Commission Agenda Report

Planning Commission Meeting
06-18-26
Item 4.A.

To: Chair Peak and Members of the Planning Commission

Prepared by: Alexander da Silva, Associate 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: June 4, 2026 Meeting date: June 15, 2026

Subject: Coastal Development Permit No. 18-029 – A follow-up application to Emergency Coastal Development Permit No. 18-002 for the removal of temporary slope protection measures and the construction of permanent slope protection measures consisting of two revetments on the ocean side of a private street (Continued from May 18, 2026)

Locations: 31618 Sea Level Drive, within the appealable coastal zone
APNs: 4470-017-009; 4470-001-014 through 4470-001-026
Owners: Malibu Encinal Homeowners Association (MEHOA); WHE Properties, LLC; Gary and Daphne Murphy; X17 Inc; Sea Level Properties II, LLC; Elizabeth E Heitman Trust; Drake Family Trust; Steve Shuken Trust; MH and JM Gainer Trust; CWMBS, Inc.; Fusco Family Trust; Steve Supowitz; Fusco Family Trust; Crowley and Summers; P and C Partners LP; BJGL Holdings I LLC

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-18 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 18-029 for a follow-up application to Emergency Coastal Development Permit (ECDP) No. 18-002 for the removal of temporary slope protection measures and the construction

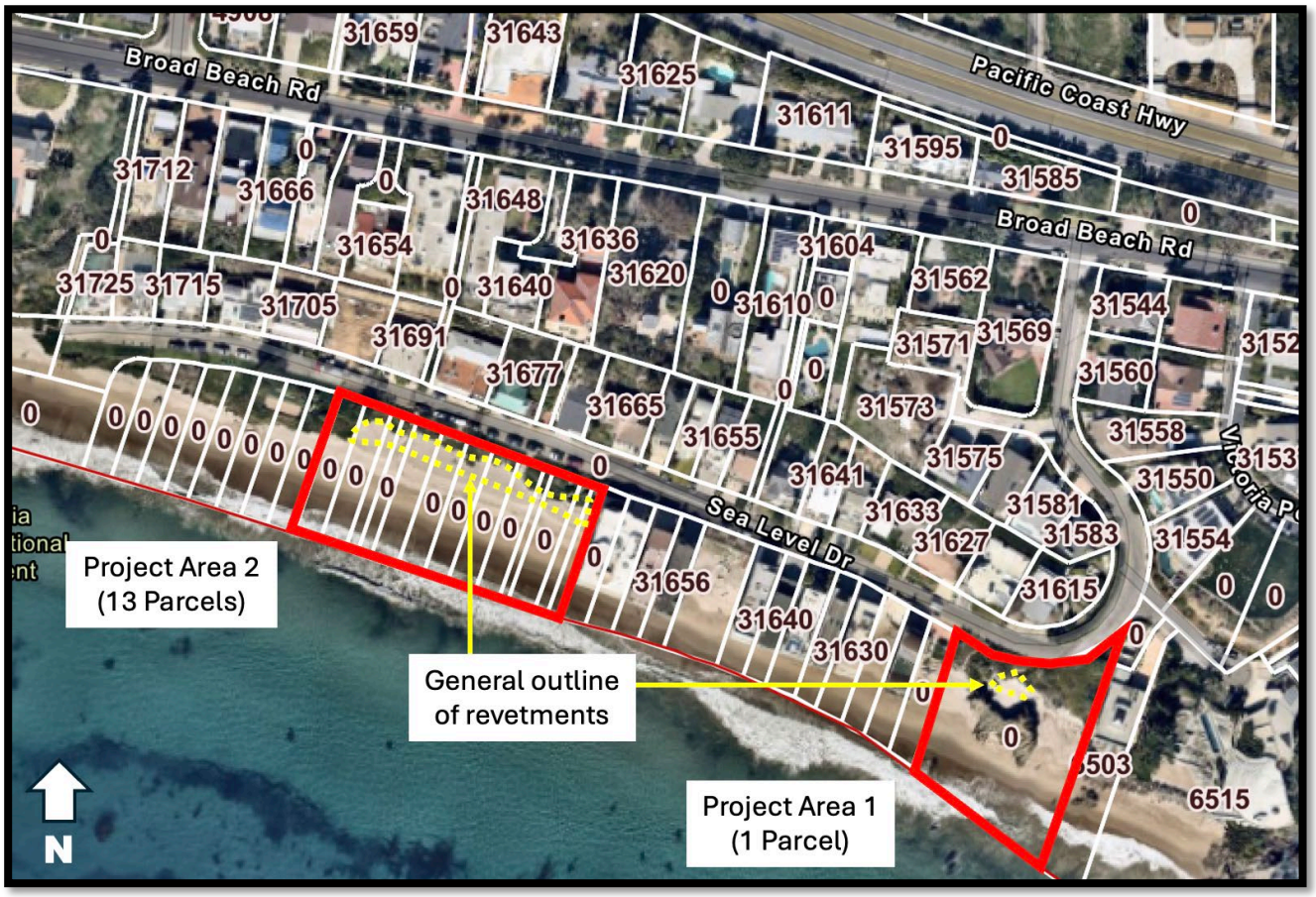
of permanent slope protection measures consisting of a new shoreline protection device including two revetments on the ocean side of a private street located in the Single-Family Medium Density (SFM) zoning district at 31618 Sea Level Drive and APNs 4470-001-014, 4470-001-015, 4470-001-016, 4470-001-017, 4470-001-018, 4470-001-019, 4470-001-020, 4470-001-021, 4470-001-022, 4470-001-023, 4470-001-024, 4470-001-025 and 4470-001-026 (Malibu Encinal Homeowners Association Inc.; WHE Properties, LLC; Gary and Daphne Murphy; X17 Inc; Sea Level Properties II, LLC; Elizabeth E Heitman Trust; Drake Family Trust; Steve Shuken Trust; MH and JM Gainer Trust; CWMBS, Inc.; Fusco Family Trust; Steve Supowitz; Fusco Family Trust; Crowley and Summers; P and C Partners LP; BJGL Holdings I LLC).

DISCUSSION: This agenda report provides a project overview, a summary of the surrounding land uses and project setting, description of the proposed project, an 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 contained herein demonstrates the proposed project is consistent with the LCP, MMC, and CEQA.

Project Overview

As shown in Figure 1, the project site is comprised of 14 vacant beachfront parcels located south of East Sea Level Drive, which is a private street providing private access to several residences and an existing public access to Lechuza Beach. One parcel (APN 4470-017-009) comprises Project Area 1 near the eastern curve of East Sea Level Drive near inland parcel 31615 Sea Level Drive. Thirteen parcels (APNs 4470-001-014 through 4470-001-026) comprise Project Area 2 along the western portion of East Sea Level Drive near inland parcels 31665 to 31697 Sea Level Drive.

Figure 1 – Project Location



Source: City GIS (2026)

Figure 2 – Extent of Erosion



Source: Project Geotechnical Report (2026)

On January 18, 2018, the City received an ECDP application for temporary slope protection along East Sea Level Drive. As shown in Figure 2, the ECDP was requested due to erosion-related risks to single-family residences, onsite wastewater treatment systems (OWTS), and vehicular and pedestrian access on East Sea Level Drive for emergency services and private and public use. The scope proposed sandbags (approximately 1 cubic yard each) to be placed seaward, near the toe, of two areas of slope erosion on East Sea Level Drive. Per the project engineer's written justification for the project, the emergency at-hand specifically consisted of a coastal slope eroding to the edge of the street due to significant southern swell storm systems in 2018. Immediate action was necessary to "stop the erosion [and] ensure access to the homes for essential public services such as fire and ambulance." The City approved ECDP No. 18-002 on March 30, 2018, following LCP conformance reviews conducted by the Planning Division, City coastal engineering consultant reviewers, City geotechnical consultant reviewers, City Environmental Health consultant reviewers, and the Public Works Department.

In compliance with the ECDP conditions and pursuant to LCP Local Implementation Plan (LIP) Section 13.14, the applicant submitted a follow-up regular CDP on June 25, 2018, to formally authorize the emergency work (CDP No. 18-029). The State Lands Commission (SLC) confirmed the project does not extend seaward of the Mean High Tide Line (MHTL). The application was deemed complete on March 26, 2026.

The proposed scope of work would replace the temporary sandbags with permanent revetments in Project Areas 1 and 2. The revetments would provide long-term protection of residences, multiple OWTS, and vehicular and pedestrian access on East Sea Level Drive for emergency services and private and public use. The proposed revetment at Project Area 2 will match the design of the existing revetment adjacent to the Project Area and would not extend seaward of existing conditions. As conditioned, the revetments would be subject to a monitoring program to evaluate the performance of the shoreline protection devices, with monitoring reports submitted to the City every five years for review. Monitoring reports must also analyze beach erosion trends, assess adjacent structures' performance, and if applicable, provide recommendations for repairs or improvements consistent with the LCP.

Project Setting and Surrounding Land Uses

The project is proposed on 14 vacant beachfront parcels in the Malibu-Encinal neighborhood. The parcels are privately owned by the Malibu Encinal Homeowners Association, Inc. (MEHOA) and various private parties, as listed in Table 1. None of the parcels are owned by a public agency or related entity.

Table 1 – Parcel & Owners List	
APN	**Owner**
Project Area 1	
4470-017-009	Malibu Encinal Homeowners Association, Inc.
Project Area 2	
4470-001-014	WHE Properties, LLC; Supowitz; X17 Inc, Navarre; James and Sheila Family Trust
4470-001-015	Sea Level Properties II, LLC
4470-001-016	Sea Level Properties II, LLC
4470-001-017	Malibu Encinal Homeowners Association
4470-001-018	Elizabeth E Heitman Trust
4470-001-019	Drake Family Trust
4470-001-020	Steve Shuken Trust and MH and JM Gainer Trust
4470-001-021	CWMBS, Inc.
4470-001-022	Fusco Family Trust
4470-001-023	Crowley and Summers
4470-001-024	P and C Partners LP
4470-001-025	Malibu Encinal Homeowners Association, Inc.
4470-001-026	BJGL I Holdings LLC

The project site is within the Appealable Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map. The subject parcels are not located in a designated Environmentally Sensitive Habitat Area (ESHA) or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. The project area is characterized by a narrow and eroded sandy beach with a lower-rise coastal landform between the beach and East Sea Level Drive. Conditions in the project area were exacerbated by significant southern ocean swells caused by various storm systems in 2018, resulting in increased slope erosion along East Sea Level Drive.

East Sea Level Drive is a 20-foot-wide private street owned by MEHOA (within a 40-foot-wide private street easement) and the neighborhood is privately gated. Public access to Lechuza Beach from Broad Beach Road via East Sea Level Drive is available and separately managed by a public access easement to the Mountains Recreation and Conservation Authority (MRCA).[1] Two additional public access points to Lechuza Beach are available and maintained by MRCA via the Bunnie Lane staircase from Broad Beach Road and via West Sea Level Drive. Neither the Bunnie Lane access nor West Sea Level

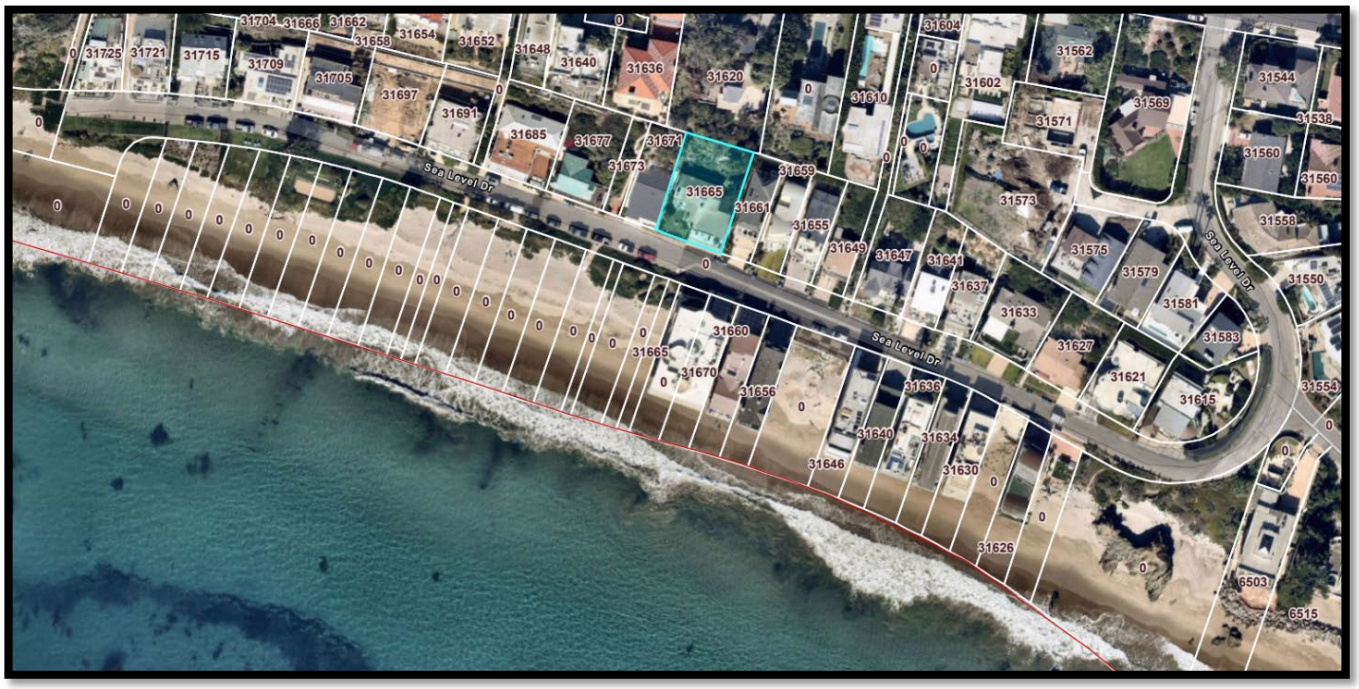
[1] On September 13, 2024, the CCC approved CDP No. A-4-MAL-24-0020 for MRCA's Lechuza Beach Access Project. The Project includes Project Area III that would construct public access improvements at the terminus of East Sea Level Drive and the beach. Once constructed, public vertical access from the improvements/Lechuza Beach to Broad Beach Road would continue to be available on MRCA's public access easement along East Sea Level Drive. A copy of MRCA's plans for Project Area III are available on the CCC's website at: https://documents.coastal.ca.gov/reports/2024/9/F14a/F14a-9-2024-exhibits.pdf (Exhibit 6).

