tree
24" box trees	2 - RZWS-18-50-CV per tree
36" box trees	3 - RZWS-36-50-CV per tree
48" box trees	4 - RZWS-36-50-CV per tree
60" box trees and above	(Consult with a Local Arborist)

BAREFOOT DESIGN
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SUBMITTALS
Revision TOP and House Footprint 7/25/24
Revision 10/30/24
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Revision 2/12/25

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REGISTERED LANDSCAPE ARCHITECT
JESSICA LEE HERMAN
No.6606
March 31, 2026
Renewal Date
Signature
5/11/23
Date
STATE OF CALIFORNIA

PROJECT:
BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS
Irrigation Plan

DATE 9/6/24
SCALE 1/8" = 1'-0"
DRAWN KR
JOB 23-06
SHEET **L2.00**
4 OF 7 SHEETS

Maximum Applied Water Allowance Calculations:

ETo	40.6	
LA	3417	
SLA	0	
ETAF	0.23	
MAWA (Gallons)		**47,307**
MAWA (Inches per sq.ft.)		22.2
MAWA (Inches per DAY)		0.06

Maximum Applied Water Allowance Equation:
MAWA = (ETo) (0.62) [(.55 x LA) + (1-0.55 x SLA)]

Definitions:

ETo	Reference provided in Appendix A - CIMIS
ETAF	Evapotranspiration Adjustment Factor - 0.55 or less
HA	Hydro zone area = Irrigated area
IE	Irrigation efficiency. Must exceed 0.71.
LA	Landscaped area
PF	Plant water use factor- WUCLOS
SLA	Special landscaped area WITHIN the landscaped area

Estimated Total Water Use:

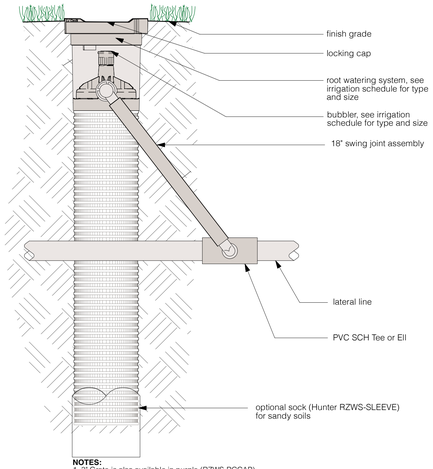
ETo	40.6	
PFxHA (see chart)	710.4	
HA (same as LA)	3417	
IE (see chart)	0.41	
SLA	0	
ETWU (Gallons)		**22,077**
ETWU (Inches per sq.ft.)		10.4
ETWU (Inches per DAY)		0.03

Estimated Total Water Use Equation:
ETWU = ETo x 0.62 x [(PFxHA)/IE) +SLA]

Irrigation Efficiency:

H.Z.	Description	Type	PF	Irrigation Method	IE	ETAF (PF/IE)	HA	ETAF x Area	PF x HA
Regular Landscape Areas									
1	Shrubs & Grasses - Driveway	Low	0.2	drip	0.81	0.16	607	98.33	121.4
2	Shrubs & Grasses - Driveway	Low	0.2	drip	0.81	0.16	60	9.72	12
3	Hedge	Low	0.2	drip	0.81	0.16	175	28.35	35
4	Native Shrubs & Grasses - Bluff	Low	0.2	drip	0.81	0.16	155	25.11	31
5	Rainwater Garden	Low	0.2	drip	0.81	0.16	1342	217.40	268.4
6	Native Shrubs & Grasses - Bluff	Low	0.2	drip	0.81	0.16	778	126.04	155.6
7	Native Shrubs & Grasses - Bluff	Low	0.2	drip	0.81	0.16	180	29.16	36
8	Trees - Driveway	Low	0.2	tree	0.81	0.16	30	4.86	6
9	Trees - Citrus	Med	0.5	tree	0.81	0.41	90	36.45	45
				Subtotal:	**0.81**	**0.19**	**3417**	**575.42**	710.4
Special Landscape/Hardscape Areas									
N/A								0.00	0
				Subtotal:	**0.00**	**0.00**	**0**	**0.00**	**0**

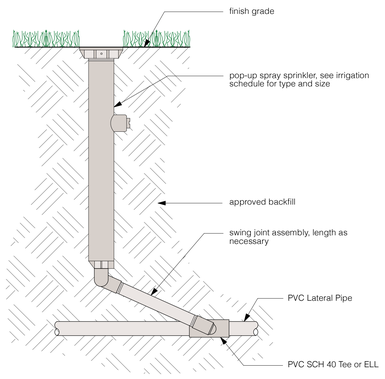
Average System IE (IE is a derivative of DU defined as
IE = DU x IME. Where IME= Irrigation Management Efficiency



NOTES:
1. 3" Grate is also available in purple (RZWS-RCCAP).
2. Install product so that the grate is even with finish grade or top of mulch.
3. Optional sand sock (RZWS-SLEEVE) to cover mesh basket area.
4. When installing in extremely hard or clay soils, add 3/4" gravel under and around the unit to allow faster water infiltration and root penetration.
5. Once RZWS has been installed fill the basket with pea gravel before locking lid.

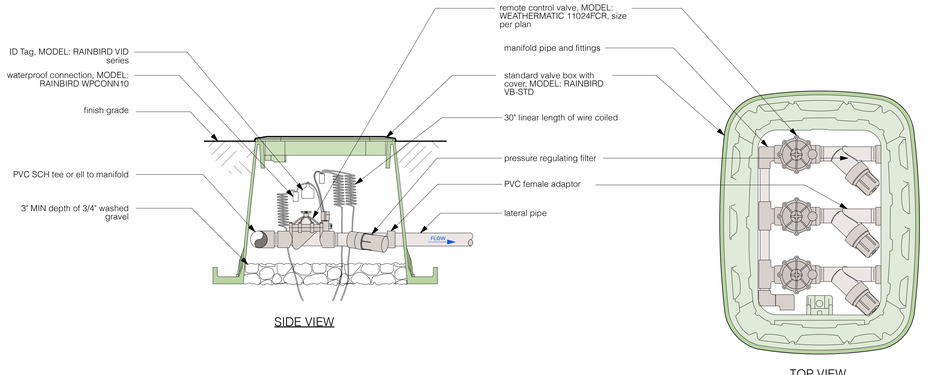
7 Root Watering System

scale: N.T.S.



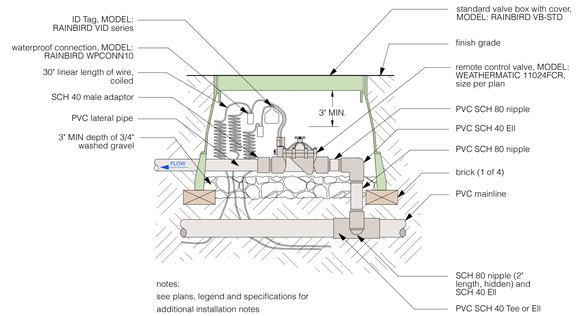
6 Spray Head

scale: N.T.S.



5 Drip Valve Assembly

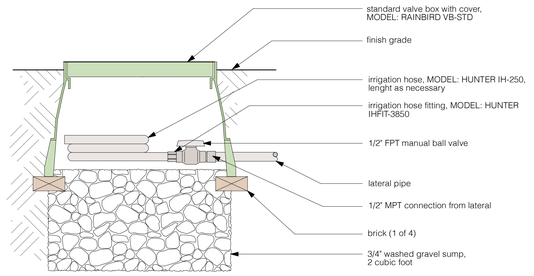
scale: N.T.S.



notes:
see plans, legend and specifications for additional installation notes

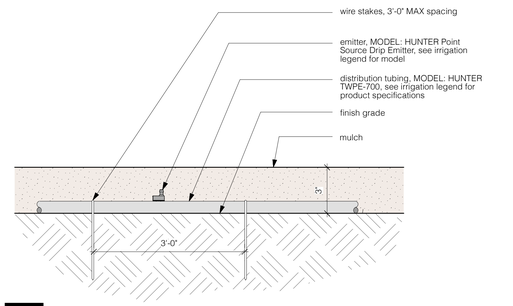
4 Valve Assembly

scale: N.T.S.



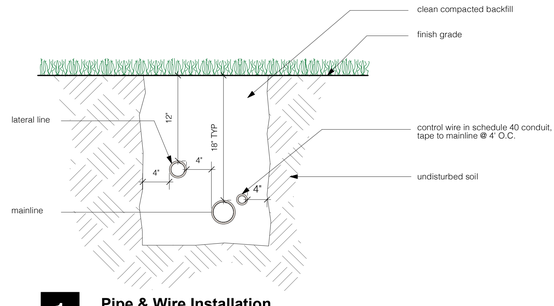
3 Manual Flush Valve

scale: N.T.S.



2 Drip Irrigation

scale: N.T.S.



1 Pipe & Wire Installation

scale: N.T.S.

1187 Coast Village Road, #387
Santa Barbara, CA 93108
TEL 805.687.7466
WEB www.barefoot-design.net

SUBMITTALS
- Revision TOP and House Footprint 7/25/24
- Revision 10/30/24
- Revision 12/16/24

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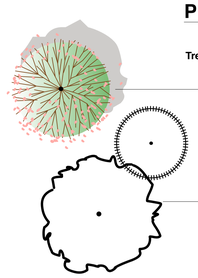
REGISTERED LANDSCAPE ARCHITECT
JESSICA LEE HERLIN
No.6606
March 31, 2026
Renewal Date
Signature
5/11/23
Date
STATE OF CALIFORNIA

PROJECT:
BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS
Irrigation Details & Water Use

DATE	9/6/24
SCALE	as noted
DRAWN	KR
JOB	23-06
SHEET	**L2.01**
5 OF 7	SHEETS

Plant Palette



Botanic Name	Common Name	Size	Quantity	WUCOLS	MAX Height
Trees & Large Shrubs					
Arctostaphylos glauca	Big Berry Manzanita	15g	4	Med	10'-0" - 20'-0"
Citrus spp.	Assorted Citrus Varieties	24" Box	3	Med	12'-0"
Quercus tomentella	Island Oak	48" Box	2	Low	35'-0"

Botanic Name	Common Name	Size	Quantity	WUCOLS	MAX Height
Shrubs & Perennials					
Achillea millefolium	Yarrow	1g	20	Low	< 1'-0"
Aeonium 'Mint Saucer'	Mint Saucer Aeonium	1g	6	Low	< 1'-0"
Baccharis pilularis	Prostrate Coyote Bush	1g	13	Low	2'-0"
Carex praegracilis	Clustered Field Sedge	1g	58	Low	1'-0"
Carpenteria californica	Bush Anemone	1g	7	Low	6'-0"
Chondropetalum tectorum	Cape Rush	5g	10	Low	3'-0"
Dudleya pulverulenta	Chalk Dudleya	1g	25	Low	< 1'-0"
Encelia californica	Bush Sunflower	1g	38	Low	4'-0"
Juncus patens	California Grey Rush	1g	127	Low	2'-0"
Leymus condensatus	Wild Rye	5g	57	Low	4'-0"
Lomandra 'Platinum Beauty'	Platinum Beauty Basket Rush	1g	20	Low	3'-0"
Lomandra 'Seascape'	Seascape Rush	1g	39	Low	3'-0"
Muhlenbergia rigens	Deer Grass	1g	21	Low	4'-0"
Prunus ilicifolia ssp lyonii	Catalina Cherry	15g	17	Low	15'-0"
Salvia apiana	White Sage	1g	8	Low	3'- 0"
Salvia leucophylla	Purple Sage	1g	45	Low	2'-0"
Groundcovers					
Walk-On Bark			882 SF	N/A	

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST APPROVAL
DATE 6/6/25
PLANNING REVIEW NO. CDP 23-034
SIGNATURE
PRINT NAME
Any changes to the approved plans shall be submitted to the City Biologist for review and approval prior to implementation. This action does not constitute final approval by the Environmental and Community Development Department.

1187 Coast Village Road, Suite 1 #287
Santa Barbara, CA 93108
TEL 805.687.7466
WEB www.barefootdesign.net

SUBMITTALS
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- Revision 10/30/24
- Revision 12/16/24

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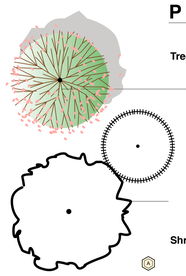
REGISTERED LANDSCAPE ARCHITECT
JESSICA LEE HERLIN
No. 6606
March 31, 2026
Renewal Date
5/11/23
Date
STATE OF CALIFORNIA

PROJECT:
BLUFFTOP 1
33008 Pacific Coast Highway, Malibu CA, 90265

SHEET CONTENTS
Planting Plan

DATE 9/6/2024
SCALE 1/8" = 1'-0"
DRAWN KR
JOB 23-06
SHEET
L3.00
6 OF 7 SHEETS

Plant Palette



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Groundcovers					
Walk-On Bark			882 SF	N/A	

General Notes

1. Refer to Architectural and Civil Engineer for hardscape and walls.
2. Refer to Civil Engineer for all grading and drainage

Planting Notes

All plant materials shall be set out as shown on plan. Final locations shall be approved by the Landscape Designer prior to planting.

1. Landscape Contractor shall be responsible for becoming aware of all underground utilities, pipes and structures. The Contractor shall be held responsible for contacting all utility companies for field location of underground utility lines prior to any excavation.

2. Do not willfully proceed with construction as designed when it is obvious that unknown obstructions and/or grade differences exist that may not have been known during design. Such conditions shall be immediately brought to the attention of the landscape designer, Barefoot Design, 805.697.7466.

3. The Landscape Contractor shall assume full responsibility for all necessary revisions due to failure to give such notification.

4. Landscape Contractor shall be responsible for any coordination with subcontractors as required to accomplish planting operations.

5. The Landscape Contractor shall allow for the addition of specified quantities of soil amendments and conditioners in soil preparation and finish grading, per recommendation of soils report.

6. Recommendations in the Soils Management Report shall be incorporated into the landscape installation and a copy of the report is to be on-site at the time of inspection.

Unless soils have greater than 6% organic matter in the top 6" of soil, compost at a rate of a minimum of (4) cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of 6" into the soil.

7. It is the Landscape Contractor's responsibility to furnish plant material free of pests or plant diseases. Contract-grown or 'tagged' material must be inspected by the Landscape Contractor and certified disease free. It is the Landscape Contractor's obligation to warranty all plant materials.

8. The Landscape Contractor shall provide healthy, vigorous plant stock grown under climatic conditions similar to the conditions in the locality of the project.

9. Specimen trees will be selected and tagged by Landscape Designer prior to plant installation. Landscape Contractor is responsible to do their own quantity take-offs for all plant materials and sizes shown on plans. All substitutions shall be reviewed and approved by the Landscape Designer.

10. See details and specifications for staking method, plant pit dimensions and backfill requirements. If details have not been provided, contact Landscape Designer. Plant crown elevations relative to finish grade are shown on planting details and shall be strictly adhered to. Proper compaction of backfill to prevent settlement shall be required.

11. The Landscape Designer will approve finish grades at all landscape areas prior to planting.

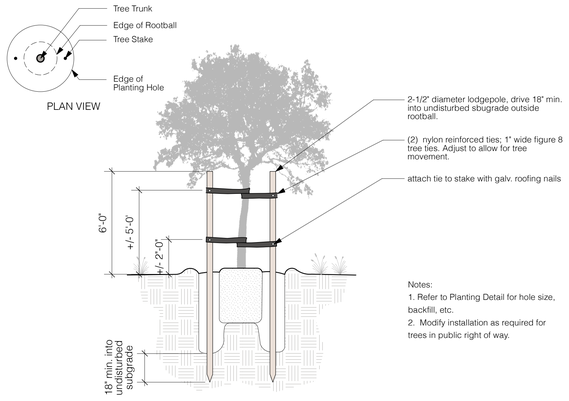
12. The Landscape Designer reserves the right to adjust the location of plant material during installation as appropriate to the project.

13. Landscape mulch shall be applied at 3 inches thick over all landscape surfaces except lawn areas and per City of Malibu guidelines. Mulch must be approved by Landscape Designer. 0-5 feet from structure, flammable mulch is prohibited. 5 feet to 30 feet, limited non-continuous use of organic mulch is permitted with a maximum application area of 20 feet x 20 feet, and a minimum 5 foot separation between application areas. 30 feet from the structure, organic mulch and wood chips are permitted.

14. All side and rear yard hedges shall be maintained at or below 6'-0" in height.

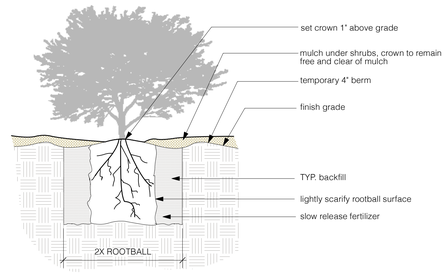
15. View impermeable hedges occurring within the front setback serving the same function as a fence or wall shall be maintained at or below 42" in height.

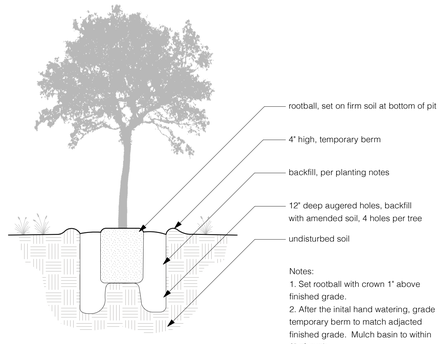
16. Vegetation shall be situated on the propoerty so as not to obstruct the primary view from private property at any given time. Giving consideration to the plant materials future growth.



6 Tree Staking

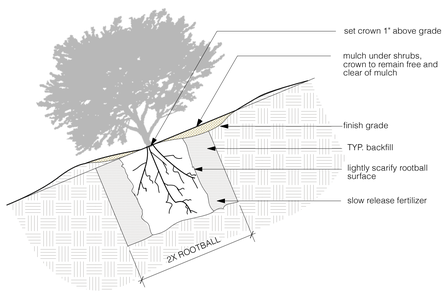
scale: N.T.S.





5 Tree Planting

scale: N.T.S.

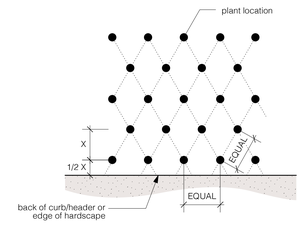


4 Shrub Planting on Slope

scale: N.T.S.

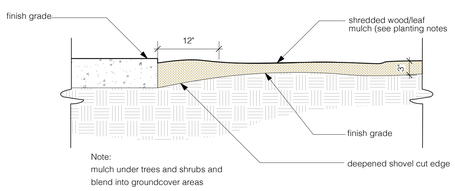
3 Shrub Planting

scale: N.T.S.



2 Groundcover Layout

scale: N.T.S.



1 Mulch Installation

scale: N.T.S.

BAREFOOT DESIGN
1187 Coast Village Road #387
Santa Barbara, CA 93108
TEL 805.697.7466
WEB www.barefoot-design.net

SUBMITTALS
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- Revision 10/30/24
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REGISTERED LANDSCAPE ARCHITECT
JESSICA LEE FERGUSON
No. 6606
March 31, 2026
Renewal Date
Signature
5/11/23
Date
STATE OF CALIFORNIA

PROJECT:
BLUFFTOP 1
33008 Pacific Coast Highway, Malibu, CA, 90265

SHEET CONTENTS
Planting Details

DATE 9/6/24
SCALE as noted
DRAWN KR
JOB 23-06
SHEET **L3.01**
7 OF 7 SHEETS

City of Malibu

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

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department **REVISED DATE** 01/19/2024

PROJECT NUMBER:	CDP 23-034
JOB ADDRESS:	33008 PACIFIC COAST HWY
APPLICANT / CONTACT:	Arfakhashad Munaim, Schmitz & Associates, Inc.
APPLICANT ADDRESS:	28230 Agoura Hills Agoura Hills, CA 91301
APPLICANT PHONE #:	(818) 338-3636
APPLICANT FAX #:	
APPLICANT EMAIL:	amunaim@schmitzandassociates.net
PROJECT DESCRIPTION:	new 2-story single family residence with attached garage, and new driveway access and landscaping.

TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

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

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

SIGNATURE

1/30/2024
DATE

City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
Nathaniel McLean, Assistant Civil Engineer

Date: January 30, 2024

Re: Proposed Conditions of Approval for 33008 Pacific Coast Hwy, CDP 23-034

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

GRADING AND DRAINAGE

1. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development LIP Section 17.3.1 that:
    - Is located within or adjacent to ESHA, or
    - Includes grading on slopes greater than 4:1
    - Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4:1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources

2. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's LIP Section 8.3. **A note shall be placed on the project that addresses this condition.**

3. A grading and drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project.

- Public Works Department General Notes
- The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
- The limits of land to be disturbed during project development shall be delineated on the grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated.
- The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.
- If the property contains trees that are to be protected they shall be highlighted on the grading plan.
- If the property contains rare and endangered species as identified in the resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
- Private storm drain systems shall be shown on the grading plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.
- Public storm drain modifications shown on the grading plan shall be approved by the Public Works Department prior to the issuance of the grading permit.

4. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMP's shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMP's and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

STORMWATER

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

    - Installation of BMPs that are designed to treat the potential pollutants in the storm water runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.

- Prohibits the discharge of trash.
- Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e. no additional pollutant loading).
- Elimination of non-storm water discharges.

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

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

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

7. A Storm Water Management Plan (SWMP) is required for this project. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within the City's Local Implementation Plan Section 17.3.2.B.2. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The SWMP shall identify the Site design and Source control Best Management Practices (BMP's) that have been implemented in the design of the project (See LIP Chapter 17 Appendix A). The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading/building permits for this project.

8. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
    - Site Design Best Management Practices (BMP's)
    - Source Control BMP's
    - Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technical infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
    - Drainage Improvements
    - A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure.
    - A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
    - The WQMP shall be submitted to Public Works Department and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

MISCELLANOUS

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

COMMERCIAL DEVELOPMENT

10. Prior to the approval of any grading and drainage permit, the applicant shall submit a PDF of the final plans. If there are further modifications to the plans, the applicant shall provide the City with an updated PDF.

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

LOS ANGELES COUNTY WATERWORKS DISTRICTS REVIEW
REFERRAL SHEET

FROM: City of Malibu Planning Department **DATE: 05/17/2023**

PROJECT NUMBER:	**CDP 23-034**
JOB ADDRESS:	**33008 PACIFIC COAST HWY**
APPLICANT / CONTACT:	**Arfakhashad Munaim, Schmitz & Associates, Inc.**
APPLICANT EMAIL:	**amunaim@schmitzandassociates.net**
APPLICANT PHONE #:	**(818) 338-3636**
PLANNER:	**Raneika Brooks**
PROJECT DESCRIPTION:	**new 2-story single family residence with attached garage, basement, and new driveway access and landscaping.**

TO: Malibu Planning Department and/or Applicant

FROM: LACWD No. 29, Malibu

Compliance with the conditions checked below is required prior to Waterworks District approval

The project **DOES NOT** require any system improvements for domestic and/or fire flow conditions ____

The project **DOES NOT** require capital improvement fees and/or participation fees ____

The project **DOES** require a Will Serve Letter ***(Final Waterworks Districts approval)*** X

The project **DOES** require capital improvement fees and/or participation fees X

The project **DOES** require the owner to execute an agreement and participate financially in the design and construction of a future water system to increase local storage and conveyance capacity in the event of an interruption of the primary water supply ____

The project **DOES** require private contract water system improvements for domestic and/or fire flow conditions X

The required fire flow for this project set by the Fire Department is 1250 gallons per minute at 20 pounds per square inch for a 1 hour duration

Scope of water system improvements required:
To be determined by the Waterworks Plan Check Unit after applicant has submitted a complete Water System Improvement application.

Note: Los Angeles County Waterworks District No. 29, Malibu approval expires upon the earliest of the following: 1) Two years from the date of this form; 2) Expiration date of the City Planning permit(s), or 3) Date County adopts changes to the county of Los Ange/es Fire Code an makes revisions to appli le ire Department regulations and standards.

William Fox 9-20-2023

SIGNATURE **DATE**

Additional requirements/conditions may be imposed upon review of complete architectural plans.
Los Angeles County Waterworks District No. 29, Malibu may be contacted by phone at (310) 317-1389 or at the Waterworks Public Counter:
23533 Civic Center Way, Malibu CA 90265; Hours: Monday-Thursday 8:00am – 12:00pm

Received
10/13/25
Planning Div.

Dear Members of the Planning Commission,
I am writing to support the Jennys' proposal to build a small, one-bedroom home with an auxiliary care quarters on their Malibu property. I have known the Jennys for many years—over half a century—and watched as they raised their children in our community. They purchased this property about four years ago and have shared with me that it is their final home, where they plan to spend their remaining years. Their proposed residence is modest, thoughtfully designed to meet all height and size restrictions, and will blend harmoniously with the neighborhood.
I firmly believe that the Jennys, as longstanding Malibu residents, have the right to develop their property in a manner that allows them to age comfortably and securely. I support this project wholeheartedly and believe it will remain in keeping with the community's character.
Thank you for your consideration.
Sincerely,

Susan Waters
[redacted] Heathercliff Road [redacted]
Malibu CA 90265

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/13/25 Time 1:39 PM
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

ATTACHMENT 5

Received
10/14/25
Planning Div.

September 28, 2025

Dear Members of the Planning Commission,

I wish to express my strong support for Ron and Jane Jenny's proposal to construct a single-bedroom residence with a care quarters on their property in Malibu. I have known the Jennys for over forty years in Malibu, and have seen them consistently and selflessly contribute to our community throughout their long residence here. My husband and I have watched them raise their beautiful four children here, with deep connections and support of our community.

The Jennys purchased the land in question about four years ago, always with the expressed intention that this will be their final residence. Their plan is extremely modest, designed to meet all regulatory requirements, and is intended to blend well with the surrounding neighborhood.

As long-time fellow Malibu residents, my husband, Richard Ross and I, believe the Jenny's have created a perfect understated plan that supports their aging needs for this chapter of their lives. We strongly support their application and are completely confident that it will be a good fit and addition to the neighborhood.

Thank you for your consideration.

Kim and Richard Ross

[redacted] Fernhill Drive

Malibu, California

[redacted]

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/14/25 Time 1:17 p.m.
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

Received
10/16/25
Planning Div.

September 22, 2025

To Whom It May Concern,

I am writing in support of the proposed new home project in our Malibu neighborhood. The plans reflect a minimal footprint, and the homeowners have demonstrated their commitment to complying with all local restrictions. I believe this development will enhance our community while preserving the existing tranquility and aesthetic.

Thank you for the opportunity to express my support.

Best regards,

Before These Crowded Streets, LLC
[redacted] Pacific Coast Highway
Malibu, CA 90265

Sincerely,

Keshara Parker
Representative for
Before These Crowded Streets, LLC

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/16/25 Time 8:42 a.m.
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

Received
10/14/25
Planning Div.

ELKINS KALT

Jackson D. McNeill
D: (310) 746-4424
JMcneill@elkinskalt.com
Ref: 15289-0001

Elkins Kalt Weintraub Reuben Gartside LLP

October 14, 2025

VIA E-MAIL AND U.S. MAIL

Raneika Brooks, Principal Planner
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Email: rbrooks@malibucity.org

Re: Legally Deficient Notice of Hearing for October 20, 2025, Planning Commission Agenda Concerning 33008 PCH
Item #: 5A

Dear Raneika:

Our firm represents DEVOLVING LLC and Mark and Tamara Mackey (collectively, our "Clients"), the owners of the real property and single-family residences located at [redacted] and [redacted] Pacific Coast Highway in Malibu, California, respectively. Bluff Top 1 LLC has submitted an application for a Coastal Development Permit (CDP No. 23-034) and Minor Modification (Minor Modification No. 25-009) (together, the "Application") to construct a new single-family residence and associated development at 33008 Pacific Coast Highway (the "Site"), immediately adjacent to our Clients' properties (the "Project").

