Commission Agenda Report

Planning Commission Meeting
10-05-26
Item 5.C.

To: Chair Kamins and Members of the Planning Commission

Prepared by: Patrick Achis, AICP, Senior 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: September 30, 2026 Meeting date: October 5, 2026

Subject: Coastal Development Permit No. 23-010 and Tentative Parcel Map No. 23-001 – An application for a two-unit housing development and urban lot split under Senate Bill 9

Location: 28809 Boniface Drive, not located within the appealable coastal zone
APN: 4466-018-025
Owner: Donald R. Lehman and Marie Christine Lehman Trust

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-46 (Attachment 1) determining that the California Environmental Quality Act (CEQA) does not apply to projects that a public agency rejects or disapproves pursuant to CEQA Guidelines section 15270, denying Coastal Development Permit (CDP) No. 23-010 and Tentative Parcel Map (TPM) No. 23-001 for a two-unit housing development and urban lot split pursuant to Senate Bill 9 (SB 9) (Government Code sections 66411.7 and 65852.21) to divide a 43,636 square foot (sf.) parcel (existing parcel or subject parcel) into two parcels consisting of Parcel A (25,536 sf.) and Parcel B (18,100 sf.), where an existing single-family residence on Parcel A would remain unchanged and Parcel B would consist of authorizing an after-the-fact unpermitted conversion of an existing detached, non-habitable, 998 sf. storage building with internal mezzanine into a new two-story, 21 foot (ft.) 8 inch (in.) tall, 2,548 sf. single-family residence with one parking space, 4 ft. tall by 92 ft. long driveway retaining wall, widening and extension of the existing driveway with a new fire truck turnaround, an advanced onsite wastewater treatment system (AOWTS), grading, decks, landscaping, hardscape, and associated development, located in the Rural Residential, One-Acre (RR-1) zoning district at 28809 Boniface Drive; and directing the Community Development Director to transmit to the applicant, on October 5, 2026,

written comments required by Gov. Code sections 66411.7(b)(1)(C) and 65852.21(h)(2) (Attachment 3) (Donald R. Lehman and Marie Christine Lehman Trust).

DISCUSSION:

The Application

The applicant seeks approvals under two statutes enacted by Senate Bill 9 of 2021 (SB 9).[1] Under the urban lot split statute,[2] the applicant seeks to divide the existing parcel into two (Parcels A and B). Under the two-unit statute,[3] the applicant seeks to add a new primary residence. Each of the SB 9 statutes expressly disclaims any limiting effect on the Coastal Act or, by extension, a city's Local Coastal Program (LCP), so any development under SB 9 requires a coastal development permit (CDP). Accordingly, the applicant seeks approval of a CDP for the project as well.

Background

Before the application at issue here was submitted, the City approved a detached, non-habitable storage building on the property under the approvals described below, and the building permit for that work was finaled in 2016. However, after those approvals, the property's owner engaged in a series of illegal construction activities without permits or inspections from the City. The illegal construction added to the storage building and then later modified it for potential human habitation.

The owner-applicant now seeks to legalize the unpermitted construction.

Staff Recommendation

Staff recommends that the Planning Commission deny the application for the project as proposed (Attachment 1).

Grounds for Denial

Grounds for denial include each of the following. Each provides an independent basis for denial of the application.

(1) The project is over the maximum density allowed in the LCP Land Use Plan (LUP).

[1] 2021 Stats. Ch. 162
[2] An urban lot split is a parcel map creating "no more than two new parcels of approximately equal lot area" (Gov. Code sections 66411.7(a)(1)-(2), (l))
[3] A two-unit housing development "contain[s] no more than two residential units within a single-family residential zone" (Gov. Code sections 65852.21(a), (i)(1))

(2) The project would contribute to adverse cumulative effects on coastal resources due to insufficient transfer of development credits (TDC) as required by the LUP and LCP Local Implementation Plan (LIP) for the protection of natural sensitive resources in the Santa Monica Mountains Coastal Zone.
(3) The project does not comply with the minimum lot area, width, and depth required by the LIP.
(4) The project does not comply with slope density and minimum parcel size for new lot creation required by the LIP.
(5) The project would result in parcels that are smaller than the average size of surrounding parcels, which is prohibited by the LIP.
(6) The project would exceed the maximum allowed height in the LIP.
(7) The project would authorize improvements to development that was built without a CDP and is not lawfully established, which LIP Section 13.3(F) does not allow unless the existing and proposed development both conform to the LCP.
(8) The project would not comply with the parking requirements of the LIP.
(9) The project would create at least one nonconforming lot in a Very High Fire Hazard Severity Zone (VHFHSZ) contrary to the hazard policies of the LCP.

The finding of conformity with the certified LCP required by Coastal Act section 30604(b) cannot be made, and SB 9 does not eliminate or lessen that requirement.

Grounds 1 through 5 and 9 concern the urban lot split land division, and each is an independent basis on which the LCP conformity finding cannot be made.

Grounds 1 and 6 through 8 concern the proposed second primary residence. The RR-1 density designation in the LUP does not allow a second primary residence on the parcel, regardless of the lot split (*Ground 1*). The proposed primary residence exceeds the 18 ft. height limit at 21 ft. 8 in. (*Ground 6*) and qualifies as an improvement to a structure that was enlarged and converted to a dwelling without permits, which LIP Section 13.3(F) does not allow (*Ground 7*). The proposed residence provides only one parking space where LIP Section 3.14.3 requires two (*Ground 8*).

The City may not approve a CDP without full conformity with the LCP.

Written Comments re Denial

As required by SB 9, written comments accompanying the denial are provided as Attachment 3. The comments identify each deficiency based on the project currently before the City and how that deficiency could be remedied by the project applicant.

The application for the CDP, urban lot split, and new primary dwelling were initially submitted on February 8, 2023. But the application was not complete until August 6, 2026, when the City determined the application complete by written notice. In compliance with the SB 9 statutes, the October 5, 2026, Planning Commission hearing falls on the 60th day after the City received the completed application. In any event, no CDP is deemed approved if the City fails to take timely action for approval or denial.[4]

SB 9 Overview

Since January 1, 2022, SB 9 has required local agencies to ministerially allow an eligible lot in a single-family residential zone to be: (1) developed with a second primary dwelling unit; or (2) split, roughly into halves, with resulting lots as small as 1,200 sf — or both. SB 9 limits the development standards an agency may apply to projects processed under the SB 9 statutes. Only objective standards may be applied. Parking requirements are also restricted (one space per unit max. may be required). An objective standard must also yield when necessary to allow an SB 9 primary dwelling unit to be up to 800 sf.

An overview of SB 9 is provided as Attachment 4. SB 450 (Atkins, 2024) further reduced local authority to regulate SB 9 projects by preventing the enforcement of primary-dwelling standards that do not apply uniformly to development within the underlying zone. The bill's amendments also require detailed comments to be provided with any denial of an SB 9 application.

Coastal Act and SB 9 Overview

The entire City is located within the California coastal zone. As defined in Coastal Act section 30106 and LIP Section 2.1, "development" includes the construction of structures and changes to density or the intensity of use of land, including land divisions. Under LIP Section 13.9(A), which implements Coastal Act Section 30604(b) in the City, a CDP may be approved only if the *development* conforms to the certified LCP. SB 9 does not displace or excuse such projects from the requirements of the Coastal Act—which is implemented in Malibu through its certified LCP. As noted above, each of the SB 9 statutes expressly disclaims any limiting effect on the requirements of the Coastal Act, except that it allows a local jurisdiction to skip holding a public hearing that would otherwise be required. The coastal-related provisions are in Gov. Code sections 66411.7(n) and 65852.21(k)[5], which

[4] LIP Section 13.3(A)

[5] SB 9 was most recently amended by SB 1426 (Stats. 2026, Ch. 56), effective June 30, 2026

read:

> *(k)/(n)* ***Nothing*** *in this section shall be construed to supersede or* ***in any way*** *alter or lessen the* ***effect or application*** *of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code),* ***except*** *that the local agency* ***shall not be required to hold public hearings*** *for coastal development permit applications for a housing development [Section 66411.7(n) for urban lot splits] pursuant to this section [emphasis added].*

The California Coastal Commission (CCC) addressed this topic in its January 21, 2022 memorandum on SB 9 implementation in coastal jurisdictions.[6] The memorandum states that certified LCP provisions "are not superseded by [SB 9] and continue to apply to CDP applications until an LCP amendment is adopted." The CCC also affirmed that SB 9 "does not override the Coastal Act or LCP policies implementing the Coastal Act, which may involve the application of discretion."[7] Government Code sections 65852.21(k) and 66411.7(n) provide that the City is not *required* to hold a public hearing on the CDP, but neither provision prohibits the City from holding one.

The LCP is a state-certified regulatory document that governs development in the Coastal Zone, which includes the area where the Project is located. Malibu's LCP constitutes the implementation of the Coastal Act in the City. As such, the City's certified LCP remains the state law governing development in Malibu and provides specific requirements that must be met in order for a CDP to be issued in the City.[8]

Under the current, operative, certified LCP, a public hearing before the Planning Commission is required (LIP Section 13.7(B)).[9] At that hearing the applicant must demonstrate that a preponderance of the evidence shows the project complies with all requirements of the LCP.

Project Setting

As shown in Figure 1, the subject parcel is a developed, rectangular parcel in the Point Dume neighborhood measuring approximately 111 ft. wide and 390 ft. deep (approximately one-acre). The subject parcel is currently developed with a two-story, single-family residence, a lawfully established detached 998 sf. non-habitable storage building with an internal mezzanine (approved under the 2012 approvals described below), a swimming pool, a driveway, and accessory structures, and is served by an onsite

[6] CCC Memorandum, Implementation of New SB 9 Housing Laws in Sea Level Rise Vulnerable Areas (Jan. 21, 2022); https://documents.coastal.ca.gov/assets/rflg/SB9-Memo.pdf
[7] CCC Memorandum, Implementation of New SB 9 Housing Laws in Sea Level Rise Vulnerable Areas (Jan. 21, 2022), pgs. 2, 3, and 10; https://documents.coastal.ca.gov/assets/rflg/SB9-Memo.pdf
[8] Coastal Act Section 30604(b)
[9] The project proposed here does not meet any of the eligible types of development that could be processed administratively (listed in LIP Section 13.13.1, in particular LIP section 13.13.1(A)(4)), because it includes a land division.

wastewater treatment system (OWTS). In May 2021, the City opened a code violation case for illegal additions to the detached 998 sf. non-habitable storage building and its unpermitted conversion for human habitation without the benefit of permits or inspections.