Drive access are associated with the project area proposed. The revetment will help protect the established public access along East Sea Level Drive.

The California Coastal Trail (CCT), a mapped public trail on the LCP Park Lands Map, orients in two locations through the project area – along the shoreline and via East Sea Level Drive to Broad Beach Road. In the event that construction activities temporarily impede existing public access on East Sea Level Drive, the project is conditioned such that ample wayfinding signage will be provided to direct the public to the other two public vertical access points via Bunnie Lane and West Sea Level Drive. Thus, access to Lechuza Beach will be maintained throughout the construction process. Once the project is completed, vertical public access via East Sea Level Drive will be restored. As designed, the revetments maintain the required 10-foot minimum setback from the MHTL pursuant to LIP Section 10.4(B) and will not impede upon lateral public access along the shoreline. On March 12, 2020, a determination was provided by the SLC advising that the proposed development is not located on public tidelands and would not adversely impact tidelands.

The subject parcels are zoned SFM as are the surrounding parcels to the west, north, and east, which include a mix of vacant and developed residential parcels. Nine beachfront single-family residences are oriented along the ocean side of Sea Level Drive, with the inland side of the street fully developed. The Pacific Ocean borders the project area to the south. Tables 2 and 3 provide a summary of the surrounding land uses and lot sizes for Project Areas 1 and 2.

Figure 3 – Vicinity Map



Source: City GIS

Table 2 – Surrounding Land Uses (Project Area 1)				
Direction	**Address**	**Lot Size**	**Zoning**	**Land Use**
North	31615 Sea Level Dr.	0.15 acres	SFM	Single-Family Residence
	31621 Sea Level Dr.	0.11 acres	SFM	Single-Family Residence
West	4470-001-001	0.11 acres	SFM	Single-Family Residence
East	6503 Point Lechuza Dr.	0.31 acres	SFM	Single-Family Residence
South	N/A	N/A	N/A	Ocean

Table 3 – Surrounding Land Uses (Project Area 2)				
Direction	**Address (or APN)**	**Lot Size**	**Zoning**	**Land Use**
North	31691 Sea Level Dr.	0.11 acres	SFM	Single-Family Residence
	31697 Sea Level Dr	0.12 acres	SFM	Single-Family Residence
	31685 Sea Level Dr.	0.13 acres	SFM	Single-Family Residence
	31677 Sea Level Dr.	0.12 acres	SFM	Single-Family Residence
	31671 Sea Level Dr.	0.08 acres	SFM	Single-Family Residence
	31665 Sea Level Dr.	0.15 acres	SFM	Single-Family Residence
East	31670 Sea Level Dr.	0.20 acres	SFM	Single-Family Residence
West	4470-001-027	0.11 acres	SFM	Vacant Parcel
South	N/A	N/A	N/A	Ocean

Project Description

The proposed scope of work is as follows (Attachment 2 – Project Plans). All development is proposed on the 14 vacant parcels and no development is proposed or required on any of the developed beachfront or inland parcels.

Removal

a. Removal of temporarily placed sandbags authorized in ECDP No. 18-002 in Project Areas 1 and 2;

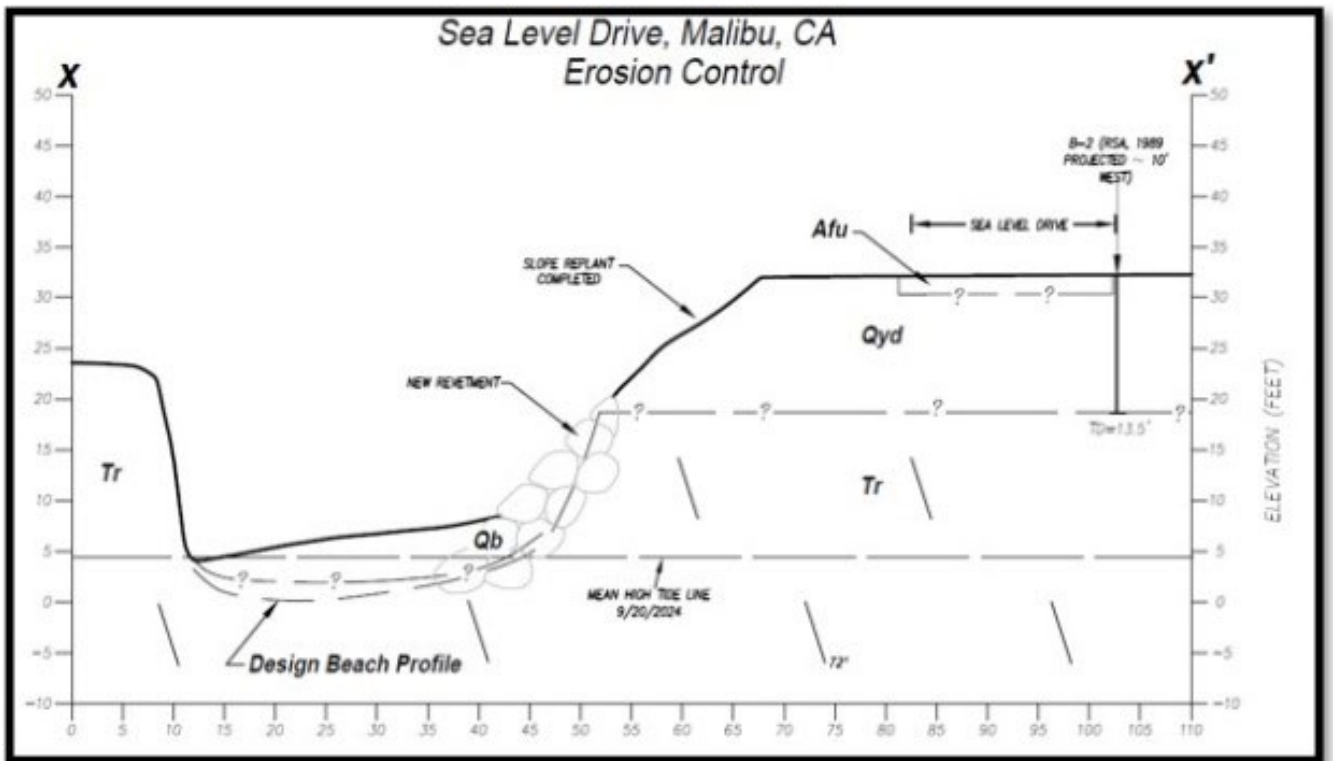
Construction

b. Installation of two quarry stone revetments in Project Areas 1 and 2 on the ocean side of East Sea Level Drive to provide permanent slope protection. The extent of development consists of the following:

    i. Project Area 1: Geotextile liner and rock revetment to extend in elevation from approximately +2 feet NAVD88 to approximately +20 feet NAVD88. The slope of the revetment will be approximately 1:1.5. Rock size will be approximately 5-ton to approximately +10 NAVD88 and 2-ton above +10 NAVD88.

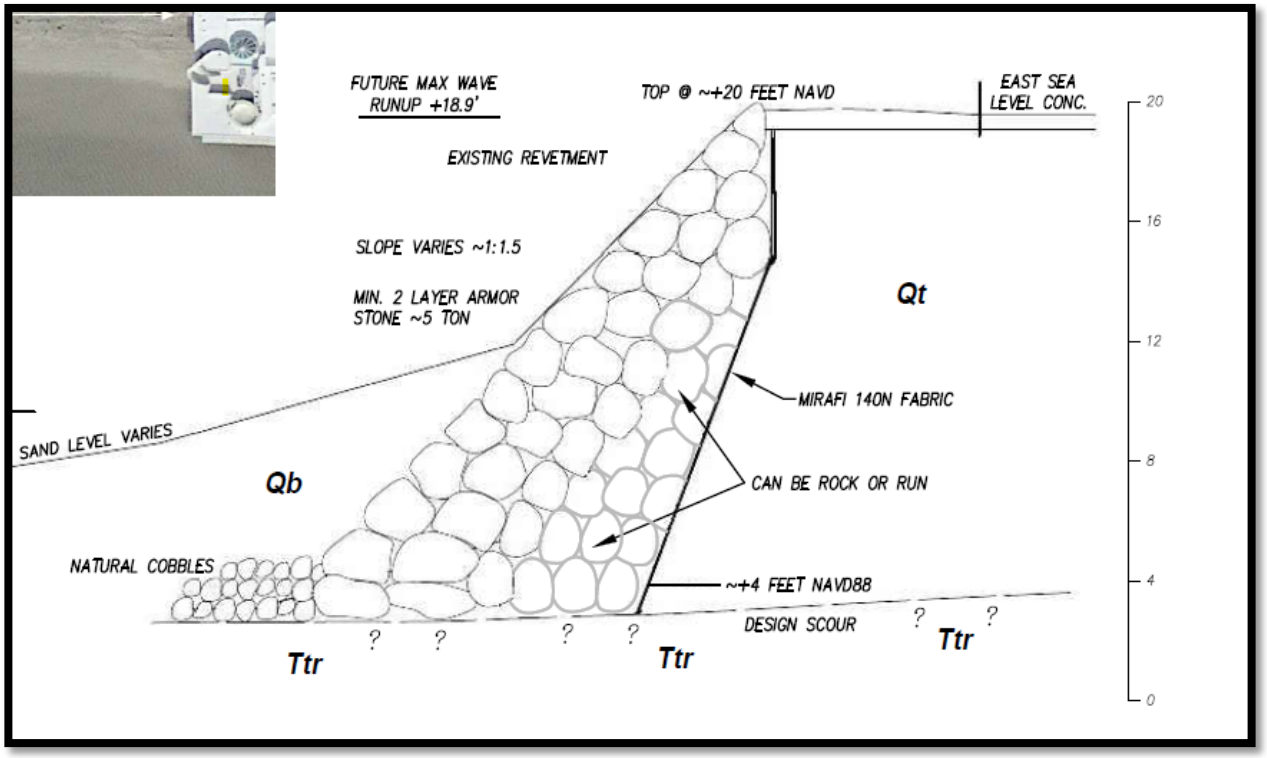
ii. Project Area 2: Designed as an approximate 285-foot extension of the existing stone revetment from West Sea Level Drive to the first pile supported residence at 31660 Sea Level Drive. Design will be located landward of the existing revetment. Geotextile liner and rock revetment to extend in elevation from approximately +4 feet NAVD88 to approximately +20 feet NAVD88. The slope of the revetment will be approximately 1:1.5 with an approximate footprint of 22 feet seaward from the toe of the slope. Rock size will be approximately 5-ton.

Figure 4 – Project Area 1 Profile



Source: Project Plans

Figure 5 – Project Area 2 Profile



Source: Project Plans

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the LIP. The LUP contains programs and policies implementing the Coastal Act in 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 may 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. Conformance with these LIP chapters is made below.

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 and resolution, 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; Shoreline and Bluff Development; Hazards; Scenic, Visual and Hillside Resource Protection; and Public Access. These findings are made in the resolution for the Commission's consideration.

The proposed project involves the establishment of two rock revetments, which according to the LIP, LUP and General Plan must be the last option once all other remedies have

been exhausted. Pursuant to Section 10 of the LIP, findings are required to be made for a project of that nature and are discussed in the resolution for this project. However, there are various development standards that are related to rock revetments that can be found within the LIP, LUP and General Plan. Those standards are discussed within this report below.

The proposed project has been reviewed by the Planning Division, City coastal engineering consultant reviewers, City geotechnical consultant reviewers, City Environmental Health consultant reviewers, and the City Public Works Department (Attachment 3 – Department Review Sheets). All conditions of approval from reviewers are included in the resolution. The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals, and policies.