On October 9, 2025, our firm received an email from the City of Malibu ("City") indicating that the Project had been scheduled for a public hearing before the Planning Commission on October 20, 2025. The email included an updated Notice of Public Hearing ("Notice"), which we attach as **Exhibit A**. Respectfully, **as discussed below, the Notice provided was legally deficient because it (1) fails to mention the code violation case that the hearing and Application purportedly resolves; and (2) because it fails to notice state, regional, and local agencies as required by the LIP. As such, the hearing must be continued to allow for the provision of adequate and lawful notice**.

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/14/25 Time 3:14 p.m.
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 10

T: 310.746.4400 F: 310.746.4499
10345 W. Olympic Blvd, Los Angeles, CA 90064 | elkinskalt.com

I. The Notice Fails to Mention the Code Violation Purportedly Being Resolved.

The Notice is legally deficient because it fails to provide notice that the Project purportedly addresses (or that the Planning Commission will consider) the resolution of Code Violation No. 23-047 (the "Code Violation").[1]

Specifically, the Notice indicates that the hearing will consider Coastal Development Permit No. 23-034 and Minor Modification No. 25-009. It makes no mention of the Code Violation. The actual agenda item, meanwhile, indicates that the subject of the hearing also includes Code Violation No. 23-047, and the Staff Report indicates that "[a]fter the CDP is approved and upon final inspection of the project, the code violation case will be closed." (Staff Report, p. 3.) The draft Resolution also discusses the Code Violation as part of the Application. (See Draft Resolution 25-76, Section 1, Recital A ["On May 17, 2023, an application for Coastal Development Permit (CDP) No. 23-034 and Code Violation (CV) No. 23-047 was submitted to the Planning Division by applicant, Schmitz and Associates, Inc., on behalf of the owner, Bluff Top 1 LLC."].)

Under the Coastal Act regulations, The public hearing must be conducted "in any … manner reasonably calculated to give interested persons an opportunity to appear and present their viewpoints, either orally or in writing." (Cal. Code Regs., tit. 14, § 13566.) And Malibu's LIP requires all application numbers and all development being considered to be summarized in the notice. (See LIP § 13.12.1 [requiring the notice to include the application number(s) being heard and the development being considered].)

By failing to mention the Code Violation, the general public remains unaware that the hearing affects its resolution. In so doing, the City denies potentially interested persons the opportunity to be heard in violation of the LIP, the Coastal Act regulations, and due process. As such, the meeting must be continued and re-noticed.

II. The City Failed to Properly Notice State, Regional, and Local Agencies.

Among the parties required to be provided with notice, the Local Implementation Plan ("LIP") requires the City to provide notice to "[l]ocal, regional and state agencies known to be interested in the project including but not limited to: Los Angeles County, Ventura County, NPS, SMMC, CDPR, CDFG, NMFS, USFWS." (LIP § 13.12.1.A.4.) Further, "[t]he public hearing may

[1] Our Client's question the ability and propriety of resolving code violations by approving new development rather than through the City's designated administrative procedures for code violations, and our Clients reserve the right to challenge the propriety of this approach.

be conducted in accordance with existing local procedures or in any other manner reasonably calculated to give interested persons an opportunity to appear and present their viewpoints, either orally or in writing." (Cal. Code Regs., tit. 14, § 13566.)

Here, Ms. Brooks stated by email on October 10, 2025, that the City sent following agencies notice of the hearing:

- L.A. County
- Department of Regional Planning
- County of Ventura, Attn: Planning Dept.
- US Fish and Wildlife Service
- National Park Service
- Development, US Army Corps of Engineers, LA Dist., ATTN: Regulatory Div.
- CESPL-RG, Dept. of Transportation, Dist. 7, Regional Planning
- IRG/CEQA Branch, RWQCB, Region 4 c/o Jenny Newman, Santa Monica Mountains Conservancy
- Calif. Dept. of Parks & Recreation
- National Marine Fishery Service
- California Coastal Commission, So. Central Coast District
- California Dept. of Fish & Game, So. Coast Region-CEQA Program,
- California Department of Pesticide Regulation,
- Pepperdine University, Dir. Of Regulatory Affairs Rhiannon Pregitzer
- Malibu Times
- Santa Monica Baykeeper

Respectfully, while our Clients appreciate the effort to provide notice to a wide range of agencies, the City failed to provide notice to any agencies related to American Indians, despite the fact that shells and tools were discovered on the Site and despite the fact that the archaeological study for the Site "indicates that potential cultural resources are located on the project site." (See Archaeology Review (ARC) No. 23-014, attached as **Exhibit B**.) Indeed, the City originally notified the California Native American Heritage Commission ("NAHC") of these issues, but did not notify NAHC that this hearing was occurring. (Exh. A, p. 1, 3.)

Despite acknowledging that NAHC constituted an agency known to be interested in the project (LIP § 13.12.1.A.4), the City failed to provide the NAHC notice of the public hearing on the Project. Nor did the City notify any other state entities with relevant American Indian or cultural resource expertise, such as the Governor's Office of Tribal Affairs, the California Department of Justice Office of Native American Affairs ("ONAA"), or the California Natural Resources Agency's Tribal Affairs office—much less any tribes (e.g., Chumash) themselves. Without this, the notice from the City is not "reasonably calculated to give interested persons an opportunity to appear and present their viewpoints." (Cal. Code Regs., tit. 14, § 13566.)

This omission is not a mere technical defect. As will be explained in subsequent correspondence, the City also failed to conduct supplemental Phase I investigations or a Phase II investigation despite confirmed on-site cultural materials, and it further failed to prepare a mitigated negative declaration or environmental impact report to evaluate the project's potential effects on cultural resources as required by the LIP and in violation of the California Environmental Quality Act ("CEQA"). These are precisely the kinds of issues that agencies with American Indian expertise are best suited to speak to.

Accordingly, the hearing must be continued to allow proper notice to the appropriate agencies.

Very truly yours,

JACKSON D. McNEILL
Elkins Kalt Weintraub Reuben Gartside LLP

JDM:jdm

cc: PlanningCommission@malibucity.org
Rebecca Evans (revans@malibucity.org)

EXHIBIT A

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

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, October 20, 2025, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

COASTAL DEVELOPMENT PERMIT NO. 23-034 AND MINOR MODIFICATION NO. 25-009 - An application to construct new two-story, 18-foot high, 4,856 square foot single-family residence, including a 791 square foot attached garage and a 824 square foot second-story second unit, landscaping, hardscape, grading, fire department turnaround area, vehicular access gate, and the installation of a new onsite wastewater treatment system; including a minor modification for up to a 50 percent reduction of the front yard setback

LOCATION / APN / ZONING:	**33008 Pacific Coast Hwy** / 4473-017-009 / Rural Residential-Two Acre (RR-2)
APPLICANT / OWNER:	Schmitz & Associates, Inc. / Bluff Top 1 LLC
APPEALABLE TO:	City Council and California Coastal Commission
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303(a) and 15303(e)
APPLICATION FILED:	May 17, 2023
CASE PLANNER:	Raneika Brooks, Principal Planner, rbrooks@malibucity.org (310) 456-2489, ext. 276

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

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

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

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

YOLANDA BUNDY, Community Development Director Date: October 9, 2025

EXHIBIT B

City of Malibu

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

June 26, 2023

Arfakhashad Munaim
EPD Consultants, Inc
Carson, CA 90745

Reference: **ARCHAEOLOGY REVIEW (ARC) NO. 23-014**
33008 Pacific Coast Highway
Archaeology Review Phase I

Dear Mr. Munaim:

On **May 2, 2023**, the application listed above was submitted to the City of Malibu Planning Department for processing. Planning Department staff has completed a review of the Phase I Archaeological Study, dated March 20, 2023, prepared by Matthew A. Boxt Ph.D., Consulting Archaeologist for Blufftop 1, LLC for the subject site at 33008 Pacific Coast Highway (APN 4473-017-009). The study indicates that potential cultural resources are located on the project site.

To mitigate potential impacts on unknown archaeological resources to a level of insignificance, Blufftop 1, LLC will implement the following mitigation measures:

1. **Prior to beginning any ground-disturbing activities, all involved construction personnel will be informed about the potential for discovery of archaeological resources and/or human remains, and the appropriate measures to be taken should such resources be uncovered.**
2. **A qualified archaeologist will be on-site during all ground disturbing construction activities with the authority to suspend work in the event that potentially important archaeological resources are discovered. If such an event occurs, all construction activities in the vicinity of the affected area will be suspended, and a qualified Chumash cultural resources monitor will be contracted by the applicant. An appropriate buffer area shall be established by the Project Archaeologist and Native American monitor around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. By following these recommendations, Blufftop 1, LLC will ensure the preservation of these fragile and non-renewable cultural resources.**

Based on the information submitted, the applicant **may proceed with obtaining an excavation permit through City Geotechnical Staff with the conditions listed above.** In addition, **no geologic trenching, soil borings, ground clearance, grading, equipment placement, or similar surface-disturbing impacts shall be allowed within 30 feet of the northern property boundary**. When completed, please submit a report describing the archaeologist's findings.

In the event that potentially important cultural resources are found in the course of geologic testing or any other activity, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Where, as a result of

this evaluation, the Director determines that the project may have an adverse impact on cultural resources; a Phase II Evaluation of cultural resources shall be required pursuant to Malibu Municipal Code Section 17.54.040(D).

If a human bone or any other human remains are discovered, the procedures described in Health and Safety Code Section 7050.5 must be followed. The property owner or his/her representatives (i.e., architect, contractor, etc.) must notify the Los Angeles County coroner. If the coroner determines that the remains are those of a Native American, the applicant must notify the Native American Heritage Commission by phone within 24 hours. Following notification of that organization, the procedures described in Public Resources Code Sections 5097.94 - 5097.98 must be followed.

If you have any questions regarding this matter, please contact me at (310) 456-2489, extension 295.

Sincerely,

Coli Turner

Coli Turner
Planning Technician

cc: Native American Heritage Commission

City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

June 26, 2023

Native American Heritage Commission
1550 Harbor Blvd. Suite 100
West Sacramento, CA 95691

Reference: **ARCHAEOLOGY REVIEW (ARC) NO. 23-014**
3308 Pacific Coast Highway, Malibu, CA 90265
Archaeology Review Phase I

To whom it may concern:

Please find the enclosed cultural resource clearance for your review and comment pursuant to City of Malibu Local Coastal Program Local Implementation Plan Section 11.3.

If you have any questions or comments regarding this matter, please contact our office at (310) 456-2489.

Sincerely,

Coli Turner

Coli Turner
Planning Technician

Received
10/15/2025
Planning Div.

ELKINS KALT

Jackson D. McNeill
D: (310) 746-4424
JMcneill@elkinskalt.com
Ref: 15289-0001

Elkins Kalt Weintraub Reuben Gartside LLP

October 15, 2025

VIA E-MAIL

Kellan Martz, Deputy City Attorney
c/o Best Best & Krieger LLP
300 South Grand Avenue, 25th Floor
Los Angeles, CA 90071
Email: kellan.martz@bbklaw.com

Raneika Brooks, Principal Planner
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Email: rbrooks@malibucity.org

Re:	City Must Continue Hearing on CDP No. 23-034 and Minor Mod. No. 25-009 Due to Incomplete Application
Address:	33008 Pacific Coast Highway, Malibu, California
Meeting:	October 20, 2025
Item #:	5A

Dear Kellan and Raneika:

Our firm represents Unkowningly Devolving LLC and Mark and Tamara Mackey (collectively, our "Clients"), the owners of the real property and single-family residences located at [redacted] and [redacted] Pacific Coast Highway in Malibu, California, respectively. Bluff Top 1 LLC submitted an application for a Coastal Development Permit (CDP No. 23-034) and Minor Modification (Minor Modification No. 25-009) (together, the "Application") to construct a new single-family residence and associated development (the "Project") at 33008 Pacific Coast Highway (the "Property"). The Application is presently scheduled for a public hearing before the Planning Commission on October 20, 2025.

As discussed below, the hearing must be continued—or, alternatively, the Application denied—because the Application remains legally incomplete. Specifically, the Applicant failed to consult with the State Lands Commission as required by the City's Local Implementation Plan ("LIP"), and the LIP expressly states that this failure renders the Application incomplete. In addition, because our Clients and other property owners along the private easement road hold property interests in the portion of the easement affected by the proposed development, the LIP requires the Applicant to invite these owners to join as co-applicants. The Applicant has made no such effort.

CC: Planning Commission, PD,

Recording Secretary, File

T: 310.746.4400 F: 310.746.4499
10345 W. Olympic Blvd, Los Angeles, CA 90064 | elkinskalt.com

Date Received 10/15/2025 Time 4:37pm
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 28

I. The Application Remains Incomplete and the LIP Precludes a Hearing Because Applicant Failed to Consult with the State Lands Commission.

The Project qualifies as "shoreline development" under the Coastal Act and Malibu's Local Implementation Plan ("LIP"). The Site lies directly along the Pacific Ocean; state tidelands form its southern parcel boundary; and the proposed improvements sit atop a coastal bluff subject to coastal wave action. Indeed, staff's September 1, 2023, incomplete letter noted that "[d]ue to the fact the project abuts the ocean per LIP Section 10.5(C) a Determination from the California State Lands Commission is required." We attach an excerpt from this incomplete letter as **Exhibit A**.

As such, the LIP requires the Applicant to submit "written evidence of a review and determination from the State Lands Commission relative to the proposed project's location to or impact upon the boundary between public tidelands and private property." (LIP § 10.5(C).) Critically: "**Such determination [is] a filing requirement for a Coastal Development Permit**," and "**any application filed without such determination shall be determined to be incomplete**." (*Id.* [emphasis added]; see also LIP § 13.6.2 ["Applicants for development along the shoreline property or fronting a beach shall submit written evidence of a review and determination from the California State Lands Commission relative to the project's location to or impact upon the boundary between public tidelands and private property."].)

The Applicant has not provided this required written evidence, and neither the Staff Report nor any attachments reference or include such documentation. In fact, staff records personnel Jason Ernst indicated by email on October 14, 2025, that "[r]here was a note in the database stating that a state land's letter is not required for this project." We attach this email as **Exhibit B**. In conversations with staff, staff also indicated that the former planning director believed that such a consultation was not required because the Project did not impact state tidelands.

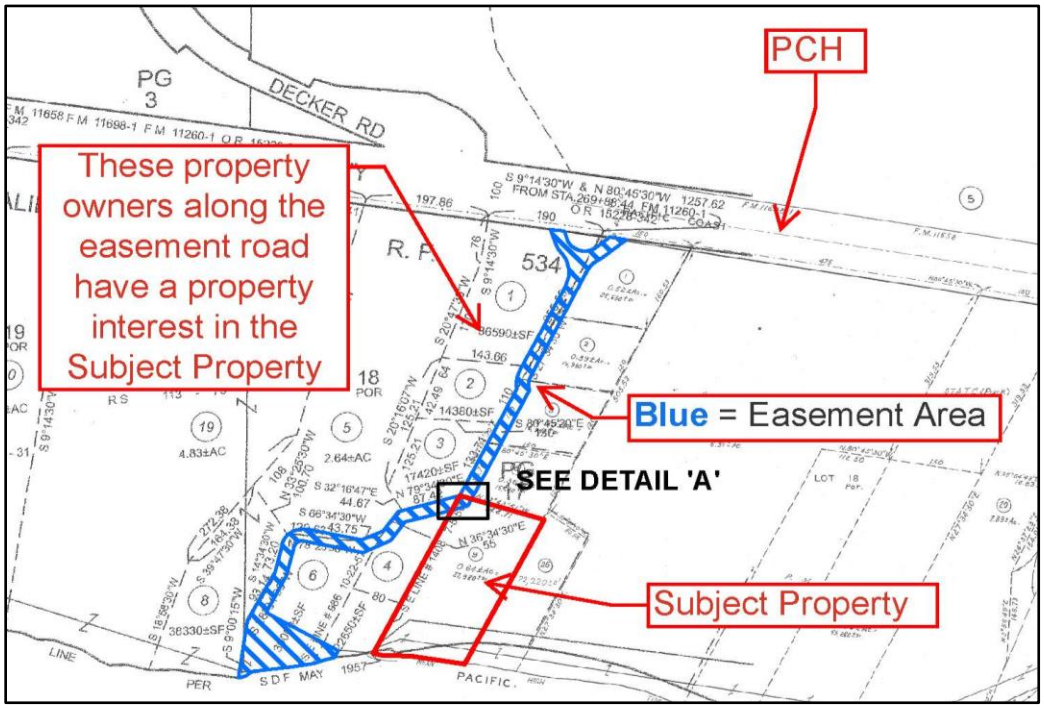
The LIP, however, does not give the planning director or any other City personnel discretion to avoid the consultation requirement, which states in black and white that applicants "**shall**" submit written evidence of a determination (LIP § 10.5(C), emphasis added) and that, without such determination, the Application "**shall** be determined to be incomplete." (LIP § 13.6.2, emphasis added) In other words, respectfully, City staff unlawfully substituted its own judgment for that of the State Lands Commission.

The omission renders the application incomplete as a matter of law. Accordingly, the Commission must either deny the application or continue the hearing until the required State Lands Commission determination has been provided.

II. The Applicant and City Failed to Invite Parties with Property Interests to Join as Co-Applicant in Violation of the LIP.

The Malibu LIP states that "[a]ll holders or owners of any other interest of record in the affected property shall be notified in writing of the permit application and invited to join as co-applicant." (LIP § 13.6.2.C.) This requirement is not new or unique: The Coastal Commission also requires developers to invite interests holders to join an application as co-applicants. (Cal. Code Regs., tit. 14, § 13053.5.) To provide just one example, in CDP 4-12-026, the applicant proposed grading and paving in an area containing an access easement. (See Staff Report, CDP 4-12-026, May 23, 2013, p. 19 ["A portion of the proposed driveway is located within an existing access easement on the adjoining parcel to the west."].) Citing the above regulations, the Commission made sure that the holder of the easement was invited to join as a co-applicant. (*Id.* ["A letter was sent by staff … inviting this property owner (Michael and Renee Taylor), 29204 Heathercliff Road, Malibu, CA 90265) to join this application as a co-applicant if they so choose (Exhibit 9)."].)

Here, the Property is subject to an easement road that connects several properties along the easement road to Pacific Coast Highway. This is shown on the Project plans. (See Plans, Sheet T-2.1 [Survey].) The following depiction, prepared by Client's title company, Chicago Title, and marked up by our firm, shows the area of the easement road:



Similarly, the grant deed for the Property, attached as **Exhibit C**, reflects this easement. The easement deed, attached as **Exhibit D**, also memorializes this easement.

Importantly, all properties on the easement road have a right to use the entire easement as the easement was granted to "each party" to the easement agreement "along and under said strip of land to the end," stating "that said easements shall be used and enjoyed by said owners and their successors and assigns." (Exh. D p. 4.) The easement deed reiterates this point, noting that the easement is "appurtenant to and for the common benefit of all of the said lands, or portions thereof, above referred to." (*Id.*.) The grant deed for the property, likewise, notes that there is "AN EASEMENT FOR ROAD AND UTILITY PURPOSES, TO BE USED IN COMMON WITH OTHERS…." (Exh. C, p. 6.) Because these owners hold an easement over the Property, they have a property interest in it. (See, e.g., *County Sanitation Dist. v. Watson Land Co.* (1993) 17 Cal.App.4th 1268, 1278 ["An easement is an incorporeal interest in the land of another…."].) Notably, the Project involves the creation of a fire turnaround in this area.

In light of this issue, staff acknowledged in its last incomplete letter, dated February 10, 2025 (an excerpt of which is attached as **Exhibit E**), that "Staff has been made aware that improvements are proposed within the access easement. Pursuant to LIP Section 13.6.2, all holders or owners of the easement shall be notified in writing of the subject permit application and invited to join as co-applicant."

Nevertheless, to our Client's knowledge, **no easement holders were ever invited to join the application as co-applicant**. Further, no such invitation is included in the materials before this commission. Because the City and Applicant failed to invite interest holders to join as co-applicants, the application was, at best, incomplete and cannot be acted upon now. Accordingly, the hearing must be continued or, alternatively, denied. (See, e.g., LIP §§ 13.10 [providing notice and hearing procedures for a "complete application"], 13.6.1(B) [Planning Department cannot take action on an application until it is determined to be complete].)

Please contact me with any questions.

Very truly yours,

JACKSON D. McNEILL
Elkins Kalt Weintraub Reuben Gartside LLP

cc: Trevor Rusin (trevor.rusin@bbklaw.com)

EXHIBIT A

City of Malibu

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

September 1, 2023

Schmitz and Associates, Inc.
ATTN: Arfakhashad Munaim
28118 Agoura Road, Suite 200
Agoura Hills, CA 91301

Sent via email: amunaim@schmitzandassociates.net

Reference: **COASTAL DEVELOPMENT PERMIT (CDP) No. 23-034**
CODE VIOLATION NO. 23-047
33008 Pacific Coast Highway, Malibu, CA 90265
An application for a new two-story single-family residence, onsite wastewater treatment system, landscaping, grading, and associated development including the abatement of a code violation related to unpermitted fencing, landscaping, etc.

Dear Mr. Munaim:

On **May 17, 2023,** the application listed above was submitted to the City of Malibu's Planning Department for processing. The subject property is located at 33008 Pacific Coast Highway (APN 4473-017-009) and is zoned Rural Residential – Two Acres (RR-2). The subject property is within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post – Local Coastal Program Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

Our Planning Department Staff has completed an initial review of the application and determined on **September 1, 2023,** that the application submitted was **INCOMPLETE and will require further information.** To continue processing the application, please address the following items.

1. Staff must visit the property to photograph and document existing site conditions. Please contact me at (310) 456-2489, extension 276, or rbrooks@malibucity.org to schedule a site visit.

2. Due to the fact the project abuts the ocean per LIP Section 10.5(C) a Determination from the California State Lands Commission is required. Please contact Mr. Drew Simpkin at (916) 574-2275 or at drew.simpkin@slc.ca.gov for submittal requirements or review status. Please note that this process takes a substantial amount of time and should be started if it hasn't been already.

3. Please provide information related to the location of the nearest public beach access point (s), what type of access exists, and whether the access is open to the public.

4. Please confirm if improvements to the access easement are proposed.

Zoning Conformance

5. Based on the information provided, the project appears to exceed the following zoning requirements:

EXHIBIT B

Anna Feng

To: Jackson D. McNeill
Subject: RE: Re: 33008 PCH

From: Jason Ernst <jernst@malibucity.org>
Sent: Tuesday, October 14, 2025 11:40 AM
To: Jackson D. McNeill <JMcNeill@elkinskalt.com>
Cc: Kenneth A. Ehrlich <KEhrlich@elkinskalt.com>
Subject: RE: Re: 33008 PCH

---EXTERNAL EMAIL: Do not click links or attachments unless you recognize the sender and know the content is safe---

There was a note in the database stating that a state land's letter is not required for this project.

Sincerely,

Jason Ernst
Senior Office Assistant | Community Development Department
Office: (310) 456-2489 ext.284 | Mobile: (424) 422-2485
23825 Stuart Ranch Road | Malibu, CA 90265

EXHIBIT C

RECORDING REQUESTED BY:
Equity Title Company

AND WHEN RECORDED MAIL To

Bluff Top 1 LLC
33010 Pacific Coast Highway
Malibu, CA. 90265

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.: 3910121-11401 **Escrow No.:** 020980
AP#: 4473-017-009

GRANT DEED

88

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX is $8,470.00
[X] computed on full value of property conveyed, or
[ ] computed on full value less value of liens or encumbrances remaining at time of sale.
[ ] Unincorporated area [X] City of Malibu **AND**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Richard L. Hudspeth, a Married Man as to an undivided 50% interest and Beverly Ann Hudspeth, a Married Woman,as to an undivided 50% interest as Tenants in Common

hereby GRANT(s) to:

Bluff Top 1 LLC, a California limited liability company

the real property in the City of Malibu, County of Los Angeles, State of California, described as:
LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF
Also Known as: Vacant land - 33008 Pacific Coast Highway, Malibu, CA 90265

Dated November 19, 2021

Richard L. Hudspeth

THIS DOCUMENT IS BEING SIGNED IN COUNTERPART

Beverly Ann Hudspeth

1 of 2

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF San Diego
On Dec. 23, 2021 before me, Matilda Hernandez, A Notary Public personally appeared Richard L. Hudspeth who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature _____ (Seal)

MATILDA HERNANDEZ
Commission No. 2331047
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
Commission Expires August 2, 2024

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS SHOWN ABOVE:

GOVERNMENT CODE 27361.7

I certify under penalty of perjury that the Notary Seal on the document to which this Statement is attached reads as follows:

NAME OF THE NOTARY: _____

DATE COMMISSION EXPIRES: _____

COUNTY WHERE BOND IS FILED: _____

COMMISSION NUMBER: _____ VENDOR#: _____

I certify under penalty of perjury and the laws of the State of California that the illegible portion of this document to which this statement is attached reads as follows:

SHOWN ABOVE:

PLACE OF EXECUTION: Glendale, CA DATE: 12/28/2021

Equity / Progressive Title , Recording Clerk , as agent

Adrineh Zargarian

Adrineh Zargarian

Signature

RECORDING REQUESTED BY:
Equity Title Company

AND WHEN RECORDED MAIL To

Bluff Top 1 LLC
33010 Pacific Coast Highway
Malibu, CA. 90265

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.: 3910121-11401 **Escrow No.:** 020980
AP#: 4473-017-009

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX is $
[X] computed on full value of property conveyed, or
[ ] computed on full value less value of liens or encumbrances remaining at time of sale.
[ ] Unincorporated area [X] City of Malibu **AND**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Richard L. Hudspeth, a Married Man as to an undivided 50% interest and Beverly Ann Hudspeth, a Married Woman,as to an undivided 50% interest as Tenants in Common

hereby GRANT(s) to:

Bluff Top 1 LLC, a California limited liability company

the real property in the City of Malibu, County of Los Angeles, State of California, described as:
LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF
Also Known as: Vacant land - 33008 Pacific Coast Highway, Malibu, CA 90265

Dated November 19, 2021

THIS DOCUMENT IS BEING SIGNED IN COUNTERPART 2 of 2

Richard L. Hudspeth

Beverly Ann Hudspeth

Beverly Ann Hudspeth

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF Amador
On December 23rd, 2021 before me, JONATHAN GOUNDAR, A Notary Public personally appeared Beverly Ann Hudspeth who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature _____ (Seal)

See Attached

JONATHAN GOUNDAR
Notary Public - California
Amador County
Commission # 2310454
My Comm. Expires Oct 25, 2023

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS SHOWN ABOVE:

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of AMADOR)

On DECEMBER 23RD, 2021 before me, JONATHAN GOUNDAR, NOTARY PUBLIC
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

JONATHAN GOUNDAR
Notary Public - California
Amador County
Commission # 2310454
My Comm. Expires Oct 25, 2023

Signature _____ **(Seal)**

EXHIBIT "A"

PARCEL 1:

THAT PORTION OF THE RANCHO TOPANGA MALIBU SEQUIT, IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1, PAGE 407, ET SEQ, OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF THE 80 FOOT STRIP OF LAND DESCRIBED IN THE DEED FROM T. R. CADWALADER, TRUSTEE, TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228 PAGE 342, OF OFFICIAL RECORDS OF SAID COUNTY, DISTANT THEREON NORTH 80° 45' 30" WEST 1107.62 FEET FROM A POINT BEARING SOUTH 9° 14' 30" WEST 40 FEET FROM ENGINEER'S CENTER LINE STATION 269 PLUS 88.44 AT THE EASTERLY EXTREMITY OF THAT CERTAIN COURSE IN THE CENTER LINE OF SAID 80 FOOT STRIP OF LAND DESCRIBED IN SAID DEED AS SOUTH 80° 45' 30" EAST 7702.63 FEET; THENCE NORTH 80° 45' 30" WEST 150.00 FEET; THENCE SOUTH 27° 34' 30" WEST TO THE ORDINARY HIGH TIDE OF THE PACIFIC OCEAN; THENCE EASTERLY ALONG SAID TIDE LINE TO A LINE BEARING SOUTH 27° 34' 30" WEST FROM THE POINT OF BEGINNING; THENCE NORTH 27° 34' 30" EAST TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID LAND LYING NORTH OF A LINE BEARING NORTH 72° 43' 51" WEST 144.71 FEET FROM A POINT IN THE SOUTHEAST LINE OF SAID LAND DISTANT THEREON SOUTH 27° 34' 30" WEST 520.53 FEET FROM THE NORTHEAST CORNER OF SAID LAND TO A POINT IN THE NORTHWEST LINE OF SAID LAND DISTANT THEREON SOUTH 27° 34' 30" WEST 499.24 FEET FROM THE NORTHWEST CORNER OF SAID LAND.