Figure 1 – Aerial Map



Source: City GIS, 2026

Table 1 summarizes data related to the subject parcel as it currently exists. As defined in LIP Section 2.1, “lot area” excludes street rights-of-way and is the criterion used to determine the LIP’s minimum lot size development standard and for SB 9’s 40 percent minimum lot size. “Net lot area” further excludes 1:1 slopes and is the criterion used to determine LIP development standards for total development square footage (TDSF), impermeable coverage, and setbacks.[10]

[10] LIP Sections 3.6(F)(4), (I)(1), (K)

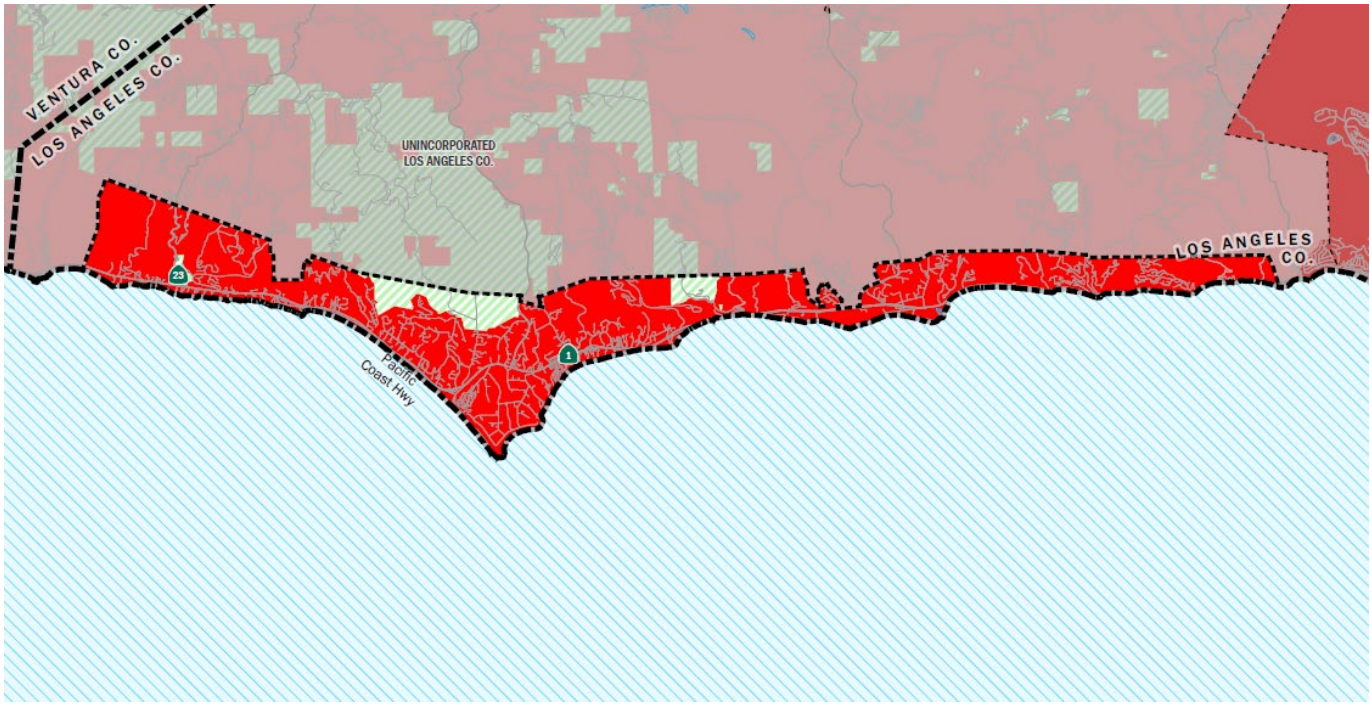
Table 1 – Existing Parcel Data	
Lot Depth	390.15 ft.
Lot Width	111.86 ft.
Gross Lot Area	46,992 sf.
Area of Street Easements	3,356 sf.
Lot Area**	43,636 sf.
Area of 1:1 Slopes	438 sf.
Net Lot Area*	43,198 sf.

*Net Lot Area = Gross Lot Area minus the area of public or private street easements and 1:1 slopes.
**Lot Area = Gross Lot Area minus street rights-of-way.

The subject parcel's land use designation is RR-1 under the LUP and is RR-1 under the LIP. The LUP establishes a maximum residential density of one primary dwelling unit per acre.[11] The LUP describes Point Dume as a broad band of residential development on gently rolling ridges and valleys, and the surrounding parcels follow that pattern with predominantly two-story residences and detached accessory structures on large rectangular lots.[12]

The subject parcel is located within the Very High Fire Hazard Severity Zone (VHFHSZ) (Figure 2) and in an area affected by the 2018 Woolsey Fire, a federally declared emergency area.

Figure 2 – VHFHSZ Map



Source: Local Responsibility Area Fire Hazard Severity Zone Map, Malibu, CAL FIRE - Office of the State Fire Marshal

[11] One acre is 43,560 sf.
[12] LUP Chapter 5.A

Figure 2, as adopted by the City Council, illustrates that all of Malibu is within a VHFHSZ (indicated in red). The Federal Responsibility Area is shown in hatched green.

The subject parcel is not within the Appeal Jurisdiction of the CCC as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map and confirmed per the definition of Appealable Coastal Development Permit in LIP Section 2.1. The parcel neither contains, nor is adjacent to, a mapped Environmentally Sensitive Habitat Area (ESHA). However, the parcel is subject to the ESHA buffer standards for the Point Dume neighborhood under LIP Section 4.6.1(A). The subject parcel also drains to an Area of Special Biological Significance (ASBS). The parcel contains a native protected coast live oak tree that must be protected in place and maintained under LIP Section 5.4. The subject parcel is not located on or along the shoreline or a coastal bluff, and is not between the first public road and the sea. No existing or planned public trail or recreational area is mapped on or adjacent to the subject parcel. The parcel is subject to the non-beachfront residential development standards of the LIP.

Permit History and Existing Development

Existing house. On August 19, 1974, the South Coast Regional Zone Conservation Commission issued Permit No. P-7-11-74-3602 authorizing the existing residence.

Storage building. On December 3, 2012, the Community Development Director approved Administrative Plan Review (APR) No. 12-020 and CDP Exemption (CDPE) No. 12-054 (2012 approval) for a 998 sf. storage building with an internal mezzanine, including Site Plan Review (SPR) No. 12-027 to allow height above 18 ft. up to 21 ft. 8 in., and SPR No. 12-042 to allow a reduced rear yard from 58 ft., 6 in. to 46 ft., 8 in. The 2012 approval described "a storage building limited to non-habitable use as allowed by the Los Angeles County Fire Department," and associated Building Permit No. 14-1448, finaled on March 2, 2016, assigned a Group "U" occupancy classification.[13]

Illegal conversion. The City opened a new code violation case in 2021. Without permits, the non-habitable storage building had been enlarged with additions and outfitted for habitable use, and an unpermitted second OWTS was installed to serve it. The City has not issued building permits or a CDP for the unpermitted construction.

Instead, the applicant is seeking to legalize the unpermitted work through this application in addition to the creation of a new lot. Real-estate listing records show the non-habitable structure was most recently marketed as a furnished rental from December 4, 2018, until the listing was removed on May 1, 2019 (Attachment 5; Figure 3). The applicant's geotechnical report prepared by Gold Coast GeoServices, Inc. (dated October 6, 2022)

[13] Group U (Utility and Miscellaneous) is the California Building Code occupancy classification for accessory structures such as a shed, garage, or barn, and is not a residential occupancy.

states that steel container boxes “expanded the square footage adjoining the original storage structure footprint,” “were constructed without the benefit of a building permit,” and “lack an adequate foundation system.”[14]

Figure 3 – Storage Building and Attached Addition as Marketed in the Rental Listing



Source: Zillow, 28809 Boniface Dr, Malibu, CA 90265, accessed May 21, 2026 (Attachment 5)

The CDP application describes the work as a conversion of the storage building with additions. As part of the CDP application, the proposed plans show removal of all exterior walls of the storage building and the conversion to a new 2,548 sf. residence to be located on proposed Parcel B (Attachment 2; Figure 5). Further discussion on the unpermitted development is provided under *Lawful Establishment*, below.

Project Description

The proposed scope of work is as follows (Attachment 2 – Project Plans):

[14] Geotechnical Report, Proposed Lot Split and Proposed Single Family Residence, 28809 Boniface Drive, Gold Coast GeoServices, Inc., dated October 6, 2022, pgs. 5 and 15

Demolition

Demolition of the existing detached, 998 sf. non-habitable storage building with an internal mezzanine (scope of work on proposed Parcel B)

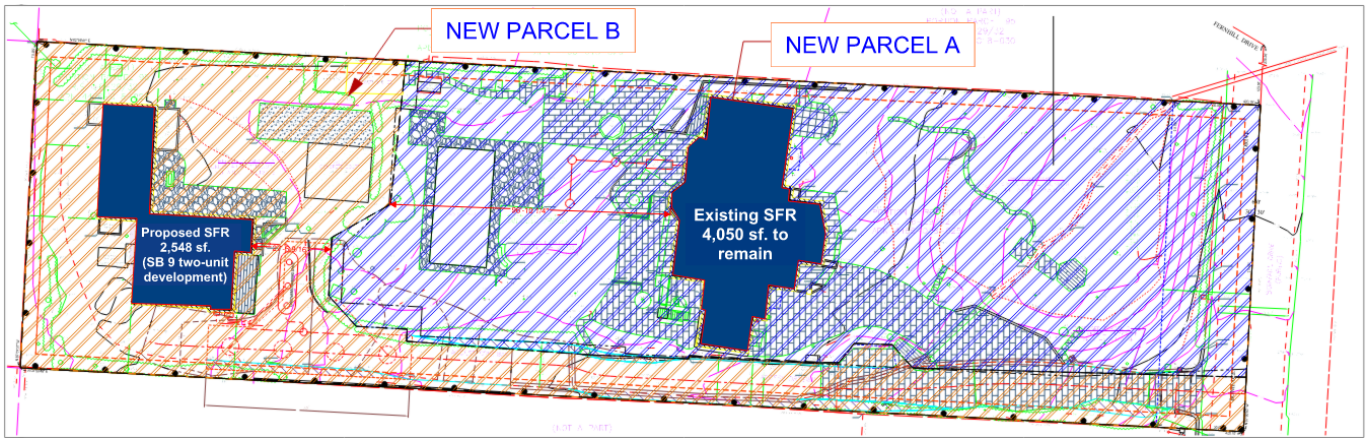
Construction

a. Two-unit housing development under SB 9 consisting of the "conversion" (complete removal) of the approved non-habitable (but currently illegally converted to habitable) 998 square foot storage building and replacing it with a 2,548 sf. two-story single-family residence comprised of 2,000 sf. on the first floor and 548 sf. on the second floor with a height of 21 ft., 8 in.;
b. One uncovered parking space for the proposed residence;
c. One approximate 4 ft. high by 92 ft. long driveway retaining wall;
d. Widening and extension of the existing driveway with a new fire truck turnaround;
e. Landscaping, decks, and hardscaping;
f. Approximately 55 cubic yards (c.y.) of non-exempt grading; and
g. AOWTS to serve the proposed residence.