Shoreline and Bluff Development (LIP Chapter 10)

The proposed project's scope of work is subject to both the findings and development standards of LIP Chapter 10. Section 10.3 provides the findings and analysis required for any applicable project, and those findings are analyzed in this project's resolution. Section 10.4, however, gives development standards that aim to cover any applicable project pending its project scope. For the case of this project's rock revetment proposal, the following sections under Chapter 10 apply and thus require compliance: Sections A, C (1-5), H, K, L, M and N.

Section 10.4(A) requires new shoreline protection devices to anticipate future sea level rise and to be set back and elevated as in to minimize feasible hazards associated with sea level rise over the expected 100-year economic life of the structure. As discussed within the January 27, 2026 report from GeoSoils, Inc., an alternative analyses report was completed and it was determined that the available options (cast in place vertical sea wall or no project) were not adequate to account for the landward migration of the mean high-tide line (MHTL), and would result in greater construction and demolition impacts. The proposed project is designed to meet the 100-year economic life as required by the LCP as determined by the City's coastal engineering reviewers. Sufficient revetment depth and lateral spread will protect structures from wave uprush and sea level rise impacts.

Section 10.4(C)(1-5) levies specific construction measures to regulate development that includes the construction of a shoreline protection device. Those include: 1) no stockpiling of dirt or construction materials on the beach; 2) grading must be covered along with BMPs to be used to prevent runoff and siltation; 3) erosion, runoff, and siltation control measures have to be implemented at the end of each day's work; 4) prohibition of machinery within the intertidal zone unless otherwise authorized; and 5) rules that force construction debris to be removed from the beach both daily and at the completion of development. The project plans do not propose any of the following and include BMPs to prevent runoff and siltation of which will be further reviewed by the Public Works Department within Building Plan Check.

Section 10.4(H) requires all beachfront and bluff-top development to be sized, sited and designed to minimize risk from wave run-up, flooding, and bluff erosion hazards without requiring a shoreline protection device during the lifetime of the development. In regards to this project, the proposed revetments have been sited as far landward as possible to avoid any anticipated beach erosion. The design is due to existing development such as East Sea Level Drive which provides public and private beach access. The revetment is sited as close to the edge of the northern property boundary (most landward) as feasible and leaves sufficient beach for visiting patrons. These revetments thus have been sized to protect all existing access, both private and public.

Section 10.4(K) requires shoreline and bluff protection structures to only protect existing structures. Additionally, it must be shown that the proposed development is the least environmentally damaging option whilst being designed to mitigate impacts to local sand supply and public access. In keeping with this section, the proposed revetments are designed to solely protect existing infrastructure that includes the existing permitted structures and public access. The proposed revetments will provide continued shoreline protection of the homes located along East Sea Level Drive in addition to the street itself. The revetments also will connect, and continue, the existing rock revetment development to the immediate east of the project – a project that remains successful in protecting the existing homes, the street, and public/private beach access. Lastly, this section of the LIP requires an alternative feasibility analysis that discusses relocation of the existing development landward and the removal of portions of existing development. However, as previously mentioned, the GeoSoils Inc. report from January of 2026 studies alternative options and designs and it was still concluded that the proposed design offers the least adverse impacts to local sand supply whilst maintaining public access.

Section 10.4(L) prohibits shoreline protection devices from solely protecting ancillary or accessory structures, and as previously mentioned, this project will be designed to protect existing primary residences, private and public street access, and East Sea Level Drive itself. These existing primary structures and public access points are allowed to be protected with a shoreline protection device pursuant to LIP Section 10.4(K).

Section 10.4(M) requires shoreline protection structures to be sited as far landward as possible and cannot be located further seaward than a stringline drawn between nearest adjacent corners of protection structures on adjacent lots. This project as previously mentioned, continues an already existing rock revetment development to its immediate east which is sited as far landward as feasible and close to the northern property boundary. Thus, it was designed to be as far landward as possible and in line with the previously developed, shoreline protection devices.

Lastly, Section 10.4(N) notes that a vertical seawall or bulkhead is the preferred means of protection (when determined by a coastal engineer). Pursuant to this section, rock revetments are only preferred if they can be constructed underneath raised foundations

or they're determined to be the preferred alternative. Per the aforementioned coastal engineering report completed by GeoSoils Inc. in January of 2026, the revetment design was chosen because it results in the most minimal long-term impacts to the natural environment. It also has the ability to be adjusted for the anticipated landward migration of the MHTL. This project proposed a rock revetment due to these factors and as a result designed the project to adhere to all LIP, LUP and MMC rules and guidelines.

Implementation Measures (General Plan & LUP)

As discussed, the proposed project is also subject to measures outside of the LIP and the City's Municipal Code. Within the City's General Plan, there are specific regulations aimed at adjudicating the development of rock revetments and other shoreline protection devices. Specifically, within the General Plan there are three "implementation measures" (Conservation Implementation Measures 32 & 34 and Safety and Health Implementation Measure 49) whilst within the Land Use Plan there is a single section that references revetments.

The three implementation measures, though requiring specific municipal or local implementation by-laws in order to be enacted, nevertheless were followed when designing this project. Conservation Implementation Measures 32 and 34, along with Safety and Health Implementation Measure 49, either require revetments to mitigate adverse impacts on shoreline and sand supply, be prohibited from protecting new structures, or require accompanying coastal engineering reports to ensure construction follows the least environmentally damaging method. As discussed in the earlier section summarizing the project's adherence to the Local Implementation Plan, this project is solely designed to protect existing infrastructure and is sited as far landward as possible to facilitate any and all mitigation efforts to protect shoreline and sand supply. Lastly, an alternative feasibility study was completed through the accompanying coastal engineering report that stated that the rock revetment was indeed the least environmentally damaging option primarily due to its ability to adjust to shifting conditions related to the MHTL.

Zoning (LIP Chapter 3)

The proposed project is subject to the beachfront development and design standards set forth under LIP Sections 3.5 and 3.6. While the project does not propose residential development, for which the development and design standards are intended, the proposed project conforms to the applicable standards as set forth under LIP Chapter 3 which include site of construction and bluff development. Standards related to structure height, setbacks, and other development standards typically associated with residential development are not applicable to this project. Thus, 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. This project does not propose any grading and thus is not applicable to this chapter.

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. Pursuant to a review of the City's Cultural Resources Potential Map (last updated June 2016), which is based on a compilation of archaeological reports submitted to the County of Los Angeles and City, it was determined that the potential for cultural resources in Project Areas 1 and 2 is considered low. Nevertheless, a condition of approval is included in the resolution which states 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. With the implementation of the required conditions of approval, the proposed project conforms to the water quality protection standards of LIP Chapter 17.

Wastewater Treatment System Standards (LIP Chapter 18)

This project does not propose a new or replacement OWTS. Therefore, this chapter does not apply.

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 15301(d) – Existing Facilities and 15303(d) – 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 of publication of this report, no correspondence has been received by the Planning Division.

PUBLIC NOTICE: On April 23, 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 4).

SUMMARY: The required findings can be made that the proposed project complies with the LCP and MMC. Further, the staff'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. 26-18. The proposed project has been reviewed and conditionally approved for conformance with the LCP by staff and appropriate City and County departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-18
2. Project Plans
3. Department Review Sheets
4. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-18

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. 18-029 FOR A FOLLOW-UP APPLICATION TO EMERGENCY COASTAL DEVELOPMENT PERMIT NO. 18-002 FOR THE REMOVAL OF TEMPORARY SLOPE PROTECTION MEASURES AND THE CONSTRUCTION OF PERMANENT SLOPE PROTECTION MEASURES CONSISTING OF TWO REVETMENTS ON THE OCEAN SIDE OF A PRIVATE STREET LOCATED IN THE SINGLE-FAMILY MEDIUM ZONING DISTRICT AT 31618 SEA LEVEL DRIVE AND APNS 4470-001-014, 4470-001-015, 4470-001-016, 4470-001-017, 4470-001-018, 4470-001-019, 4470-001-020, 4470-001-021, 4470-001-022, 4470-001-023, 4470-001-024, 4470-001-025 AND 4470-001-026 (MALIBU ENCINAL HOMEOWNERS ASSOCIATION, INC.; WHE PROPERTIES, LLC; SUPOWITZ; X17 INC, NAVARRE; JAMES AND SHEILA FAMILY TRUST; SEA LEVEL PROPERTIES II, LLC; ELIZABETH E HEITMAN TRUST; DRAKE FAMILY TRUST; STEVE SHUKEN TRUST; MH AND JM GAINER TRUST; CWMBS, INC; FUSCO FAMILY TRUST; CROWLEY AND SUMMERS; P AND C PARTNERS LP; BJGL HOLDINGS I LLC)

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

SECTION 1. Recitals.

A. On January 18, 2018, an application for an Emergency Coastal Development Permit (ECDP) No. 18-002 and was submitted to the Planning Division by applicant Richard Scott, on behalf of the Malibu Encinal Homeowners Association, Inc. (MEHOA) and affected property owners (WHE Properties, LLC; Supowitz; X17 Inc, Navarre; James and Sheila Family Trust; Sea Level Properties II, LLC; Elizabeth E Heitman Trust; Drake Family Trust; Steve Shuken Trust; MH and JM Gainer Trust; CWMBS, Inc.; Fusco Family Trust; Crowley and Summers; P and C Partners LP; BJGL Holdings I LLC.). The application was routed to the Planning Division, City Environmental Health consultant reviewers, City coastal engineering consultant reviewers, City geotechnical consultant reviewers, and the City Public Works Department for review.

B. On March 30, 2018, the Planning Division approved ECDP No. 18-002 to allow the installation of temporary slope protection consisting of sandbags on the oceanside of East Sea Level Drive in two locations.

C. On June 25, 2018 the Planning Division received an application for a follow-up Coastal Development Permit (CDP) for the construction of permanent slope protection measures consisting of a rock revetment to replace the previously installed sandbags on the oceanside of East Sea Level Drive in two locations.

D. On March 12, 2020, the Planning Division received a letter from the State Lands Commission confirming the project does not extend waterward of the Mean High Tide Line (MHTL).

E. On March 22, 2024, the Planning Division received letters of authorization from all affected property owners.

F. On March 26, 2026 the Planning Division deemed the application for CDP No. 18-029 complete.

G. On March 31, 2026, a Notice of Coastal Development Permit Application was posted at two different locations on the subject properties.

H. On April 23, 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.

I. On May 4, 2026, the Planning Commission continued the public hearing on the subject application to the May 18, 2026 Regular Planning Commission meeting.

J. On May 18, 2026, the Planning Commission continued the public hearing on the subject application to June 15, 2026.

K. On June 15, 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 15301(d) – Existing Facilities and 15303(d) – 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, including the agenda report for the project and the hearing on June 15, 2026, and pursuant to the Local Coastal Program (LCP) Local Implementation Plan (LIP) including Sections 13.7(B) and 13.9 and Malibu Municipal Code (MMC), the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves CDP No. 18-029 for a follow up application to Emergency Coastal Development Permit No. 18-002 for the removal of temporary slope protection measures and the construction of permanent slope protection measures consisting of two revetments on the ocean side of a private street located in the Single-Family Medium Density (SFM) zoning district.

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

The proposed project is located in the SFM residential zoning district, an area designated for residential uses. The proposed project has been reviewed for conformance with the LCP by the Planning Division, City coastal engineering consultant reviewers, City geotechnical consultant reviewers, City environmental health consultant reviewers, and the City Public Works Department. 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 residential development standards.

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 (Broad Beach Road) and the sea. A section of the California Coastal Trail (CCT) provides access between Broad Beach Road and the beach via East Sea Level Drive. Even though East Sea Level Drive is a private street owned by MEHOA, public access to Lechuza Beach from Broad Beach Road is available on the private street and separately managed by a public access easement to the Mountains Recreation and Conservation Authority (MRCA). On September 13, 2024, the California Coastal Commission (CCC) approved CDP No. A-4-MAL-24-0020 for MRCA's Lechuza Beach Access Project. The Project includes Project Area III that would construct public access improvements at the terminus of East Sea Level Drive and the beach. Once constructed, public vertical access from the improvements/Lechuza Beach to Broad Beach Road would continue to be available on MRCA's public access easement along East Sea Level Drive. Two additional public access points to Lechuza Beach are available in the project vicinity and maintained by MRCA via the Bunnie Lane staircase from Broad Beach Road and via West Sea Level Drive. Neither the Bunnie Lane access nor West Sea Level Drive access are associated with the project area proposed. In the event that construction activities temporarily impede public access in Project Area 2 via East Sea Level Drive, the project is conditioned such that ample wayfinding signage will be provided to direct the public to the other two public access points via Bunnie Lane and West Sea Level Drive. Once the project is completed, any temporarily impeded public access via East Sea Level Drive will be restored.

The proposed development will not eliminate or substantially interfere with lateral public access along the beach. As designed, the revetments maintain the required 10-foot minimum setback from the MHTL pursuant to LIP Section 10.4(B). Additionally, on March 12, 2020, a determination was provided by the SLC advising that the proposed development is not located on public tidelands and would not adversely impact tidelands. As designed, the proposed revetment will provide protection from coastal hazards for public access to Lechuza Beach and will not have a significant adverse impact on public access or recreation consistent with Chapter 3 policies of the California Coastal Act.