EXCEPT THEREFROM ALL MINERALS, OIL, PETROLEUM, ASPHALTUM, GAS, COAL AND OTHER HYDROCARBON SUBSTANCES CONTAINED IN, ON, WITHIN AND UNDER SAID LAND, BUT WITHOUT THE RIGHT OF ENTRY, AS RESERVED IN THE DEED FROM MARBLEHEAD LAND COMPANY, A CORPORATION RECORDED ON NOVEMBER 13, 1942 IN BOOK 19637 PAGE 347, OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL 2:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES, TO BE USED IN COMMON WITH OTHERS, OVER THAT PORTION OF RANCHO TOPANGA MALIBU SEQUIT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1 PAGE 407, ET SEQ, OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, INCLUDED IN THAT CERTAIN BASEMENT DEED, EXECUTED BY EDWARD C. CAZIER ET AL., RECORDED MARCH 18, 1957 AS INSTRUMENT NO. 4281, IN BOOK 53956 PAGE 173, OF OFFICIAL RECORDS.

END OF LEGAL DESCRIPTION

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.

On March--- 14th, 1957, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared C. C. BAYLESS and ELMA E. BAYLESS, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

Notary Public in and for said County and State.

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.

On March--- 7, 1957, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared MELODILE C. HATHAWAY, known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.

WITNESS my hand and official seal.

4281

DOCUMENT No. ----------
RECORDED AT REQUEST OF

MAR 18 1957
56 MIN. PAST 2 P.M.

OFFICIAL RECORDS
RAY E. LEE, RECORDER
LOS ANGELES COUNTY, CALIF.

4281

Notary Public in and for said County and State.

LOUIS T. BUSCH
My Commission Expires April 6, 1959

EXHIBIT D

E A S E M E N T D E E D

The undersigned, EDWARD C. CAZIER and RUTH D. CAZIER, husband and wife, as joint tenants, owners of the parcels of real property in the County of Los Angeles, State of California, hereinafter referred to as "said lands", described in those certain grant deeds from C. C. Bayless and Elma E. Bayless, husband and wife, to Edward C. Cazier and Ruth D. Cazier, husband and wife, as joint tenants, recorded in Book 51643, Page 389 of Official Records of Los Angeles County, and from Melodile G. Hathaway to Edward C. Cazier and Ruth D. Cazier, husband and wife, as joint tenants, recorded in Book 53216, Page 13 of Official Records of said county; and

AMRE BUSCH, an unmarried woman, owner of the real property in the County of Los Angeles, State of California, hereinafter referred to as "said lands", described in that certain grant deed from C. C. Bayless and Elma E. Bayless to Amre Busch, an unmarried woman, recorded in Book 51643, Page 370 of Official Records of said county; and

ELVIN M. ANDERSON and JUNE B. ANDERSON, husband and wife, as joint tenants, owners of the parcels of real property in the County of Los Angeles, State of California, hereinafter referred to as "said lands", described in those certain grant deeds from C. C. Bayless and Elma E. Bayless to Elvin M. Anderson and June B. Anderson, husband and wife, as joint tenants, recorded in Book 51643, Page 392 of Official Records of said county, and

from Melodile G. Hathaway to Elvin M. Anderson and June B. Anderson, husband and wife, as joint tenants, recorded in Book 53216, Page 15 of Official Records of said county; and

LOUIS T. BUSCH and DORIS M. BUSCH, husband and wife, as joint tenants, owners of the parcel of real property in the County of Los Angeles, State of California, hereinafter referred to as "said lands", described in that certain grant deed from C. C. Bayless and Elma E. Bayless to Louis T. Busch and Doris M. Busch, husband and wife, as joint tenants, recorded in Book 51643, Page 378 of Official Records of said county; and

BEVERLY HILLS NATIONAL BANK AND TRUST COMPANY, a corporation, Trustee, and MELODILE G. HATHAWAY, a widow, beneficiary, under deeds of trust recorded December 27, 1956 as Document Nos. 1315, 1316 and 1317, recorded in Book 53216 Pages 194, 188, and 182, respectively, Official Records of Los Angeles County, covering the property described in a grant deed from said beneficiary to Elvin M. Anderson and June B. Anderson, recorded in Book 53216, Page 15 of Official Records of said county; and

BEVERLY HILLS NATIONAL BANK AND TRUST COMPANY, a corporation, Trustee, and MELODILE G. HATHAWAY, a widow, beneficiary, under deed of trust recorded December 27, 1956 as Document No. 1313 in Book 53216 Page 331, Official Records, covering the real property described in a grant deed from said beneficiary to Edward C. Cazier and Ruth D. Cazier, husband and wife, as joint tenants, recorded in Book 53216 Page 13, Official Records; and

BEVERLY HILLS NATIONAL BANK AND TRUST COMPANY, a corporation, Trustee, and C. C. BAYLESS and ELMA E. BAYLESS, husband and wife, as joint tenants, beneficiaries, under deed of trust recorded July 5, 1956 as Document No. 1403 in Book 51643 Page 376, Official Records, covering the real property described in a grant deed from said beneficiaries to Amre Busch, recorded in Book 51643 Page 370, Official Records; and

BEVERLY HILLS NATIONAL BANK AND TRUST COMPANY, a corporation, Trustee, and C. C. BAYLESS and ELMA E. BAYLESS, husband and wife, as joint tenants, under deed of trust recorded July 5, 1956 as Document No. 1407 in Book 51648 Page 74, Official Records, covering the real property described in a grant deed from said beneficiaries to Elvin M. Anderson and June B. Anderson, husband and wife, as joint tenants, recorded in Book 51643 Page 392, Official Records; and

BEVERLY HILLS NATIONAL BANK AND TRUST COMPANY, a corporation, Trustee, and C. C. BAYLESS and ELMA E. BAYLESS, husband and wife, as joint tenants, beneficiaries, under deed of trust recorded July 5, 1956 as Document No. 1409 in Book 51643 Page 424, Official Records, covering the property described in a grant deed from said beneficiaries to Edward C. Cazier and Ruth D. Cazier, husband and wife, as joint tenants, recorded in Book 51643 Page 389, Official Records; and

BEVERLY HILLS NATIONAL BANK AND TRUST COMPANY, a corporation, Trustee, and C. C. BAYLESS and ELMA E. BAYLESS, husband and wife, as joint tenants, beneficiaries, under deed of trust recorded July 5, 1956 as Document No. 1405 in Book 51643 Page 382, Official Records, covering the real property described in

a grant deed from said beneficiaries to Louis T. Busch and Doris M. Busch, husband and wife, as joint tenants, recorded in Book 51643 Page 378, Official Records;

For the purpose of creating and establishing easements for road and utility purposes, with right of ingress and egress over, along and under the strip of land hereinafter described, as appurtenant to and for the common benefit of all of the said lands, or portions thereof, above referred to,

DO HEREBY GRANT each party hereto, to each and every other party hereto and each of their successors in the ownership of said lands, or portions thereof, easements for the purposes aforesaid over, along and under said strip of land to the end that said easements shall be used and enjoyed in common by said owners and their successors and assigns.

The strip of land over which said easements are hereby granted is described as follows:

That portion of the Rancho Topanga Malibu Sequit, in the County of Los Angeles, State of California, confirmed to Matthew Keller by Patent recorded in Book 1, Pages 407 et seq., of Patents, in the office of the county recorder of said county, included within a strip of land 20 feet wide lying 10 feet on each side of the following described center line:

Beginning at a point in the southerly line of the 80 foot strip of land described in the deed to the State of California recorded in Book 15228 Page 342 of Official Records of said county distant thereon North 80° 45' 30" West 1,330.93 feet from a point bearing South 9° 14' 30" West 40 feet from engineer's center line Station 269 plus 88.44 at the easterly extremity of that certain course in the center line of said 80 foot strip of land described in said deed as South 80° 45' 30" East 7702.63 feet; thence South 9° 14' 30" West 10.00 feet to the true point of beginning; thence South 80° 45' 30" East 22.45 feet to the beginning of a tangent curve concave northeasterly having a radius of 40 feet; thence southerly along said curve 13.97 feet to the beginning of a reversing curve concave southwesterly

having a radius of 60 feet, a radial line of said curve bears South 49° 13' 55" West; thence southerly along said curve 71.57 feet; thence tangent to said curve South 27° 34' 30" West 159.32 feet to the beginning of a tangent curve concave easterly having a radius of 42.71 feet; thence southerly along said curve 28.87 feet to the beginning of a reversing curve concave westerly having a radius of 42.71 feet; thence southerly along said curve 28.87 feet; thence tangent to said curve South 27° 34' 30" West 193.90 feet; thence South 79° 34' 30" West 104.15 feet; thence South 36° 34' 30" West 40.34 feet; thence South 66° 34' 30" West 43.75 feet; thence North 78° 25' 30" West 94.28 feet to the beginning of a tangent curve concave southeasterly having a radius of 25.00 feet; thence southwesterly along said curve 40.58 feet; thence tangent to said curve South 14° 34' 30" West 46.85 feet; thence South 28° 34' 30" West 93.14 feet; thence South 9° 00' 15" West to the ordinary high tide line of the Pacific Ocean.

Also, a like easement over that portion of said Rancho included within a strip of land 20 feet wide lying 10 feet on each side of the following described center line:

Beginning at the northeasterly terminus of the course above described having a bearing and a length of South 27° 34' 30" West 159.32 feet; thence North 27° 34' 30" East 37.29 feet to the beginning of a tangent curve concave southeasterly having a radius of 60.00 feet; thence northeasterly along said curve 35.42 feet to the beginning of a tangent curve concave northwesterly having a radius of 40 feet, a radial line of said curve bears North 28° 36' 19" West; thence northeasterly along said curve 6.42 feet; thence North 52° 12' 07" East 36.48 feet.

ALSO a like easement over that portion of said Rancho, bounded as follows: On the southwest by the Northeast line of the first described 20 foot strip; on the southeast by the northwest line of the second described 20 foot strip and bounded on the north by a curve concave northerly having a radius of 30 feet, said curve being tangent to said northeast and northwest lines.

Said 20 foot strips of land to terminate in the southerly line of Pacific Coast Highway 100 feet wide.

ALSO a like easement over that portion of said Rancho, described as follows:

Beginning at a point that is distant South 61° 25' 30" East 10.00 feet from the southerly terminus of the course above described having a bearing and a length of South 28° 34' 30" West 93.14 feet; thence South 61° 25' 30" East 140.00 feet; thence South 28° 34' 30" West to the ordinary high tide line of the Pacific Ocean; thence westerly along said tide line to a line bearing South 9° 00' 15" West and which passes through the point of beginning of this description; thence North 9° 00' 15" East to said point of beginning.

RESERVING therefrom unto the parties hereto, their successors and assigns, the right to grant similar easements to others and such easements as may be necessary to construct and maintain embankment and excavation slopes on the said lands adjoining the above described easements for road and utility purposes, with the right of entry thereon.

DATED this 5th day of March, 1957.

Edward C. Cazier

Edward C. Cazier

Ruth D. Cazier

Ruth D. Cazier

Amre Busch

Amre Busch

Elvin M. Anderson

Elvin M. Anderson

June B. Anderson

June B. Anderson

Louis T. Busch

Louis T. Busch

Doris M. Busch

Doris M. Busch

BEVERLY HILLS NATIONAL BANK AND TRUST COMPANY,
Trustee

By _____
Vice President and Trust Officer

By _____
Assistant Trust Officer

_____
C. C. Bayless

_____
Elsie E. Bayless

_____
Melodile G. Hathaway

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.

On March 8, 1957, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared EDWARD C. CAZIER, RUTH D. CAZIER, AMRE BUSCH, ELVIN M. ANDERSON, JUNE B. ANDERSON, LOUIS T. BUSCH and DORIS M. BUSCH, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

Notary Public in and for said
County and State.

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.

On March 14th, 1957, before me, a Notary Public in and for said County and State, personally appeared J. R. Pattillo and Donald B. Mullis, known to me to be the persons who executed the within instrument on behalf of the corporation therein named and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Notary Public in and for said
County and State.
My Commission Expires Nov. 20, 1957

Esc. 24168-A
Ord. #470789

RECORDED AT
REQUEST OF

WHEN RECORDED PLEASE MAIL TO
Beverly Hills National Bank and Trust Company
BOX 711, BEVERLY HILLS, CALIF.

LAW OFFICES OF
IRA L. SHERMAN
1028 ROWAN BUILDING
458 SOUTH SPRING STREET
LOS ANGELES 13
MADISON 9-2544

EXHIBIT E

City of Malibu

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

February 10, 2025

Schmitz and Associates, Inc.
ATTN: Arfakhashad Munaim
28118 Agoura Road, Suite 200
Agoura Hills, CA 91301 Sent via email: amunaim@schmitzandassociates.net

Reference: **COASTAL DEVELOPMENT PERMIT (CDP) No. 23-034**
CODE VIOLATION NO. 23-047
33008 Pacific Coast Highway, Malibu, CA 90265
An application for a new two-story single-family residence, onsite wastewater treatment system, landscaping, grading, and associated development including the abatement of a code violation related to unpermitted fencing, landscaping, etc.

Dear Mr. Munaim:

On **May 17, 2023,** the application listed above was submitted to the City of Malibu's Planning Department for processing. The subject property is located at 33008 Pacific Coast Highway (APN 4473-017-009) and is zoned Rural Residential – Two Acres (RR-2). The subject property is within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post – Local Coastal Program Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

Our Planning Department Staff has completed a review of the supplemental materials submitted and determined February 10, 2024**,** that the application submitted remains **INCOMPLETE and will require further information.** To continue processing the application, please address the following items.

1. ~~Staff must visit the property to photograph and document existing site conditions. Please contact me at (310) 456-2489, extension 276, or rbrooks@malibucity.org to schedule a site visit.~~

2. ~~Due to the fact the project abuts the ocean per LIP Section 10.5(C) a Determination from the California State Lands Commission is required. Please contact Mr. Drew Simpkin at (916) 574-2275 or at drew.simpkin@slc.ca.gov for submittal requirements or review status. Please note that this process takes a substantial amount of time and should be started if it hasn't been already.~~

3. ~~Please provide information related to the location of the nearest public beach access point (s), what type of access exists, and whether the access is open to the public.~~

4. Please confirm if improvements to the access easement are proposed.

   Update: Staff has been made aware that improvements are proposed within the access easement. Pursuant to LIP Section 13.6.2, all holders or owners of the easement shall be notified in writing of the subject permit application and invited to join as co-applicant. Please provide mailing data for the property owners that hold easement rights.

Received
10/17/25
Planning Div.

From: Jackson D. McNeill
To: Planning Commission
Cc: Yolanda Bundy; Raneika Brooks; Trevor Rusin; Kellan Martz; Kenneth A. Ehrlich; Marco A. Ornelas Lopez
Subject: Re: October 20, 2025, Planning Commission Agenda Item #5A - 33008 PCH / CDP No. 23-034 and Minor Modification No. 25-009
Date: Friday, October 17, 2025 12:19:31 PM
Attachments: image001.png
2025-10-17 33008 PCH Opposition Letter.pdf

To Whom It May Concern:

Our firm represents Unknowingly Devolving LLC and Mark and Tamara Mackey (collectively, our "Clients"). Our Clients submit the attached letter objecting to the proposed project at 33008 Pacific Coast Highway (CDP No. 23-034 and Minor Modification No. 25-009), scheduled as Item #5A on the Planning Commission's October 20, 2025, agenda. **Due to the size of the exhibits, the letter *with exhibits* may be found at the following link:**

https://elkinskalt.sharefile.com/public/share/web-s16c82d33203549c9a5b1178bbd224e2e

Please distribute this letter and the above link to Commissioners as soon as possible. Please contact me directly with any questions. Thank you.

Best,

Jackson D. McNeill
JMcNeill@elkinskalt.com
Direct Dial: (310) 746-4424 | Fax: (310) 746-4499 | Download VCard
Elkins Kalt Weintraub Reuben Gartside LLP
10345 W. Olympic Boulevard, Los Angeles, CA 90064
www.elkinskalt.com

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CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/17/25 Time 12:19pm
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 34

ELKINS KALT

Jackson D. McNeill
Direct: (310) 746-4424
Cell: (530) 941-8334
JMcNeill@elkinskalt.com
Ref: 15289-0001

Elkins Kalt Weintraub Reuben Gartside LLP

October 17, 2025

VIA E-MAIL AND U.S. MAIL

City of Malibu Planning Commission
23825 Stuart Ranch Road
Malibu, CA 90265
Email: planningcommission@malibucity.org

Re:	Objections to CDP No. 23-034 and Minor Modification No. 25-009
Address:	33008 Pacific Coast Highway, Malibu, California
Meeting:	October 20, 2025
Item #:	5A

Dear Commissioners:

Our firm represents Unknowingly Devolving LLC and Mark and Tamara Mackey (collectively, our "Clients"), the owners of the real property and single-family residences located at [redacted] and [redacted] Pacific Coast Highway in Malibu, California, respectively. Bluff Top 1 LLC ("Applicant") requests a Coastal Development Permit (CDP No. 23-034) and Minor Modification (Minor Modification No. 25-009) (together, the "Application") to construct a new single-family residence and associated development (the "Project") on a coastal bluff property at 33008 Pacific Coast Highway (the "Property"). Among other things, the Project proposes the maximum-allowed reduction to the coastal bluff setback (from 100 feet to 50 feet), the maximum amount of 2nd story floor area, a near-maximum reduction to the front yard setback (37%), and development in an ESHA buffer area.

The Application cannot be approved as proposed. This opposition is not about minor or technical defects. The Application disregards important substantive and procedural requirements, including ESHA protections, safeguards for archaeological resources, and compliance with the California Environmental Quality Act ("CEQA"). Nor is this an innocent Applicant: The Property remains subject to an open code-enforcement case (Code Violation No. 23-047) involving multiple violations, and our Clients present evidence of additional, ongoing violations, including the unpermitted construction of a path on the coastal bluff. On this record, the City cannot reward such conduct with a CDP or minor modification.

T: 310.746.4400 F: 310.746.4499
10345 W. Olympic Blvd, Los Angeles, CA 90064 | elkinskalt.com

SUMMARY OF OBJECTIONS COMPELLING DENIAL

Myriad grounds compel denying the Application, each of which is explained in detail below. We summarize them here:

- Because the Property includes ESHA buffer, the Project is subject to the ESHA overlay's "development area" limitation. The Applicant fails to calculate development area correctly and, even under Applicant's own calculation, the Project violates the development area cap. (See LIP § 4.7.1.)

- The ESHA overlay prohibits virtually all development in ESHA buffer areas. (LIP § 4.5.4.) Ignoring these requirements, the Project proposes a new solid wall, gates, pilasters, fencing, trench drain, fire turnaround and driveway, planter boxes, landscaping, and other improvements in the ESHA buffer. (See Plans, Sheet A-0.3 [Site Plan].)

- As our Client's biologist opines, the Applicant's biological assessment remains inaccurate and inadequate. It does not constitute the "reasonable, credible, or solid evidence" the law requires to support approval. (See *Doe v. University of Southern Calif.* (2016) 246 CA4th 221, 248-253.) Nor does it suffice under the LIP.

- The Project violates a condition of approval that prohibits grading or ground disturbing activities within 30 feet of the northern property line in order to protect cultural resources. (See Archaeology Review Sheet, p. 1.) In fact, the Project impermissibly proposes hundreds (if not thousands) of cubic yards of grading in this area.

- The project violates the Local Implementation Plan's ("LIP") archaeology requirements because the City failed to require additional "Phase I" archaeology investigations or the preparation of a Phase II archaeology report, despite the discovery of cultural artifacts and a record of artifacts on adjacent properties. (LIP § 11.3.) Under these circumstances, the LIP expressly requires the preparation of an Mitigated Negative Declaration ("MND") or Environmental Impact Report ("EIR") and makes the City's reliance on a Class 3 exemption impermissible. (*Id.*)

- The City states that no significant impacts on cultural resources exist because such impacts will be mitigated to a level of insignificance. But CEQA prohibits relying on such mitigation measures to obtain a categorical exemption. As such, the City

cannot rely on a categorical exemption from CEQA and must prepare an MND or EIR. In addition, unusual circumstances and potential impacts on environmental resources preclude the use of the Class 3 exemption.

- Because the Property lies along the coast and on a coastal bluff, the LIP requires the Applicant to consult with and obtain a written determination from the State Lands Commission before this Application can be heard. No evidence of such consultation exists. (LIP §§ 10.5(C), 13.6.2.(B).)

- Neighboring owners have a property interest in the Property and Application because they have an easement that allows them to use a portion of the Property that the Project affects. However, the City and Applicant failed to invite these owners to join as co-applicants as the LIP requires. (LIP § 13.6.2(C).)

- The City improperly uses the Application and this hearing to resolve code enforcement issues that the Malibu Municipal Code ("MMC") requires the City to resolve through its administrative enforcement powers. (MMC Ch. 1.10.)

- The Notice of Hearing did not comply with LIP requirements or Coastal Act regulations because the City did not send it all agencies known to have an interest in the Project, including the California Native American Heritage Commission, and because it failed to indicate that the code violations might be resolved through this hearing. (See LIP § 13.12.1; Cal. Code Regs., tit. 14, § 13566.)

- The Project's landscaping violates our Client's Primary View Determination ("PVD") and impairs bluewater views in contravention of LIP Chater 6.

- In light of the foregoing, the findings for a CDP and Minor Modification cannot be made.

- In addition, the Property's certificate of compliance ("CoC") under the Subdivision Map Act precludes the development because the Applicant has not complied with the CoC's conditions of approval.

- Finally, the Planning Commission should not reward a Property or Applicant with longstanding code violations with a CDP and Minor Modification.

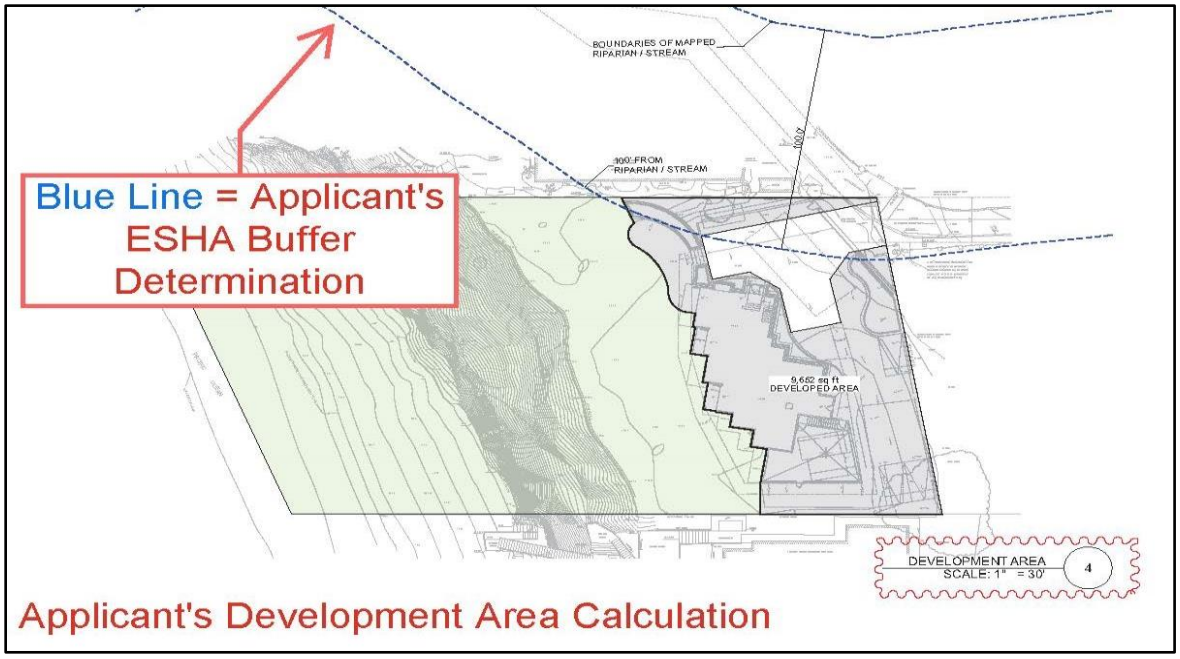
For all of these reasons, the Application should be denied.

ANALYSIS OF ISSUES COMPELLING DENIAL

I. ESHA & Biology Objections.

A. The Project Violates the ESHA Overlay Development Area Limitation.

As shown on the Project Plans, the Project lies partially within an ESHA buffer. (See, e.g., Plan Sheet A-0.2, showing new planters, gates, walls, pilasters, and fencing located behind a line labeled "approx. 100' from ESHA boundary.") Our Clients' biologist team, Amigo Environmental, LLC ("Amigo"), prepared a peer-review of the Applicant's biological assessment (the "Amigo Report"), attached as **Exhibit A**, which likewise states that "at least a portion of the subject property and proposed Project may be located within an ESHA buffer and/or within 100 feet of protected of riparian habitat." (*Id.* at 4.) Accordingly, the Project must comply with the development-area limitations that apply to such projects. Indeed, Applicant admits as much by purporting to demonstrate compliance with the development area limitation on Sheet A-0.3 of the Plans. (See Sheet A-0.3, below, marked-up.)