Land Division (TPM No. 23-001)

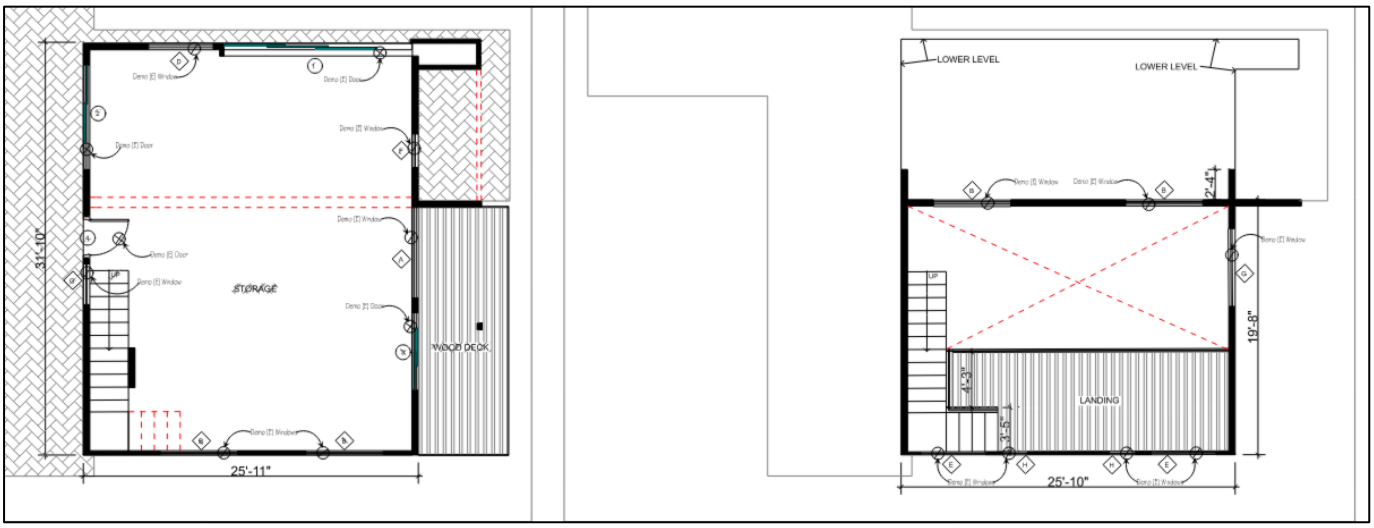
a. Urban lot split according to SB 9 standards to subdivide the subject parcel into (Figure 4):
    i. Parcel A (proposed front parcel with a lot size of 25,536 sf. and existing single-family residence that would remain as is)
    ii. Parcel B (proposed rear parcel with a lot size of 18,100 sf. and proposed single-family residence)
b. Access to Parcel B from Boniface Drive by a 15 ft. wide strip held in fee and reciprocal access easements.

Figure 4 – Proposed Site Plan and Parcel Configuration



Source: Project Plans, Sheet A-1.4 ("Lot Split Calculations")

Figure 5 – Existing Floor Plans Showing Demolition



Source: Project Plans, Sheet A-2.1 ("Conversion Process")

As shown in Figure 5, the walls of the storage building's first floor (left) and the second floor (right) in solid black are indicated for demolition on the project plans (Attachment 2). The remainder of the perimeter consists of window and door systems.

State Law Analysis of SB 9 (Gov. Code §§ 65852.21 and 66411.7)

Eligibility

The applicant has failed to demonstrate compliance with one of the required SB 9 eligibility criteria for the two-unit housing development and urban lot split, which is the absence of tenant occupancy.[15] Government Code sections 65852.21(a)(3)(C) and 66411.7(a)(3)(D)(iv) prohibit a two-unit housing development or an urban lot split that would demolish or alter housing occupied by a tenant in the last three years. Based on the February 8, 2023 CDP application filing date, the three-year "look back" period extends to February 8, 2020. Real-estate listing records show the non-habitable structure was most recently marketed as a furnished rental from December 4, 2018 until the listing was removed on May 1, 2019 (Attachment 5). In response to staff's inquiry to determine tenant occupancy, the applicant stated that the structure has not been occupied by a tenant within that period. However, no declaration or other documentation has been provided, and the record contains no other evidence of occupancy during that period.

The applicant has documented the remaining SB 9 eligibility criteria. The subject parcel is in a single-family residential zone in an urbanized area[16] and is not a historic property,

[15] Gov. Code sections 65852.21(a)(3)(C) and 66411.7(a)(3)(D)(iv)
[16] According to the U.S. Census Bureau, an Urban Area is an area with at least 5,000 people (or 2,000 housing units). Maps of urban areas can be found on the official U.S. Census Bureau website;

farmland, wetland, hazardous waste site, earthquake fault zone, special flood hazard area, or land under a conservation easement or habitat protection plan.[17] The parcel *is* within a VHFHSZ, and the SB 9 statutes both, through Gov. Code section 65913.4(a)(6)(D), exclude such sites from SB 9 … unless the site has adopted fire hazard mitigation measures under applicable building standards. The parcel is subject to the fire hazard mitigation requirements of the Fire Code and the LCP. Nonconformity of the land division with the hazard policies of the certified LCP is addressed under *Ground 9*.

The property owner has submitted the affidavit required by Gov. Code section 66411.7(g) stating an intent to occupy one of the units as a principal residence for at least three years.

The proposed tentative parcel map would subdivide the existing parcel into two parcels, A and B, each larger than SB 9's minimum lot size criterion of 1,200 sf. Government Code section 66411.7(a)(1) requires parcels of approximately equal area and that neither can be smaller than 40 percent of the original parcel. SB 9 does not define "lot area." Staff and the applicant have applied the definition of "lot area" in LIP Section 2.1 (see Table 1). So as proposed, Parcel B would be 18,100 sf., which is 41.5 percent of the 43,636 sf. subject parcel and considered by staff to measure "approximately equal." The subject parcel was not created by a prior urban lot split.[18]

As discussed below, this project also fails to comply with the LCP—and SB 9 projects still must comply with the Coastal Act as described above.

Two-Unit Housing Development

As explained above, the proposed primary dwelling unit under Gov. Code section 65852.21 is subject to LCP compliance. The 18 ft. height limit of LIP Section 3.6(E)(1) applies to every residence and associated structure on non-beachfront lots in the RR-1 area, including the project here. Heights up to 24 ft. (flat roof) or 28 ft. (pitched roof) are available only through an approved site plan review (SPR), which is a discretionary entitlement with its own findings under LIP sections 3.6(E)(2) and 13.27, which the applicant has not applied for. The applicant's submitted Feasible Alternatives Report (Attachment 8) states that the project makes no discretionary requests. At 21 ft. 8 in., the proposed residence exceeds the LIP's height standard of 18 ft. (*Ground 6*).

The applicant characterizes the proposed residence (associated with the non-habitable storage building) as an existing 21 ft., 8 in. structure approved under SPR No. 12-027 and "converted" without any increase in height. However, as represented on the project plans, the ground floor of the non-habitable storage building would be enlarged from 832 sf. to 2,000 sf., converted into a dwelling unit, and all of its exterior walls would be removed

https://www.census.gov/newsroom/blogs/random-samplings/2022/12/redefining-urban-areas-following-2020-census.html

[17] Gov. Code sections 65852.21(a), 66411.7(a), 65913.4(a)(6)(B)-(K), as that section read on September 16, 2021

[18] Gov. Code section 66411.7(a)(3)(G)

(Figure 5). Moreover, the 2012 approvals authorized a *non*-habitable storage building only and did not authorize any conversion into habitable use. A change to habitable use is itself *development* under the LCP because it would change the intensity of use of land.[19] It must comply with the LIP and LCP today.

The residence provides only one uncovered parking space. The LIP's parking standard, which applies to the CDP, is two spaces per unit as further discussed under *Ground 8*, below.

LCP Analysis

As noted repeatedly above, the certified LCP governs the CDP, and must be complied with in order for an SB 9 project to be approved. The LCP implements the policies of Chapter 3 of the Coastal Act, which have been adopted for Malibu through the guiding policies of the City's certified LUP.[20] Table 2 summarizes conformance with the residential development standards of LIP Chapter 3. Where relevant, conformance for proposed Parcel A containing the existing primary residence is provided.

Table 2 – Conformance with Residential Development Standards

Development Requirement	Allowed/ Required	Proposed	Conformance with LIP
MINIMUM LOT AREA*	43,560 sf. (1 acre) for each lot created in the RR District (min.)	Parcel A: 25,536 sf. Parcel B: 18,100 sf.	Does not comply
MINIMUM LOT WIDTH**	150 ft. (min.)	Parcel A: 96.86 ft. Parcel B: 111.86 ft.	Does not comply
MINIMUM LOT DEPTH**	250 ft. (min.)	Parcel A: 258.87 ft. Parcel B: 118 ft.	Parcel A complies; Parcel B does not comply
MAXIMUM DENSITY	1 primary dwelling unit per acre (LUP RR1)	2 primary dwelling units on 1.00 acre	Does not comply
HEIGHT	18 ft. (max.)	21 ft. 8 in. (new construction; no request for SPR)	Does not comply
SETBACKS			
Front Yard	Parcel A: 51 ft. 10 in. (min.)	Parcel A: 116 ft. Parcel B: 30 ft. 7 in.	Complies

[19] Coastal Act section 30106
[20] Coastal Act section 30604(b); LIP Section 13.9(A); LUP Chapter 1(D)