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

As described in the applicant's coastal engineering report dated January 27, 2026, a properly engineered rock revetment is the preferred, least environmentally damaging alternative versus

other designs such as a vertical seawall. The report describes that a rock revetment can provide significant protection against erosion-related risks to single-family residences, multiple OWTSs, and vehicular and pedestrian access on East Sea Level Drive for emergency services and private and public use. The report describes that rock revetment can be installed and removed quickly with minimal long-term impact on the natural landform and would integrate well with the adjacent rock revetment currently located at the base of West Sea Level Drive. The report describes that the adjacent existing revetment has successfully protected the street end for several decades and has had no documented adverse impact on shoreline coastal processes. The report concludes that a cast-in-place, steel-reinforced, concrete vertical seawall would not meet the "selection criteria because it cannot be readily adjusted to account for landward migration of the MHTL and has more construction and demolition impacts." Therefore, as designed, the proposed rock revetment is considered the least environmentally damaging alternative. Additional alternatives were considered in the report including beach nourishment and the demolition and reconstruction of East Sea Level Drive. However, these alternatives were not considered sufficient for protection of the street and eventually would undermine public access to the beach on East Sea Level Drive and lateral access along the shoreline. Section 10 of the LIP also requires various development standards to be adhered to in order to pass zoning compliance. The project must be designed to last a 100-year economic lifecycle, the project must be sized and sited to minimize risk from wave run-up, flooding and erosion hazards, and the project must be sited as landward as possible to leave sufficient beach for visiting patrons. Through these initiatives the project will have the ability to protect all existing access, both private and public.

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 parcels are not in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, Environmental Review Board review was not required, and this finding does not apply.

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

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

C. 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.

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

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 will be situated at or below street level, and maintains the minimum required 10-foot setback from the MHTL. Due to existing topography between the elevation of East Sea Level Drive and the beach, public views of the ocean from the street and public views laterally along the shoreline would be maintained. No additional development is proposed such as fencing

or vertical walls that would impede upon public views. The proposed design would integrate well with the adjacent rock revetment currently located at the base of West Sea Level Drive and appear consistent with existing shoreline protection in the area. The project, as proposed, is not expected to result in significant adverse scenic or visual impacts to areas visible from public viewing areas, consistent with LIP Section 6.5.

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

As discussed in Finding D.1, the proposed project will be situated at or below street level, and maintains the minimum required 10-foot setback from the MHTL. Conditions of approval are included to ensure consistency with the LCP, including temporary signage to direct the public to the nearest beach access point at Lechuza Beach during construction in the event access on East Sea Level Drive is temporarily impeded. No conditions would result in significant adverse scenic or visual impacts to areas visible from public viewing areas.

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

As previously discussed in Finding A.3, the project is the least environmentally damaging feasible alternative. Other design alternatives, such as a vertical seawall, were not considered the least environmentally damaging alternative and may result in potential impacts to scenic and visual resources in the Lechuza Beach area due to the appearance of vertical concrete and steel from the beach and safety railing along East Sea Level Drive.

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

As previously discussed in Finding A.3 and Finding D.3, 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.

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.*

As proposed, development on the subject parcels will not have significant adverse impacts on scenic and visual resources and would allow for protection of existing public access between Broad Beach Road and the beach. Public views from East Sea Level Drive would be maintained over the proposed revetment and scenic views from and along the shoreline are not expected to be significantly impacted by development. The subject parcels are not located in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map, and the proposed revetment maintains the minimum 10-foot setback from the MHTL. As designed, the project is sited to eliminate, minimize or otherwise contribute to conformance to sensitive resource policies.

E. Transfer of Development Credits (LIP Chapter 7)

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

F. Hazards (LIP Chapter 9)

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 Section 9.2(A) 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 has the potential to create adverse impacts upon site stability or structural integrity.

The proposed project has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Division, City Environmental Health Administrator, City geotechnical consultant reviewers, City coastal engineering consultant reviewers, and the City Public Works Department. The required findings are made as follows.

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.*

Analysis for potential hazards included review of the submitted geotechnical reports prepared by GeoSoils, Inc. dated January 27, 2026. The referenced reports evaluated site-specific conditions and recommendations and are provided to address any pertinent issues. Potential hazards analyzed included geologic, seismic and fault rupture, liquefaction, landslide, groundwater, tsunami, and flood and fire hazards. It has been determined that the project is not located in a hazard zone, except that the project site is located within an extreme fire hazard area. Based on review of the project plans and associated geotechnical reports by City environmental health consultant reviewers, City Public Works Department, City geotechnical consultant reviewers, and City coastal engineering consultant reviewers, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The proposed project, will neither be subject to nor increase the instability from geologic, flood, or fire hazards. In summary, the proposed development is suitable for the intended use provided that the certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed.

The project, as conditioned, will incorporate all recommendations contained in the above cited geotechnical report and conditions required by the City Public Works Department, City geotechnical consultant reviewers, and the City coastal engineering consultant reviewers.

Fire Hazard

The entire City of Malibu is designated as a Very High Fire Hazard Severity Zone (VHFHSZ), a zone defied by a more destructive behavior of fire and a greater probability of flames and embers threatening buildings. The subject parcel is currently subject to wildfire hazards. The proposed development is not expected to increase the subject parcel's susceptibility to wildfire. The scope of work proposed as part of this application is not expected to have an impact on wildfire hazards.

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 and conditioned,

will not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

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 F.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, location, and other conditions.

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

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

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

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Division, City coastal engineering consultant reviewers, City Environmental Health consultant reviewers, City Public Works Department, and City geotechnical consultant reviewers. It has been determined that the proposed project does not impact site stability or structural integrity. As previously discussed in Finding A.3, there are no feasible alternatives to development and any other project alternative is expected to result in more land disturbance, design inconsistency with adjacent shoreline protection in the area, and inadequate protection of coastal resources.

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 Finding B.3, the proposed project, as designed and conditioned, is the least environmentally damaging alternative. The subject parcels are not located in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map, and the proposed revetment maintains the minimum 10-foot setback from the MHTL. As designed, the project is sited to eliminate, minimize or otherwise contribute to conformance to sensitive resource policies.

G. Shoreline and Bluff Development (LIP Chapter 10)

LIP Section 10.3 requires that shoreline and bluff development findings be made if the proposed project is located on a parcel of land located on or along the shoreline, a coastal bluff or a blufftop fronting the shoreline and the project is anticipated to result in potentially significant adverse impacts on coastal resources, such as public access and shoreline sand supply. The requirements of LIP Chapter 10 are applicable to the project and the required findings are made as follows.

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 proposed scope of work would replace temporary sandbags installed pursuant to ECDP No. 18-002 with permanent rock revetments in Project Areas 1 and 2. The revetments would provide long-term protection of existing development including single-family residences, OWTS, and vehicular and pedestrian access on East Sea Level Drive for emergency services and private and public use. The proposed project is solely designed to protect existing development. The existing development that will thus benefit from the proposed revetment will include, OWTS serving existing residences, portions of the private street East Sea Level Drive, and public access between the beach and Broad Beach Road via East Sea Level Drive. At present, these developments are at risk from identified coastal hazards related to slope erosion. Existing public access on East Sea Level Drive will benefit from the revetment including access for pedestrian use and accessibility pursuant to the Americans with Disability Act (ADA). In the event that construction activities of the subject revetment temporarily impede public access in the Project Area 2 segment along East Sea Level Drive, the project is conditioned such that ample wayfinding signage will be provided to direct the public to the other two public access points via Bunnie Lane and West Sea Level Drive.

The proposed revetment at Project Area 2 will match the design of the existing revetment adjacent to the Project Area and will not extend seaward of existing conditions. As conditioned, the revetments would be subject to a monitoring program to evaluate the performance of the slope protection devices, with monitoring reports submitted to the city every five years for review. Monitoring reports must also analyze beach erosion trends, assess adjacent structures' performance, and if applicable, provide recommendations for repairs or improvements consistent with the LCP.

Based on the applicant's coastal-engineering plans dated November 7, 2024, and accompanying report dated November 8, 2024, an alternatives analysis was performed to illustrate the exhaustion of all other feasible construction designs. As a result, the proposed revetment is designed at the elevation of the street and will withstand the projected wave uprush which was calculated to be 1.2 feet by 2090 (based on the California Ocean Protection Council's guidance from which the CCC drafted their 2024 sea level rise policy update). As currently designed, the project does not meet a scenario for 100-year sea level rise, but the design addresses adaptive measures to be implemented after 2090, as well as recommends five-year inspection and maintenance intervals. All plans and reports were reviewed by the City's coastal engineering consultant reviewers.

As the proposed development is limited to the installation of rock revetments, the proposed project complies with the development standards detailed in LIP Section 10.4, as applicable. Additionally, based on coastal engineering reports completed on January 27, 2026, and November 8, 2024 by GeoSoils, Inc. and the analysis previously described, the project as proposed and designed will have no significant impacts on public access, shoreline sand supply or other resources. The proposed revetments have been located as far landward as possible, more than the LIP required 10-foot MHTL setback, to preserve lateral beach access.

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.*

The proposed project includes conditions to ensure compliance with all relevant provisions of the LCP. The proposed project will be situated at street level which represents the limit of wave uprush, whilst maintaining the minimum required 10-foot setback from the MHTL. Conditions of approval are included to ensure consistency with the LCP, including temporary signage to direct

the public to the nearest beach access point at Lechuza Beach during construction in the event access on East Sea Level Drive is temporarily impeded. Those conditions include ensuring the project complies with the construction measures and best management practices outlined in LIP Section 10.4(C). The project is conditioned to require five-year inspections and maintenance intervals. No conditions would result in significant adverse impacts on public access, shoreline sand supply, or other coastal resources.

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

As previously stated in Finding A.3, the proposed project, as designed and conditioned, is the least environmentally damaging alternative. Various alternatives were considered including beach nourishment, reconstruction of the private street, and a vertical seawall. The applicant's coastal engineering report describes that a rock revetment can provide significant protection against erosion-related risks to single-family residences, OWTS, and vehicular and pedestrian access on East Sea Level Drive for emergency services and private and public use. The report states a rock revetment can be installed and removed quickly with minimal long-term impact on the natural landform, and would integrate well with the adjacent rock revetment currently located at the base of West Sea Level Drive. The report describes that the adjacent existing revetment has successfully protected the street end for several decades and has had no documented adverse impact on shoreline coastal processes. The report concludes that a cast-in-place, steel-reinforced, concrete vertical seawall would not meet the "selection criteria because it cannot be readily adjusted to account for landward migration of the MHTL and has more construction and demolition impacts." Therefore, as designed, the proposed rock revetment is considered the least environmentally damaging alternative. Additional alternatives were considered in the report including beach nourishment and the demolition and reconstruction of East Sea Level Drive. However, these alternatives were not considered sufficient for protection of the street and eventually would undermine public access to the beach on East Sea Level Drive and lateral access along the shoreline.

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.*

The proposed development has been analyzed for the hazards listed in LIP Chapter 10 by the Planning Division and City coastal engineering consultant reviewers. As previously discussed in Finding A.3 and Finding D.3, there are no feasible alternatives to development and other project alternatives are expected to result in more land disturbance, design inconsistency with adjacent shoreline protection in the area, and inadequate protection of coastal resources.

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 feasible extent 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.*

As discussed previously, based on the site-specific work completed by GeoSoils, Inc., the proposed revetment was designed to the maximum extent landward as feasible to accommodate changes to the MHTL. Furthermore, there is an existing rock revetment immediately adjacent to Project Area 2, a private street that provides public and private access, residences, and OWTS landward of the location of the proposed revetments. Given the site constraints and the utility for

connecting to the adjacent revetment, the project is sited as far landward as feasible and exceeds the minimum 10-foot MHTL setback required by LIP Section 10.4. Furthermore, given the proposed design and the submitted coastal engineering report January 26, 2026, from GeoSoils, Inc., the proposed project is the best design alternative and will support the ongoing use of existing public access managed by the MRCA to Lechuza Beach for pedestrians and ADA accessibility.

H. Public Access (LIP Chapter 12)

When determined that one of the exceptions of LIP Section 12.5 applies to a development, findings shall be made to support the determination. Due to existing access within the project site and within vicinity of the project site, the project qualifies for the exception listed in LIP Section 12.5(B)(2). The required findings are made as follows.

1. *The type of access potentially applicable to the site involved (vertical, lateral, bluffftop, etc.) and its location in relation to the fragile coastal resource to be protected, the public safety concern, or the military facility which is the basis for the exception, as applicable.*

East Sea Level Drive is a 20-foot-wide private street owned by MEHOA (within a 40-foot-wide private street easement) and the neighborhood is privately gated. Public access to Lechuza Beach from Broad Beach Road via East Sea Level Drive is already available and separately managed by a public access easement to MRCA. Two public vertical access points to Lechuza Beach are also available and maintained by MRCA via the Bunnie Lane staircase from Broad Beach Road (approximately 500 feet west of the project area) and via West Sea Level Drive (approximately 2,200 feet west of the project area). Neither the Bunnie Lane access nor West Sea Level Drive access are associated with the project area proposed.