Importantly, pursuant to LIP section 4.7.1, the allowable "development area is limited to 10,000 square feet or 25 percent of the total lot area, whichever is less. (LIP § 4.7.1.) Based upon the gross lot area of 37,786 square feet, the Project's allowable development area would be limited

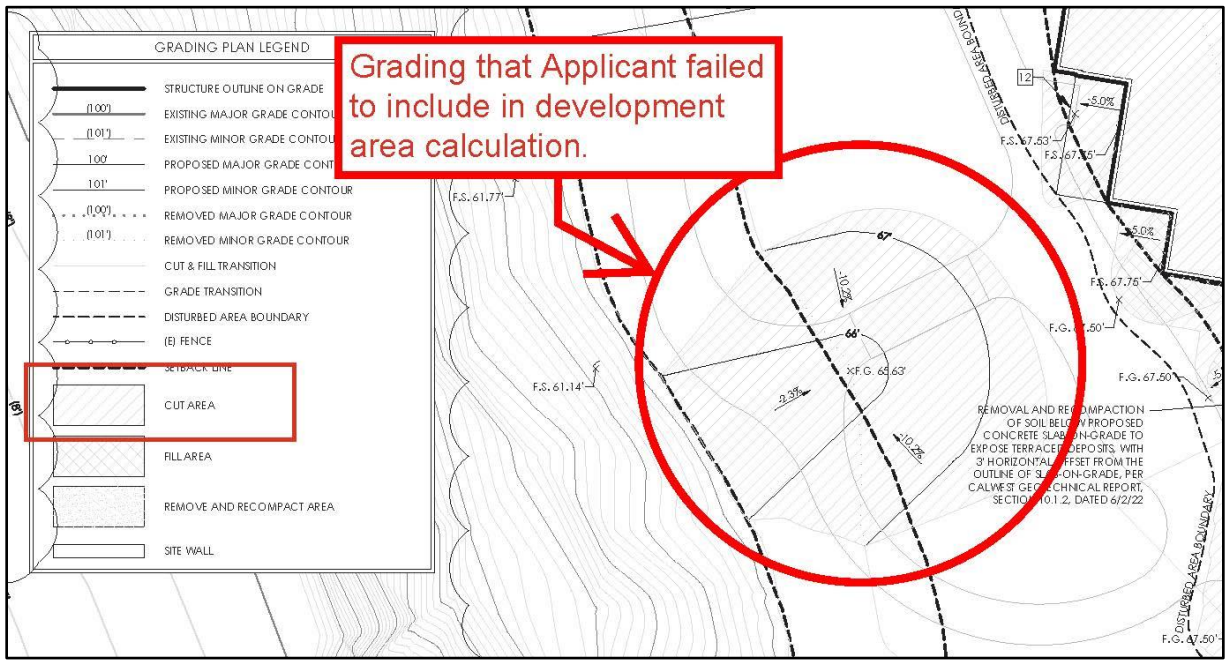
to approximately 9,446.5 square feet. Unlike total development square footage ("TDSF"), development area includes all structures (such as walls, fences, and gates), as well as all graded and parking areas. (See LIP § 2 [defining "development area" as "the approved portion of a project site that is developed, including … all graded slopes, all structures, and parking areas"].)

Here, the Applicant purportedly demonstrates compliance with the development area limitation on Sheet A-0.3, showing a total development area of 9,652 square feet. (See Plans, Sheet A-03.)

However, at least three critical flaws exist with Applicant's calculation:

1. Applicant provides no breakdown, legend, or methodology for its development area calculation other than an unlabeled, unhelpful graphical depiction, making it impossible for staff, the public, or this Commission to confirm that Applicant correctly calculated development area. The Commission should request that Applicant provide a tabular breakdown of the development area calculation.

2. Applicant incorrectly excluded significant portions of the Property from development. For example, a large, circular area of grading is proposed near the coastal bluff, apparently to provide a catch basin for drainage:



Applicant plainly failed to include this area in development area, even though the LIP defines development area to include "all graded and parking areas." (See LIP § 2.) Indeed, Sheet C-3.0 of the civil engineering plans identifies 12,603.6 square feet of "disturbed area," or grading over approximately 0.29 acres—plainly exceeding the 9,446.5 square-foot development-area limitation.[1]

3. Even assuming the Applicant correctly calculated development area, **the Applicant's purported 9,652 square feet of development area exceeds the 9,446.5 square-foot cap**. Thus, the Project still violates the code.

Accordingly, the Project violates the development area limitation and cannot be approved as proposed. At a minimum, the Applicant must provide detailed calculations demonstrating compliance with the LIP's development-area restriction.

B. The Project Must Be Revised to Comply With the ESHA Buffer Permitted Use Regulations.

The City's ESHA overlay ordinance prohibits virtually all development within ESHA and ESHA buffer areas. As to buffer areas, it states that "[d]evelopment in the following habitats is limited to the uses listed below":

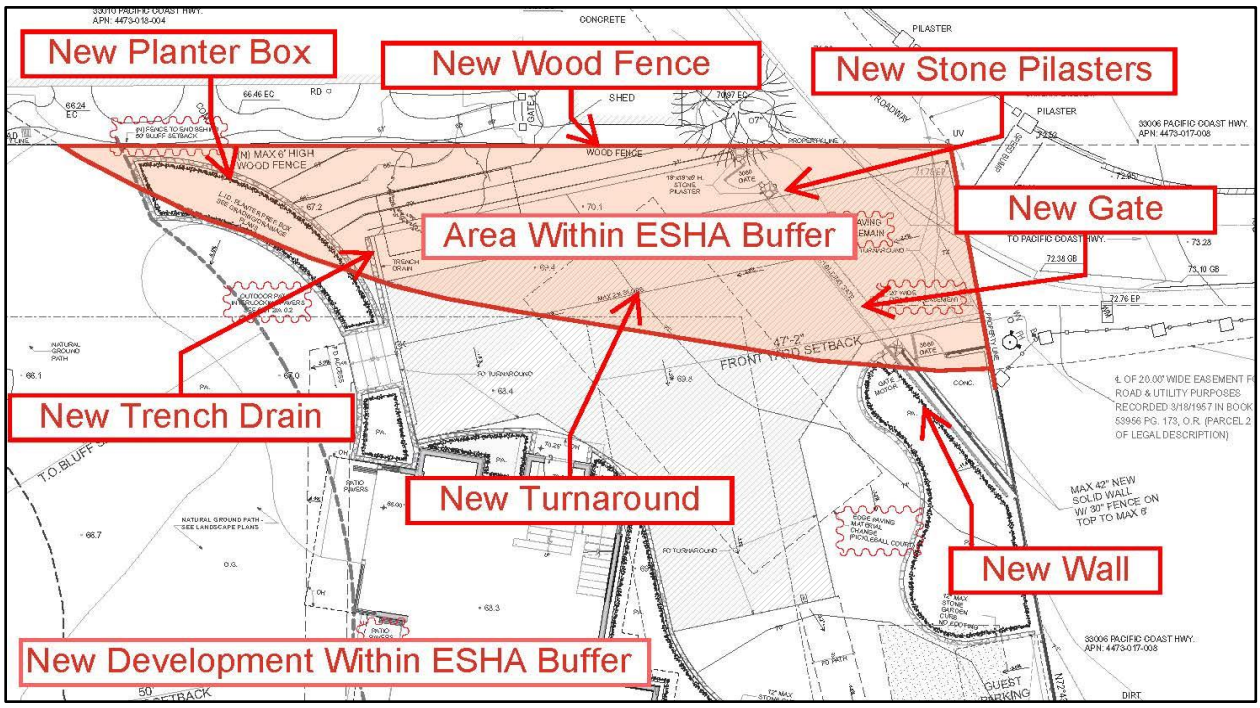
A. Public accessways and trails, including directional signs
B. Interpretive signage designed to provide information about the value and protection of the resources
C. Restoration projects where the primary purpose is restoration of the habitat.
D. Invasive plant eradication projects if they are designed to protect and enhance habitat values.

(LIP § 4.5.4.)

Here, the Applicant proposes various types of impermissible development within the Property's ESHA buffer, including a new wall, gates, pilasters, fence, trench drain, fire turnaround

[1] Even assuming that the fire turnaround—whose size is not calculated—can be excluded from development area, the Applicant has failed to properly calculate or comply with the development area limitation, much less allow this Commission to confirm compliance.

and driveway, planter boxes, and landscaping. A marked-up Sheet A-0.3 (Site Plan), below, shows this issue:



The latest Biology Review Sheet attempts to justify this by stating:

> The former Planning Director and Senior Planning Staff have determined that the project is in compliance with Malibu LIP Chapter 4 because the residence and any other development requiring fuel modification are located 100 feet from the stream. The Planning Department is allowing development not requiring fuel modification within the 100-foot buffer.

(Biology Review Sheet, June 6, 2025, p. 2.) We attach the Biology Review sheet as **Exhibit B**.

This misunderstands the law. The ESHA buffer standards do not merely prohibit "development requiring fuel modification" within the ESHA buffer. The ESHA buffer standards prohibit *all* development within the buffer area except for a narrow set of expressly listed uses—such as interpretive signage or public trails. Because the Project proposes multiple unpermitted

structures and uses within the buffer, it violates LIP section 4.5.4. Until the Applicant revised the Project to comply with these mandatory buffer restrictions, it must be denied.

C. The Applicant's Biology Assessment Remains Inaccurate, Incomplete, and Insufficient.

Our Client's retained Amigo Environmental, Inc. ("Amigo") to prepare a peer-review memorandum ("Amigo Report") of the Applicant's Biology Assessment and related memoranda. The Amigo's Report is attached as **Exhibit A**. We attach the Applicant's Biology Assessment and related memoranda as **Exhibit C**.

The Amigo Report demonstrates that the Applicant's biology documentation remains woefully inadequate. Among other issues:

- **Description of Existing Conditions.** The Existing Conditions section of Applicant's biological assessment lacks basic scientific rigor and required locational/context materials to support impact analysis or mitigation. It offers only vague qualitative statements without quantitative or spatial data. And it fails to adequately identify or classify on-site habitats and sensitive resources. (See Amigo Report, p. 3, excerpt below.)

> The *Existing Conditions* section lacks the level of detail, documentation, and basic scientific rigor necessary to characterize the baseline biological environment, and it therefore cannot support regulatory applicability, impact analysis, or commensurate compensatory mitigation.
>
> There is no mention of the parcel's Assessor's Parcel Number (APN), latitude/longitude coordinates, section Township and Range, or U.S. Geological Survey 7.5-minute quadrangle-basic locational data required for all environmental reports. The omission of topographic maps prevents reviewers from understanding the Project's context relative to known ESHAs or potential fuel modification zones.

- **Description of Common Plant Life.** The description of common plant life for the Project site in the biology assessment is incomplete. (*Id.* at 2, excerpt below.)

> The description of common plant life for the Project site is inconsistent and does not include the level of detail required for environmental analysis in Malibu LCP and coastal zone jurisdiction. This section provides only a cursory list of a few plant species, some of which are incorrectly classified or ecologically implausible for a Southern California coastal bluff site, and lacks any supporting methodology, mapping, or context.
>
> There are four fundamental errors which undermine the credibility of the assessment and indicate an absence of qualified botanical ability and oversight[2]:

- **ESHA**. This *Presence of ESHA* section in the Applicant's biology assessment misstates the site's ESHA relationship, omits critical spatial and ecological data, and fails to evaluate or acknowledge the regulatory implications of the Project's proximity to mapped riparian ESHA and fuel-modification overlap. (*Id.* at 9.) As Amigo notes: "The section contains no figure, map, or cross-reference to show the relationship between the proposed structure, the ESHA boundary, and required buffers or fuel-modification zones. There is no quantification of distances, buffer widths, or ESHA acreage." (*Id.*, excerpt below.)

> This *Presence of ESHA* section in the BA misstates the site's ESHA relationship, omits critical spatial and ecological data, and fails to evaluate or acknowledge the regulatory implications of the Project's proximity to mapped riparian ESHA and fuel-modification overlap. The section contains no figure, map, or cross-reference to show the relationship between the proposed structure, the ESHA boundary, and required buffers or fuel-modification zones. There is no quantification of distances, buffer widths, or ESHA acreage.
>
> The most consequential deficiency of this section is that the ESHA occurs on an adjacent parcel and was never surveyed, mapped, or biologically characterized in the BA. This omission may invalidate the document's conclusions regarding ESHA presence, buffer adequacy, and compliance with Malibu LIP Sections 4.6.1 and 4.7.1, because a proper biological assessment cannot determine ESHA status, buffer sufficiency, or potential impacts without direct field verification and scientific description of the protected habitat itself.

- **Potential Impacts.** The *Potential Impacts* section of the Applicant's biological assessment does not provide any analytical, quantitative, or spatial evaluation of potential effects on sensitive biological resources. (*Id.* at 10.)

> **10. Potential Impacts**
>
> The *Potential Impacts* section of the BA does not provide any analytical, quantitative, or spatial evaluation of potential effects on sensitive biological resources. The section misrepresents Malibu LCP buffer requirements, omits the ESHA and fuel modification conflict, and relies on geotechnical conclusions that are unrelated to biological impacts. Further, there is no quantification of vegetation removal, no analysis of habitat loss, no discussion of construction footprint or grading limits, and no evaluation of indirect impacts such as noise, lighting, or human intrusion.

- **Native Tree Protection.** The Applicant's biological assessment's discussion of the native tree protection ordinance is misplaced and fundamentally misunderstands the role of the biological assessment. (*Id.* at 5, excerpt below.)

> The inclusion of the *Native Tree Protection Ordinance* section under the *Biological Resources* section represents a fundamental misunderstanding of the purpose, structure, and scientific function of a biological assessment. The section as written is not biological analysis, rather it is a verbatim reproduction of a municipal regulation. While the ordinance itself is part of Malibu's regulatory framework, referencing it here does not provide biological context or resource data, and it does not constitute a field-based assessment of existing biological resources as required under CEQA and the Malibu LCP/LIP.

- **Soil.** The Soils section of the biological assessment lacks a scientifically supported description of the site's soil conditions. Instead of characterizing on-site soils through field observation or verified mapping, the report merely cites the USDA Web Soil Survey and identifies the site as within the "Santa Monica Mountains National Recreation Area (CA692)." However, this is not a soil map unit but a Survey Area ID. This fundamental error demonstrates a misinterpretation of basic soil data and their relevance to biological resources. (*Id.* at 6.)

> The failure to identify or describe the correct soil series undermines the biological baseline by omitting the soil's influence on native plant community composition, ESHA characterization, and potential wetland hydric indicators. The section provides no discussion of soil texture, permeability, drainage class, or erosion potential, all of which are essential for evaluating habitat quality, stormwater interactions, and bluff-top stability under the Malibu LCP (Malibu LIP Chapter 10, "Bluffs") and Malibu LIP Section 4.4.2 (ESHA Overlay).

- **Common Wildlife.** The Common Wildlife section lacks documentation of survey effort, fails to reference field data, and provides no ecological interpretation of wildlife use relative to onsite or adjacent habitats, including coastal bluff ESHA and wetland resources. (*Id.* at 6.)

> The section contains no discussion of survey methods, dates, duration, seasonal timing, weather conditions, or personnel qualifications. Without this information, it is impossible to determine whether wildlife observations were made during appropriate survey periods, or whether the site was surveyed multiple times to capture seasonal variability. Under CDFW (2018) survey protocols and CEQA Guidelines Section 15125(a), a valid biological assessment must describe the methods used to detect wildlife, including visual surveys, auditory observations, or indirect sign (e.g., scat, tracks, burrows).

- **Plant Species of Special Concern.** The Plant Species of Special Concern section fails to show that an adequate survey effort was conducted or that the potential presence of special-status plant species was adequately evaluated. (*Id.* at 7.)

The *Plant Species of Special Concern* section does not demonstrate that an appropriate level of survey effort was conducted nor that the potential occurrence of special-status plant species was systematically assessed using current data sources and field methodology.

- **Mitigation Measures.** The biology assessment provides an inadequate mitigation and monitoring program and instead includes limited, generalized and generic measures without specific criteria. (*Id.* at 11.)

11. Mitigation Measures

The listed measures in the *Mitigation Measures* section do not provide quantifiable performance standards or monitoring protocols, and do not connect to the Project's identified biological impacts.

- **Wildlife Species of Special Concern.** The biology assessment fails to comply with technical standards for analysis of species of special concern. (*Id.* at 8.)

This *Wildlife Species of Special Concern* section in the BA is internally inconsistent and noncompliant with the technical standards of CEQA, CDFW (2018) survey protocols, and the Malibu LCP/LIP. The listed species appear to have been selected without supporting habitat analysis, data citations, or field evidence. The discussion fails to distinguish between special-status taxa, common species, and incidental observations.

- **Fire Analysis.** The Applicant's biological assessment's analysis of wildfire impacts is generic and inadequate. (*Id.* at 8.)

The *Wildfire Frequency* section included in the BA reads as a generic narrative rather than a technical assessment and provides no meaningful connection to the Project's biological context, fuel-modification constraints, or ESHA interface. This section does not evaluate how historic or future wildfire events have affected (or may affect) vegetation succession, habitat quality, or post-fire regeneration, nor does it analyze whether fuel modification requirements might encroach into ESHA or alter habitat function.

This Planning Commission's decision must be supported by the findings and the findings must be supported by substantial evidence. (Cal. Code of Civil Procedure § 1094.5(b).) "Such evidence must be reasonable, credible, and of solid value." (*California Youth Authority v. State Personnel Bd.* (2002) 104 Cal.App.4th 575, 585.) Respectfully, as demonstrated by Clients' biologist team, the Applicant's biological assessment does not provide reasonable, credible, or solid evidence sufficient to support an approval. As such, additional biological analysis must be done. Until then, the Project must be denied.

D. The LUP Does Not Change This Analysis.

The Applicant contends that the Property cannot be subject to the ESHA overlay or ESHA buffer restrictions because surrounding parcels are allegedly subject to fuel modification requirements. (See Exh. C, p. 2.) The Applicant relies on Land Use Plan ("LUP") Section 1(a), § 3.1, which states that "fuel modification areas required by the Los Angeles County Fire Department for existing, legal structures do not meet the definition of ESHA." (*Id*.) That argument fails for multiple reasons:

- Even if the Applicant's premise were correct (which it is not) the Coastal Act independently requires riparian protection. Coastal Act Section 30231 mandates that natural vegetation buffer areas that protect riparian habitats be maintained, and that the alteration of natural streams be minimized. (LUP § 1.) Thus, streams and their associated riparian habitats receive protection in addition to ESHA status.

- More importantly, the Applicant concedes that the stream itself still constitutes ESHA. (Exh. C, p. 2 ["Accordingly, with the exception of the stream channel itself, the entire area is not defined as ESHA."].) Once an ESHA area is identified, buffer requirements attach to protect it; the LUP provides no mechanism for developers to evade buffer obligations by invoking nearby fuel modification zones.

  This makes sense: There may be logic to avoid designating an area as ESHA that has already been disturbed or has been cleared of all natural vegetation due to fuel modification requirements. However, once it has been determined that a protectable environmental resource exists, it makes sense to then protect that resource by enforcing buffer requirements. Therefore, if the stream is still ESHA as the Applicant admits, the ESHA buffer requirements still apply.

- The Applicant further impliedly admits that the ESHA overlay requirements apply by providing a development area calculation as required by the overlay. (See Plans, Sheet A-0.3.)

- In any case, the Applicant's interpretation would produce absurd results. Under its theory, any development adjoining a parcel subject to fuel modification could claim exemption from ESHA or ESHA-buffer restrictions, creating a domino effect that would incrementally eliminate ESHA protections citywide. Such an outcome is plainly inconsistent with the Coastal Act and the LUP's conservation purposes.

- The Applicant's position also contradicts LUP policy. Section 3, Policy 5.6 provides that "[p]rotection of ESHA and public access shall take priority over other development standards and, where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence." The Applicant's argument does precisely the opposite.

- Finally, the Applicant offers no competent evidence of surrounding fuel-modification zones. Its crudely drawn map in an email memo lacks a legend, scale, or verifiable methodology and cannot serve as substantial evidence to rebut the biological and ESHA findings discussed above.

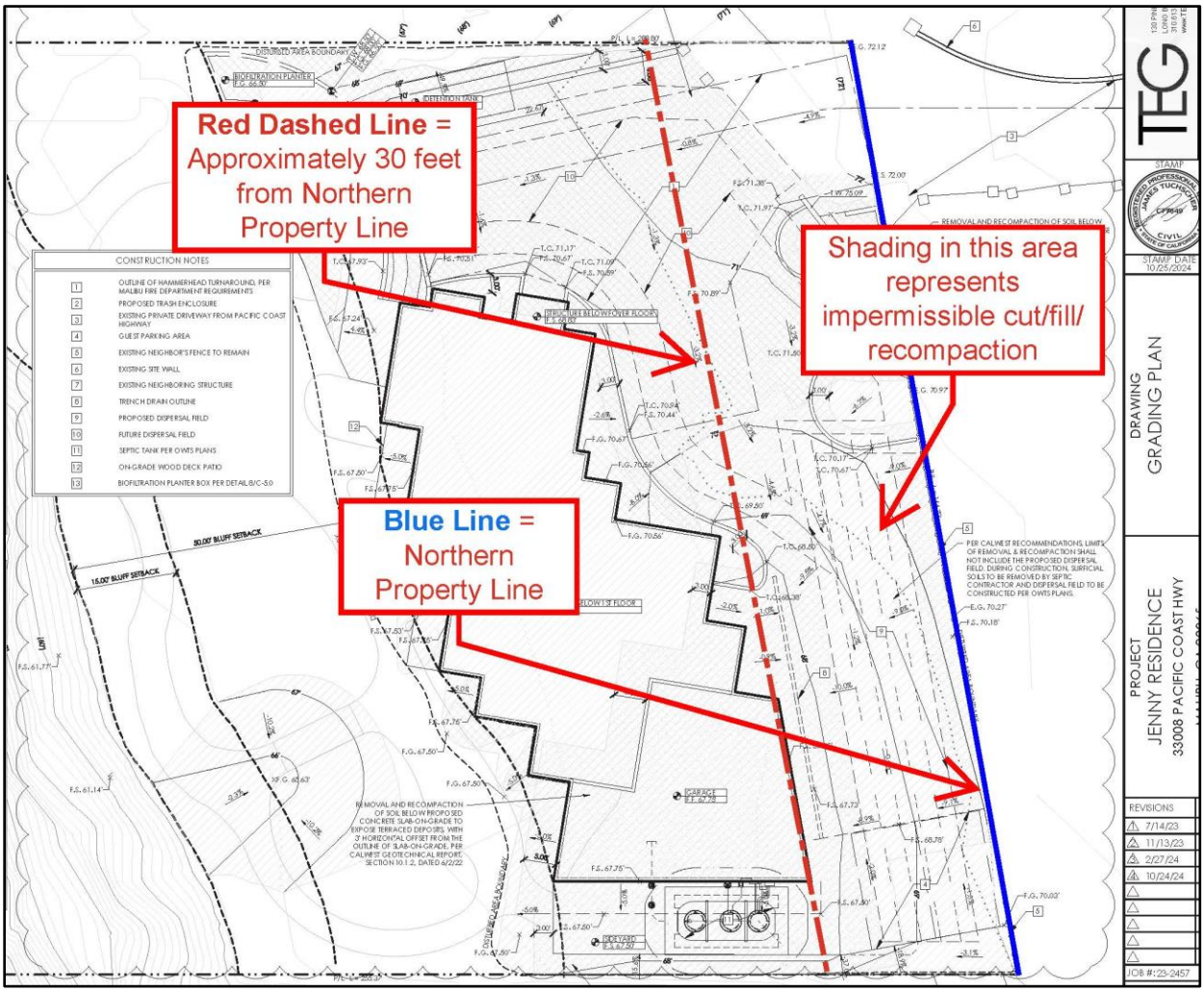
II. Archaeology Objections.

A. The Project Impermissibly Proposes Grading Within 30-Feet of the Northern Property Line.

The City's Archaeological Review Sheet includes certain conditions of approval. We attach the archaeology review sheet as **Exhibit D**. Among other things, it commands that "**no** geologic trenching, soil borings, ground clearance, **grading**, equipment placement, **or similar surface-disturbing impacts shall be allowed within 30 feet of the northern property boundary**." (Exh. D, p. 1, emphasis added.) See below:

> Based on the information submitted, the applicant **may proceed with obtaining an excavation permit through City Geotechnical Staff with the conditions listed above.** In addition, **no geologic trenching, soil borings, ground clearance, grading, equipment placement, or similar surface-disturbing impacts shall be allowed within 30 feet of the northern property boundary.** When completed, please submit a report describing the archaeologist's findings.

Here, the Project patently violates this requirement by proposing significant grading along the entire northern property boundary, as shown on Sheet C-3.0 of the civil engineering plans. (Note: north is on the right side of the sheet.)



Accordingly, the Project as presently proposed must be denied.

B. The Project Violates the LIP's Requirements to Fully Investigate Cultural Resource Impacts Prior to Planning, Grading, or Building Permit Approval.

Cultural resource protection remains particularly important here, where, as discussed later in this letter, the Applicant has a history of conducting unpermitted development activity on the Property. The City's general plan agrees, making it a policy to: "identify, designate, protect, and preserve areas, sites, or structures of historic, cultural, paleontological, and/or archeological significance" and to "avoid the destruction or alteration of cultural resources." (Conservation Element, Policies 2.1.1 and 2.1.2.) The City's LUP likewise makes it a policy that "[n]ew development shall protect and preserve archaeological, historical, and paleontological resources from destruction and shall avoid and minimize impacts on such resources." (LUP Policy 5.60.)

In accord, LIP section 11.2 requires certain archaeological and cultural resource investigations "**prior** to the issuance of a planning approval, development permit, … building permit, [or] grading permit…." (LIP § 11.2, emphasis added)

Specifically, LIP section 11.3(D) requires applicants to prepare a "Phase I inventory" of cultural resources whenever a project may cause a substantial adverse change to cultural resources. "If on the basis of the Phase I Inventory … one or more significant cultural resources is found, a Phase I Inventory may be required to" be supplemented with additional investigation, such as shovel test pits, recommendations for additional investigation (i.e., a "Phase II" investigation), and monitoring programs. (LIP § 11.3(F).) These additional investigations must "be conducted in consultation with a qualified Chumash Cultural Resources Monitor." (LIP § 11.3(D).) A "Phase II" or "Phase III" investigation may then be required if the Phase I investigation reveals potential adverse impacts to cultural resources. (LIP §§ 11.3(G), (H).)

Here, a the Applicant prepared a Phase I Archaeological Study (Boxt, Ph.D., March 2023), which found cultural resources, including shell and stone tools, albeit with uncertainty about whether the materials are in situ or displaced. (See Staff Report, p. 8.) This report has not been made available to the public or interested parties. Because the Phase I study found cultural resources, the LIP requires the Applicant to supplement its Phase I investigations and potentially conduct Phase II and Phase III investigations, but no such supplementation or investigations took place. This violates the LIP. Additional investigation must be done now, prior to planning, grading, and building permit approval, not after. (See LIP § 11.2.)

C. The LIP's Cultural Resources Chapter Requires a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report.

Where, as here, cultural resources are found, the Phase I investigation is required to be supplemented to include additional investigations, such as shovel testing, recommendations for additional (Phase II) investigation, and monitoring programs. (LIP § 11.3(F).)

In this scenario, the LIP requires, at minimum, the City to prepare a negative declaration or mitigated negative declaration ("MND") or environmental impact report ("EIR"). (LIP §§ 11.3(F)(1) ["An evaluation of limited shovel test pits to determine whether a subsurface deposit is present and a negative declaration shall be prepared"], (2) ["Evaluations and a negative declaration, mitigated negative declaration, focused environmental impact report or an environmental impact report shall be prepared"], (3) ["Monitoring programs pursuant to Section 11.3 (F)(4)(b) of the Malibu LIP and a mitigated negative declaration shall be prepared."].) Phase II and Phase III testing also require an MND or EIR. (See LIP § 11.3(G) [requiring a negative declaration, MND, or EIR for Phase II investigations], § 11.3(H) [requiring the same for Phase III investigations].) The City failed to do so in violation of the LIP.

In addition, staff conditions approval on archaeological monitoring during grading. It requires, vaguely, that "the appropriate measures to be taken should such resources be uncovered." (See Draft Resolution, No. 25-76. Conditions of Approval Nos. 12 to 16.)

This puts the cart before the horse. LIP section 11.2 requires cultural resource review ***before*** issuing planning approvals, grading permits, or any other permit or approval. Approving the CDP first and deciding what significant impacts exist later inverts the LIP's sequence and deprives decision-makers and the public of the required pre-approval analysis.