Table 2 – Conformance with Residential Development Standards			
Development Requirement	**Allowed/ Required**	**Proposed**	**Conformance with LIP**
	Parcel B: 23 ft. 8 in. (min.)		
Rear Yard	Parcel A: 38 ft. 10 in. Parcel B: 17 ft. 9 in. (min.)	Parcel A: 96 ft. 10 in. Parcel B: 23 ft. 7 in.	Complies
Side Yard (west; min. 10% of width)	Parcel A: 9 ft. 9 in. Parcel B: 11 ft. 2 in. (min.)	Parcel A: 6 ft. Parcel B: 19 ft. 7 in.	Parcel A: 6 ft. existing, lawfully nonconforming; not created by the land division. Parcel B complies.
Side Yard (east; 15%, remainder of the 25% cumulative min.)	Parcel A: 14 ft. 7 in. Parcel B: 16 ft. 10 in. (min.)	Parcel A: 18 ft. 8 in. Parcel B: 23 ft. 7 in.	Complies
TDSF* **	Parcel A: 5,175 sf. Parcel B: 3,872 sf. (max.)	Parcel A: 4,050 sf. Parcel B: 2,749 sf.	Complies
TWO-THIRDS RULE: AREA ABOVE 18 FT. (sf.)** **	1,333 sf. (max.)	548 sf.	Complies
PARKING SPACES			
Per unit	2	1 (proposed residence)	Does not comply
IMPERMEABLE COVERAGE* **	Parcel A: 7,493 sf. Parcel B: 5,679 sf. (max.)	Parcel A: 4,609 sf. Parcel B: 2,619 sf.	Complies
NON-EXEMPT GRADING	<1,000 c.y.	55 c.y.	Complies
DEVELOPMENT ON SLOPES (PT DUME)	4 to 1 or less	Flatter than 4:1	Complies
FENCES/WALLS/HEDGES/GATES			
Retaining Walls	6 ft. (max.) 12 ft. (cumulative)	Parcel B: 4 ft.	Complies

*Lot area excludes street rights-of-way (LIP Chapter 2).
**Lot depth is measured between the midpoints of the front and rear lot lines and width between the midpoints of the side lot lines (Zoning Code Interpretation No. 3). Parcel A's width excludes the 15 ft. access strip proposed to be held in fee by Parcel B. Parcel widths and depths are staff approximations derived from the tentative map dimensions under Interpretation No. 3 and are not reported in the applicant's materials.

***Net lot areas for TDSF, impermeable coverage, and setbacks are 24,975 sf. (Parcel A) and 16,225 sf. (Parcel B), excluding the access strip and easements (218 sf.; 1,780 sf.) and 1:1 slopes (343 sf.; 95 sf.).
****The two-thirds rule limits the floor area above 18 ft. to two-thirds of the ground floor area (2,000 sf. x 2/3 = 1,333 sf.).

GROUNDS FOR RECOMMENDATION OF DENIAL

Ground 1: Certified Residential Density and Intensity

LUP Chapters 1(D) and 5(C)(1); LUP Policy 5.38; LIP Sections 3.3(A)(1), 3.3(A)(3), 3.6(N)(1) and 15.2(B)(9)

The subject parcel is one acre in size. The certified LUP designates the subject parcel as RR-1, which limits density to one primary dwelling unit per acre. One primary residence is allowed on the subject parcel whereas the project proposes two. The RR District is intended for "sensitively designed, large lot single family residential development," and its minimum lot areas "represent the maximum density permitted in each RR designation."[21] The LCP does not allow a second primary dwelling on an RR parcel, though a second residential unit (or "accessory dwelling unit") of up to 900 sf. of living area may be permitted under LIP Section 3.6(N)(1). LUP Policy 5.38 provides that "[t]he City shall not approve a land division if any parcel being created would not be consistent with the maximum density designated by the Land Use Plan map, and the slope density criteria." Neither the finding required by LUP Chapter 1(D), nor the finding of LIP Section 15.2(B)(9) as to the density designated by the LUP, can be made.

Ground 2: Cumulative Effects on Coastal Resources and Public Services

LIP Sections 15.2(B)(7) and 15.2(B)(16); LIP Chapter 7 (Sections 7.1, 7.4, and 7.8.3); LUP Policies 5.26, 5.27, and 5.39; Coastal Act Section 30250(a)

LIP Section 15.2(B)(7) allows a land division only if it "does not create any additional parcels in an area where adequate public services are not available and will not have significant effects, either individually or cumulatively, on coastal resources," applying the requirements of Coastal Act Section 30250(a). As certified by the CCC, the LCP contains findings criteria for ensuring that the cumulative effect of new parcels created in Malibu is mitigated. LIP Section 7.1 states that buildout of existing lots will have cumulative impacts on habitat, scenic resources, landforms, and recreation, that development on new parcels increases risks from geologic, flood, and fire hazards, and that density increased through new land divisions "will not be approved unless Transfer of Development Credits are purchased to retire development rights on existing donor lots in the Santa Monica Mountains Area."[22]

[21] LIP Sections 3.3(A)(1), (A)(3)(a)
[22] LIP Sections 7.1, 7.4(B)

The CCC has required lot retirement for new land divisions in the Santa Monica Mountains since 1978, having found that "[a]bsent such mitigating measures no new land divisions could be found consistent with the provisions of the Coastal Act."[23] The applicant has not proposed a transfer of development credit (TDC) for the newly created parcel. Under LIP Section 15.2(B)(16), a land division must include "the requirement to acquire transfer of development credits" when those credits are required by the LUP, and LUP Policy 5.39 calls for one credit for each new lot created. LUP Policy 5.26 sets forth the Lot Retirement Program, of which the Transfer of Development Credit Program is a component. LUP Policy 5.27 states that the TDC Program exists "to ensure that the individual and cumulative impacts of creating new lots or developing multi-family residential units are minimized and mitigated through the retirement of an equivalent number of development credits from existing lots that meet the qualification criteria of the program." The finding under LIP Section 15.2(B)(16) cannot be made. By not adhering to the TDC process, no donor lot is retired to offset the new parcel, and the division adds to the cumulative buildout and significant negative impacts on coastal resources in this sensitive area that the TDC program is intended to mitigate.

LIP Section 7.4 describes the purpose of the TDC program in protecting sensitive resources in the Santa Monica Mountains Coastal Zone, including the following:

A. *Implement regulations that establish a voluntary program to transfer development rights for owners of property proposed for subdivision or multi-family developments and for owners of small lots in small lot subdivisions or lots with significant resource constraints.*
B. *Implement regulations that will mitigate cumulative impacts by ensuring that no net increase of density will result through creation of new buildable parcels or new multifamily units by retiring development rights on other buildable parcels.*
C. *Establish regulations to allow the transfer of development credit from buildable parcels with resource constraints in the Santa Monica Mountains Area coastal zone where development would result in individual and cumulative impacts inconsistent with Coastal Act policies, to other sites within the City of Malibu where subdivision and multifamily unit development can occur consistent with policies of the certified LCP.*
D. *To mitigate the cumulative impacts of the development of existing buildable parcels in the Santa Monica Mountains Area on natural resources, coastal access roads, recreational facilities and beaches by ensuring that even if land divisions or multifamily units are approved consistent with the certified LCP, that the overall number of lots and multi family units in the Santa Monica Mountains Area will not increase.*
E. *To create an incentive program for owners of donor lots with significant resource constraints to not develop the parcel.*

[23] California Coastal Commission, Findings and Recommendations for the Santa Monica Mountains/Malibu Regional Cumulative Assessment Project, Chapter 3, pg. 14; https://www.coastal.ca.gov/recap2/chapter3.pdf

Retirement is accomplished by recording a permanent open space easement that permanently extinguishes the development potential of the donor lot.[24] The donor lots the program directs retirement toward are the small, constrained lots in the Santa Monica Mountains whose buildout the Coastal Commission found would have significant cumulative impacts on environmentally sensitive habitat, water quality, public access, and public services.[25] A division approved without a TDC leaves no donor lot and adds a developable parcel with no offset. LIP Section 7.1 identifies that cumulative effect as the one the TDC requirement mitigates, and LUP Policy 5.39 and LIP Section 15.2(B)(16) direct the City to require the offset before a new parcel is created.

The project has not demonstrated compliance with the TDC program. Because the project would result in a net increase in density without any offsetting retirement of development rights, the project is inconsistent with the LCP's cumulative impact mitigation requirements in the Santa Monica Mountains.

Since a land division is permanent, staff also evaluated the development entitlement that the two parcels would accommodate under the certified LCP. LIP Section 3.6(K) calculates TDSF at 17.7 percent of net lot area plus 1,000 sf. for the first half acre, and 10 percent of the area between a half-acre and one acre. A land division doubles the 1,000 sf. base and moves the area of the smaller parcel from the 10 percent tier into the 17.7 percent tier. For proposed Parcels A and B, this adds 2,050 sf. of TDSF, from 6,997 sf. to 9,047 sf., on 1,998 sf. less net lot area (Table 3). Any land division of the parcel produces an increase of approximately this magnitude. Although the project as proposed is within the allowance for the subject parcel (pre-land division), the larger entitlement would run with the new parcels in perpetuity.

[24] LIP Section 7.8.3
[25] LIP Section 7.1; California Coastal Commission, Findings and Recommendations for the Santa Monica Mountains/Malibu Regional Cumulative Assessment Project, Chapter 3, pgs. 13-14; https://www.coastal.ca.gov/recap2/chapter3.pdf

Table 3 – TDSF Entitlement Before and After Division				
Standard	**Existing Subject Parcel (43,198 sf. net)**	**New Parcel A (24,975 sf. net)**	**New Parcel B (16,225 sf. net)**	**Parcels A and B**
TDSF (LIP Section 3.6(K))	6,997 sf. (16.2%)	5,175 sf. (20.7%)	3,872 sf. (23.9%)	9,047 sf. (increase of 2,050 sf. or 29%)
Primary dwelling units allowed	1	1	1	2 (increase of 1)
TDSF as proposed	6,799 sf. (existing residence and proposed residence)	4,050 sf.	2,749 sf.	6,799 sf. (no change)

Minimum distances for front, side, and rear yards are required development standards in the LIP. The land division would reduce the required yards. Because setbacks under the LIP are proportional to lot dimensions, smaller parcels are subject to smaller required yards. Table 4 compares the yards the 2012 approval applied to the subject parcel (pre-land division) (Attachment 7) with the yards that would apply to proposed Parcels A and B. The front and rear yards on Parcel B would be roughly one-third of those on the subject parcel (pre-land division). In 2012, SPR No. 12-042 was required to permit a rear yard of 46 ft. 8 in. for the storage building. A structure in the same location on proposed Parcel B would be subject to a required rear yard of 17 ft. 9 in. As with the larger TDSF allowance, the smaller required yards would remain with the parcels after the land division.