The CCT, a mapped public trail on the LCP Park Lands Map, orients in two locations through the project area – along the shoreline and via East Sea Level Drive from Broad Beach Road. In the event that construction activities temporarily impede public access to this accessway, the project is conditioned such that ample wayfinding signage will be provided to direct the public to the other two public access points via Bunnie Lane and West Sea Level Drive. Once the project is completed, all existing conditions via East Sea Level Drive will be restored.

Regarding lateral access along the shoreline, as designed, the revetments maintain the required 10-foot minimum setback from the MHTL pursuant to LIP Section 10.4(B) and will not impede upon lateral public access along the shoreline. On March 12, 2020, a determination was provided by the SLC advising that the proposed development is not located on public tidelands and would not adversely impact tidelands.

As previously discussed, the coastal slope that separates the road from shore has eroded to within just a few feet of the beach due to strong storm systems. Thus, without this revetment construction, erosion will immediately threaten existing public access on East Sea Level Drive as well as private development comprised of the private street, residences, and multiple OWTS that were permitted either prior to the effective date of the Coastal Act and/or certification of the Malibu LCP in 2002.

2. *Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that fragile coastal resources, public safety, or military security, as applicable, are protected.*

Permanent public access between Broad Beach Road and the beach is currently provided on East

Sea Level Drive.. Two additional public access points are within proximity to the project site. No additional public access requirement is needed within the project area and the exception in LIP Section 12.5(B)(2) applies. During construction of the revetment, no other feasible alternatives are available to accommodate temporary public access on East Sea Level Drive as the entire area is subject to erosion. In the event that construction activities temporarily impede public access to the East Sea Level Drive accessway, the project is conditioned such that ample wayfinding signage will be provided to direct the public to the other two public access points via Bunnie Lane and West Sea Level Drive. Once the project is completed, all existing conditions via East Sea Level Drive will be restored and the temporary wayfinding signage removed.

3. *Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.*

As stated in Finding H.1, two additional public access points to Lechuza Beach are available and maintained by MRCA via the Bunnie Lane staircase from Broad Beach Road (approximately 500 feet west of the project area) and via West Sea Level Drive (approximately 2,200 feet west of the project area). Neither the Bunnie Lane access nor West Sea Level Drive access are associated with the project area proposed. During the course of construction, the public would continue to have adequate access to the beach from Broad Beach Road. After construction is complete, the public would continue to have public access via the managed East Sea Level Drive accessway.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 18-029, subject to the following conditions.

SECTION 5. Conditions of Approval.

Standard Conditions

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

2. Approval of this application is to allow for the project described herein. The scope of work approved includes:
    a. Removal of temporarily placed sandbags authorized in ECDP No. 18-002 in Project Areas 1 and 2; and
    b. Installation of two quarry stone revetments in Project Areas 1 and 2 on the ocean side of East Sea Level Drive to provide permanent slope protection. The extent of the development consists of the following:
        i. Project Area 1: Geotextile liner and rock revetment to extend in elevation from approximately +2 feet NAVD88 to approximately +20 feet NAVD88. The slope of the revetment will be approximately 1:1.5.

Rock size will be approximately 5-ton to approximately +10 NAVD88 and 2-ton above +10 NAVD88.

ii. Project Area 2: Designed as an approximate 285-foot extension of the existing stone revetment from West Sea Level Drive to the first pile supported residence at 31660 Sea Level Drive. Design will be located landward of the existing revetment. Geotextile liner and rock revetment to extend in elevation from approximately +4 feet NAVD88 to approximately +20 feet NAVD88. The slope of the revetment will be approximately 1:1.5 with an approximate footprint of 22 feet seaward from the toe of the slope. Rock size will be approximately 5-ton.

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 stamped approved by the Planning Division on **March 26, 2026**. 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 each property owner signs, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file these forms with the Planning Division within 30 days of this decision and/or prior to issuance of building 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 of Malibu Community Development Department, City Environmental Health consultant reviewers, City coastal engineering consultant reviewers, City Public Works Department, and City geotechnical consultant reviewers, 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 and the Local

Coastal Program. 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 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 applicant must submit payment for any outstanding fees payable to the City prior to issuance of any building or grading permit.

Cultural Resources

12. 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.

13. 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.

Shoreline Protection (Coastal Engineer)

14. All construction debris shall be removed from the beach daily and at the completion of development.

15. No stockpiling of dirt or construction materials shall occur on the beach.

16. Measures to control erosion, runoff, and siltation shall be implemented at the end of each day's work.

17. The applicant shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion.

18. No machinery shall be placed, stored or otherwise located in the intertidal zone at any time, unless necessary for protection of life and/or property.

19. Construction equipment shall not be cleaned on the beach.

20. Construction debris and sediment shall be properly contained and secured on site with Best Management Practices (BMPs) to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.

Construction

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

22. A construction staging plan shall be reviewed and approved by the Community Development Director prior to plan check submittal.

23. 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.

24. 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.

25. 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 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.

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

27. No fences or walls are proposed. Therefore, none are approved.

Biology/Landscaping

28. No new landscaping is proposed with this project. Therefore, none is approved. A detailed landscaping plan must be submitted to the Planning Division for review by the City Biologist and approval by the Planning Division prior to any planting. Should the applicant intend to plant any new or altered vegetation with a potential to grow over six feet in height at full maturity for an area of 500 square feet or more of landscaping for a new residence, or 2,500 square feet or more of landscaping for an existing residence, a detailed Landscape Documentation Package is required.

29. No new lighting is proposed; therefore, none is approved. 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. Uplighting is prohibited.

Lighting

30. 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.

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

32. 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.

33. 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..

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

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

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

37. 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.

Geology

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

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

Public Works

40. 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.

41. 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.

Site Specific

42. Prior to the start of construction when public access to Lechuza Beach via East Sea Level Drive will be temporarily impeded, the applicant shall post adequate wayfinding signage near the public accessway entrance at Broad Beach Road/East Sea Level Drive to direct the public toward two other vertical accessways at Bunnie Lane and West Sea Level Drive. The signage shall indicate the duration of any temporary closure, contact information for the public to obtain more information on the construction and temporary closure, and authorization of the closure via City of Malibu CDP No. 18-029. The wayfinding signage shall be immediately removed once public access is restored on East Sea Level Drive.

43. Applicant will provide monitoring reports of which shall be prepared by a licensed civil engineer with expertise in coastal structures and processes. Reports shall be submitted to

the City of Malibu coastal engineering review staff every five (5) years. The monitoring timeline shall commence on the date the applicant receives final City approval of the building permit authorizing the project. Such reports shall be provided to the City throughout the life of the shoreline protection device or until the shoreline protection device is removed or replaced under a separate CDP. Each monitoring report shall contain the following:

a. An evaluation of the current condition and performance of the approved shoreline protection device (SPD) including an assessment of whether any weathering or damage has occurred that may adversely impact future performance of the SPD.
b. Where the overall performance of an SPD relies on adjacent SPD(s), other structures, or other topographical features, a general assessment of their performance shall be discussed.
c. Plans and/or photographs showing any weak or potential failure areas.
d. An analysis of erosional trends, annual retreat, and rate of retreat of the beach fronting the SPD including identification of repeatable measurement benchmarks for these analyses. Changes in the beach profile fronting the site shall be documented and the potential impact of these changes on the effectiveness of the SPD evaluated.
e. Recommendations for the repair, maintenance, improvement or other work to the SPD needed to correct any structural damage, failures or weaknesses. Such recommendations shall include the materials and methods of repair to be utilized.

Fixed Conditions

44. This CDP runs with the land and binds all future owners of the property.

45. Violation of any of the conditions of this approval shall be cause for revocation and termination of all rights there under.

Deed Restrictions

46. The property owners are each 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 owners shall provide a copy of the recorded document for each affected parcel to Planning Division prior to final Planning Division approval.

47. The property owners are each required to acknowledge, by recordation of a deed restriction, that their 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 owners shall provide a copy of the recorded document for each affected parcel to the Planning Division prior to final Planning Division approval.

48. The property owners are each required to acknowledge, by the recordation of a deed restriction, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protection structure which extends the seaward footprint of the subject structure shall be undertaken and that he/she expressly waives any right to such activities that may exist under Coastal Act Section 30235. Said deed restrictions shall be submitted to the Planning Division for approval prior to recordation. The deed restrictions shall also acknowledge that the intended purpose of the shoreline protection structure is solely to protect existing structures located on the site, in their present condition and location, including the septic disposal system and that any future development on the subject site landward of the subject shoreline protection structure including changes to the foundation, major remodels, relocation or upgrade of the septic disposal system, or demolition and construction of a new structure shall be subject to a requirement that a new CDP be obtained for the shoreline protection structure unless the City determines that such activities are minor in nature or otherwise do not affect the need for a shoreline protection structure.

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

PASSED, APPROVED AND ADOPTED this 15th day of June 2026.

SKYLAR PEAK, 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. 26-18 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 15th day of June 2026 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

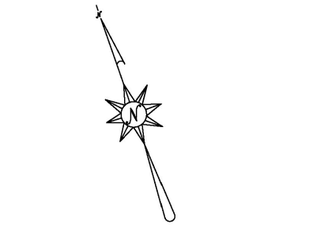
_____
REBECCA EVANS, Recording Secretary

Sea Level Drive, Malibu, CA
Erosion Control

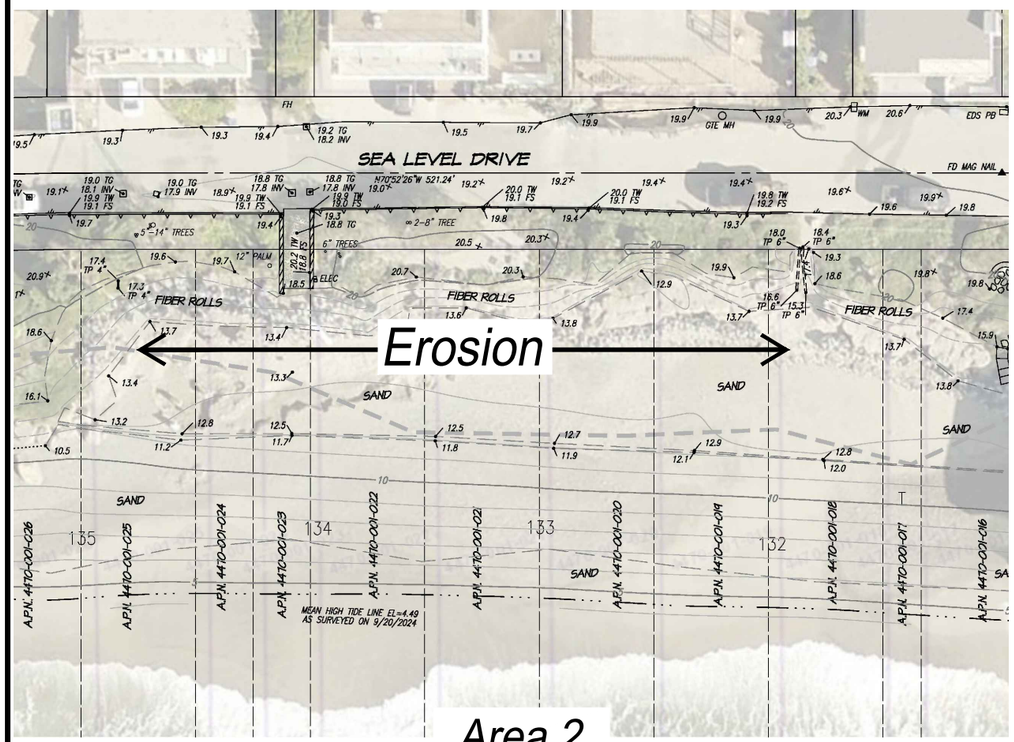


Received
3/26/26
Planning Div.