CEQA agrees. Case law generally prohibits deferring environmental analysis or creating post-hoc mitigation measures. "By deferring environmental assessment to a future date, the conditions [of approval] run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process." (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307.) As such, the Applicant should be required to conduct additional investigations now, not later. Until then, the Application should be denied.

III. CEQA Violations.

A. The City Improperly Relies Upon Mitigation Measures to Support a Categorical Exemption from CEQA.

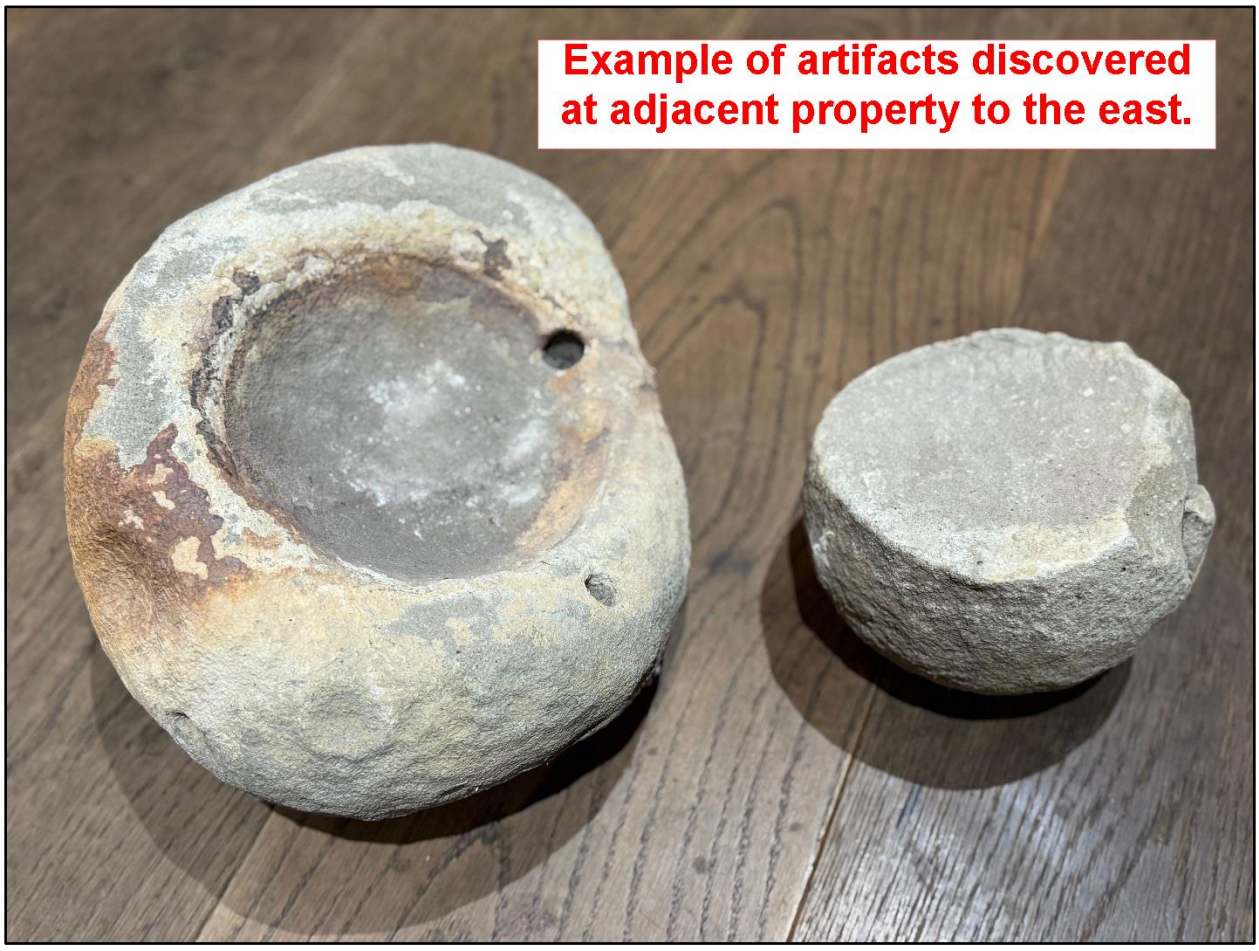
City staff asserts that the Project qualifies for a Class 3 categorical exemption from CEQA, which generally applies to minor new construction, including single family homes. (See Staff Report, p. 18 ["the proposed project is categorically exempt from the provisions of CEQA pursuant to Sections 15303(a) and (e)"]; Draft Resolution No. 25-76, p. 2 [stating a Class 3 exemption applies].)

The City's reliance on the Class 3 exemption is misplaced. Critically, the City cannot rely on a categorical exemption because substantial evidence demonstrates that there is "a reasonable possibility" of an adverse environmental impact. (*Mountain Lion Foundation v. Fish & Game Com.*(1997) 16 Cal.4th 105, 124 [stating "an activity that may have a significant effect on the environment cannot be categorically exempt"].) Moreover, **"[a]n agency may not evade CEQA by adopting mitigation measures simply to qualify a project for a categorical exemption**." (*Sunflower Alliance v. Department of Conservation* (2024) 105 Cal.App.5th 771, 789; see also *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1199–1200.)

That's exactly what the City unlawfully attempts to do here. The City's Archaeology Review Sheet, states "that potential cultural resources are located on the project site." (Exh. C at 1.) And the Staff Report acknowledges that the Applicant discovered American Indian tools and shells on the Property. (Staff Report, p. 8 ["The cultural resources found during the field survey included subsistence shell and stone tools…."].)

Further, an archaeology report for the upslope property at 33002 PCH also demonstrated the presence of cultural artifacts in the immediate area. (See Archaeology Determination Letter, PPR 99-120/SPR 99-045, July 27, 1999.) Our Client, Tamara Mackey, recalls human remains being discovered at this upslope property. Further, our other Client, Unknowingly Devolving, LLC, has recovered cultural artifacts on his own property at 32960 PCH—which lies immediately east of the subject Property—including mortar, pestles, and hand tools. We attach photos of these as **Exhibit E**.

For example, the following photograph shows examples of artifacts recovered on the adjacent property at 32960 PCH property:



Undoubtedly, given the documented cultural resources on the Property and adjacent properties, the Project—which involves 2,974.6 cubic yards of cut and fill grading over 12,603.6 square feet of area (see Civil Plans, sheet C-3.0)—presents a reasonable possibility of an adverse impact on cultural resources.

Unsurprisingly, the City all but admits the potential adverse impact of the Project on these resources, requiring the Applicant "[t]o mitigate potential impacts on unknown archaeological resources to a level of insignificance" through two proposed mitigation measures. (*Id.*) The Staff

Report, likewise, states that in light of the shells and tools, "a condition of approval has been added … that requires monitoring by a qualified archaeologist for all earthmoving activities…." (Staff Report, p. 8.) In other words, the City does exactly what it is not supposed to do: It attempts to evade CEQA by adopting mitigation measures in order to qualify the Project for a categorical exemption.

A court will agree the City has unlawfully used mitigation measures to evade CEQA:

- In *Salmon Protection & Watershed Network v. County of Marin* (2004) 125 Cal.App.4th 1098, a county acknowledged that a residential construction project may have potential adverse impacts on adjacent stream habitat. It then adopted conditions of approval (e.g., requiring a riparian protection plan) designed to mitigate the potential adverse impacts and thereby qualify the project for a Class 3 categorical exemption. (*Id*. at 1104.) The court of appeal stated that mitigation measures under CEQA are only proper at later stages of the process, and the County unlawfully evaded that process by adopting mitigation measures to rely upon a categorical exemption. (*Id.* at 1107-08.) Here, just like in *Salmon Protection*, a court would reject the City's attempt to rely upon archaeological mitigation measures to obtain a Class 3 exemption.

- Similarly, in *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, an agency authorized the continued disposal of municipal waste at a landfill and declared the project categorically exempt from CEQA as the operation or minor alteration of an existing facility. (*Id.* at 1193.) In granting the categorical exemption, the agency in *Azusa* had acknowledged that pollutants were leaking from the landfill but had relied upon evidence that mitigation measures could prevent further pollution. (*Id.* at 1198.) The appellate court concluded this violated CEQA, stating that "proposed mitigation measures cannot be used to support a categorical exemption; they must be considered under the standards that apply to a mitigated negative declaration." (*Id.* at 1199.) Here too, the City cannot rely upon mitigation measures to avoid potentially significant effects on cultural resources.

Given the potentially adverse impacts to cultural resources, the City must prepare a mitigated negative declaration or EIR instead. (*Salmon Protection & Watershed Network v. County of Marin* (2004) 125 Cal.App.4th 1098, 1108 ["Reliance upon mitigation measures (whether

included in the application or later adopted) … must be conducted under established CEQA standards and procedures for EIRs or negative declarations."].) Until then, the Application must be denied.

B. Unusual Circumstances Preclude the Use of the Class 3 Exemption.

Categorical Exemptions do not apply where "unusual circumstances … create a 'reasonable possibility' that the activity will have a significant effect on the environment." (*Save the Plastic Bag Coalition v. County of Marin* (1st Dist. 2013) 218 Cal. App. 4th 209, 220 (citing Cal. Code Regs., tit. 14, § 15300.2, subd. (c)).) This exception has two prongs: (1) whether the project presents unusual circumstances; and (2) whether there is a reasonable possibility of a significant effect on the environment due to those unusual circumstances. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal. 4th 1086, 1114.)

Berkeley Hillside observed that a party can show an unusual circumstance by demonstrating that the project has some characteristic or feature that distinguishes it from others in the exempt class, such as its size or location. (*Berkeley Hillside, supra,* 60 Cal.4th at p. 1105; *Berkeley Hillside* also clarified that a party may establish an unusual circumstance with evidence that the project *will* have a significant environmental effect. (*Ibid*.)

Here, unusual circumstances obviously exist: The Property contains cultural resources, including tools and shells, which distinguishes the Project from other projects within the Class 3 exemption. And indeed, the City has all but admitted that the Project will have significant effect on those resources absent measures "[t]o mitigate potential impacts on unknown archaeological resources to a level of insignificance." (Exh. D, p. 1.) Because unusual circumstances exist, and because the Project will have a significant effect on cultural resources, the City cannot rely upon a Class 3 exemption and the City must prepare an MND or EIR.

C. The Development in the ESHA Buffer Precludes Applying a Class 3 Exemption.

A Class 3 exemption cannot be applied to a project that "may impact" an "environmental resource of hazardous or critical concern" designated and mapped by a federal, state, or local agency. (CEQA Guidelines § 15300.2, subdivision (a).) Here, the Project lies partially in a mapped and designated ESHA buffer.[2] Moreover, it impacts that buffer by proposing new development—

[2] The Applicant's plans admit the Project's location in ESHA buffer. Plan Sheet A-0.2, among other sheets, show new planters, gates, walls, pilasters, and fencing located behind a line labeled "approx. 100' from ESHA boundary."

such as a wall, a fence, pilasters, a gate, a turnaround, paving, planter boxes, and other improvements—in an area that the LIP normally requires to remain undeveloped in order to protect ESHA. Accordingly, a Class 3 exemption remains inappropriate. (See, e.g., *Gaviota Coast Conservancy v. Santa Barbara County*, (Cal. Ct. App., Dec. 21, 2009, No. B216420) 2009 WL 4894456, at *5 [where project was on a "scenic ridgeline" and was part of a "key observation point" that "provides long scenic vistas for recreational uses," substantial evidence supported the finding that the project is not subject to a Class 3 exemption under exception for environmental resources].) Before this Commission can approve the Project, the City must prepare an MND or EIR.[3]

IV. Procedural Violations of the LIP.

A. The Project Application Remains Incomplete Because the Applicant Failed to Consult with the State Lands Commission.

The Project qualifies as "shoreline development" under the Coastal Act and Malibu's Local Implementation Plan ("LIP"). The Property lies directly along the Pacific Ocean; state tidelands form its southern parcel boundary; and the proposed improvements sit atop a coastal bluff subject to coastal wave action. Indeed, staff's September 1, 2023, incomplete letter noted that "[d]ue to the fact the project abuts the ocean per LIP Section 10.5(C) a Determination from the California State Lands Commission is required." We attach this incomplete letter as **Exhibit F**.

As such, the LIP required the Applicant to submit "written evidence of a review and determination from the State Lands Commission relative to the proposed project's location to or impact upon the boundary between public tidelands and private property." (LIP § 10.5(C).) "Such determination [is] a filing requirement for a Coastal Development Permit," and "any application filed without such determination shall be determined to be incomplete." (*Id.*; see also LIP § 13.6.2 ["Applicants for development along the shoreline property or fronting a beach shall submit written evidence of a review and determination from the California State Lands Commission relative to the project's location to or impact upon the boundary between public tidelands and private property."].)

To our Client's knowledge, the Applicant has not provided this required written evidence, and neither the Staff Report nor any attachments reference or include such documentation. In fact,

[3] Separate and apart from the above arguments, our Clients assert that the the historical resource exception (Guidelines § 15300.2(f)) precludes the use of the Class 3 exemption because the artifacts can be considered historic resources and because the Project would have an adverse impact on them.

staff records personnel Jason Ernst indicated by email on October 14, 2025, that "[t]here was a note in the database stating that a state land's letter is not required for this project." We attach this email as **Exhibit G**.

The omission renders the application incomplete as a matter of law. Accordingly, the Commission must either deny the application or continue the hearing until the required State Lands Commission determination has been provided. (See LIP § 10.5(C).)

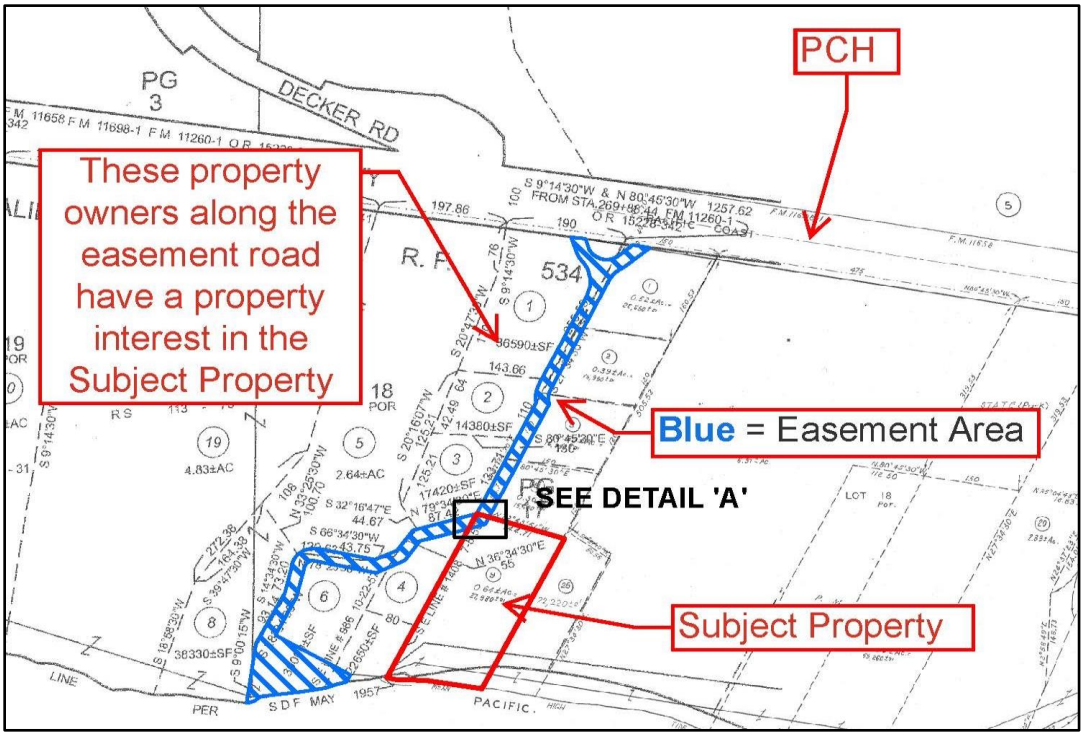
B. The Applicant and City Failed to Invite Parties with Property Interests to Join as Co-Applicant in Violation of the LIP.

The Malibu LIP states that "[a]ll holders or owners of any other interest of record in the affected property shall be notified in writing of the permit application and invited to join as co-applicant." (LIP § 13.6.2(C).) This requirement is not new or unique: The Commission also requires developers to invite interests holders to join an application as co-applicants. (Cal. Code Regs., tit. 14, § 13053.5.) Indeed, staff's last incomplete letter, dated February 10, 2025, and attached as **Exhibit H**, states that "Staff has been made aware that improvements are proposed within the access easement. Pursuant to LIP Section 13.6.2, all holders or owners of the easement shall be notified in writing of the subject permit application and invited to join as co-applicant."

Staff is correct: the Property is subject to an access easement and an easement road that connects several properties along the easement road to Pacific Coast Highway. (See Plans, Sheet T-2.1 [Survey].) We attach the easement deed as **Exhibit I**.

Importantly, **all properties on the easement road have a right to use the entire easement** as the easement was granted to "each party" to the easement agreement "along and under said strip of land to the end," stating "that said easements shall be used and enjoyed by said owners and their successors and assigns." (Exh. I, Easement Deed, p. 4.) The easement deed reiterates this point, noting that the easement is "appurtenant to and for the common benefit of all of the said lands, or portions thereof, above referred to." (*Id.*) Because these owners hold an easement over the Property, they have a property interest in it. (See, e.g., *County Sanitation Dist. v. Watson Land Co.* (1993) 17 Cal.App.4th 1268, 1278 ["An easement is an incorporeal interest in the land of another…"].)

The following depiction, prepared by Client's title company, Chicago Title, shows the area of the easement road:



To our Client's knowledge, **no easement holders were ever invited to join the application as co-applicant**. Further, no such invitation is included in the materials before this Planning Commission. Because the City and Applicant failed to invite interest holders to join as co-applicants, the application was, at best, incomplete and cannot be acted upon now. (LIP § 13.6.2.) See below depiction.

C. This Hearing Improperly Purports to Resolve a Code Enforcement Matter.

1. No Process Exists to Resolve Code Enforcement Matters Through the CDP Entitlement Process.

This hearing purports to resolve a code enforcement matter. According to Applicant's memorandum, attached as **Exhibit J**, the City opened a code enforcement case "for an unpermitted

fence and gate with electrical power, landscape and drainage, and [disturbing ground] on Chumash designated land." (Exh. J, p. 1.)

The City, meanwhile, has a process for resolving code violations and code enforcement cases. That includes, without limitation, the Administrative Citations and Penalties Chapter of the Municipal Code. (See MMC Ch. 1.10.) That chapter provides a process for issuing citations, appealing citations, conducting a hearing on citations, recording liens (as appropriate), and judicial review, among other procedures. (See, e.g., LIP §§ 1.10.040-10, 1.10.140.)

By contrast, nothing in the CDP chapter of the LIP (Chapter 13) or any chapter of the LIP or Municipal Code indicate that a Planning Commission hearing or the CDP entitlement process the appropriate process for resolving code violations. The Staff Report points to none. The City cannot invent that process now from whole cloth.

2. The City Violates Longstanding Policy on Processing Code Enforcement Cases.

Besides lacking any basis in the LIP or Municipal Code, the City has long maintained that outstanding code enforcement matters must be resolved ***before*** new entitlement applications can be processed—let alone brought to hearing. To take just one example: in 2024, the owner of 25040 Pacific Coast Highway filed an application for a CDP and two variances related to new walls on the property (CDP No. 25-008; Variance No. 24-007). The property included an outdoor fireplace and patio for which permits had expired and final inspections had never occurred. When this came to the attention of Code Enforcement, City planning stated unequivocally:

> It has come to my attention that there is an open code enforcement case for the [property]. You cannot apply for a new application until the code enforcement case is resolved.

We attach the City's April 3, 2024, email as **Exhibit K**. Only once the owner of 25040 PCH fully addressed the code enforcement issues did the City begin to process the CDP and variance application.

The City cannot take a contrary approach now. Consistency and fairness require that the same standard be applied here. The Applicant must first resolve the outstanding code enforcement violations before this Commission can lawfully consider the Project.

3. The City Failed to Provide Legally Adequate Notice That This Hearing Might Resolve Code Enforcement Issues.

The City failed to properly provide notice that this hearing might resolve the outstanding code violations. The City issued an updated Notice of Public Hearing ("Notice") for this hearing on October 9, 2025, which we attach as **Exhibit L.**

Specifically, the Notice indicates that the hearing will consider Coastal Development Permit No. 23-034 and Minor Modification No. 25-009. It makes no mention of the code violation. The actual agenda item, by contrast, indicates that the subject of the hearing also includes Code Violation No. 23-047, and the Staff Report indicates that "[a]fter the CDP is approved and upon final inspection of the project, the code violation case will be closed." (Staff Report, p. 3.)

Under the Coastal Act regulations, The public hearing must be conducted "in any … manner reasonably calculated to give interested persons an opportunity to appear and present their viewpoints, either orally or in writing." (Cal. Code Regs., tit. 14, § 13566.) And Malibu's LIP requires all application numbers and all development being considered to be summarized in the notice. (See LIP § 13.12.1 [requiring the notice to include the application number(s) being heard and the development being considered].)

By failing to even mention the code violation, the general public remains unaware that the hearing potentially affects its resolution. In so doing, the City denies potentially interested persons the opportunity to be heard in violation of the LIP, the Coastal Act regulations, and due process. As such, City must, at minimum, continue and re-notice the hearing.

V. This Commission Cannot Make the Findings to Grant a CDP or Minor Modification.

A. The CDP Findings.

Several findings must be made to approve a CDP. (LIP § 13.9.) Among other things, the Project must comply with the Local Coastal Program, including the LIP. (*Id.*) This Commission cannot make this finding. To reiterate briefly:

- The Project fails to calculate "development area" correctly and violates the development area maximum. (LIP § 4.7.1.)
- The Project proposes impermissible uses in an ESHA buffer. (LIP § 4.5.4.)
- The Applicant's biological assessment remains inaccurate and inadequate.

- The City and Applicant failed to consult with the State Lands Commission. (LIP §§ 10.5.C, 13.6.2.)

- The City failed to invite property owners with a property interest in the Property to join as co-applicants. (LIP § 13.6.2(C).)

- The City improperly uses the Application and this hearing to resolve code enforcement issues. (MMC Ch. 1.10.)

- The Public Notice of Hearing does not conform to the requirements of the LIP or related Coastal Act regulations. (See LIP § 13.12.1; Cal. Code Regs., tit. 14, § 13566.)

- The project violates a condition of approval prohibiting grading within 30 feet of the northern property line. (See Archaeology Review Sheet, p. 1.)

- The project violates CEQA by failing to prepare an MND or EIR despite the discovery of cultural artifacts. (LIP § 11.3)

- The project violates the LIP's requirements to prepare a supplemental Phase I or Phase II archaeology report. (LIP § 11.3.)

The Commission must also find that "[t]he project is the least environmentally damaging alternative." (LIP § 13.9(C).) Here, Staff purports to analyze alternatives, such as taller house, or alternative building pad locations. (See, e.g., Staff Report, pp. 10-11.) However, Staff failed to consider or analyze that the Project is located partially within an ESHA buffer. Moreover, while the turnaround in the ESHA might (at least arguably) be required, the other development in the ESHA buffer, such as planters, fences, gates, walls, etc., is not. Because the Project could viably exist without these improvements, it is not the "least environmentally damaging alternative."

Finally, if the "project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay)" the Commission must find "that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explaining why it is not feasible to take the recommended action." (LIP § 13.9(D).)

Here, the Project lies partially within an ESHA buffer. Accordingly, it must be referred to the Environmental Review Board. Until it is, this Commission cannot approve it.

B. The Minor Modification Findings.

The Applicant seeks a large reduction to the front yard setback. To grant a Minor Modification, the Commission must make certain findings. (LIP § 13.27.5(B).) These include, among other things, that "the proposed project complies with all applicable requirements of state and local law." (*Id.*) For reasons stated in the previous section, this finding cannot be made because the Project violates various state and local laws. Accordingly, the Minor Modification must be denied.

VI. The Project Does Not Comply With the Certificate of Compliance and Non-Compliance Prohibits Approval.

A Conditional Certificate of Compliance No. 29220, was recorded against title to the Property on October 30, 1986 by the Los Angeles County Department of Regional Planning (the "CoC"). We attach the CoC as **Exhibit M**. In conformance with Government Code section 66499.35, subdivision (b), the CoC expressly provides that "the conditions listed below must be fulfilled before issuance of a building permit or other development approval." (*Id.*, p. 1.) Condition #2 of the CoC required the owner to:

> Dedicate to the County the right to restrict the erection of buildings and/or other structures because the property and/or its access is within a flood-prone area.

(Exh. M, p. 1.)

In purported satisfaction of this condition, the then-owner recorded a deed restriction prohibiting development within the flood-zone portion of the Property—approximately 7,335 square feet along the coastal bluff. We attach this deed restriction as **Exhibit N**.

The dedication fails to comply with the CoC. The CoC did not just require the owner to dedicate a deed restriction to the flood-mapped portions of the Property. It required the County to retain authority to restrict the erection of buildings throughout the Property. By limiting the dedication to one corner of the site, the owner did not satisfy the CoC's conditions of approval. Accordingly, because the CoC's conditions remain unfulfilled, no building permit or other development approval may lawfully issue for the Property. (*Id.*; Government Code section 66499.35 ["the fulfillment and implementation of [a CoC's] conditions shall be required prior to subsequent issuance of a permit or other grant of approval for development of the property"].)

Moreover, even if the owner had complied by granting the County authority to restrict development throughout the entire parcel, any local development approval would still conflict with that County-held authority, leaving it unclear how the City could lawfully approve a project that the County would retain the power to order removed.

VII. The Project Violates the Neighbor's Primary View Determination and Scenic, Visual, and Hillside Resources Protection Ordinance.

One of our Clients, the upslope neighbor at 33006 Pacific Coast Highway, has a Primary View Determination, PVD No. 17-0036 ("PVD"), which we attach as **Exhibit O**. The PVD captures the view looking south from 33006 PCH directly over the Property in question.

A. Bluewater Views.

In protecting primary views, the Municipal Code provides that "[n]o view obstruction within blue-water ocean, mountain or canyon-view elements per project shall be permitted." (MMC § 17.040.040(A0(17).) The LIP's Scenic, Visual, and Hillside Resources chapter, meanwhile, similarly requires this Commission to find "[t]he project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons." (LIP § 6.4(A)(1); accord LIP § 6.4(E)(1) ["Where the topography of the project site descends from the roadway, new development shall be sited and designed to preserve bluewater ocean views" through certain measures].) The Project violates these requirements.

The Draft Resolution indicates that "[n]o existing Bluewater views are present from PCH and when viewing the proposed project against the backdrop of the existing landscaping and bluff development from nearby public viewing areas, views of the Pacific Ocean are minimal." (Draft Resolution No. 25-76, p. 3.) Staff also states that "[b]ased on the project plans and staff's site visit, it was determined that the proposed project would result in a residence that would be similar to other existing development in the area and would result in a less than significant visual impact to public views from PCH and nearby public beaches…." (Staff Report, p. 3.)