Table 4 - Required Yards Before and After Division				
Yard	**Existing Subject Parcel**	**New Parcel A**	**New Parcel B**	**Reduction**
Front	65 ft.	51 ft. 10 in.	23 ft. 8 in.	Parcel A = 13 ft. 2 in. Parcel B = 41 ft. 4 in.
Side (west)	11 ft. 2 in.	9 ft. 9 in.	11 ft. 2 in.	Parcel A = 1 ft. 5 in. Parcel B = none
Side (east)	16 ft. 10 in.	14 ft. 7 in.	16 ft. 10 in.	Parcel A = 2 ft. 3 in. Parcel B = none
Rear	58 ft. 6 in.	38 ft. 10 in.	17 ft. 9 in.	Parcel A = 19 ft. 8 in. Parcel B = 40 ft. 9 in.

The certified LCP permits these increases only where the new parcels meet the minimum lot size and surrounding parcel standards as described in Grounds 3 through 5 below, and the new lot is offset by retiring a donor lot via a TDC as required by LIP Chapter 7. The proposed land division satisfies neither condition, so the findings of LIP Sections 15.2(B)(7) and 15.2(B)(16) cannot be made.

Ground 3: Lot Area, Width, and Depth

LIP Sections 3.3(A)(3) and 15.2(B)(1)(a); LUP Policy 5.36

Minimum square footages for lot sizes and distances for lot width and depth are required development standards in the LIP. LIP Section 3.3(A)(3) requires every new lot in the RR-1 District to have at least one acre (43,560 sf.), a width of 150 ft., and a depth of 250 ft. The subject parcel is 43,636 sf. and, therefore, it is infeasible for any land division to result in two one-acre lots. Proposed Parcel A would be 25,536 sf. and proposed Parcel B would be 18,100 sf. in size, each of which is below the LIP's minimum one-acre lot size standard. Lot width and depth, measured using the methodology established in Zoning Code Interpretation No. 3, would also be substandard (Table 2). Both parcels would be less than the 150 ft. minimum width, and Parcel B would not comply with the minimum 250 ft. depth at 118 ft. Parcel A, at 258.87 ft., meets the depth standard. A division along the parcel's length would produce two parcels approximately 56 ft. wide, so no configuration of two parcels can satisfy the width standard. A building site on a parcel that does not meet the lot standards of the certified LCP cannot be developed consistent with all policies and standards of the LCP. The finding of LIP Section 15.2(B)(1)(a), that each new parcel contains a building site that "could be developed consistent with all policies and standards of the LCP," cannot be made (LUP Policy 5.36).

Ground 4: Slope Density for Minimum Parcel Size

LIP Sections 15.2(B)(9) and 15.6; LUP Policy 5.38

LIP Section 15.6 applies slope density criteria to land divisions in RR districts "with the intent to limit the potential intensity of development as the topography becomes steeper." The minimum lot size for a land division is the base minimum, one acre in RR-1, multiplied by a slope factor of not less than 1.0.[26] The applicant's geotechnical report states that slopes on the subject parcel are no steeper than 10:1 (horizontal ft. : vertical ft.), the lowest band of the LIP Section 15.6.3 slope density table, and the 438 sf. of 1:1 slopes deducted in Table 1 is approximately one percent of the parcel. At a factor of 1.0, the minimum is 43,560 sf. Both parcels are smaller, and a steeper average slope would only increase the minimum required lot area. The finding under Section 15.6 cannot be made (LUP Policy 5.38).

[26] LIP Sections 15.6.1 and 15.6.3

Ground 5: Surrounding Parcel Size

LIP Section 15.2(B)(10); LUP Policy 5.35

LIP Section 15.2(B)(10) and LUP Policy 5.35 prohibit a land division that creates parcels smaller than the average size of the surrounding parcels. LIP Section 15.2(B)(10) does not specify a radius or methodology for use in this determination. For the measurement, staff relied upon the Los Angeles County Assessor data for 41 parcels within 500 ft. of the property lines, which is the distance the LCP uses to define a "neighborhood" for other purposes (LIP Section 3.6(L)) (Attachment 11). The average lot area for the 41 parcels is 44,119 sf. (median 43,617 sf.; average of 40,352 sf. excluding the three outlier parcels of 85,000 sf. or more[27]). Proposed Parcels A and B are smaller than the average size of the surrounding parcels, and no land division of a 43,636 sf. parcel could yield two parcels at or above the average. The finding of LIP Section 15.2(B)(10) cannot be made (LUP Policy 5.35).

Ground 6: Height

LIP Section 3.6(E)(1); LUP Policy 6.7; Coastal Act Section 30251

LUP Policy 6.7 limits structures on non-beachfront lots to 18 ft. "to minimize impacts to visual resources." LIP Section 3.6(E)(1) applies the 18 ft. height limit to every residence and associated structure on a non-beachfront lot, measured from natural or finished grade, whichever results in the lower height. The height limit is how the certified LCP implements Coastal Act Section 30251 on residential lots. The proposed residence on Parcel B, at 21 ft. 8 in., is new development with structure height above 18 ft. As depicted on the project plans, the first floor would be enlarged from 832 sf. to 2,000 sf., the building converted from non-habitable storage to a dwelling unit, and all exterior walls would be removed (Attachment 2; Figure 5). The LIP definition of "remodel" allows replacement of exterior walls only "without altering the existing foundation, footprint or building envelope." In 2012, SPR No. 12-027 authorized a height of 21 ft., 8 in. only for the non-habitable storage building. The residence does not comply, and the finding of conformity with LIP Section 3.6(E)(1) cannot be made (LUP Policy 6.7).

Ground 7: Lawful Establishment of Existing Development

LIP Sections 13.3(A), 13.3(F), 13.4.1(A), 13.4.1(B)(3), 13.4.2(D), and 13.5

Development undertaken without a CDP is not lawfully established. Under LIP Section 13.3(F), the City may not approve an improvement unless it also approves a CDP for the

[27] The criterion is based on the average. The figures for the median and average excluding outliers are stated as checks.

existing development, which "shall only be approved if the existing and proposed development ... is consistent with the policies and standards of the LCP."

APR No. 12-020 authorized a non-habitable storage building at 21 ft., 8 in. (Attachment 7). Since the 2012 approvals and without required permits (both a CDP and building permits were required), container additions were built onto the structure, it was outfitted for residential use, and a second OWTS serving the residential use was installed. Existing conditions as described are documented in staff's May 19, 2026 inspection of the project site (Attachment 5). The CDP application requests approval of improvements made to the structure approved in APR No. 12-020. However, removing all exterior walls of the storage building makes the residence a *replacement structure* requiring a CDP under LIP Section 13.4.2(D), and the change in use from non-habitable storage to a dwelling is a change in the intensity of use of land that the LCP defines as development—which also requires a CDP. LIP Section 13.3(F) allows approval of the project only if the existing and proposed development both conform to the LCP. The proposed project does not comply with this requirement. The proposed residence on Parcel B would exceed the 18 ft. height standard (*Ground 6*). The existing container additions lack an adequate foundation system according to the applicant's geotechnical report and extend beyond the footprint APR No. 12-020 authorized. The OWTS serving the structure was installed without the CDP required by LIP Section 13.3(A). The exemption for improvements to existing single-family residences in LIP Section 13.4.1(A) does not apply to the OWTS because LIP Section 13.4.1(B)(3) excludes "the expansion or construction of water wells or septic systems." Further, a second primary dwelling is not an allowed use on the subject parcel under the certified LUP (*Ground 1*). The structure is therefore no longer lawful in its current condition and must (i) be returned to the non-habitable storage building the 2012 approvals authorized, (ii) demolished, or (iii) brought into conformance with the LCP as a whole through a CDP that can be approved under LIP Section 13.3(F).

While Gov. Code section 66411.7(i) prohibits the City from requiring correction of nonconforming zoning conditions as a condition of an urban lot split, this prohibition does not apply to the LCP or excuse the requirements to obtain a CDP. Development built without the permits required at the time is not a legal nonconforming condition and is unpermitted development, which LIP Section 13.5(A) excludes from the nonconforming use provisions of the LIP and subjects to Section 13.3(F). The unpermitted conversion was documented in the code enforcement record and has not been corrected.

The additions, conversion, and second OWTS were never lawfully established, so neither the existing nor the proposed development conforms to the LCP. The finding required by LIP Section 13.3(F) cannot be made. *Ground 7* applies to the residence proposed on Parcel B. The tentative parcel map cannot be approved because the CDP for the land division cannot be approved on Grounds 1 through 5 and 9.

Ground 8: Parking

LIP Section 3.14.3; LUP Policy 2.25; Coastal Act section 30252

LUP Policy 2.25 requires new development to provide off-street parking sufficient to serve the approved use so that on-street parking remains available for coastal access and recreation. This LUP policy implements Coastal Act section 30252. LIP Section 3.14.3 establishes a minimum of two spaces for any use or development. The plans show one 10 ft. by 20 ft. space for the proposed residence on Parcel B (Attachment 2). Government Code sections 65852.21(k) and 66411.7(n) preserve the Coastal Act and the certified LCP notwithstanding the parking limits of sections 65852.21(c)(1) and 66411.7(e)(3). The certified LCP standard applies to the CDP under Coastal Act Section 30604(b). The proposed residence provides one space where LIP Section 3.14.3 requires at least two and does not comply. As a result, the finding of conformity with LIP Section 3.14.3 cannot be made (LUP Policy 2.25).

Ground 9: Fire Hazard and the Hazard Policies of the LCP

LIP Sections 15.2(B)(1)(b), 7.1, 9.1, 9.2(A)(7), and 9.4(O); LUP Policies 4.2 and 4.45; Coastal Act section 30253(a); General Plan Safety Element Policies S-3.3.3, S-3.3.4, and S-3.3.16 (supporting policies)

Multiple provisions of the certified LCP require new development, which includes a land division, to minimize risks to life and property in areas of high fire hazard. The subject parcel is within the VHFHSZ (Figure 2). Coastal Act section 30253(a) provides that new development shall "minimize risks to life and property in areas of high geologic, flood, and fire hazard," and LUP Policies 4.2 and 4.45 carry that requirement into the certified LCP for new development and land divisions in fire hazard areas. LIP Section 7.1 identifies increased risk to life and property from fire as a cumulative effect of new parcels. LIP Chapter 9 designates the VHFHSZ as a hazard area subject to those policies (LIP Sections 9.1, 9.2(A)(7)). For land divisions, LIP Section 15.2(B)(1)(b) requires a finding that each proposed parcel has an identified building site that is safe from extreme fire hazard and a safe access road that complies with fire safety regulations. LIP Section 9.4(O) prohibits land divisions unless all proposed parcels can be demonstrated to be safe from flooding, erosion, geologic and extreme fire hazards.