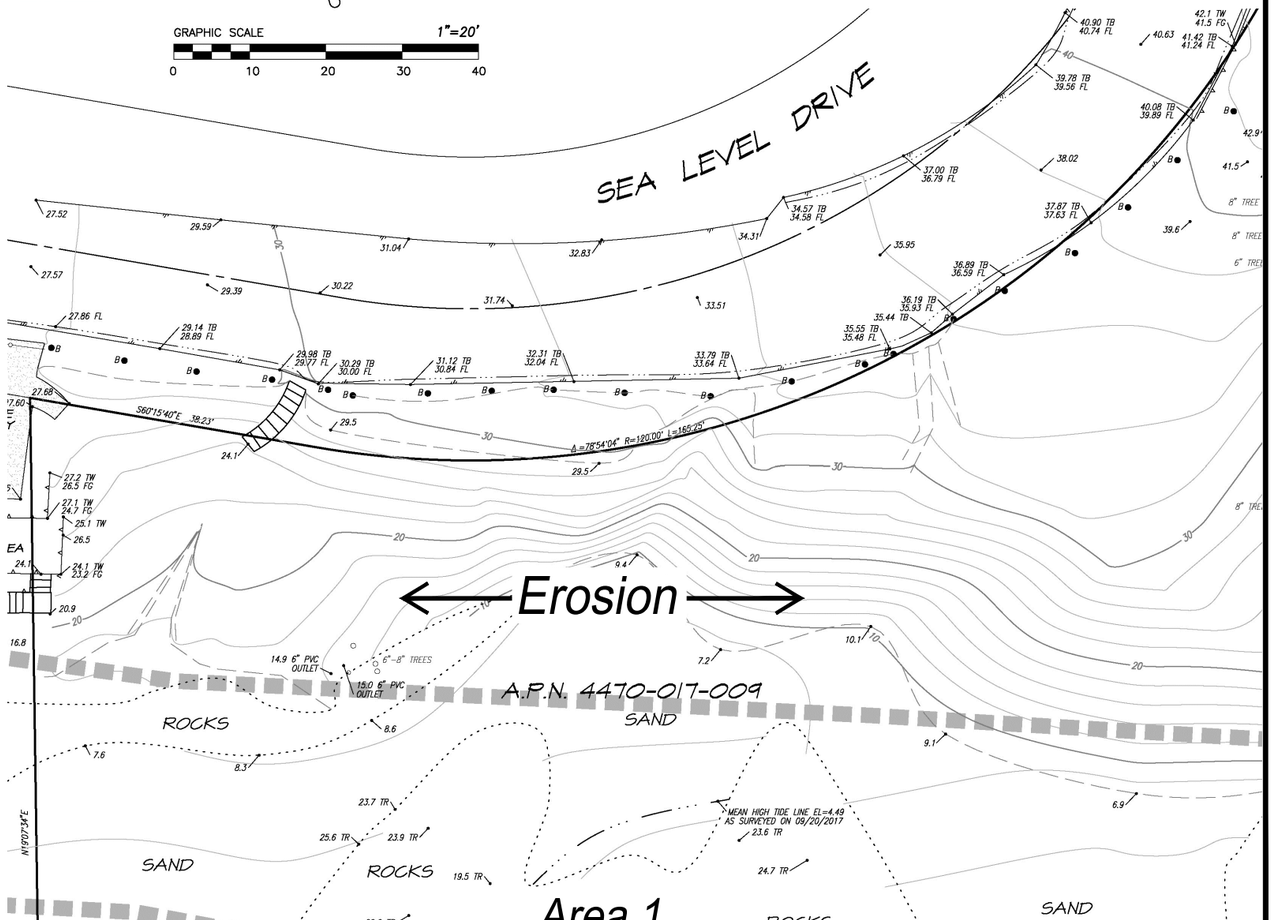




GRAPHIC SCALE 1"=20'
0 10 20 30 40



Area 2
Scale: 1" = 20'



Area 1
Scale: 1" = 20'

ATTACHMENT 2

REVISIONS	BY
02/05/19	
12/11/20	
11/07/24	
01/26/26	

RECEIVED
DAVID W. SKELLY
No. RCE 47057
Exp. 12/31/27
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PROFESSIONAL ENGINEER

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GeoSoils, Inc.

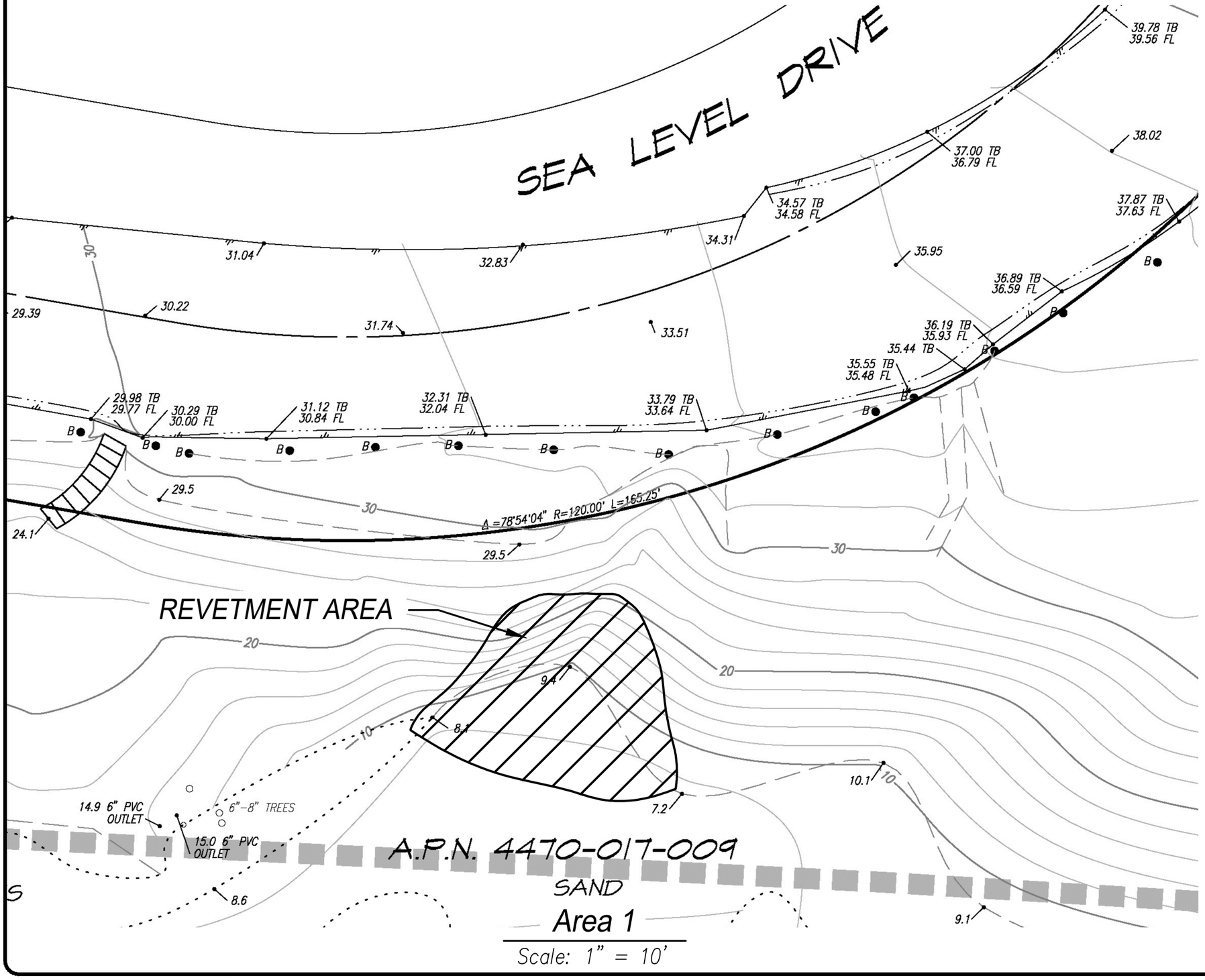
TITLE: Sea Level Drive, Malibu, CA
Erosion Control

W.O. 5740-3-SC

CLIENT: Malibu Encinal Homeowners Association
c/o Ross Morgan & Co.
1535 Magnolia Blvd., Suite 212
Sherman Oaks, A 1403

DRAWN	
CHECKED	
DATE	06/06/18
SCALE	
JOB NO.	
SHEET	S1
OF	7 SHEETS

Sea Level Drive, Malibu, CA
Erosion Control



AREA 1 WORK DESCRIPTION

The proposed work is Area 1 is to remove the sand bags placed under the emergency permit and construct at quarry stone revetment. The revetment will extend from about elevation +2 feet NAVD88 (bedrock contact varies) up to about elevation +20 feet NAVD88. The slope of the revetment will be approximately 1/1.5. Prior to placement of the rock two layers of MIRAFI 140n (or approved equivalent) will be placed neat to the slope in the area of the rock placement. The rock size will be about 5 ton up to about elevation + 10 NAVD88. Above +10 NAVD88 the rock size can be about 2 ton in size.



GRAPHIC SCALE 1"=10'

0 10 20 30 40

REVISIONS	BY
02/05/19	
11/07/24	
01/26/26	

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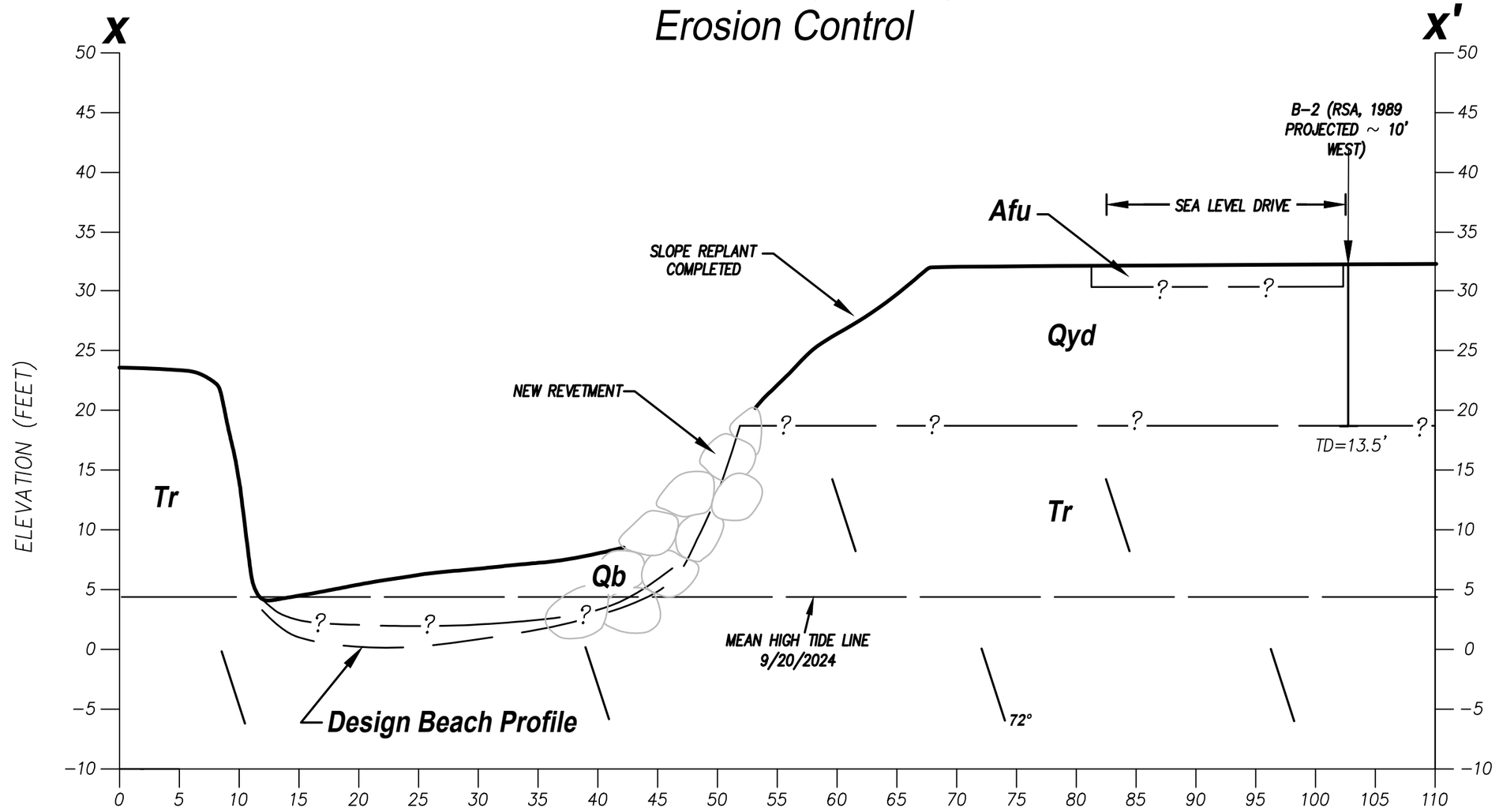
TITLE: Sea Level Drive, Malibu, CA
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OF	7 SHEETS

Sea Level Drive, Malibu, CA
Erosion Control



GSI LEGEND

Af	—	EXISTING FILL – UNDOCUMENTED
Qb	—	QUATERNARY–AGE BEACH DEPOSITS
Qyd	—	QUATERNARY–AGE YOUNG NON–MARINE TERRACE DEPOSITS
Tr	—	EARLY – MID MIOCENE, TRANCAS FORMATION
72°	—	BEDDING ATTITUDE, WITH APPARENT DIP IN DEGREES
?~?~?	—	APPROXIMATE LOCATION OF GEOLOGIC CONTACT, QUERIED WHERE UNCERTAIN

GRAPHIC SCALE

10 0 5 10 20

1" = 10'

REVISIONS	BY
02/05/19	
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01/26/26	

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W.O. 57403-SC

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SHEET	S3
OF	7 SHEETS

Sea Level Drive, Malibu, CA
Erosion Control

GRAPHIC SCALE 1"=10'
0 10 20 30 40

SEA LEVEL DRIVE

REVETMENT AREA

~285 FT.