However, Staff's story pole analysis indicates that the Project, will, in fact have impacts on bluewater views, particularly from 33006 PCH, as demonstrated in the following marked up photograph:

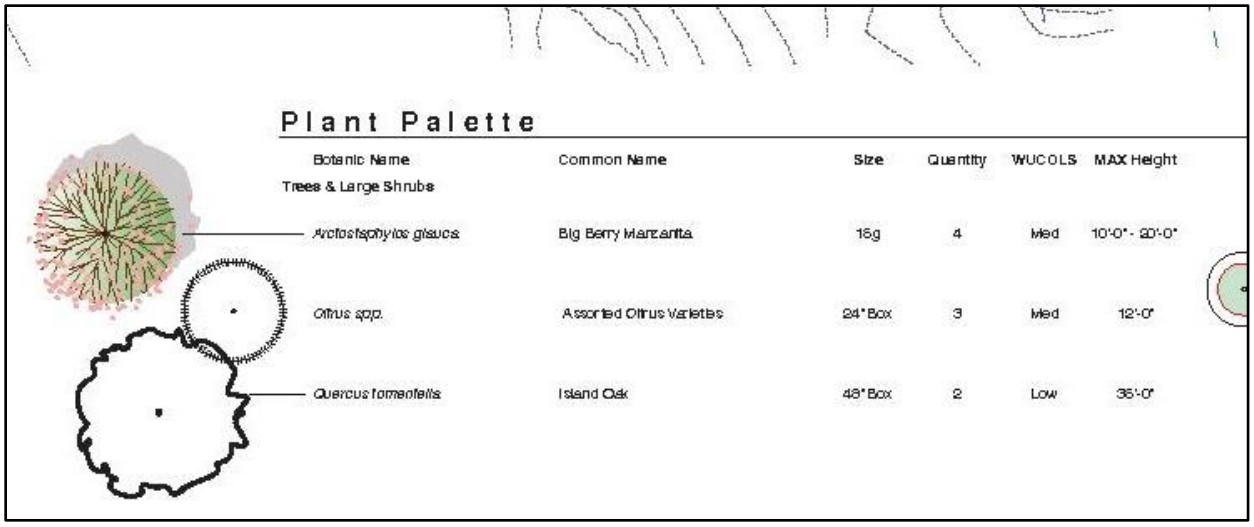
Accordingly, the Project should be modified to protect—not obstruct—these view.

B. Landscaping

The PVD protects our Client from landscape that would significantly obstruct our Client's view as documented in the PVD. (See MMC § 17.40.040(A)(17).) Our Clients also recognize that the Draft Resolution includes a condition of approval that ostensibly prohibits the Project's landscaping from obstructing primary views. (Draft Resolution No. 25-76, Condition #39 ["Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth)."]; see also Condition #44 [prohibiting vegetation above six feet from obstructing primary view].)

Nevertheless, the Project's landscape plans include trees that appear destined to violate the PVD and the Project's conditions of approval. Sheet L3.00 of the landscape plans, for example, notes four proposed Big Berry Manzanita trees with a maximum height of 10 to 20 feet, three proposed citrus trees with a maximum height of 12 feet, and two proposed Island Oak trees with a maximum height of 35 feet. The Applicant proposes to scatter these trees around the Property.

Sheet L3.00 provides the following Plant Palette:



Although staff attempts to address this issue by referencing Condition of Approval No. 33, the current architecture and landscape plan inherently conflicts with that condition and the visual-resource findings required by LIP section 6.6.4. Approval of trees capable of growing five to six times the permitted view height invites a future code-enforcement action once the vegetation matures.

To ensure compliance with LIP section 6.6.4, the landscape plan must be redesigned to include plant species whose mature height will not obstruct protected primary views. Without such revisions, the City cannot make the required finding that the project "will have no significant adverse scenic or visual impacts," and approval would be inconsistent with the findings to grant a CDP. (See LIP § 6.6.4(A)(1).)

VIII. The Applicant Constitutes a Bad Actor: The Applicant Continues to Undertake Unpermitted Development and the City Should Not Reward Them with a CDP.

Finally, our Clients note that the Applicant constitutes a bad actor whom the City should not reward with entitlement approvals. As the Staff Report acknowledges, the Property remains subject to an open code-enforcement case (Code Violation No. 23-047) involving multiple violations. (Staff Report, p. 3.) The Applicant's memorandum indicates that this includes "[an] unpermitted fence and gate with electrical power, landscape and drainage, and [ground disturbance] on Chumash designated land." We attach the Applicant's May 12, 2023, memorandum as **Exhibit P**. Indeed, our Client's have observed some of this illegal activity. We attach photos from November 2022 as **Exhibit Q** showing dirt, trees, and tile or pavers being

delivered to the Property without permits. To use just one example, we provide the following picture of the Applicant's Property in 2022 with dirt, sod, mechanical equipment, and wood plans, delivered apparently in order to conduct unpermitted development:

Our Clients also present evidence of additional, ongoing violations, including the apparent unpermitted construction of a path on the coastal bluff. The following photo, for example, attached as **Exhibit R**, shows Applicant's gardening team walking on a trail on the coastal bluff that appears to include unpermitted wood railing.

This trail is not permitted, is not part of the adjacent properties or public access trail, and is not the subject of this Application. This Commission should not reward this Applicant with a CDP, much less a reduced a setback to the coastal bluff it refuses to project.

IX. Conclusion.

Our Clients do not oppose all development on the Property. But such development must be lawful, with due respect given to ESHA and cultural resources, in compliance with CEQA, and accord with the procedural and substantive safeguards under the LIP. As explained in detail above,

the Project fails to meet this standard. Accordingly, as presently proposed, the Application must be denied.

Very truly yours,

JACKSON D. McNEILL
Elkins Kalt Weintraub Reuben Gartside LLP

JDM:jdm

cc: Yolanda Bundy (YBundy@malibucity.org)
Raneika Brooks (Rbrooks@malibucity.org)
Trevor Rusin (Trevor.Rusin@bbklaw.com)
Kellan Martz (Kellan.Martz@bbklaw.com)
PlanningCommission@malibucity.org

Received
10/20/25
Planning Div.

From: Jerry Jacob [redacted]

Subject: Corrected letter, added our address

Date: October 17, 2025 at 1:41:24 PM PDT

To: Ron Jenny [redacted]

Dear Planning Commission,

We are neighbors of the Jenny's on Encinal Bluff. I'm writing this to express my support for their proposed construction of a small, two-bedroom house with an office. As a fellow resident of Malibu, I appreciate their long-standing commitment to our community. We have been residents of Malibu for many years, and I've known the Jennys for a significant portion of that time.

From what I have observed, their plans are carefully designed to adhere to all height and size regulations. I am confident that this development will blend seamlessly into our neighborhood, contributing positively without compromising the neighborhood's character or tranquility.

My wife and I fully support the Jenny's project and encourage the commission to approve it.

Thank you for your thoughtful review.

Sincerely,

Jerry and Lynn Jacob

[redacted] Pacific Coast Hwy

Malibu

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/20/25 Time 7:41 a.m.
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

Received
10/14/25
Planning Div.

Dear Members of the Planning Commission,

We are pleased to endorse the Jennys' application to develop a single-bedroom residence with care quarters on their Malibu property. Having known them for many years, I can attest to their positive influence in our community. They have been lifelong residents, raising their children locally and contributing to the neighborhood's charm.

They purchased this land approximately four years ago, and I understand this project is their final residence. The plan is modest, complies with all regulations, and carefully aligns with the neighborhood's character.

Given their long-standing ties to Malibu and their commitment to responsible development, I support this proposal and believe it will benefit their family and the community.

Thank you for your consideration.

Warm regards,
Gary & Cathie Wonnacott

Cathie Wonnacott 10-7-25

[redacted] Bailard Rd. Malibu Ca. 90265

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/14/25 Time 1:17 p.m.
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

To Members of the Planning Commission,

Received
10/13/25
Planning Div.

I am pleased to offer my support for the Jennys' proposal to construct a single-bedroom residence with a care-quarters on their property in Malibu. I have known the Jennys for many years, having seen them contribute positively to our community for over five decades. They raised their four children here and have deep ties to the area.

They purchased this land about four years ago and have shared that this will be their final residence. Their plan is modest, designed to meet all regulatory requirements, and intended to blend well with the surrounding neighborhood.

As longstanding Malibu residents, I believe they have earned the right to develop their property in a way that supports their comfort and aging needs. I support their application and am confident it will be a good addition to the neighborhood.

Thank you for your consideration.

Sincerely,

Doug Weitman

Doug Weitman
[redacted] Serra Road
Malibu, CA 90265

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/13/25 Time 1:39 PM
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

Received
10/15/25
Planning Div.

From: Gregory Hyland [redacted]

Subject: Re: Letter and plans

Date: October 6, 2025 at 3:27:38 PM PDT

To: Ronald Jenny [redacted]

Dear Planning Department,

I support my neighbor's application to build a small, compliant residence in Malibu. The design respects all height and size regulations, and the homeowners have been respectful of the neighborhood's character. I am confident that this development will be a positive addition and will not cause any disruption. Thank you for considering my support.

Best regards, Denise Melle [redacted] Pacific Coast HWY. Malibu CA. 90265 [redacted]

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/15/25 Time 11:10 a.m.
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

Received
10/16/25
Planning Div.

October 4, 2025

Dear Planning Commission,

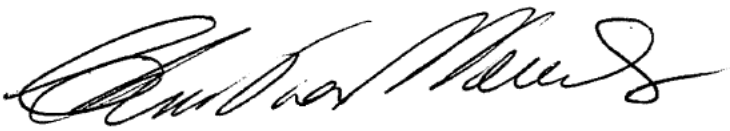
I am pleased to support my neighbor's plans to build
a modest, compliant home in our community here in Malibu.

As I understand, the plans respect all height and size guidelines
and is intended to contribute positively to our community.

I have known the owners for many years and trust their integrity
to follow all necessary guidelines. I trust the construction will be carried out responsibly,
maintaining the neighborhood's peace, harmony and environmental concerns and
responsibilities.

Please consider this letter as my encouragement for your approval.

Warm regards,



Christina Stevens

Christina L Stevens. [redacted] Pacific Coast Highway Malibu . California 90265 USA
[redacted]

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/16/25 Time 8:42 a.m.
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

Received
10/20/25
Planning Div.

October 1, 2025

Malibu Planning Commission
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265-4861
Attn: Rebecca Evans, Recording Secretary

Members of the Planning Commission:

To Whom It May Concern,

I am writing as a neighbor residing at [redacted] **Pacific Coast Highway** to express my support for the proposed 4189 square foot single-family residence at **33008 Pacific Coast Highway**, known as the **Jenny Residence**.

The owner, Mr. Jenny, has thoughtfully coordinated the siting of the home to preserve views of the ocean from the street and to ensure that second-floor views—while not protected—remain largely unobstructed. This consideration reflects a genuine effort to maintain the scenic character of our neighborhood and thoughtfully adheres to the height and size restrictions applicable to the parcel.

Additionally, Mr. Jenny has committed to minimizing construction-related disruptions to our lane. As a nearby resident, I appreciate this proactive approach and the respect shown toward the surrounding community.

I believe this project will be a positive addition to our neighborhood and encourage its approval.

Sincerely,

Ayahlushim Getachew

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/20/25 Time 7:41 a.m.
Planning Commission meeting of 10/20/25
Agenda Item No. 5A
Total No. of Pages 1

Received
10/28/25
Planning Div.

Robert Marderosian
[redacted] Vantage Point Terrace
Malibu, CA 90265
10/27/2025

Attn: City of Malibu Planning Commission
Stuart Ranch Road Malibu, CA 90265
planningcommission@malibucity.org

Attn: Rebecca Evans
revans@malibucity.org

Subject: PC Meeting November 3, 2025, Item 4B: Coastal Development Permit No. 23-034 / 33008 Pacific Coast Highway.

I want to begin by thanking you for your service to our community. I know that the decisions you make are never easy, and I appreciate the time and care you dedicate to balancing the rights of property owners with the needs of our broader community. I am writing today about the proposed development at Pacific Coast Highway, and I ask that you consider some concerns that may not be immediately apparent from the application materials.

I understand the appeal of this project on its surface. A property owner wants to improve their land, and at first glance, that seems reasonable. But as I've learned more about this particular situation, I've come to believe that approving this project would create problems that extend far beyond this single property—problems that could affect how development happens throughout Malibu for years to come.

Let me share what troubles me most. This property is subject to a deed restriction from that was specifically designed to prevent building in flood-prone areas. That restriction was not arbitrary—it was put in place by Los Angeles County to protect both the property owner and the public. The current proposal appears to circumvent that restriction by limiting it to just one corner of the property, rather than honoring its original intent to protect the entire flood zone. If you allow this precedent, what message does that send about the permanence and enforceability of deed restrictions throughout our city? Property owners who have faithfully honored their restrictions for decades might reasonably ask why they should continue to do so.

I'm also concerned about the environmental implications. The project site includes portions of an Environmentally Sensitive Habitat Area—the very ecosystems that make Malibu special and that the California Coastal Act requires us to protect. I know the applicant has submitted a biological assessment, but my neighbors who have studied this issue closely have raised serious

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/28/25 Time 7:30 a.m.
Planning Commission meeting of 11/03/25
Agenda Item No. 4B
Total No. of Pages 3

questions about its adequacy. Before you make an irreversible decision, shouldn't you be absolutely certain that you're not causing permanent damage to habitat that belongs to all of us?

What troubles me even more is the pattern of behavior you're being asked to reward. According to the City's own records, there is currently an open code enforcement case against this property for unpermitted work—including fencing, gates with electrical power, landscaping, drainage, and ground disturbance on Chumash-designated land. The applicant is essentially asking you to approve a project that would legitimize some of these violations after the fact. I understand that people make mistakes, but this appears to be a pattern rather than an isolated incident. Photographs from show materials being delivered to the property without permits. There's even evidence of what appears to be unpermitted construction of a path down the coastal bluff to the beach.

I want to be clear… I'm not opposed to all development. Malibu has always been a place where people can build homes and enjoy their property. But there has to be rules, and those rules have to mean something. When we reward those who ignore the rules while their neighbors follow them faithfully, we undermine the entire system that protects our community.

There is also the matter of due process. According to the legal analysis my neighbors have obtained, several parties who hold property interests in an easement road affecting this property were never invited to join the application as co-applicants, as required by the Local Coastal Program. Additionally, the public hearing notice did not mention that this hearing would resolve the outstanding code violations—so members of the public who might want to comment on that aspect have been denied the opportunity to participate. These are not just technicalities, they are fundamental fairness issues that go to the heart of how we govern ourselves.

Finally, I want to mention the impact on neighboring properties. One of the neighbors has a Primary View Determination that protects their ocean views. The proposed landscaping includes trees that will grow to feet tall, which appears to directly violate both the Municipal Code's view protection requirements and the conditions of approval that specifically prohibit vegetation from obstructing primary views. The photographic evidence is compelling—this project will block views that are legally protected.

I know you may be thinking that denying this application seems harsh. But I would ask you to consider what approval would mean. It would mean that deed restrictions can be reinterpreted decades later to suit current desires. It would mean that patterns of code violations can be resolved by simply applying for after-the-fact permits. It would mean that environmental protections and view protections are negotiable rather than enforceable. And it would mean

that the procedural safeguards that have been put in place to ensure fairness do not really matter.

The applicant will have other opportunities to develop this property in a way that respects the deed restrictions, protects the environment, honors the neighbors' legal rights, and complies with our codes. But this particular proposal asks you to compromise too many principles that are essential to Malibu's character and to fair governance.

I urge you to deny this application—not out of opposition to the property owner, but out of respect for the rules that protect all of us in Malibu. Our community depends on your willingness to make the difficult decision to uphold our standards, even when it would be easier to simply approve what is in front of you.

Thank you for taking the time to read this letter and for your continued service to our community. I trust that you will make the decision that best serves Malibu's long-term interests.

Respectfully,

Robert Marderosian

Malibu Resident since 2002

Received
11/2/25
Planning Div.

From: AK Munaim
To: Planning Commission
Cc: Scott Hoeft; Chris Deleau; Don Schmitz
Subject: Support Letters for Item 4B - Planning Commission Hearing - 11-3-25
Date: Sunday, November 2, 2025 1:05:50 PM
Attachments: Matza_Dear Planning Commission.pdf

Hi Gail,

Please find 2 additional support letters for the hearing tomorrow. Thank you.

Arfakhashad (AK) Munaim
Special Projects Manager, Schmitz and Associates

747.444.6144
schmitzandassociates.com
amunaim@schmitzandassociates.net
28230 Agoura Rd. Suite 200, Agoura Hills, CA 91301

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CC: Planning Commission, PD,

Recording Secretary, File

Date Received 11/2/25 Time 1:05pm
Planning Commission meeting of 11/3/25
Agenda Item No. 4B
Total No. of Pages 3

November 1, 2025

Dear Planning Commission,

I have been a resident of Malibu for 56 years. My wife, Mary, who sadly passed away, and Jane worked side by side 40 years ago in the PTA as our children were growing up. Ron Jenny was actively involved in the Kiwanis Club of Malibu for years, supporting our community while raising four children here in our beautiful town of Malibu.

Ron has shared with me that he and Jane wish to spend the rest of their lives in the house they have designed on their lot. He also expressed that it has been quite arduous to reach this point through the planning process over the past several years.

Furthermore, I am aware that their neighbors are doing everything they can to prevent them from building their home. Also, what I have been told is that there are four neighbors on the same block as Jenny's who wrote letters in favor of Jenny's being able to build their Home.

The Jennys should have the right to build a home on the property they purchased. Ron Jenny informed me that the lot is three-quarters of an acre and that they are building a 4,000-square-foot house. He also mentioned that they could have built a house a few thousand square feet larger, but chose not to maximize their building.

Please consider allowing the Jennys to proceed with building their home.

Thank you for your time and consideration.

Sincerely,
Joe Matza

Dear Malibu Planning Commission,

It has come to my attention that two neighbors of Ron and Jane Jenny have retained attorneys in an attempt to prevent them from building a modestly sized home on their property, which they purchased approximately four years ago. I have known the Jennys for many years, and they have been residents of Malibu for about 55 years. They raised their four children here and have always intended to spend the rest of their lives in Malibu, including on this piece of property.

That despite paying substantial property taxes, the Jennys are unable to enjoy their property without harassment. The attorneys have even orchestrated letters aimed at discrediting them. This feels like a targetted attack on their right to build a simple, two-bedroom home for their retirement within a city they cherish.

In my view, denying property rights is unconstitutional. If the Jennys are unable to use their property as intended, they should be compensated by the city, or the city should consider purchasing the property. Property taxes should be suspended in the interim.

Jonathan Banks

Jonathan Banks

[redacted]

Received
12/31/2025
Planning Div.

From: Malibu Township Council
To: Planning Commission; Drew Leonard; John Mazza; Marni Kamins; Elizabeth Riddick; Skylar Peak
Cc: Bill Sampson; Patt Healy; DavidPaulDominguez@gmail.com; Rebecca Evans; Gail Duncan
Subject: Fwd: Item 4B - CDP 23-034- 33008 PCH
Date: Friday, October 31, 2025 4:38:35 PM

Honorable Planning Commission,

Malibu Township Council has been advocating for responsible development since 1947.

A Phase I Archaeological Study was prepared by Matthew A. Boxt, Ph.D. for the subject property in March 2023. The cultural resources found during the field survey included subsistence shell and stone tools. This should immediately thus warrant a Phase 2 archaeological study.

From Malibu's Archaeological Evaluation and Inventory Information on the city's website link attached below:

"*All Phase I Inventories that involve any excavation or monitoring shall be conducted in consultation with a qualified Chumash Cultural Resources Monitor. A Phase I Inventory must include the following information: - A public records search through the regional historical resources information center; - An archival search of historic records; - A field survey; - A written report that describes how the survey was conducted and the result of the survey. If, on the basis of the Phase I Inventory described above, one or more significant cultural resources is found, a Phase I Inventory may be required to include: - An evaluation of limited shovel test pits to determine whether a subsurface deposit is present and a* ***negative declaration*** *shall be prepared. - Recommendations for a Phase II Evaluation and a negative declaration, mitigated negative declaration, focused environmental impact report or an environmental impact report shall be prepared. - Monitoring programs pursuant to Malibu Municipal Code (M.M.C.) Section 17.54.040(D)(4) and a mitigated negative declaration shall be prepared. Where, as a result of the Phase I Inventory, it is determined that the project may have an adverse impact on cultural resources, a Phase II Evaluation of cultural resources will be required and a negative declaration, mitigated negative declaration, focused environmental impact report, or an environmental impact report must be prepared."*

"All Phase II Evaluations must be conducted by a qualified archaeologist and, where the Phase I Inventory indicates the presence of prehistoric or ethnohistoric Chumash cultural resources. The evaluation shall also be conducted in consultation with a qualified Chumash Cultural Resources Monitor. A Phase II Evaluation is an investigation intended to: - Gather additional data in order to assess the importance of the cultural resources identified in Phase I inventories; - Define site boundaries of the cultural resources; - Assess the site's integrity; - Evaluate the project's potential adverse impacts on cultural resources; - Develop measures to mitigate potential adverse impacts."

"In the event that any potentially important cultural resources are found in the course of excavation or trenching, work shall immediately cease until the qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Where, as a result of this evaluation, it is determined that the project may have an adverse impact on cultural resources, a Phase II Evaluation of cultural resources shall be required pursuant to a ***Phase III Mitigation Program****. The limitations on mitigation as described in a Phase II Evaluation shall not be applicable to monitoring programs described in a Phase III Mitigation Program."*

https://malibucity.org/DocumentCenter/View/92/Archaeological-Evaluation-and-Inventory-Information?bidId=#:~:text=%E2%80%A2%20A%20Phase%20II%20Evaluation%20is%20an%20investigation%20intended%20to:%20%2D%20Gather%20additional&text=surface%20collection%20and%20archaeological%20excavation%20as%20provided%20for%20under%20this

David Paul Dominguez, a Qualified Chumash Cultural Resources Monitor, inspected the site and adjacent area just last week and researched historical cultural records and recommends at the very least a Phase II study to be completed and a mitigated negative declaration prepared before this application can be approved. There are apparently artifacts throughout the area.

There is also a blue line stream within 100 ft of the proposed new turnaround and multiple proposed walls and a shed. This is not addressed in the staff report at all and needs to be evaluated (see p 66) even though confirmed in the plans and by both the city and applicant's biologist. See p 103 of staff report: *"K. All new development including structures, septic systems, or landscaping, shall be set back no less than (100) feet from the (stream)"*

There are also multiple code violations including illegal stairs to the beach, planting of giant fire hazardous trees on the bluff, illegal gates and fences, etc. These need to be corrected before this application can proceed.

All the trees that are proposed to be planted within the PVD of the neighbor behind at 33006 PCH must be removed from the project. See also p 103 - "*F. Vegetation shall be situated on the property so as not to obstruct the primary view from private property at any given time (given consideration of its future growth)."*

Due to all these multiple reasons the project cannot yet move forward.

Plus it is Halloween - do you really want to be haunted by Chumash ghosts for not protecting or respecting their cutlural resources? ;)

Due diligence is more than necessary for a project of this size and scale.

Thank you for your consideration,

Jo Drummond
Malibu Township Council

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 10/31/2025 Time 4:38pm
Planning Commission meeting of 11/3/2025
Agenda Item No. 4B
Total No. of Pages 1

From: AK Munaim
To: Planning Commission; Didier Murillo; Tyler Eaton
Cc: Scott Hoeft; Chris Deleau
Subject: Item 4A - Planning Commission 12/1 - Support Letter
Date: Monday, November 24, 2025 8:58:00 AM
Attachments: 20251123_We find it troubling that dedicated individuals like th.pdf

---

Hi Gail,

Please find attached additional support letter. Thank you.

Arfakhashad (AK) Munaim
Special Projects Manager, Schmitz and Associates

747.444.6144
schmitzandassociates.com
amunaim@schmitzandassociates.net
28230 Agoura Rd. Suite 200, Agoura Hills, CA 91301

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November 23, 2025

Dear Malibu Planning Board,

We are writing to share our perspective on the ongoing situation involving our friends, Ron and Jane Jenny.

Recently, we learned that two neighbors have engaged attorneys to obstruct their efforts to build a modest home on the property they purchased a few years ago. We have known the Jennys for many years, and they have dedicated decades to Malibu—raising their children here and contributing positively to our community.

We believe everyone has the right to develop their property within established guidelines, and it is unfair that these efforts are being hindered through legal threats and character attacks.

We find it troubling that dedicated individuals like the Jennys, who have invested so much in Malibu, are being prevented from enjoying and utilizing their property as they have planned.

In our view, such interference infringes upon fundamental property rights. If the Jennys are unable to proceed with their project, they should be compensated or given the opportunity for the city to purchase the land. Ownership rights should be protected for all residents.

Thank you for your serious consideration of this matter.

Sincerely,

Frank and Ursula Brooks

[redacted] Malibu, CA 90265

Received
11/24/25
Planning Div.

From: Jackson D. McNeill
To: Planning Commission
Cc: Rebecca Evans; Marco A. Ornelas Lopez; Kenneth A. Ehrlich
Subject: December 1, 2025, PC Meeting - Item 4.A - Coastal Development Permit No. 23-034 / 33008 Pacific Coast Highway
Date: Sunday, November 23, 2025 4:06:49 PM
Attachments: image001.png
Archaeological Opinion Related to 33008 PCH.pdf
David Dominguez Ltr. re 33008PCH.pdf

To Whom It May Concern:

Please see the attached archaeological opinions concerning the proposed project at 33008 Pacific Coast Highway (Coastal Development Permit No. 23-034), agendized as Item 4.A on the Planning Commission's December 1, 2025, agenda. It you have any questions, please let me know.

Thank you.

Best,

Jackson D. McNeill
JMcNeill@elkinskalt.com
Direct Dial: (310) 746-4424 | Fax: (310) 746-4499 | Download VCard
Elkins Kalt Weintraub Reuben Gartside LLP
10345 W. Olympic Boulevard, Los Angeles, CA 90064
www.elkinskalt.com

ELKINS KALT

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CC: Planning Commission, PD,

Recording Secretary, File

Date Received 11/24/25 Time 7:30 a.m.
Planning Commission meeting of 12/01/25
Agenda Item No. 4A
Total No. of Pages 11

Archaeological Opinion Related to 33008 Pacific Coast Highway in Malibu, California

by Chester King, PhD
Topanga Anthropological Consultants

November 20, 2025

I. Executive Summary.

This summarizes my professional archaeological opinion concerning the potential cultural resources located at 33008 Pacific Coast Highway in Malibu, California, as further detailed below:

- 33008 PCH lies within the known archaeological site LAN-29 and likely contains intact subsurface cultural deposits and potentially contains a cemetery.
- The Phase I assessment prepared by the applicant's archaeologist, Dr. Boxt, remains both incomplete and contradicted by prior documented findings, including human remains at a parcel in the immediate vicinity.
- The applicant and City of Malibu's proposed monitoring and mitigation measures remain wholly insufficient.
- The City must require a publicly reviewed Phase 2 subsurface testing program, conducted with a qualified Chumash cultural monitor, before any project approval.
- Further, alternative project designs should be considered to avoid or minimize excavation.

II. Qualifications and Background.

I began studies of archaeological sites related to Chumash history in the Santa Monica Mountains in 1960. My first involvement was excavating at the Tank Site (LAN-1) in Topanga when I started studying anthropology at Santa Monica City College. Later that year I worked with Thomas Blackburn and Earnest Chandonet at UCLA sponsored excavations at the Century Ranch site LAN-227, now part of Malibu Creek State Park. I worked at other Century Ranch sites LAN-225 and LAN-229 in 1961, 1962 and 1963. I was the senior author of the report on excavations at the Century Ranch sites LAN-227, 229, and 225 in 1968. The Parker Mesa (now Sunset Mesa) site at the mouth of Topanga Creek (LAN-215) was excavated in 1961 The report on these excavations in 1962 was my first publication concerning an archaeological site. I participated in excavations at Paradise Cove (LAN-222) in 1962. I worked at UCLA sponsored excavations at the site of the historic period site (LAN-264) of Humaliwo (Malibu) at the mouth of Malibu Creek in 1964 and 1965 and participated in excavations at the historic period cemetery site in 1972. In 1966, I participated in the excavation of the Medea Creek cemetery (LAN-243) in Agoura Hills. I participated in excavations at Puerco Canyon (LAN-19) and San Nicolas Canyon in 1967 related

to a planned Highway 1 freeway. I directed excavations at *Talepop* (LAn-229) in 1980-1981, for California State Parks related to the widening of Las Virgenes Road.