Since 1930, at least 24 wildfires have burned within or adjacent to Malibu, including the 2018 Woolsey Fire, the 2024 Franklin Fire, and the 2025 Palisades Fire.[28] The 2018 Woolsey Fire was the largest at the time, burning 97,000 acres and destroying 1,500 structures (670 of which occurred in the Malibu City limits).[29] Within the City, 488 homes

[28] City of Malibu Community Wildfire Protection Plan, Table 4, Wildfires within and adjacent to CWPP Planning Area; https://www.malibucity.org/DocumentCenter/View/34817/Malibu-CWPP-final?bidId=
[29] Community Wildfire Protection Plan (CWPP) 2021, pg. 38; https://www.malibucity.org/DocumentCenter/View/34817/Malibu-CWPP-final?bidId=

were destroyed and the City's structure damage was approximately 36 percent of the total in Los Angeles County.[30] CAL FIRE's Woolsey Fire damage inspection records for the Point Dume neighborhood list 171 damaged structures, of which 145 were destroyed, the classification CAL FIRE assigns to structures with more than 50 percent damage. The destroyed structures include 102 residences, one of them on Boniface Drive, 42 accessory structures, and one commercial building (Attachment 10). The Woolsey Fire perimeter lies within 263 ft. southwest of the subject parcel (Attachment 10).

The County of Los Angeles After Action Review of the Woolsey Fire Incident describes the period after the fire crossed Highway 101 at 5:15 a.m. on November 9 as "the fire's final run to the ocean, charring the core of the mountains and devastating Malibu in a little over six hours", and identifies "[a]n uninterrupted, open vegetation fuel bed line from the ignition area **straight to Point Dume**" as one of the three factors that "broke" the pre-planned attack in the Highway 101 corridor [emphasis added].[31] The report further explains:

> *Before noon on Friday, the Malibu coast only had between **7 [to] 26 engines, not the 100–200 mutual aid engines** needed to immediately defend structures in highly developed areas. On Friday morning and early afternoon, the few engines present **could not conduct structure defense**, but instead were required to address an avalanche of 9-1-1 calls and conduct life safety missions [emphasis added].*[32]

Then again, in January 2025, the Palisades Fire destroyed roughly one-third of the City of Malibu, destroying over 500 homes and many other commercial and multifamily properties[33]. Roughly 1,400 residents were displaced. Power and gas service were shut off citywide for an extended period, Pacific Coast Highway and Malibu Canyon Road were closed, and Santa Monica-Malibu Unified School District schools and Pepperdine University closed. The event, like the Woolsey Fire, was declared a federal emergency, and the County has issued an after-action report on the incident.[34] In both fires, the structures threatened exceeded the capacity of the firefighting resources available to defend them.[35]

The proposed land division would create a second parcel in this setting. Parcel B would be a rear flag parcel, entitled as of right to a primary residence and to the floor area described under *Ground 2*, served by a single 15 ft. access strip to Boniface Drive with

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[30] After Action Review of the Woolsey Fire Incident, Los Angeles County Fire, pg. 23; https://file.lacounty.gov/SDSInter/bos/supdocs/144968.pdf
[31] After Action Review of the Woolsey Fire Incident, Los Angeles County Fire, pgs. 26 and 32; https://file.lacounty.gov/SDSInter/bos/supdocs/144968.pdf
[32] After Action Review of the Woolsey Fire Incident, Los Angeles County Fire, pg. 29; https://file.lacounty.gov/SDSInter/bos/supdocs/144968.pdf
[33] City of Malibu Palisades Fire incident data
[34] Eaton & Palisades Fires After-Action Reviews and Reports; https://lacounty.gov/aar/
[35] After Action Review of the Woolsey Fire Incident, Los Angeles County Fire, pg. 29; https://file.lacounty.gov/SDSInter/bos/supdocs/144968.pdf

one way out to a public road, and dependent on the same evacuation routes and fire protection resources that, in the Woolsey Fire, could not conduct structure defense at the existing density. The smaller parcels reduce the room available for structure separation, defensible space, and fuel modification (Table 4), and the added density places more people and property at risk. Unlike a structure, a parcel has no expected lifespan and is essentially permanent. The exposure added is a permanent condition of the land. The record contains a fuel modification plan approved by LACFD on September 12, 2024, a fire access plan cleared by the LACFD Land Development Unit on October 16, 2025, addressing the access strip and hammerhead turnaround, and Fire Flow Form 185 signed by Waterworks District No. 29 on March 6, 2024 (Attachment 6).

The LACFD approvals establish that the access strip and turnaround comply with fire safety regulations and that the fuel modification plan meets the minimum requirements of the Fire Code. The access element of LIP Section 15.2(B)(1)(b) is satisfied, and the access findings of LIP Sections 15.2(B)(3) and 15.2(B)(4) are satisfied. These approvals, however, do not make the finding that LIP Section 15.2(B)(1)(b) assigns to the City for the building site. The record does not demonstrate that a new rear parcel accessed by a single 15 ft. strip, in a neighborhood the Woolsey Fire entered along an open fuel bed and where 145 structures were destroyed while the engines on the Malibu coast could not conduct structure defense (After Action Review, pg. 29; Attachment 10), has a building site safe from extreme fire hazard within the meaning of LIP Section 15.2(B)(1)(b). The approvals also do not offset the cumulative exposure that LUP Policies 4.2 and 4.45, and LIP Section 7.1 direct the City to avoid. The land division does not minimize risks to life and property from fire hazard as the certified LCP requires, and the findings of LIP Section 15.2(B)(1)(b) and of conformity with LUP Policies 4.2 and 4.45 cannot be made.

Since these fires, the City has taken numerous proactive actions, including the update of the General Plan Safety Element, adopted by the City Council on April 13, 2026.[36] The project would not conform to the following Safety Element policies:

- Policy S-3.3.3 (“All proposed development shall incorporate fire safe design and adhere to the latest fire safe regulations adopted by the State and City”);
- Policy S-3.3.4 (“Require development to be located, designed, and constructed to provide adequate fire defensibility and minimize the risk of structural loss and life safety”); and
- Policy S-3.3.16 (“Require all planned development and major redevelopment has adequate fire and emergency services”).

A flag lot below the LIP’s minimum area, width, and depth, with a single point of access, is not located or designed to provide adequate defensibility (Policy S-3.3.4). The smaller parcels reduce the room for the fire safe design and defensible space which Policy S-3.3.3 calls for. The Woolsey record shows that fire and emergency services in this neighborhood

[36] City of Malibu Safety Element (adopted April 13, 2026) pgs. 31 and 33; MalibuCity.org/safetyelement

could not defend structures at the existing density (Policy S-3.3.16), let alone increased density. The Safety Element is not part of the certified LCP, but supports the LCP hazard policies applied above.

The Governor addressed the same concern in Executive Order N-32-25, issued July 30, 2025, which suspended SB 9 within the Palisades and Eaton Fire perimeters in the VHFHSZ until August 6, 2025, and thereafter authorized those local agencies to elect whether to apply SB 9 in the rebuilding areas in whole, in part, or not at all. The Order's recitals state that community members and local officials have expressed

> ***[C]oncern** about the potential for widespread SB 9 development **concentrated in neighborhoods rebuilding from destructive fires in very high fire hazard severity zones to crowd evacuation routes**, and while SB 9 already requires development in these zones to meet updated ingress and egress standards, and allows local governments discretion to deny a project that would have a specific, adverse impact on public health and safety that cannot be mitigated, the unprecedented scale of this disaster **calls for affording local governments increased discretion** to ensure that SB 9 development in the rebuilding areas appropriately accounts for fire safety concerns [emphasis added].*

The Order was limited to the Palisades and Eaton Fire areas. It is noted for the subject parcel because the State has regarded the crowding of evacuation routes by SB 9 lot splits in burned VHFHSZ neighborhoods as a fire safety concern warranting local discretion. Point Dume is such a neighborhood as the Woolsey Fire burned through it in 2018 and destroyed 145 structures, and the City as a whole is rebuilding from fire destruction.

The LIP's lot standards, setbacks, and hazard policies provide the structure separation and defensible space this fire-prone area requires. The project would add a new parcel, a new residence, and the evacuation and fire protection demand that come with them, without the offset the LCP requires and without a building site that can be found safe from extreme fire hazard. The findings of LIP Section 15.2(B)(1)(b) and of conformity with LUP Policies 4.2 and 4.45, which implement Coastal Act section 30253(a), cannot be made, and the land division is inconsistent with the hazard policies of LIP Chapter 9 (Sections 9.1, 9.2(A)(7), and 9.4(O)). General Plan Safety Element Policies S-3.3.3, S-3.3.4, and S-3.3.16 support this conclusion.

Conformity with the Certified LCP

Coastal Act section 30604(b); LIP Section 13.9(A); Gov. Code sections 65852.21(k) and 66411.7(n)

Under Coastal Act section 30604(b) and LIP Section 13.9(A), the City may approve a CDP only on a finding that the development conforms to the certified LCP. That finding cannot

be made for the reasons stated in Grounds 1 through 9, and the City therefore has no authority to approve CDP No. 23-010. Government Code sections 65852.21(k) and 66411.7(n) provide that nothing in those sections "shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976," and the only accommodation those sections make for coastal jurisdictions is that a public hearing is not required for the CDP. The ministerial approval SB 9 directs for a qualifying urban lot split and two-unit housing development does not override the required CDP findings those projects require in Malibu. As the CDP cannot be approved, the urban lot split and the two-unit housing development cannot be approved.

LCP Standards and Chapters Not in Issue

Setbacks on proposed Parcel B, TDSF, impermeable coverage, non-exempt grading[37], and the 4 ft. driveway retaining wall comply with LCP standards (Table 2). The 15 ft. access strip held in fee with reciprocal easements satisfies LIP Section 15.2(B)(4). The Phase I archaeological survey prepared by Brandon S. Lewis, Ph.D., RPA (March 5, 2012) identified no prehistoric or historic resources in the project area (LIP Chapter 11). Public Works reviewed the project under LIP Chapter 17 and the State Water Resources Control Board requirements for the Area of Special Biological Significance to which the site drains (Attachment 6). The Environmental Health Administrator found the proposed AOWTS (3,634-gallon MicroSepTec ES12 tank with ultraviolet disinfection, two primary and two reserve seepage pits) meets the minimum requirements of the certified LCP and MMC (Attachment 6; LIP Chapter 18). The AOWTS now serving the storage building was installed without the CDP that LIP Section 13.3(A) requires (*Ground 7*).