MEAN HIGH TIDE LINE EL=4.49
AS SURVEYED ON 9/20/2024

FIBER ROLLS

SAND

A.P.N. 4470-001-026
A.P.N. 4470-001-025
A.P.N. 4470-001-024
A.P.N. 4470-001-023
A.P.N. 4470-001-022
A.P.N. 4470-001-021
A.P.N. 4470-001-020
A.P.N. 4470-001-019
A.P.N. 4470-001-018
A.P.N. 4470-001-017
A.P.N. 4470-001-016
A.P.N. 4470-001-015
A.P.N. 4470-001-014

135 134 133 132 131

Area 2
Scale: 1" = 10'

REVISIONS	BY
02/05/19	
11/07/24	
01/26/26	

RECEIVED DAVID W. SKELLY No. RCE 47857 Exp. 12/31/27 CIVIL STATE OF CALIFORNIA PROFESSIONAL ENGINEER

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TITLE: Sea Level Drive, Malibu, CA
Erosion Control

CLIENT: Malibu Encinal Homeowners Association
c/o Ross Morgan & Co.
1535 Magnolia Blvd., Suite 212
Sherman Oaks, A 1403

W.O. 57403-SC

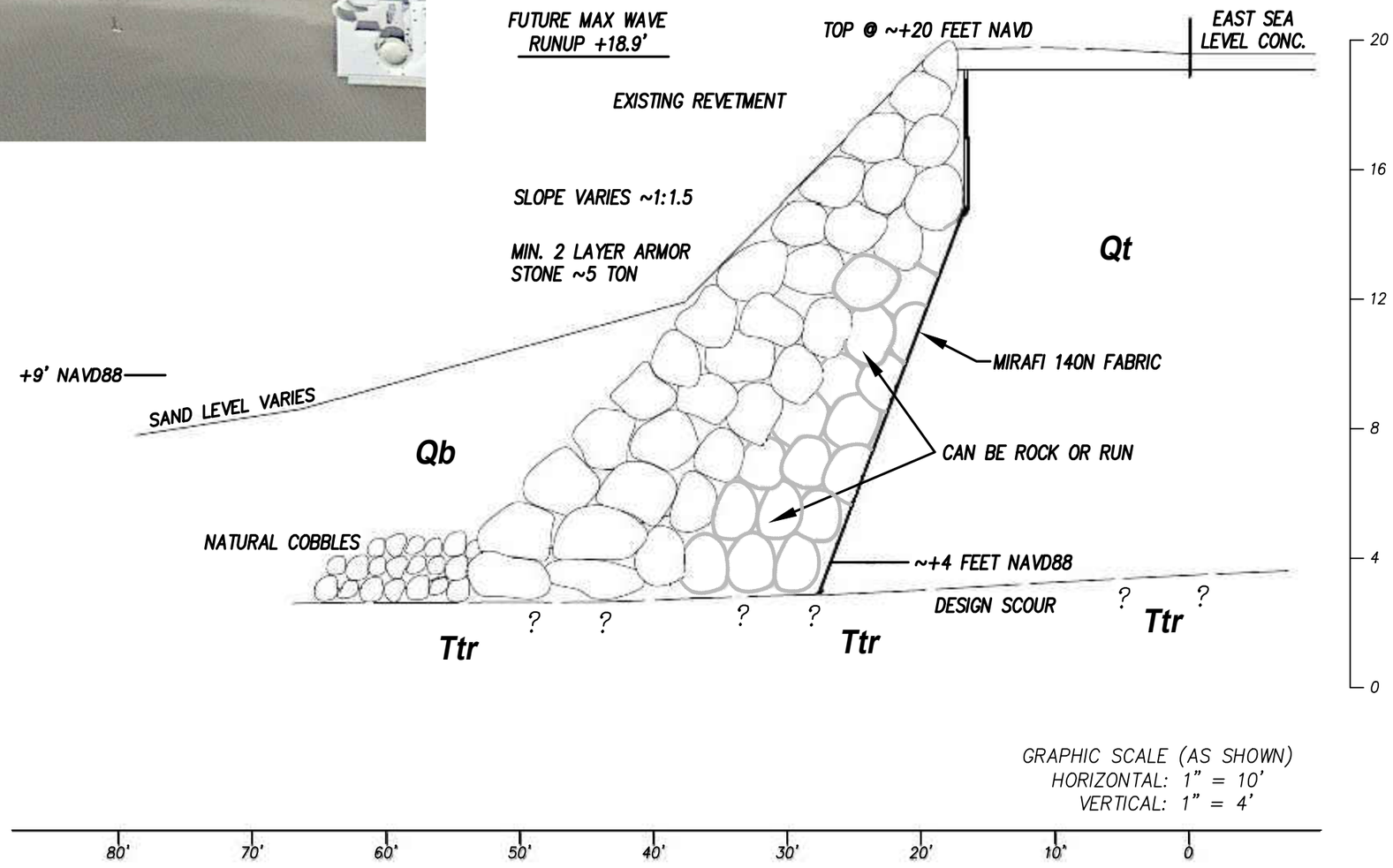
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JOB NO.	
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OF	7 SHEETS

Sea Level Drive, Malibu, CA
Erosion Control



AREA 2 WORK DESCRIPTION

The proposed work in area 2 is an extension of the quarry stone revetment from the west end of Sea Level Drive to the first pile supported home to the east. The design of the quarry stone revetment will match the design of the existing revetment and be located landward of the existing revetment. The revetement will extend from the toe of the slope at elevation ~+4 feet NAVD88 up to the elevation of Sea Level Drive at about +20 feet NAVD88. The slope will be about 1/1.5 (v/h) and have a footprint of about 22 feet seaward from the toe of the slope.



GRAPHIC SCALE (AS SHOWN)
HORIZONTAL: 1" = 10'
VERTICAL: 1" = 4'

REVISIONS	BY
02/05/19	
11/07/24	
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GeoSoils, Inc.

TITLE: Sea Level Drive, Malibu, CA
Erosion Control

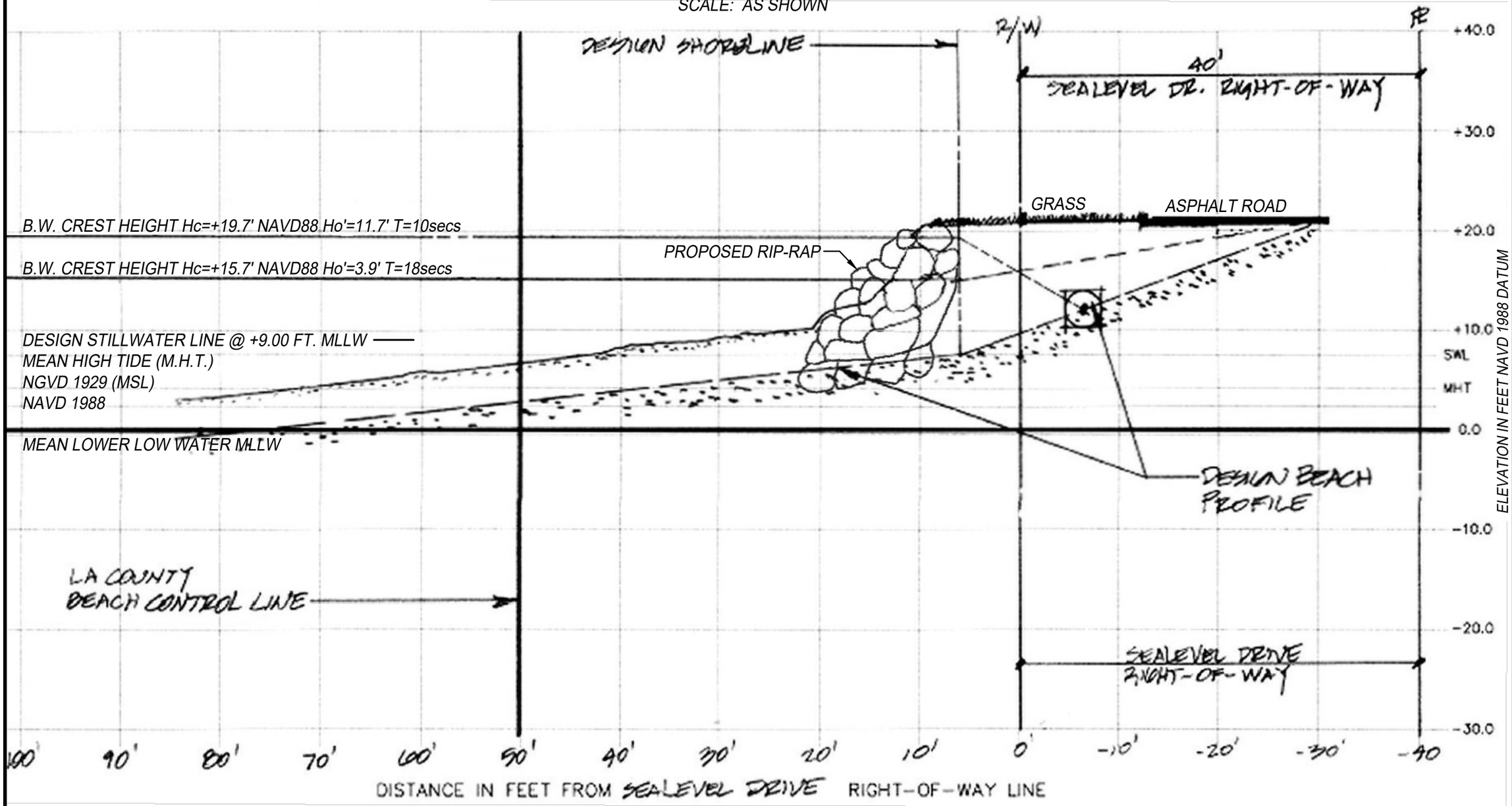
CLIENT: Malibu Encinal Homeowners Association
c/o Ross Morgan & Co.
1535 Magnolia Blvd., Suite 212
Sherman Oaks, A 1403

W.O. S7403-SC

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DATE	06/06/18
SCALE	
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SHEET	S5
OF	7 SHEETS

EXPANDED BEACH PROFILE

SCALE: AS SHOWN



DESIGN BEACH PROFILE ADAPTED FROM PACIFIC ENGINEER GROUP REPORT FOR 31721 SEA LEVEL DRIVE

(REPORT APPROVED BY CITY OF MALIBU)

REVISIONS	BY
02/05/19	
11/07/24	
01/26/26	

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GeoSoils, Inc.

TITLE: Sea Level Drive, Malibu, CA
Erosion Control

CLIENT: Malibu Encinal Homeowners Association
c/o Ross Morgan & Co.
1535 Magnolia Blvd., Suite 212
Sherman Oaks, A 1403

W.O. 57403-SC

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DATE	06/06/18
SCALE	
JOB NO.	
SHEET	S6
OF	7 SHEETS

Sea Level Drive, Malibu, CA
Erosion Control

GENERAL NOTES

1. The "Owner" shall be the MEHOA; the "Engineer" shall be GeoSoils Inc; and the "Contractor" shall be an independent entity retained by the Owner to perform the work described herein. The Engineer has been retained by the Owner and is not affiliated with the Contractor.
2. Unless otherwise directed by the Owner, the Contractor shall secure, at his expense, all permits, licenses, and consents necessary for the performance of the work described herein.
3. The Contractor shall verify all site conditions, locations and elevations prior to commencing work. Conditions, locations and elevations shown on the plans shall be considered approximate and shall be verified by the Contractor in the field. Any conflicts or discrepancies shall be brought to the attention of the Engineer and be resolved prior to commencement of the work.
4. The Contractor shall coordinate the work of all trades.
5. The Contractor shall exercise due care to preserve existing vegetation outside limits of grading. Contractor shall treat all disturbed areas with erosion control measures.
6. Contractor to remove and replace all improvements damaged as a result of the work detailed in these plans to a condition equivalent to or better than existing conditions to the satisfaction of the Owner. This includes, but is not necessarily limited to: fences, gates, and roads.
7. Contractor shall assume all responsibility for location and avoidance or repair of all underground utilities, including, but not limited to, gas, water, electric, cable TV, telephone, sanitary sewer, and storm sewer. Contractor shall notify USA Underground and other appropriate authorities, including public and private utility owners, of construction activities a minimum of two (2) working days prior to commencement of work. Contractor shall verify location and depth of all existing utilities whether shown on the drawings or not. If the contractor fails to adequately protect the utilities, any resulting damage shall be repaired at Contractor's cost.
8. All deleterious spoils from site excavations to be wasted off-site, or placed in an owner approved location on site.
9. Contractor shall assume all responsibility for safety during performance of the work.
10. In the event that any unusual conditions not covered by the plans or specifications are encountered during excavation operations, the Engineer shall be immediately contacted for directions. It shall be the Contractors responsibility to immediately notify the Engineer upon discovery of any field conflicts.
11. All work to be in accordance with the standard provisions of the City of Malibu, Los Angeles County and the latest edition of the State of California Standard Specifications.
12. The Contractor shall provide the Owner and Engineer with the name and telephone number of the responsible person to contact, with regard to this project, 24 hours a day.
13. While not anticipated, the Contractor shall provide adequate dust control at all times as required by the City. Any operation that creates excessive dust shall cease immediately until sufficient measures satisfactory to the City have been taken to insure compliance with dust control requirements.
14. All work shall be subject to inspection and approval of the Owner and Engineer.
15. The Contractor agrees that they shall assume sole and complete responsibility for job site safety conditions during the course of construction of this project, including safety of all persons and property: that this requirement shall apply continuously and not be limited to normal working hours and that the Contractor shall defend, indemnify and hold harmless the Owner and Engineer from any liability, real or alleged, in connection with the performance of the work on this project excepting for liability arising from the sole negligence of the Owner or the Engineer.
16. The Engineer shall be provided with at least two (2) working days advance notice of construction activities requiring inspection services at (760) 438-3155 or FAX (760) 931-0915
17. Contractor shall be responsible for site clean-up to the satisfaction of the Owner.
18. Contractor shall comply with the California Storm Water Best Management Practice Handbook.