I worked under two five year time and material contracts for the Santa Monica National Recreation area between 2000 and 2012. I conducted surveys of many reas and I directed NPS studies at King Gillette Ranch as parts of these contracts.

I served as Malibu City Archaeologist between 1993 and 2000. I conducted many surveys and reviews of studies. As City Archaeologist, I prepared a sensitivity map that included assessment of all parcels in the city. Preparation of the map involved consideration of the locations of all sites recorded at the time. Knowledge of the types of locations chosen for sites by the Chumash and surrounding groups was used to identify other parcels that included areas where sites were most likely to be found. I walked areas of the coast where houses were built over the beach on pilings and did not include soils and used knowledge of other parcels not known to contain sites and determined that many parcels would not require Phase 1 studies. I believe the sensitivity map continues to be used.

I have visited and participated in many other Malibu area excavations, and conducted many archaeological surveys in Malibu. In addition to my work in the Santa Monica Mountains I have also conducted many studies and participated in many excavations in Santa Barbara and Northwestern Ventura County.

While working for the Santa Monica National Recreation Area I prepared "Overview of the History of American Indians in the Santa Monica Mountains: Draft 10-2011" The overview synthesizes much of the information I have learned studying the archaeology and history of the Chumash. It is available on line at Academia.edu and has been viewed by many people.

My doctoral dissertation *Evolution of Chumash Society* involved studying museum collections from Santa Barbara County and the Santa Barbara Channel Islands stored at UC Berkeley and the Santa Barbara Museum of Natural History. The dissertation involved establishing a detailed temporal sequence of beads and other artifacts that were found with burials. The dissertation was published in The Evolution of North American Indians, a 31-Volume series of outstanding dissertations. My dissertation was the only one chosen from California.

In sum, I have more experience studying Chumash archaeological sites in the Malibu area than any other person.

III. Evidence of Archaeological Sites.

Evidence of archaeological sites usually found on surfaces that have not been buried varies depending on many variables. Two of the most important variables are the length of time sites were inhabited and their age. Sites inhabited for shorter periods of time contain fewer artifacts than those inhabited for longer periods of time. Sites that were occupied earlier in time have lost many of the shells and bones originally deposited due to dissolution by acidic soil conditions and gopher burrowing. The dissolution of shellfish near the surface of sites usually results in less shellfish remains on the surface of early sites than at depths and a higher ratio of thick shells such as clam shells on the surface. In addition to the dissolution of shells and bones, other organic material also

decrease over time and soils slowly revert to the characteristics that existed before human occupation. Decrease in the presence of forms of evidence of human activity in archaeological sites over time does not preclude the ability of archaeologists to study older sites.

Chumash area settlement sites contain the remains of house structures, cemeteries, earth ovens, and other features. These features can usually only be identified with certain through excavations.

In his report for 33008 PCH, Matthew Boxt notes:

> Visible in clearings adjacent to the modern road and chain link boundary fence, were found lithic artifacts and shell, primarily trampled and pulverized pieces of abalone (*Haliotis cracherodii*), Pismo clam (*Tivela stultorum*), scallop (*Pecten* sp.), and mussel (*Mytilus californianus*) (Figure 6 and Figure 7). The currently available evidence regarding these materials is somewhat ambiguous and is not complete enough to evaluate the true nature of the finds (Figure 8 to Figure 12). The crucial question, of course, is the likelihood that the artifacts and shell were originally deposited here, representing the activities of some ancient people, or were they moved here by disturbance processes, including road construction, residential development, dumping, burrowing animals, and/or erosion.

Matthew Boxt observed the presence of objects he considered probable artifacts and shellfish remains. At a nearby parcel at 33004 Pacific Coast Highway referenced by Boxt, I observed a few artifacts and shellfish remains similar to the observations made by Boxt (King 1999). I recommended Phase 2 testing. Gary Stickel conducted what he described as initial Phase 2 testing involving holes one foot in diameter excavated with a shovel (Stickel 2000). The testing program resulted in discoveries of human bones which were probably parts of burials. Stickel then recommended additional Phase 2 testing. From my experience the burial remains discovered by Stickel probably indicate the presence of a cemetery or cemeteries in the area he tested. Boxt interpreted his findings at 33008 PCH in the most negative way possible.

IV. Previous Disturbance of Site LAN-29.

In his report for 33008 PCH, Matthew Boxt concluded:

> The archaeological resources of the Blufftop 1, LLC parcel were assessed following a careful review of maps and archival information housed at the SCCIC. The fragments of shell and stone tools observed during the survey do not appear to represent an intact, continuous midden deposit of any density; no large pieces of shell or any other indication of decomposing organic materials from human habitation (e.g., dark greasy soils) were never observed. In my professional opinion, these cultural remains were brought to the surface of archaeological sites LAN-28 or LAN-29 by natural and cultural disturbance processes and distributed on the study parcel as secondary refuse. In general, this relatively isolated Malibu community has been developed and landscaped, and at times in the recent past, particularly during house construction, was subjected to grading, gravelling, and filling. Specifically, the degradation and likely destruction of archaeological sites LAN-28 and LAN-29 is attributed to these and other factors, such as building and maintaining critical infrastructure, disking to create fire breaks, heavy rain, erosion, construction and maintenance of the Theodore Roosevelt Highway and California State Route 1, and development of each property in this community. It should nevertheless be remembered that the survey was limited to surface contexts and that no examinations were made of the subsurface where it was not immediately visible. This point is noted because of the possibility that buried cultural deposits, though unlikely, might still be in existence on the parcel, and be obscured at present from ready visibility.

Archaeological studies at redevelopment sites in the centers of modern cities have resulted in significant discoveries. If Boxt's negative attitude were to be accepted there would be no reason to conduct archaeological studies in Malibu or other cities in California; studies at sites

LAN-264 (the site of the Malibu settlement) and most other sites I have studied in Malibu would not have produced significant information concerning Chumash history.

V. Evidence concerning site LAN-29.

The LAN-29 site covers an area on the east side of Lachusa Canyon and south of the Pacific Coast Highway. Studies concerning the parcel at 33004 north of the project site document the presence of archaeological deposits on the parcel. Limited Phase 2 excavations by Gary Stickel documented the presence of human bones. It is probable that a cemetery is present in the area because most human bones found in Malibu area settlement sites have been found in cemeteries.

Evidence of settlement site deposits have been recorded south of the Pacific Coast Highway adjacent to both Lachusa and Los Alisos Canyons. These deposits may represent the remains of one large settlement or settlements occupied at different times.

My present assessment of LAN-29 including the project area at 33008 PCH is that it is the remains of a settlement occupied during a relatively short time (compared with many settlement sites in Malibu) of only a few hundred years. Settlements used for short periods of time are of value to archaeologists because the organization of features used at roughly the same time is more easily recognized than at sites occupied over thousands of years which have features of different time periods mixed together.

The geology at the mouth of Lachusa Canyon contain deposits of the only chlorite schist (commonly known as steatite) known by geologists to be present in the Malibu area. At the site of Malibu (LAN-264), the lower levels of the deposit (dating around 1500-2200 years ago) contain chlorite schist disc beads and chlorite schist disc beads in stages of manufacture (King 2011:190-191). The beads from Malibu are visually distinctive from stone beads from other sources used in the same general time period as a result of mineral inclusions. These beads have been found in contexts dating around 1500-2200 years ago at Castaic Reservoir, Vasquez Rocks, Oro Grande on the Mojave River, and in sites near Cajon Pass. It appears that the distinctive beads from Malibu were important in the trade systems from the same time period. It is probable that the people who lived at Lachusa Canyon quarried the material used for these beads. The condition of the shellfish remains and the types of artifacts that have been observed at LAN-29 are consistent with the dating of these beads.

VI. Limitations of this Review Related to Denial of Independent Assessment of the Site in the Project Area.

On November 17 I requested access from the project developers to aid in assessment the conclusions of archaeologist Matthew Boxt hired by the developers I was denied access. Note the following emails:

> Dear Schmitz and Associates,
>
> I am reviewing the "Phase 1 Inventory and Archaeological Survey for the Blufftop 1, LLC Project, 33008 Pacific Coast Highway, City of Malibu, Los Angeles County, California" prepared by Matthew Boxt and submitted on March 22. 2023 for an upcoming meeting of the Malibu City Planning Commission. I would like to have permission to conduct a

> walkover survey of the parcel at 33008 PCH to make in independent evaluation of the potential project impacts. I would like to have David Paul Dominguez, Chumash cultural resource consultant accompany me. It would be helpful if someone planning the project would accompany me on my visit. I would appreciate a timely response to my request in order to plan my schedule.
>
> Sincerely,
> Chester King, Topanga Anthropological Consultants

They replied on November 17, 2025:

> Mr. King,
>
> Thank you for reaching out to us. Our client has already retained the services of a professional archeologist to conduct a Phase I study to look for the presence of any significant cultural resources onsite. This study was conducted by Dr. Matthew Boxt. Dr. Boxt's study found no evidence of en situ cultural resources on the applicant's property. Dr. Boxt and the City have found that no further study is required at this time as no impacts to cultural resources are anticipated. That said, the project will have standard monitoring conditions.
>
> With respect to your colleague, David Paul Dominguez, we have received correspondence from Joe Drummond (attached for reference), a project opponent, advising that Mr. Dominguez has already visited the property [and adjacent area] without our client's permission. This is unlawful and unprofessional. Please advise Mr. Dominguez that the owner has security cameras installed, and any further trespasses will be reported to the Lost Hills Sherriff's Department.
>
> Thank you for your interest. Let me know if you have any questions.
>
> Best Regards,
> **Chris Deleau, JD, AICP**
> **Special Projects Manager, Schmitz and Associates**

The exclusion of my ability to independently field check the observations of Matthew Boxt indicates that the project managers are not comfortable with the quality of the archaeological study they commissioned.

VII. Problems With Monitoring in Archaeological Sites During Development.

Matthew Boxt recommends monitoring of excavations during project development. When monitoring is adopted as a mitigation measure without knowledge of what is present under the surface, the public has little input because the period where review occurs that is enabled by the California Environmental Quality Act and the California Coastal Act has expired. During review it is possible to decide to preserve site areas through purchase or project redesign. After the public review period is over, it is impossible to propose adequate mitigation through data collection, avoidance of most impacts, or determine that the loss caused by project development can’t be mitigated.

Monitoring can also result in unpredictable costs to the developer that include:

1. Down time once development has begun.
2. Costs of designing programs for avoidance of disturbance of sensitive archaeological deposits through project redesign once development has begun.

Reduction of disturbance of intact soil can involve placement of fill to cap deposits or use of caisson foundations to reduce the area of soil disturbance for foundations.

3. Expensive mitigation programs including possible removal of whole cemeteries such as occurred at the Playa Vista project in the vicinity of Westchester. It is possible that such mitigation could exceed the cost of project construction.

VIII. Damage to Archaeological Site LAN-29 by the Proposed Project.

Project plans indicate from sections of the house, that much of the area covered by the proposed house area will be excavated to two to three feet below the present ground surface before construction of the house. Utility trenches will also be excavated, and a septic tank will also be placed in a deep excavation. Observations of site deposits on mesa surfaces similar to those at the project site indicate that site deposits are usually less than two or three feet deep except in areas where house pits or other features such as earth ovens were excavated into subsoil. The construction of the house as planned is expected to cause substantial damage to suspected site deposits. It appears that the excavations are to reduce the height of the finished house to comply with restrictions on the height of the structure. Knowledge of the significance of suspected site deposits may result in redesign to reduce the extent of excavation. Alternatives such as waiving limitations on the height of the house might be considered to reduce the extent of earth disturbance.

IX. Recommendations.

A subsurface testing program (Phase 2 study) should be conducted subject to public review by the Malibu Planning Commission and the City Council before project approval. The Phase 2 program should include monitoring by a qualified Chumash cultural consultant.

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33008 PCH

Coastal Development Permit No. 23-034/33008 PCH

Haku, my name is David Paul Dominguez, I am a Chumash Elder from the Santa Ynez Chumash Reservation, as well as, Yokut and Tongva, and a former and part-time current resident of Malibu and I have been working in cultural resources for over 30 years and currently retired from my reservation as a monitor and cultural resource manager and a strong advocate for the protection of sacred sites while working along with qualified archeologists, and, very familiar with the prehistoric Chumash and Tonvga native Americans inhabiting the proposed development area.

I was asked on behalf of the neighbors along, 33008 PCH, to consult on this proposed development, and add my expert advice, as well as, view the current sight. I met with neighbors Mark and Tammy, whom also informed me that they viewed a reinterment done on an adjacent property at 33004. During my visit, I also noticed numerous suspected burial artifacts and obvious midden and dark organic soil consistent with Chumash habitation lasting for over 8,000 years documented in the local archeological and cultural resource records and also noticed, the obvious and preferred village living area adjacent to fresh water during the prehistoric times of my Chumash relatives and this proposed project will have extreme damage to unknown archeological and cultural resources and more than likely, will hit and discover unknown burials, that are consistent in the immediate bluff area.

On, Saturday November 1st 2025, I had personal communiqué with former City of Malibu, archaeologist, Chester King, and he informed me that he worked on an adjacent property and found and discovered that there is a certain kind of steatite/soapstone bead that is only found in that part of Malibu and adjacent creek area and it is well documented that Chumash burial sites include a vast array of bead offerings as well as personal possessions, such as killed pestles and mortars, including, mano and metates, as well as, flakes and arrowheads. And, it is a well known burial area that has been brought to the attention of the city of Malibu, and well known that the area will contain other burials and will be wide spread given the minimal 8,000 years of prehistoric habitation by Chumash

David Paul Dominguez

tribal families and that he prepared a document that should be in the records that reference the extent of the sacredness of the area as far as burials are concerned.

On the same day, I had personal communiqué with Julie Tumamait, former Chairperson of the Ventareño/Barbareño Chumash Tribe, and she further verified that there are multiple burials on the proposed project bluff area and re-burials in the immediate vicinity.

Recommendations

First, and more importantly, this project should not be approved on account of the sacred sensitivity to the Chumash people and undiscovered burials, that, are in no doubt, in the immediate project area.

Postpone this hearing until all previous reports of the lot and nearby lots in the vicinity are presented by the city of Malibu and all other pertinent information properly presented.

Do a phase 2 and 3 archeological report since it has been brought to my attention there was a minimal phase 1 survey done in the past and artifacts were discovered on the immediate top soil.

Also, CEQA requirements should NOT be exempt for this application and a proper EIS/EIR be completed with consideration to geological adjacent cliff area in which erosion should be taken into account, and also, it is a sensitive creek area leading in and out of the foothills and once was a prior steel head tributary. There is also a female California black bear in the area with 3 cubs whom, might be using the area due to its unique access to shoreline food and carcasses.

The city of Malibu needs to move and adapt into the current technology available and use GPR ground penetrating radar to find any anomalies below the surface, to prevent any destruction to known Chumash burials and/or house and ceremonial ground impressions, including hearths and yucca ovens.

Protect the project area and allow for open space usage for Native American ceremonies and park for the residents of the gated community, with owners approval, of course, and use pavers over the open space to allow large fire trucks to use as a turnaround during emergencies and/or fire, by the property owner as previously recommended by said, property owner…

David Paul Dominguez

Received
11/25/25
Planning Div.

From: Jackson D. McNeill <JMcNeill@elkinskalt.com>
Sent: Tuesday, November 25, 2025 1:47 PM
To: malibu planning <mplanning@malibucity.org>
Cc: Rebecca Evans <revans@malibucity.org>; Marco A. Ornelas Lopez <MOrnelaslopez@elkinskalt.com>; Kenneth A. Ehrlich <KEhrlich@elkinskalt.com>
Subject: Letter re December 1, 2025, PC Meeting - Item 4.A / 33008 PCH

To Whom It May Concern:

Please find the attached letter submitted in opposition to the proposed project at 33008 Pacific Coast Highway (CDP No. 23-034, Minor Mod. No. 25-009), agendized for the Planning Commission's December 1, 2025, meeting as Item 4A. Please contact me with any questions.

Best,

Jackson D. McNeill

JMcNeill@elkinskalt.com

Direct Dial: (310) 746-4424 | Fax: (310) 746-4499 | Download VCard

Elkins Kalt Weintraub Reuben Gartside LLP

10345 W. Olympic Boulevard, Los Angeles, CA 90064

www.elkinskalt.com

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CC: Planning Commission, PD,

Recording Secretary, File

Date Received 11/25/25 Time 1:47 p.m.
Planning Commission meeting of 12/1/25
Agenda Item No. 4A
Total No. of Pages 20

ELKINS KALT

Jackson D. McNeill
D: (310) 746-4424
JMcneill@elkinskalt.com
Ref: 15289-0001

Elkins Kalt Weintraub Reuben Gartside LLP

November 25, 2025

VIA E-MAIL AND U.S. MAIL

City of Malibu Planning Commission
23825 Stuart Ranch Road
Malibu, CA 90265
Email: planningcommission@malibucity.org

Re:	Reply to City Staff's Response to Objections to CDP No. 23-034 and Minor Modification No. 25-009
Address:	33008 Pacific Coast Highway, Malibu, California
Meeting:	December 1, 2025
Item #:	4A

Dear Commissioners:

Our firm represents Unknowingly Devolving LLC and Mark and Tamara Mackey (collectively, our "Clients"), the owners of the real property and single-family residences located at [redacted] and [redacted] Pacific Coast Highway in Malibu, California, respectively. Bluff Top 1 LLC ("Applicant") requests a Coastal Development Permit (CDP No. 23-034) and Minor Modification (Minor Modification No. 25-009) (together, the "Application") to construct a new single-family residence and associated development (the "Project") on a coastal bluff property at 33008 Pacific Coast Highway (the "Property").

In connection with the Commission's December 1, 2025, meeting, City staff have provided an updated staff report (the "Staff Report") and the Applicant has provided updated materials purportedly responding our Clients' previous opposition to the Project. Respectfully, as detailed below, City staff's response remains inadequate and the Project as proposed cannot be approved.

I. The Plain Language of the LIP Requiring a State Lands Commission Determination and Staff Cannot Substitute Its Own Judgment for SLC.

The Applicant failed to obtain a written determination from the State Lands Commission for the subject project as required by the LIP. (See LIP §§ 13.6.2(B), 10.5(C). Staff responds that "[t]he requirement to obtain written determination from the State Lands Commission is only applicable to beachfront properties. The subject property is facing the ocean; however, there is a steep bluff in front of the property separating the building pad from the ocean." (Staff Report, p.

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2.) Staff further responds that "there is no development proposed along the shoreline nor development on the beach." (Staff Report, p. 2.)

Respectfully, this response fails. By staff's own admission, this requirements applies to "beachfront properties." (Staff Report, p. 2.) Indisputably, this property fronts on the beach. The Property's coastal bluff remains subject to wave uprush, and the Property is bounded to the south by state tidelands.

Essentially, staff seeks to substitute its own judgment for the State Lands Commission. By concluding that the Project contains adequate blufftop setbacks and that no development will occur directly on the beach, staff makes the very determination that the LIP reserves for the State of California. This is not what the LIP requires. Until Applicant obtains a determination from the State Lands Commission, the Project remains incomplete and cannot be heard.

II. The Plain Language of the LIP Requires Requesting Our Clients Join As Co-Applicants, Regardless of Whether Development Occurs in the Easement Area.

Our Clients have correctly asserted that "[a]ll holders or owners of any … interest of record in the affected property shall be notified in writing of the permit application and invited to join as co-applicant." (LIP § 13.6.2(C).) Here, the Applicant previously proposed development within an easement area to which our clients have access rights. Neither staff nor the Applicant dispute that the easement over the Property exists or that our Clients constitute easement holders. Instead, to avoid this "co-applicant requirement," the Applicant now proposes to leave the easement area totally undeveloped—that is, to leave a dirt area between the paved easement road and Applicant's proposed, paved driveway.

At the outset, our Clients' question whether Applicant—who has a history of code violations—truly intends to leave the easement area undeveloped. Regardless, staff's response still fails. Critically, **no language in the LIP requires development within the easement area in order for the "co-applicant" requirement to be triggered, and staff cites none**. The plain language of the LIP simply states that "[a]ll holders or owners of any other interest of record in the affected property shall be notified in writing of the permit application and invited to join as co-applicant." (LIP § 13.6.2(C).) Where the language of the law is clear and unambiguous, staff cannot substitute the plain language of the law with its own judgment. Put simply, our Clients must be asked to join as co-applicants before the Project can proceed.

III. The Archaeology Buffer Applies to the Project.

The City's Archaeological Review letter includes certain conditions of approval. Among other things, it states that "no geologic trenching, soil borings, ground clearance, grading, equipment placement, or similar surface-disturbing impacts shall be allowed within 30 feet of the northern property boundary." Staff responds that these were not conditions of the Project, they were merely "a precaution implemented by City staff prior to obtaining an excavation permit through City Geotechnical Staff." (Staff Report, p. 3.)

The Archaeology Review letter, however, does not indicate it was prepared solely in connection with an excavation permit, or that its conditions are limited to geologic testing. Indeed, language in the Archaeology Review refers to "construction personnel" as well as "geologic testing or *any other activity*," demonstrating it was meant to apply more broadly. (Archaeology Review Letter, p. 1, emphasis added.) Staff cannot escape the archaeology buffer now by artificially limiting the Archaeology Review's conditions of approval to geologic testing.

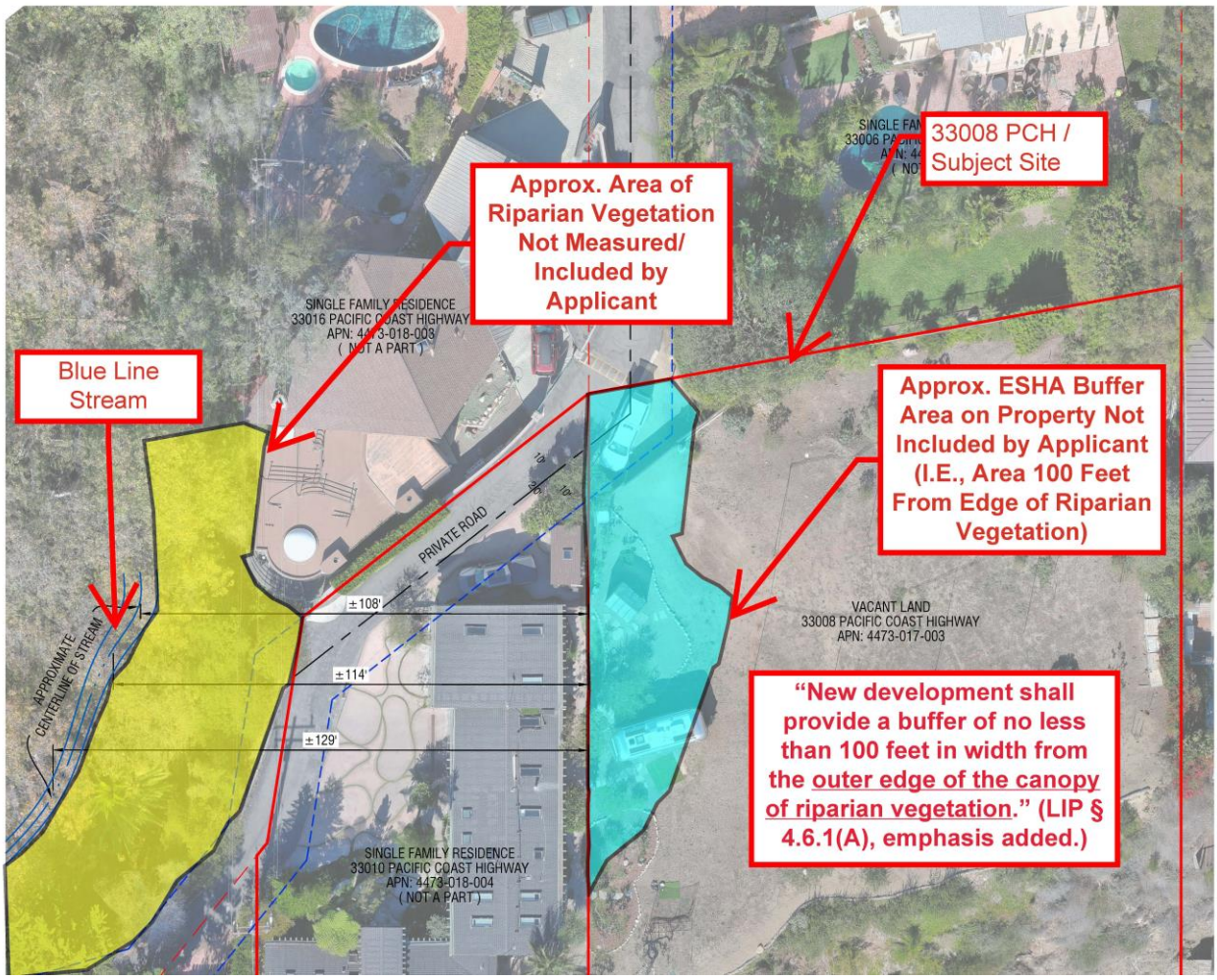
At the same time, a letter from a qualified archaeologist (Chester King, PhD) and a Chumash Elder (David Dominguez) indicate that the Applicant's Phase I archaeology report remains insufficient and that human remains and other cultural resources likely exist on site. Because the Project does not comply with the buffer condition designed to protect these important resources, the Project as proposed must be denied.

IV. The Applicant's ESHA Mapping Remains Fundamentally Flawed.

The original Project plans admitted that the Property and the proposed development lies within 100 feet of an EHSA-mapped blue-line stream, and thus within an ESHA buffer. (See, e.g., Original Plans, Plan Sheet A-0.2, showing new planters, gates, walls, pilasters, and fencing—located behind a line labeled "approx. 100' from ESHA boundary"). Conveniently, the Applicant and its biologist now opine that the Property lies at least 104' feet from the blue-line stream, and therefore lies outside the ESHA buffer. (See Forde Memo, November 12, 2025, p. 2.) On this basis, staff agrees that the ESHA standards do not apply. (See Staff Report, p. 4.)

This analysis is flawed. **Critically, the Applicant's biologist measured the distance between the Property and the top of the stream bank. But the LIP states that "[n]ew development shall provide a buffer of no less than 100 feet in width from the <u>outer edge of the canopy of riparian vegetation</u>."** (LIP § 4.6.1(A), emphasis added.)

A marked-up version of the Applicant's aerial drone exhibit demonstrates this point:



To reiterate: the Applicant, by its own admission, measured the distance between the Property and the "top of bank." It failed to measure the distance to the outer edge of the riparian vegetation, which extends laterally eastward. (Worse, the biologist's exhibit measures from the centerline of the stream, not the top of bank.) At the same time, even a casual review of the stream from google maps shows vegetation extends outward from the banks of the stream. In fact, Applicant's own biological assessment admits that riparian vegetation extends outward from the stream:

ESHA AREA IS A RIPARIAN WOODLAND COMMUNITY. THERE IS A STREAM THAT RUNS THROUGH THE ESHA AND DRAINS INTO THE OCEAN. ALONG THE PERIMETER OF THE STREAM VARIOUS TREES AND ASSOCIATED RIPARIAN AREAS ARE PRESENT. PLEASE NOTE THERE ARE ADDITIONAL DEVELOPED PROPERTIES WITHIN THE ESHA THAT ARE NOT ILLUSTRATED. ADDITIONALLY, THERE IS A PAVED ROAD AND RESIDENTIAL HOME CREATING PHYSICAL BARRIERS BETWEEN THE ESHA AND PROPERTY AREA.