Applicant Correspondence

On March 4, 2025, the applicant provided a response letter regarding SB 9 (Attachment 9). The letter provides information on how the proposed project invokes SB 9 in relation to the City's LCP requirements. Its headings, quoted verbatim, state:

I. The Subject Property Meets the Criteria for an SB 9 Single-Family Residence and SB 9 Urban Lot Split
II. The Proposed SB 9 Project Meets the Coastal Commission's Geographic Eligibility
III. No Potential Adverse Effect on Coastal Resources
IV. Because the Proposed SB 9 Project Complies with the Coastal Act, It Should be Approved
V. The City of Malibu's LCP [Does Not Contain SB 9 provisions; such projects should be approved if there are no substantial impacts to coastal resources]

[37] 55 c.y. of the 1,000 c.y. allowed under LIP Section 8.3, as reported on the applicant's Plan Sheet C-1.0 (Attachment 2)

VI. There are No Provisions of State SB 9 law or of the Coastal Act Which State that Either Law May be Flagrantly Disregarded by a Local Government By the Mere Act of Delaying and Failing to Amend and Update its LCP

VII. The Provisions of the CCC Memo Suggesting the Coastal Cities Do Not have to Comply with State Housing Laws, Until an Approved LCP SB 9 Amendment is in Place, is not Legally Sound and Should be Disregarded

Statements I and II concern eligibility under SB 9 and are addressed in the State Law Analysis above. Statements III, IV, and V rely on the premise that a CDP should be approved, even if it does not meet the requirements in the City's LCP, if no effect on coastal resources is identified. These statements directly conflict with the provisions of SB 9, and are unsupported by the law and the record.

The proposed land division would have serious negative impacts on coastal resources—impacts that would be made permanent as the project includes a division of land—not just structures. These are described above, and include allowing potential development on the site to increase from 6,997 to 9,047 sf. of TDSF, doubling the number of primary dwellings, and especially increasing development in this sensitive coastal area without providing the required donor lot—a system designed to preserve the Santa Monica Mountains and the sensitive coastal resources present there and avoid the significant negative cumulative impacts of development in this area. The project would also create a rear flag parcel with a single point of access in a VHFHSZ where the Woolsey Fire destroyed 145 structures at the existing density, while engines were unavailable for structure defense (Ground 9). These are specific and negative effects on coastal resources and public services within the meaning of Coastal Act Section 30250(a) and LIP Section 15.2(B)(7), and are the effects the LCP's lot standards, TDC program, and hazard policies exist to prevent.

The applicant also argues, without legal authority, that the City is under an obligation to change its LCP to match the provisions of SB 9, and until the City does so SB 9 projects do not need to comply with the City's LCP. This is simply not true and is directly refuted by SB 9 itself which provides that SB 9 excuses compliance with a City's zoning code if its requirements are met, but does *not* excuse compliance with the Coastal Act.

The Coastal Zone is a narrow strip of land along the coast where sensitive coastal resources are present. The Coastal Act is designed for two purposes only: first, protecting those sensitive coastal resources, and second, providing for public access to the coast. It is not a housing law, and housing laws do not trump the protections put in place to protect these resources and public access. The legislature made clear that while SB 9 would apply throughout the rest of the state, in the approximately 1.4% of the State located in the Coastal Zone the Coastal Act will take precedence.

In Malibu, the Coastal Act is implemented through the City's LCP. The City's LCP protects these sensitive coastal resources and public access through myriad ways—many of which are violated by this project. The applicant can cite no legal authority to allow it to proceed

with a project that does not conform with the LCP. The applicant may not choose which provisions of the LCP it can ignore—it must follow the standards in the LCP in whole, and SB 9 specifically provides that this is the case.

Should a project such as the one proposed be allowed to ignore the Coastal Act, the cumulative impacts could be devastating. Whereas in other areas of the state reducing parking standards may just result in more street parking causing visitors and residents to park farther away, in the Coastal Zone reducing parking can easily impact public access to the Coast as parking is already naturally constrained in these areas. More residents parking on the streets means fewer spaces available for visitors. Similarly, increased height in non-coastal areas may raise privacy concerns, in the Coastal Zone increased height can damage public views and visual resources. Increased density in areas outside of the Coastal Zone may cause more traffic or drains on resources, but in the Coastal Zone increased density can lead to damage, overuse, and the removal of protections for sensitive coastal resources, habitat, and corridors and places for wildlife to live and travel.

While some coastal areas have been highly developed decades ago, others (such as Malibu) are very rural and contain more wildlife due to the design of the city and its LCP to protect these resources. Each LCP is specifically tailored to the local conditions present, and these standards serve important purposes unique to each jurisdiction. No legal authority justifies ignoring these requirements, and to do so would have myriad and significant negative impacts.

In its certification action, the CCC found that the LCP's development standards protect coastal resources and protect public access to the coast. The LCP addresses the effect of new parcels cumulatively, which is the reason it requires development rights to be retired elsewhere via a TDC before a new parcel is created.[38]

Statements VI and VII characterize the City as disregarding SB 9 and as relying on the CCC's memorandum, which the applicant states is "not legally sound and should be disregarded" (Statement VII). The City has applied SB 9 to the application — but also is requiring compliance with the Coastal Act. As the applicant has failed to present evidence demonstrating compliance with the City's LCP, Staff must recommend denial of this application. Had the application met the standards of both SB 9 and the LCP the recommendation would have been for approval.

The CCC memorandum, the plain text of SB 9, and the City's independent analysis all concur that SB 9 does not excuse compliance with the Coastal Act and the City's LCP.

The applicant's letter also refers to the state's litigation against the City of Huntington Beach concerning SB 9. This matter involved a jurisdiction that declined to process SB 9 applications at all and did not concern CDP processing issues or the Coastal Act clause.

[38] LIP Section 7.1

The City of Malibu has a process for SB 9 applications and those applications must adhere to the City's LCP as required by the SB 9 law itself. Coastal Act section 30007 provides that the Coastal Act does not exempt local governments from meeting the requirements of state and federal law with respect to their housing obligations, but does not alter the conformity finding that Coastal Act Section 30604(b) requires, which applies the certified LCP to the CDP.

The certified LCP provides a mechanism for adding an additional residential unit on the subject parcel. The applicant may apply for a second residential unit, as defined in LIP Section 2.1, of up to 900 sf. of living area under LIP Section 3.6(N)(1). Attachment 3 identifies items that would need to be addressed in any future second residential unit application.

ENVIRONMENTAL REVIEW: Under the authority and criteria contained in CEQA, the Community Development Director has analyzed the proposed project. The Community Development Director finds that, under CEQA Guidelines section 15270, CEQA does not apply to projects that a public agency rejects or disapproves.

CORRESPONDENCE: Five members of the public submitted comments on the project (Attachment 12). Four expressed opposition to the project, principally due to added density and the precedent a lot split would set in the neighborhood. The fifth commenter submitted two comments concerning the location of the project's on-site property posting.

PUBLIC NOTICE: On September 10, 2026, the Planning Division published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed the notice to property owners and occupants within a 500 ft. radius of the subject parcel (Attachment 13).

SUMMARY: The certified LCP designates the one-acre RR-1 parcel for one primary dwelling unit per acre and allows a second residential unit of up to 900 sf. The RR-1 designation in the LIP does not allow a second primary residence. No land division design of the parcel meets the lot area, slope density, or surrounding parcel standards, and the land division would increase the development entitlement on the land without the offset the LCP requires. Independently, the proposed residence on Parcel B exceeds the 18 ft. height standard and provides one parking space where the LCP requires two. The unpermitted additions, conversion, and second OWTS the project proposes to improve were not lawfully established. The land division would also add a nonconforming parcel in a Very High Fire Hazard Severity Zone contrary to the hazard policies of the LCP. SB 9 preserves the Coastal Act and does not authorize approval of a CDP that does not conform to the certified LCP. Staff recommends that the Planning Commission adopt Resolution No. 26-46 denying CDP No. 23-010 and TPM No. 23-001, and direct transmittal of the written comments in Attachment 3.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-46
2. Project Plans and Tentative Parcel Map No. 23-001 (Map No. 84368)
3. SB 9 Written Comments for Transmittal upon Denial (Gov. Code Sections 65852.21(h)(2) and 66411.7(b)(1)(C))
4. SB 9 Overview with Graphic for Public Audiences, Association of Bay Area Governments (ABAG)
5. Site Photographs (May 19, 2026) and Rental Listing Records
6. Department Review Sheets
7. Notice of Decision for APR No. 12-020, et al., dated December 3, 2012 (without Attachments)
8. Applicant's Feasible Alternatives Report, dated January 31, 2023
9. Applicant's Response Letter and SB 9 Attachment, dated March 4, 2025
10. Woolsey Fire Structure Data and Fire Perimeter Map (CAL Fire Damage Inspection Data, 2018)
11. Surrounding Average Parcel Size Exhibit (Los Angeles County Assessor data, 500 ft. radius)
12. Public Comment
13. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-46

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU DETERMINING THAT THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DOES NOT APPLY TO PROJECTS THAT A PUBLIC AGENCY REJECTS OR DISAPPROVES PURSUANT TO CEQA GUIDELINES SECTION 15270, DENYING COASTAL DEVELOPMENT PERMIT NO. 23-010 AND TENTATIVE PARCEL MAP NO. 23-001 FOR A TWO-UNIT HOUSING DEVELOPMENT AND URBAN LOT SPLIT PURSUANT TO SENATE BILL 9 (GOVERNMENT CODE SECTIONS 66411.7 AND 65852.21) TO DIVIDE A 43,636 SQUARE FOOT (SF.) PARCEL INTO TWO PARCELS CONSISTING OF PARCEL A (25,536 SF.) AND PARCEL B (18,100 SF.), WHERE AN EXISTING SINGLE-FAMILY RESIDENCE ON PARCEL A WOULD REMAIN UNCHANGED AND PARCEL B WOULD CONSIST OF AUTHORIZING AN AFTER-THE-FACT UNPERMITTED CONVERSION OF AN EXISTING DETACHED, NON-HABITABLE, 998 SF. STORAGE BUILDING WITH INTERNAL MEZZANINE INTO A NEW TWO-STORY, 21 FOOT (FT.) 8 INCH TALL, 2,548 SF. SINGLE-FAMILY RESIDENCE WITH ONE PARKING SPACE, 4 FT. TALL BY 92 FT. LONG DRIVEWAY RETAINING WALL, WIDENING AND EXTENSION OF THE EXISTING DRIVEWAY WITH A NEW FIRE TRUCK TURNAROUND, AN ADVANCED ONSITE WASTEWATER TREATMENT SYSTEM, GRADING, DECKS, LANDSCAPING, HARDSCAPE, AND ASSOCIATED DEVELOPMENT, LOCATED IN THE RURAL RESIDENTIAL, ONE-ACRE ZONING DISTRICT AT 28809 BONIFACE DRIVE; AND DIRECTING THE COMMUNITY DEVELOPMENT DIRECTOR TO TRANSMIT TO THE APPLICANT WRITTEN COMMENTS REQUIRED BY GOVERNMENT CODE SECTIONS 66411.7(b)(1)(C) AND 65852.21(h)(2) (DONALD R. LEHMAN AND MARIE CHRISTINE LEHMAN TRUST)

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

SECTION 1. Recitals

A. On February 8, 2023, an application for Coastal Development Permit (CDP) No. 23-010, Tentative Parcel Map (TPM) No. 23-001 (an urban lot split), and a two-unit housing development were submitted to the Planning Division by the applicant Cindy Martin, of Schmitz & Associates, Inc., on behalf of the property owner, the Donald R. Lehman and Marie Christine Lehman Trust. The application was routed to the City geotechnical consultant reviewers, City Environmental Health Administrator, City Biologist, City Public Works Department, Los Angeles County Fire Department (LACFD), and Los Angeles County Waterworks District No. 29 (WD29) for review.