REVETMENT NOTES

1. All rock placement is subject to observation by the Engineer. Contractor shall notify the Engineer at least two (2) working days before the start of any work.
2. Approval of this plan applies only to the excavation and placement of natural earth materials. This approval does not confer any rights of entry to either public property or the private property of others. Approval of this plan also does not constitute approval of any other improvements. Any other improvements are subject to review and approval by the responsible authorities and all other required permits shall be obtained.
3. All rock placement shall conform to approved specifications presented hereon. All rock placement work and all imported armor stone shall be observed and approved by the Engineer or licensed Owner representative. Unobserved and unapproved grading work, rock placement, or importation shall be removed and replaced under observation.

ADDITIONAL NOTES

1. All work shall take place during daylight hours and lighting of the beach/ocean area is prohibited.
2. Construction work or equipment operations shall not be conducted below the mean high tide line unless tidal waters have receded and the area is part of the authorized work area.
3. Grading of intertidal areas is prohibited.
4. Track vehicles may be used if they are required to safely carry out construction. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
5. All construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by sunset each day that work occurs. The only exceptions shall be for erosion and sediment controls and/or construction area boundary fencing where such controls and/or fencing are placed as close to the base of the revetment/bluff as possible, and are minimized in their extent.
6. No work shall occur during weekends and/or the summer peak months (i.e., from the Saturday of Memorial Day weekend through Labor Day, inclusive) unless, due to extenuating circumstances (such as tidal issues, extensive delays due to severe weather or other environmental concerns), the City of Malibu authorizes such work.
7. Equipment washing, servicing, and refueling shall not take place on the beach, and shall only be allowed at a designated inland location (that shall be identified). Appropriate best management practices shall be used to ensure that no spills of petroleum products or other chemicals take place during these activities.
8. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain, including covering exposed piles of soil and wastes; dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
9. All erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each workday. At a minimum, silt fences, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from being deposited on the beach or into the ocean.
10. All public recreational use areas and all beach access points impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand impacted shall be filtered as necessary to remove all construction debris from the beach.
11. The Permittee shall notify planning staff of the City of Malibu at least three working days in advance of commencement of construction or maintenance activities, and immediately upon completion of construction or maintenance activities.

REVISIONS	BY
02/05/19	
12/11/20	
11/07/24	
01/26/26	

REGISTERED PROFESSIONAL ENGINEER
DAVID W. SKELLY
No. RCE 47857
Exp. 12/31/27
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www.geosoilsinc.com
GeoSoils, Inc.

TITLE: Sea Level Drive, Malibu, CA
Erosion Control

W.O. 5740-3-SC

CLIENT: Malibu Encinal Homeowners Association
c/o Ross Morgan & Co.
1535 Magnolia Blvd., Suite 212
Sherman Oaks, A 1403

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DATE	06/06/18
SCALE	
JOB NO.	
SHEET	S7
OF	7 SHEETS

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-3356

COASTAL ENGINEERING REVIEW
REFERRAL SHEET

TO: City of Malibu Coastal Engineer Staff

FROM: City of Malibu Planning Department **REVISED DATE** 02/07/2025

PROJECT NUMBER:	CDP 18-029
JOB ADDRESS:	31618 SEA LEVEL DR
APPLICANT / CONTACT:	Robyn Moruzzi, Malibu Proj. Mgmt.
APPLICANT ADDRESS:	30765 Pacific Coast Highway #173 Malibu, CA 90265
APPLICANT PHONE #:	(310)773-7305
APPLICANT FAX #:	
APPLICANT EMAIL:	robyn@malibuprojmgmt.com
PROJECT DESCRIPTION:	mitigation of bluff erosion

Malibu Planning Division and/or Applicant

FROM: **Coastal Engineering Reviewer**

✓ **The project is feasible and CAN proceed through the Planning process.**
Building Plan Check (BPC) Required ☐Yes ☐No BPC Fees Req'd $_____

_____ **The project CANNOT proceed through the planning process until coastal engineering feasibility is determined. Depending upon the nature of the project, this may require submittal of coastal engineering reports and/or wave run-up studies which evaluate the coastal environment setting, processes, and hazards.**

SIGNATURE 4-30-2025

Determination of Coastal Engineering feasibility is not approval of building and/or grading plans. Plans and/or reports must be submitted for Building Department approval, and may require approval of both the City Geotechnical Engineer, and City Coastal Engineer. Additional requirements/conditions may be imposed at the time of building and/or grading plans are submitted for review. Geotechnical reports may also be required.

Coastal Engineering Plans dated 11-7-2024, GeoSoils, Inc. update report dated November 8, 2024. Alternatives analysis has been performed and the revetment is designed at the elevation of the road, which is the limit of wave uprush utilizing 1.2 feet of sea level rise (low to intermediate for year 2090). The project as currently designed does not meet the 100 year sea level rise, but addresses adaptive measures to be implemented after 2090, and recommends 5 year inspection and maintenance interval. Final review in BPC required.

City of Malibu

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ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator

FROM: City of Malibu Planning Department **REVISED DATE** 02/07/2025

PROJECT NUMBER:	CDP 18-029
JOB ADDRESS:	31618 SEA LEVEL DR
APPLICANT / CONTACT:	Robyn Moruzzi, Malibu Proj. Mgmt.
APPLICANT ADDRESS:	30765 Pacific Coast Highway #173 Malibu, CA 90265
APPLICANT PHONE #:	(310)773-7305
APPLICANT FAX #:	
APPLICANT EMAIL:	robyn@malibuprojmgmt.com
PROJECT DESCRIPTION:	mitigation of bluff erosion

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.

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

_____ **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)**

Matthew Guzman 2/24/2025

Signature **Date**

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.

* The proposed mitigation of bluff erosion does not appear to impact existing onsite wastewater treatment systems (OWTS) along Sea Level Drive.

City of Malibu

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GEOTECHNICAL REVIEW SHEET

Project Information

Date: March 27, 2025 **Review Log #:** **4161**
Site Address: 31618 Sea Level Drive
Lot/Tract/PM #: n/a **Planning #:** **CDP 18-029**
ECDP 18-002
P5
Applicant/Contact: Robyn Moruzzi, robyn@malibuprojmgmt.com **BPC/GPC #:**
Contact Phone #: 310-773-7305 **Fax #:** **Planner:** **Alexander da Silva**
Project Type: **Revisions:** Mitigation of bluff erosion adjacent to Sea Level Drive

Submittal Information

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

GeoSoils, Inc. (Skelly, RCE 47857): **11-8-2024**
GeoSoils, Inc. (Franklin, CEG 1340; Skelly, RCE 47857; Guatelli, GE 2320): 12-22-2020, 11-7-2018 (revised 11-8-2018), 8-21-2018.

5th Coastal Development Permit Submittal
Bluff Erosion Control (preliminary) Plans prepared by GeoSoils, Inc. dated November 7, 2024, 7 sheets (Skelly, RCE 47857).

Previous Reviews: 2-16-2021, 7-10-2020, 9-18-2018, 7-17-2018; Ref: Environmental Health Review Sheet dated 2-24-2025; Ref: 1-29-2018 (for ECDP 18-002).

Review Findings

Coastal Development Permit Review

☒ The revised bluff erosion control project is **APPROVED** from a geotechnical perspective.

☐ The revised bluff erosion control project is **NOT APPROVED** 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.

Remarks

The updated coastal engineering and geotechnical report was reviewed by the City's consultant from a geotechnical perspective. The revised project includes the installation of a properly engineered rock

revetment in both Areas 1 and 2.

Planning Review Comments:

None.

Building Plan-Check Stage Review Comments:

1. Please show Cross-Section X-X' on the site plan, Sheet S1 of the plans.

2. Prior to final approval of the project, an as-built report documenting the installation of the rock revetment shall be prepared by the Project Geotechnical ConsultantThe report shall include a statement that the rock revetment was installed under the observation of the engineering geologist and geotechnical engineer of record and that the installations conformed to the approved plan and specifications. Any modifications to the plans necessary for the conditions encountered during the construction must be documented in the final report. Please include this comment as a note on the rock revetment plans.

3. One set of final electronic rock revetment plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and e-stamped and e-signed by the Project Engineering Geologist and Project Geotechnical/Civil Engineer.** The City's geotechnical consultants will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. Please direct questions regarding this review sheet to the City's geotechnical consultants listed below.

Engineering Geology Review by: _____ *3-14-2025*

Christopher Dean, C.E.G. #1751, Exp. 9-30-26 Date
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

Geotechnical Engineering Review by: _____ *3-26-2025*

Lauren J. Doyel, G.E. #2981, Exp. 6-30-25 Date
Geotechnical Engineering Reviewer (805-856-8330)
Email: ldoyel@malibucity.org

This review sheet was prepared by representatives of Cotton, Shires and Associates, 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

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

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

Grading Plans (as Applicable)

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

Retaining Walls (As Applicable)

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

City of Malibu

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(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department **REVISED DATE** 06/02/2025

PROJECT NUMBER: CDP 18-029

JOB ADDRESS: 31618 SEA LEVEL DR

APPLICANT / CONTACT: Robyn Moruzzi, Malibu Proj. Mgmt.

APPLICANT EMAIL: robyn@malibuprojmgmt.com

PROJECT DESCRIPTION: mitigation of bluff erosion

REVISION:

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.**

Building Plan Check (BPC) Required ☒Yes ❑No BPC Fees Req'd $ $3,180

SIGNATURE

09/02/2025
DATE

City of Malibu
MEMORANDUM

To: Community Development Department, Planning Division

From: Public Works Department
Jorge Rubalcava, PE Senior Civil Engineer

Date: September 2, 2025

Re: Proposed Conditions of Approval for 31618 Sea Level Dr CDP 18-029

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.**

MISCELLANOUS

3. Please provide a construction management plan (CMP). At a minimum, the CMP shall include ethe following:

   - Project Overview
     - Project Name: Coastal Rock Revetment Installation
       Location:
       Purpose: To install additional rock revetment to protect the adjacent roadway from coastal erosion and storm surges.
       Scope: The project involves placing [X] cubic yards of rock along [X] linear feet of shoreline. Work includes excavation, placement of filter fabric, underlayer, and primary armor stone.
   - Construction Logistics
     - Volume expected
     - Delivery method
   - Truck and Traffic Routes:
     - Truckloads per day
     - Haul Routes
     - Traffic Control Plan
   - Staging and Stockpiling:
     - Temporary storages of rocks before placement
     - Tide and access considerations. Will this be installed during low tide?
   - Construction Equipment and Access
     - Equipment used; excavators, dump trucks, loaders, etc.
     - Site access
   - Construction Schedule & Phasing
     - Estimated duration
     - Work hours – Check with Planning Department
     - Phasing plan
   - Emergency Access
     - Maintain unobstructed width (LACoFD approved) of Sea Level Drive
     - State the width of the road during crane/lift windows

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

City Of Malibu
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Malibu, CA 90265
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COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, May 4, 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. 18-029 - A follow-up application to Emergency Coastal Development Permit No. 18-002 for the removal of temporary bluff protection measures and the construction of permanent bluff protection measures consisting of two revetments on the ocean side of a private street

LOCATION / APNs:	**31618 Sea Level Dr** / 4470-017-009, 4470-001-014 through 4470-001-026
ZONING:	Single-Family Medium (SFM)
APPLICANT:	Malibu Project Management
OWNERS:	Malibu Encinal Homeowners Association Inc.; WHE Properties, LLC; Gary and Daphne Murphy; X17 Inc; Sea Level Properties II, LLC; Elizabeth E Heitman Trust; Drake Family Trust; Steve Shuken Trust; MH and JM Gainer Trust; CWMBS, Inc.; Fusco Family Trust; Steve Supowitz; Fusco Family Trust; Crowley and Summers; P and C Partners LP; BJGL Holdings I LLC
APPEALABLE TO:	City Council and California Coastal Commission
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15301(d) and 15303(d)
APPLICATION FILED:	June 25, 2018
CASE PLANNER:	Alexander da Silva, Associate Planner, adasilva@malibucity.org (310) 456-2489, ext. 314

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: April 23, 2026

ATTACHMENT 4