(July 2023 Biology Assessment, p. 10.) The biological assessment also notes that "**the ESHA area is a riparian woodland community**." (*Id.*) Forde Memo does not contradict this conclusion.

Thus, the ESHA buffer area extends 100 feet east of the vegetation canopy, not the top of the stream bank. So measured—and as shown in the above illustration—the Property and a portion of the development lie within ESHA buffer areas. The ESHA buffer standards, meanwhile, prohibit virtually all development in ESHA buffer areas. (See LIP § 4.5.4.) And here, among other violations, the Applicant proposes fencing along the western portion of the Property, as well as fencing, stone pilasters, and a new gate in the ESHA buffer. Until this unlawful development in the ESHA buffer is addressed, the Project as proposed should be denied.

V. The Coastal Bluff Qualifies as ESHA.

City staff dismisses our Clients' suggestion that the Property's coastal bluff qualifies as ESHA. In a short set of nearly throwaway set of sentences, staff states that "the bluff is located within the fuel modification zones of adjacent single-family residences and non-native vegetation dominates. The bluff does not have any ESHA vegetation and is not considered ESHA." (Staff Report, p. 4.)

Respectfully, this analysis fails. First, far from concluding that the bluff vegetation is non-native, staff later admits that, at least as to trees on the coastal bluff, staff "cannot confirm the origins of these trees." (*Id.*) Applicant's contention, likewise, is apparently that "the trees existed prior to the [Woolsey] fire." (*Id.*)

More importantly, Clients' biologist submitted a thorough email memorandum explaining the species present on the bluff and why the floristic composition of the bluff qualifies as ESHA. We this memorandum as **Exhibit A.** He stated, among other things:

> *The bluff located at 33008 Pacific Coast Highway, Malibu, has been mapped as Malosma laurina -Artemisia californica Shrubland Alliance (Laurel sumac scrub). The bluff supports a diverse and largely native assemblage of Southern Coastal*

Bluff Scrub vegetation, as defined under the Manual of California Vegetation, Second Edition (MCV2) (Sawyer, Keeler-Wolf & Evens 2009). ***The site lies within the Malibu Local Coastal Program (LCP) area and retains the essential structure and species composition of a native coastal bluff scrub, qualifying as an Environmentally Sensitive Habitat Area (ESHA) pursuant to Malibu LUP Policy 3.23.***

The bluff community is characterized by a co-dominance of Artemisia californica (California sagebrush) and Malosma laurina (Laurel sumac), forming a mixed scrubland typical of maritime bluffs and terraces in the Santa Monica Mountains. The floristic assemblage reflects both coastal sage scrub and chaparral influences, with additional halophytic components along the bluff toe:

- *Upper and mid-slope vegetation: Artemisia californica, Malosma laurina, and Isocoma menziesii dominate the canopy, with Diplacus puniceus and Rhus ovata providing secondary structure.*

- *Lower bluff and seep zone: Batis maritima and Distichlis spicata occupy a moist, saline toe area, forming a halophytic fringe indicative of marine seepage and salt influence.*

- *Naturalized, non-native invasive and ornamental elements: Hesperocyparis macrocarpa (Monterey cypress), Washingtonia robusta (Mexican fan palm), Nicotiana glauca (tree tobacco), and Osteospermum sp. (African daisy) occur in disturbed or landscaped edges but do not dominate.*

Under Malibu LUP Policy 3.23, the bluff qualifies as an ESHA due to the following:

- *The presence of a regionally rare and valuable native plant community (Southern Coastal Bluff Scrub) adapted to maritime influence and saline conditions.*

- *A high proportion of native cover and species diversity, including multiple coastal sage scrub indicators.*

- *Ecological function as a bluff stabilizer, wildlife corridor, and pollinator habitat.*

- *Limited anthropogenic disturbance, with only minor ornamental encroachment.*

In light of the following, staff's conclusion does not comport with the facts. Indeed, when our Clients informed their biologist that the City and Applicant assert that no native vegetation exists on the coastal bluff, the biologist asserted, among other things, that this was "scientifically impossible" and controverted by his field observations and photographs. We attach his analysis as **Exhibit B**.

VI. The Bluff Development Remains Unpermitted.

Our Clients identified significant unpermitted development on the Property's coastal bluff, including unpermitted trees and erosion controls (such as straw wattle and fencing). City staff responded that the Applicant had previously asked the City if the Applicant could implement these measures and staff said "yes." (Staff Report, p. 4.)

This response fails. Even if the City told the Applicant he could place erosion control measures, that does not make those erosion control measures legal or permitted. Further, nothing indicates that Applicant's development on this sensitive coastal bluff could be completed without permits, and staff never states as much. Indeed, if this were the case, then any applicant could build unlimited fencing or place unlimited straw wattle, jute netting, sandbags, and other erosion control measures without any need for a permit. This is not the City's practice, nor is it the law. In any case, the trees themselves remain unpermitted. Consistent with City practice, the Project should not be able to move forward until these code enforcement issues have been addressed.

VII. Conclusion.

Our Clients appreciate staff's willingness to examine these important issues. However, to date, neither staff nor Applicant have adequately addressed our Clients' objections to the Project, including the ones identified above. Until those objections are adequately addressed, the Project should be denied.

Please note that this letter does not identify all issues with the Project. Please refer to our prior correspondence (and, as applicable, our testimony at the Planning Commission hearing) for additional objections to the Project.

Very truly yours,

JACKSON D. McNEILL
Elkins Kalt Weintraub Reuben Gartside LLP

JDM:jdm

EXHIBIT A

Anna Feng

From: Joshua Zinn [redacted]
Sent: Thursday, October 30, 2025 12:52 PM
To: CMccammon@malibucity.org
Subject: 33008 Pacific Coast Highway: Bluff Floristic Composition and Bio Review
Attachments: 33008 PCH Bluff-floristic composition photos_20251025.docx

Dear Courtney,

A couple of weeks ago we spoke together by phone concerning 33008 Pacific Coast Highway (project). I want to thank you for your responsiveness, approachability, and guidance concerning my questions about the biological resources/biological assessment of this proposed project.

On Monday October 20, 2025, I was scheduled to speak at the Malibu Planning Commission Hearing about my findings concerning my firm's review of the Biological Assessment (Elizabeth Moorman Biological Services July 2023 [2023 BA]). Unfortunately, I didn't get the opportunity to speak given that the first item on the agenda went beyond the anticipated time (which is understandable given the nature of public hearings). The planning commission rescheduled to hear the project for this Monday, November 3, 2025.

Even though I didn't get the opportunity to speak on my findings of the 2023 BA, our findings report was submitted to the commission as an exhibit. Additionally, while I was up in Malibu before the hearing, I took the opportunity to conduct a reconnaissance site visit to document the floristic composition of the bluff at 33008 Pacific Coast Highway.

In our 2023 BA review we did raise the issue of the bluff being characterized as 'coastal strand'. However, we did not have an opportunity to document the floristic composition until October 20, 2025. Below are my findings concerning the bluff (please see attached for photos taken during the recon survey of the bluff).

The bluff located at 33008 Pacific Coast Highway, Malibu, has been mapped as *Malosma laurina - Artemisia californica* Shrubland Alliance (Laurel sumac scrub). The bluff supports a diverse and largely native assemblage of Southern Coastal Bluff Scrub vegetation, as defined under the Manual of California Vegetation, Second Edition (MCV2) (Sawyer, Keeler-Wolf & Evens 2009). The site lies within the Malibu Local Coastal Program (LCP) area and retains the essential structure and species composition of a native coastal bluff scrub, qualifying as an Environmentally Sensitive Habitat Area (ESHA) pursuant to Malibu LUP Policy 3.23.

The bluff community is characterized by a co-dominance of *Artemisia californica* (California sagebrush) and *Malosma laurina* (Laurel sumac), forming a mixed scrubland typical of maritime bluffs and terraces in the Santa Monica Mountains. The floristic assemblage reflects both coastal sage scrub and chaparral influences, with additional halophytic components along the bluff toe:

- Upper and mid-slope vegetation: *Artemisia californica*, *Malosma laurina*, and *Isocoma menziesii* dominate the canopy, with *Diplacus puniceus* and *Rhus ovata* providing secondary structure.

- Lower bluff and seep zone: *Batis maritima* and *Distichlis spicata* occupy a moist, saline toe area, forming a halophytic fringe indicative of marine seepage and salt influence.
- Naturalized, non-native invasive and ornamental elements: *Hesperocyparis macrocarpa* (Monterey cypress), *Washingtonia robusta* (Mexican fan palm), Nicotiana glauca (tree tobacco), and *Osteospermum* sp. (African daisy) occur in disturbed or landscaped edges but do not dominate.

Under Malibu LUP Policy 3.23, the bluff qualifies as an ESHA due to the following:

- The presence of a regionally rare and valuable native plant community (Southern Coastal Bluff Scrub) adapted to maritime influence and saline conditions.
- A high proportion of native cover and species diversity, including multiple coastal sage scrub indicators.
- Ecological function as a bluff stabilizer, wildlife corridor, and pollinator habitat.
- Limited anthropogenic disturbance, with only minor ornamental encroachment.

These characteristics satisfy the ESHA criteria of rarity, ecological value, and susceptibility to disturbance. The bluff's native vegetation and halophytic fringe also enhance hydrologic stability and biological connectivity along the Malibu coastline.

In closing, the bluff at 33008 Pacific Coast Highway exhibits a structurally and floristically intact Southern Coastal Bluff Scrub community consistent with the *Malosma laurina – Artemisia californica Shrubland Alliance*. Native elements dominate, with only isolated ornamental intrusions. The site's composition, maritime setting, and habitat function warrant ESHA classification under the Malibu LCP. Restoration and management should prioritize native species preservation, halophytic seep protection, and removal of invasive ornamentals.

33008 Pacific Coast Highway Bluff Species List

Scientific Name	**Common Name**	**Native Status**	**Habitat Position**
Artemisia californica	California sagebrush	Native	Upper and mid-slope dominant
Malosma laurina	Laurel sumac	Native	Upper and mid-slope co-dominant
Rhus ovata	Sugar bush		Upper slope
Isocoma menziesii	Coastal goldenbush	Native	Mid to lower slope
Diplacus puniceus	Red bush monkeyflower	Native	Mid-slope; open scrub
Batis maritima	Saltwort	Native (halophyte)	Bluff toe; saline seep
Distichlis spicata	Saltgrass	Native (halophyte)	Bluff toe; saline seep
Hesperocyparis macrocarpa	Monterey cypress	Naturalized (regionally non-native)	Upper bluff margin

Washingtonia robusta	Mexican fan palm	Naturalized (regionally non-native)	Adjacent ornamental landscape
Nicotiana glauca	Tree tobacco	Non-native Invasive/Naturalized	Disturbed bluff edges
Osteospermum sp.	African daisy	Non-native/Naturalized	Disturbed edges

References:

- Sawyer, J.O., Keeler-Wolf, T., & Evens, J. (2009). *A Manual of California Vegetation, Second Edition*. California Native Plant Society, Sacramento, CA.
- CNPS Vegetation Database (2024). *Malosma laurina Shrubland Alliance (CaCode 45.455.00)*. https://vegetation.cnps.org/alliance/235.
- USGS National Vegetation Classification (NVCS). *Malosma laurina – Artemisia californica Shrubland (CEGL003697)*. https://www1.usgs.gov/csas/nvcs/unitDetails/790147.
- Malibu Local Coastal Program (LUP Policy 3.23). City of Malibu, CA.

Thanks so much Courtney. Please feel free to reach out with any questions or requests concerning this matter and/or our bio review of the project anytime!

Joshua Zinn, PWS | Regulatory Program Manager and Ecologist
Mobile: [redacted]
Email: [redacted]
Amigo Environmental, LLC | Certified DBE

33008 Pacific Coast Highway

Floristic Composition of Bluff

Photo Documentation

October 20, 2025

Photo 1: Looking northwest. *Artemisia californica* and *Malosma laurina* co-dominant on upper coastal bluff at 33008 PCH. Photo taken October 20, 2025.

Photo 2: Looking northwest at *Artemisia californica* and *Malosma laurina* mid-slope canopy detail of coastal bluff at 33008 PCH. Photo taken October 20, 2025.

Photo 3: Looking north. *Distichlis spicata* and *Batis maritima* forming halophytic seep at bluff toe at 33008 PCH; note *Isocoma menziesii* nearby (lower right of photo). Photo taken October 20, 2025.

Photo 4: Looking north. *Diplacus puniceus* and *Artemisia californica* near Mexican fan palm intrusion mid-slope of coastal bluff at 33008 PCH. Photo taken October 20, 2025.

Photo 5: Looking north. Halophytic seep along toe of bluff with *Distichlis spicata*, *Batis maritima*, and adjacent juvenile *Hesperocyparis macrocarpa* installed along upper portion of bluff at 33008 PCH. Photo taken October 20, 2025.

Photo 6: Close-up of *Batis maritima* dominance at lower bluff; saline soil crust visible under jute erosion geotextile mat. Photo taken October 20, 2025.

EXHIBIT B

Anna Feng

To: Joshua Zinn; Jackson D. McNeill; Justin Smith
Cc: Marco A. Ornelas Lopez
Subject: RE: 33008 PCH

From: Joshua Zinn [redacted]
Sent: Wednesday, November 19, 2025 11:36 AM
To: Jackson D. McNeill <JMcNeill@elkinskalt.com>; Justin Smith [redacted]
Cc: Marco A. Ornelas Lopez <MOrnelaslopez@elkinskalt.com>
Subject: RE: 33008 PCH

---EXTERNAL EMAIL: Do not click links or attachments unless you recognize the sender and know the content is safe---

Hi Jackson,

Thanks for the update. Pursuant to your recent conversation with the City and your question:

1. Going by the July 2023 Moorman BA no plants are ID'd or discussed concerning the bluff. Additionally, the bluff never characterized or discussed in basic biological terms or LCP/LIP regulatory framework. Indeed, the July 2023 BA states '*Vegetation communities can be catergorized* (sic) *as ruderal, coastal sage scrub, and coastal strand*. There's no mention of Coastal Bluff Scrub in the July 2023 BA.
2. In terms of the assertion made by both the City and applicant's biologist that no native flora exist on the coastal bluff, did they provide how they both came to this conclusion in light of the October 20, 2025 reconnaissance survey and photodocumentation conducted by Amigo and made available by you (in addition to independent outreach by me [by your request], please see attached)
3. Did the City countermand our data with their own?

One would think our submission(s) are accurate, defensible, and consistent with the vegetation data, Malibu LCP definitions, MCV2 classification rules, and the photographic evidence. The City/applicant's claim that "no native flora exist on the bluff" is not supported by:

- The field reconnaissance photos Amigo/Elkins Kalt provided the City;
- The species you documented;
- The alliance-level vegetation classification; or
- The Malibu LCP's definitions of ESHA and native coastal bluff scrub.

There is no biologically legitimate basis for concluding the bluff is non-native if the City and/or applicant's biologist made this assertion while:

- No field data were collected;
- No floristic composition was documented; and
- No vegetation alliance determination was performed.

Our photos and simple recon survey make the City/Applicant's biologist assertion scientifically impossible. For this assertion by the City and Applicant's biologist to be true:

- Artemisia californica would have to be non-native
- Malosma laurina would have to be non-native
- Isocoma menziesii would have to be non-native
- Batis maritima and Distichlis spicata halophytes would have to be non-native

Our photos also show non-native ornamental species but these are incidental to the larger established native community

This is scientifically impossible. Our data and the photographs show the opposite:

A high-quality native bluff scrub with halophytes. Unless the City or applicant conducted their own floristic survey (which they have not produced), their assertion is:

- Unsupported
- Contrary to the visual record
- Contrary to MCV2 classification rules
- Contrary to Malibu LCP definitions
- Contrary to actual vegetation onsite

Finally, under Malibu LUP Policy 3.23, his coastal bluff scrub community clearly qualifies as an ESHA

The Malibu LCP's ESHA criteria include:

- Rarity of the community
- Ecological value
- High native cover
- Sensitivity to disturbance
- Habitat connectivity
- Bluff stabilization function
- Intact hydrologic and geomorphic conditions

The bluff we documented (with relatively little effort) contains:

- A mostly intact native scrub community
- Halophytes at the toe (saltwort, saltgrass)
- Minimal anthropogenic disturbance
- High native species richness
- A clear maritime influence
- A documented shrubland alliance recognized by MCV2

These findings meet Malibu LCP/LIP ESHA criteria directly.

Hope this helps, thx

Joshua Zinn, PWS | Regulatory Program Manager and Ecologist
Mobile: [redacted]
Email: [redacted]
Amigo Environmental, LLC | Certified DBE

Marcy Paul
[redacted]
Malibu,CA 90265
01/16/2026

Malibu City Planning Commission

Dear Planning Commission,

My name is Marcy Paul, and I am a neighbor of Ronald and Jane Jenny. My house is located on the same easement, behind the Mackey's home. I have known the Jennys for many years, and I am writing to express my support for their planned construction project.

I have recently observed that the Jennys have erected story poles for a new home on the vacant lot next to their property. Since my house is directly above the Jennys' residence, I recognize that portions of their new structure will impact my view. Although this may slightly affect my perspective, I firmly believe that the Jennys have the right to build on the property they have purchased.

In my discussions with the Jennys, they informed me that their neighbors, the Andersons and the Mackeys, have hired an attorney in an attempt to block their building rights. To my understanding, they have raised various objections, including claims regarding potential Chumash burial grounds on the Jennys' property. However, extensive studies have revealed no evidence of any archaeological issues.

It is crucial to note that the concerns expressed by the Andersons and the Mackeys primarily center around their views rather than legitimate legal or environmental matters. The Jennys purchased their lot and should have the right to build on it, particularly since they have consistently adhered to the city's guidelines regarding height and size.

From my observations, the Mackeys' house is significantly taller than the planned construction for the Jennys' home. Furthermore, the Andersons have planted numerous large trees, including approximately 30 specimen olive trees that directly obstruct my view. The Mackeys also have large palm trees, a giant eucalyptus, and a substantial coral tree that they allow to grow unchecked. Despite my requests for them to trim or relocate these trees to help restore my view, they have shown no willingness to accommodate this.

Given these considerations, I urge you to uphold the Jennys' right to build their new home. They have meticulously designed the project and have been collaborating with the Malibu building department for nearly four years.

Thank you for your attention to this matter.

Sincerely,
Marcy Paul

Received
12/16/25
Planning Div.

To: Didier Murillo
Principal Planner
Community Development Department.
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

Dear Mr. Murillo, I am writing to you asking for your help in helping correct a misquote attributed to me, which was included in a letter that was recently sent to the City of Malibu Planning department by David Paul Dominguez, regarding an application for a building permit at 33008 Pacific Coast Highway.

The background is this: On December 8th 2025, I received a call from Mr. Dominguez. He wanted to know if I had any knowledge of coastal sites in the City of Malibu. I was under the impression that he asked because he was going to do some cultural monitoring there.

I told him that yes I do have knowledge of the Malibu area. I have worked in Malibu many times as a cultural resources consultant, the last time as part of the Woolsey Fire Cleanup project. I am the founder and former Chair of the Barbareno Ventureno Band of Mission Indians. I have 40 years of experience in all aspects of my Chumash cultural heritage including Cultural Resource Management. Even more to the point, it is well documented that my family has direct descendancy from the Chumash villages of Humaliwo and Zumo (Dume Pt.).

In response to David's question I provided him some general information about a site I'm familiar with based on my work in the Malibu region. My point by referencing it was simply to reinforce the notion that Malibu is a culturally sensitive area. The site that I was telling David about is 10 miles west from the 33008 property, not at all related to 33008. I had never been on the site at 33008 and never made any representation to David that I had been.

As we continued to talk, I realized that his focus was the property at 33008, and learned that it was being contested by many people and that David and Chester King, an archaeological consultant, were being paid to consult with property owners in this neighborhood and report to them and the City of Malibu.

Since then I have seen the letter that David sent the City of Malibu where he states:

> "On the same day I had personal communication Julie Tumamait, former chair of the Ventareno/Barbareno Chumash Tribe, and She further verified that there are multiple burials on the proposed project bluff area and reburials in the immediate vicinity."

This attribution is completely false. I never made any such statement about the 33008 property. He knows that I wasn't talking about that property, knows that I've never been there, never said anything about that property. Further, David totally misrepresents when our conversation took place. We spoke on December 8, not November 1.

I just want to be absolutely clear. Neither the city in its setting permitting conditions nor the property owners in their own stewardship should be relying on any statements attributed to me by Mr. Dominguez. I've asked David to correct this record, yet he has refused, so I am compelled to send this letter both to protect my own integrity and to be clear about the actual record of the 33008 property.

That all said, please also know that I am very passionately committed to protecting Chumash cultural resources. But our work must be based on honesty and reliability. Archaeology is a very specific and scientific process. There are many levels to follow, one process following the other to see the presence or absence of Cultural material. One cannot conclude that because there may be human remains on one property, that it means there are remains on other properties miles away.

Finally, on a related point, each parcel and project needs to be taken seriously and deliberately. Yet what's apparent in this situation is that both David and Chester are relying on made up claims and the disaffection of neighbors to claim evidence of Chumash cultural resources at 33008. There may be, but the City and property owner need to follow appropriate and reliable procedures to determine that.

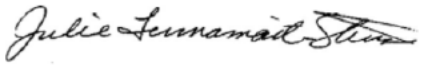
In closing I would like to add that I have been asked to be present as the Cultural Monitor for the extended Phase 1 archaeological testing. I'm honored to participate in the work to document what is actually at this property. The findings will determine what comes next. But I'd also like to note that as I write this there is road work being conducted right out on the highway. If there was real concern about the sacredness of our culture wouldn't the neighbors and others have been

equally concerned to have a Cultural Monitor there too? The neighbors are concerned about the 33008 property, but where's the concern for the roadwork?

Should you have any questions, I'm happy and eager to talk, to set the record right on my comments. Thank you.

Sincerely,

Julie Tumamait-Stenslie



Chumash Elder
Native Chumash Consulting
Services
[redacted]

Forde
BIOLOGICAL CONSULTANTS

10664 FRESILLA RD | SANTA ROSA VALLEY, CA 93012
PHONE: (805) 302-7165 | FAX: (805) 532-9196
WWW.FORDEBIO.COM | EMAIL: INFO@FORDEBIO.COM

Ronald Jenny
33010 Pacific Coast Highway
Malibu, CA 90264

November 12, 2025

RE – 33008 Pacific Coast Highway, Malibu

Ronald Jenny,

At the request of Schmitz & Associates, I visited the property commonly known as 33008 Pacific Coast Highway on November 7, 2025, to determine if a bluff meets the Environmentally Sensitive Habitat Area (ESHA) definition and to determine the distance of the property from a stream that cuts through 33014 Pacific Coast Highway.

The City of Malibu LCP defines ESHA as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem." ESHA includes native habitats, which contribute to the viability of species protected by the State and Federal endangered species acts or those that are "fully protected" or recognized as "species of special concern" by the State. Any habitats with plant species on list 1B or list 2 of the California Native Plant Society's Inventory of Rare and Endangered Plants or habitats that are rare or valuable from a local, regional, or statewide basis including wetlands and streams are ESHA.[1] With exception of streams and wetlands, areas within legally existing fuel modification zones, do not meet the ESHA definition.

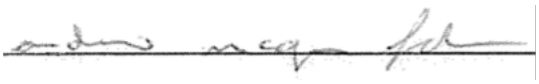
1 City of Malibu Local Coastal Plan, Local Implementation Plan, Chapter 4.1; City of Malibu Local Coastal Plan, Land Use Plan, Chapter 3.1

Forde
BIOLOGICAL CONSULTANTS

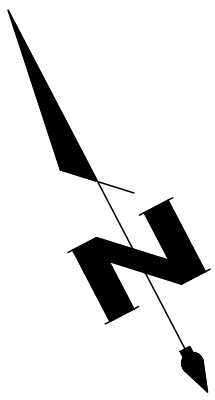
10664 FRESILLA RD | SANTA ROSA VALLEY, CA 93012
PHONE: (805) 302-7165 | FAX: (805) 532-9196
WWW.FORDEBIO.COM | EMAIL: INFO@FORDEBIO.COM

The bluff is located within the fuel modification zones of adjacent single-family residencies and non-native vegetation dominates. The bluff does not meet the ESHA definition. I had no legal access to 33014 Pacific Coast Highway. Using a laser hypsometer, I determined that at its closet point to the property the stream is 8 feet wide from top of bank to top of bank and the distance from top of bank to the property line is 104 feet.

Sincerely,



Andrew McGinn Forde, Principal Biologist
Forde Biological Consultants



30' 15' 0' 15' 30' 60'

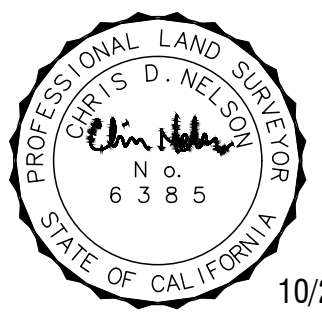
GRAPHIC SCALE
SCALE: 1"=30'

LEGEND:

- RIGHT OF WAY
- PROPERTY LINE
- LOT LINE
- CENTERLINE
- EASEMENT LINE
- CENTERLINE OF STREAM

NOTES:

1. EXISTING STREAM SHOWN HEREON IS BASED ON FIELD MEASUREMENTS LOCATED ON 10/30/2025.



10/29/2025

CA5 Surveying & Mapping
28328 Agoura Rd., Suite 203, Agoura Hills, CA. 91301
P: 818.463.3141 www.CA5Survey.com

AERIAL DRONE EXHIBIT

APN: 4473-017-009

33008 PACIFIC COAST HIGHWAY,
MALIBU, CA 90265

PREPARED FOR:
RON JENNY
C/O: SCHMITZ AND ASSOCIATES
33008 PACIFIC COAST HIGHWAY,
MALIBU, CA 90265

JOB NO. 25-046
SCALE: 1" = 30'
DATE: OCT, 2025
SHEET: 1 OF 1

S:\SHARED FOLDERS\CA5SURVEY_FILES\PROJECTS\2025\25-046 RON JENNY 33008 PCH MALIBU DRONE SURVEY\PRODUCTION\BOUNDARY & TOPO\25-046 FROM 23-6817_C3D21_BOUNDARY.DWG (11-01-25 2:29:56PM) Plotted by: Shane

ATTACHMENT 7

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

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Tuesday, February 17, 2026, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

COASTAL DEVELOPMENT PERMIT NO. 23-034, MINOR MODIFICATION NO. 25-009, AND CODE VIOLATION NO. 23-047 - An application to construct a new two-story, 18-foot high, 4,856 square foot single-family residence, including a 791 square foot attached garage and a 824 square foot second-story second unit, landscaping, hardscape, grading, fire department turnaround area, vehicular access gate, and the installation of a new onsite wastewater treatment system; including a minor modification for up to a 50 percent reduction of the front yard setback

LOCATION / APN / ZONING:	**33008 Pacific Coast Hwy** / 4473-017-009 / Rural Residential-Two Acre (RR-2)
APPLICANT / OWNER:	Schmitz & Associates, Inc. / Bluff Top 1 LLC
APPEALABLE TO:	City Council and California Coastal Commission
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303(a) and 15303(e)
APPLICATION FILED:	May 17, 2023
CASE PLANNER:	Didier Murillo, Principal Planner, dmurillo@malibucity.org (310) 456-2489, ext. 342

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

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

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

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

YOLANDA BUNDY, Community Development Director

Date: February 5, 2026