B. Before the application at issue here was submitted, the City approved a detached, non-habitable storage building on the property under the approvals described in Section 4.A1(c), and the building permit for that work was finaled in 2016. However, the property's owner engaged in a series of illegal construction activities without permits or inspections from the City. The illegal construction added to the storage building and then later modified it for potential human habitation. Each of the Senate Bill 9 (SB 9) statutes expressly disclaims any limiting effect on the Coastal Act

or, by extension, a city's Local Coastal Program (LCP), so any development under SB 9 requires a coastal development permit.

C. The owner submitted the affidavit required by Gov. Code section 66411.7(g) stating an intent to occupy one of the units as a principal residence for at least three years. Staff inquired whether the existing structure on the site of proposed Parcel B has been occupied by a tenant during the period described in Gov. Code sections 65852.21(a)(3)(C) and 66411.7(a)(3)(D)(iv). The applicant stated that it has not, and has not provided a declaration or other documentation. Real-estate listing records show the structure most recently marketed as a furnished rental, from December 4, 2018, until the listing was removed on May 1, 2019.

D. On May 19, 2026, Planning Division staff conducted a site visit to photograph and document site conditions.

E. On July 7, 2026, the City received the applicant's resubmittal, and on August 6, 2026, the City determined the application complete by written notice.

F. On September 1, 2026, a Notice of CDP Application was posted on the subject parcel.

G. On September 10, 2026, in accordance with Local Implementation Plan (LIP) Section 13.12.2(A), a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed by first class mail to all property owners and occupants within a 500 ft. radius of the subject parcel, to all persons who requested notice and to the Coastal Commission South Central Coast District office under Section 13.12.2(A)(6).

H. On October 5, 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 Community Development Director has analyzed the proposed project. The Community Development Director finds that, pursuant to CEQA Guidelines Section 15270, CEQA does not apply to projects that a public agency rejects or disapproves.

SECTION 3. State Law Determinations (Gov. Code Sections 65852.21 and 66411.7)

1. *Standard of review and Coastal Act Saving clause.* The entire City is within the coastal zone. As defined in Coastal Act section 30106 and LIP Section 2.1, "development" includes the construction of structures and changes to density or the intensity of use of land, including land divisions. Under LIP Section 13.9(A), which implements Coastal Act section 30604(b) in the City, a CDP may be approved only if the development conforms to the certified LCP. SB 9 does not displace or excuse such projects from the requirements of the Coastal Act—which is implemented in Malibu through its certified LCP. Each of the SB 9 statutes expressly disclaims any limiting effect on the requirements of the Coastal Act, except that it allows a local jurisdiction to skip holding a public hearing that would otherwise be required.

Government Code Sections 65852.21(k) and 66411.7(n) provide that nothing in those sections "shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976," except that the local agency "shall not be required to hold public hearings" for CDP applications for a housing development or urban lot split under those sections. SB 9 therefore supplies no basis for approving a CDP that the certified LCP does not allow.

The California Coastal Commission (CCC) addressed this topic in its January 21, 2022 memorandum on SB 9 implementation in coastal jurisdictions, which states that certified LCP provisions "are not superseded by [SB 9] and continue to apply to CDP applications until an LCP amendment is adopted" and that SB 9 "does not override the Coastal Act or LCP policies implementing the Coastal Act, which may involve the application of discretion." The CCC memorandum, the plain text of SB 9, and the City's independent analysis all concur that SB 9 does not excuse compliance with the Coastal Act and the City's LCP.

Under the current, operative, certified LCP, a public hearing before the Planning Commission is required for this CDP (LIP Section 13.7(B)). The project does not meet any of the eligible types of development that could be processed administratively under LIP Section 13.13.1, in particular LIP Section 13.13.1(A)(4), because it includes a land division. Government Code Sections 65852.21(k) and 66411.7(n) provide that the City is not required to hold a public hearing on the CDP, but neither provision prohibits the City from holding one.

2. *Eligibility.* The applicant has failed to demonstrate compliance with one of the required SB 9 eligibility criteria for the two-unit housing development and urban lot split, which is the absence of tenant occupancy, as stated below. The parcel is within a single-family residential zone, Rural Residential, One-Acre (RR-1), and an urbanized area, and is not a historic property, farmland, wetland, hazardous waste site, earthquake fault zone, special flood hazard area, or land under a conservation easement or habitat protection plan (Gov. Code sections 65852.21(a), 66411.7(a), 65913.4(a)(6)(B)-(K), as that section read on September 16, 2021). The parcel is within a Very High Fire Hazard Severity Zone (VHFHSZ), and the SB 9 statutes both, through Gov. Code Section 65913.4(a)(6)(D), exclude such sites unless the site has adopted fire hazard mitigation measures under applicable building standards. The parcel is subject to the fire hazard mitigation requirements of the Fire Code and the certified LCP. The record includes a fuel modification plan approved by LACFD on September 12, 2024 and the LACFD access clearance of October 16, 2025. Whether each proposed parcel has a building site safe from extreme fire hazard is a separate finding under the certified LCP, addressed in Section 4.F.

The map creates two parcels, each larger than 1,200 sf. Applying the certified LCP definition of "lot area" (LIP Chapter 2), Parcel B (18,100 sf.) is 41.5 percent of the original parcel (43,636 sf.), which is not less than the 40 percent minimum of Gov. Code section 66411.7(a)(1) and which the Planning Commission does not contest satisfies the approximately equal lot area criterion of that section. The parcel was not created by a prior urban lot split (Gov. Code Section 66411.7(a)(3)(G)), and the owner has submitted the affidavit required by Section 66411.7(g) (Recital C).

Government Code Sections 65852.21(a)(3)(C) and 66411.7(a)(3)(D)(iv) prohibit a two-unit housing development or an urban lot split that would demolish or alter housing occupied by a tenant in the last three years. Based on the February 8, 2023 filing date, the three-year "look back" period extends to February 8, 2020. Real-estate listing records show the structure on proposed

Parcel B was most recently marketed as a furnished rental, from December 4, 2018 until the listing was removed on May 1, 2019 (Recital C). Removal of a listing does not establish that the structure was thereafter unoccupied as a listing is also removed when the unit is rented. Staff inquired whether the structure has been occupied by a tenant during that period. The applicant responded that it has not, but has provided no declaration or other documentation, and the record contains no other evidence of occupancy during that period. The applicant has therefore failed to demonstrate compliance with this criterion. Occupancy of the structure does not make the structure or its residential use lawfully established (Section 4.A.1(c)). As stated in Section 4, the project also fails to comply with the certified LCP, with which SB 9 projects must comply (Determination 1).

3. *Two-unit housing development.* The proposed primary dwelling unit under Gov. Code section 65852.21 may only be approved if it complies with the LIP and LCP (Determination 1). The 18 ft. height limit of LIP Section 3.6(E)(1) applies to every residence and associated structure on non-beachfront lots in the RR-1 area, including the project here. Heights up to 24 ft. (flat roof) or 28 ft. (pitched roof) are available only through an approved site plan review (SPR), which is a discretionary entitlement with its own findings under LIP sections 3.6(E)(2) and 13.27. The applicant has not applied for an SPR for the proposed residence. The 2012 SPR authorized the height of the non-habitable storage building only. The applicant's Feasible Alternatives Report states that the project makes no discretionary requests. At 21 ft. 8 inches (in.), the proposed residence exceeds the LIP's 18 ft. height standard. The applicant characterizes the proposed residence as an existing 21 ft. 8 in. structure approved under SPR No. 12-027 and "converted" without any increase in height. However, as represented on the project plans, the ground floor of the non-habitable storage building would be enlarged from 832 sf. to 2,000 sf., converted into a dwelling unit, and all of its exterior walls would be removed. Moreover, the 2012 approvals authorized a non-habitable storage building only and did not authorize any conversion into habitable use. A change to habitable use is itself development under the LCP because it would change the intensity of use of land (Coastal Act Section 30106). It must comply with the LIP and LCP today. The residence provides only one uncovered parking space. The LIP's parking standard, which applies to the CDP, is two spaces per unit. Under Gov. Code sections 65852.21(c)(1) and 66411.7(e)(3), one space per unit is the maximum a local agency may require of a two-unit housing development, and the parcel does not qualify for the parking exemption of those sections, as it is not located within one-half mile walking distance of a high-quality transit corridor as defined in Public Resources Code Section 21155(b) or a major transit stop as defined in Public Resources Code Section 21064.3, and no car share vehicle is located within one block of the parcel. The certified LCP standard applies to the CDP under Coastal Act section 30604(b), and Gov. Code sections 65852.21(k) and 66411.7(n) preserve the Coastal Act and the certified LCP without regard to the parking limits of those sections (Section 4.B.2). Grounds 1 through 9, as described in Determination 5, are findings under the certified LCP for the CDP and are not applied as standards to the urban lot split or the two-unit housing development under Gov. Code sections 65852.21(b) or 66411.7(c).

4. *Timing.* The City received the applicant's resubmittal on July 7, 2026, and determined the application complete by written notice on August 6, 2026 (Recital E). This action is taken on October 5, 2026, the 60th day after the City received the completed application (Gov. Code sections 65852.21(h)(1) and 66411.7(b)(1)(B)). In any event, no CDP is deemed approved if the City fails to take timely action for approval or denial (LIP Section 13.3(A)).

5. *Grounds.* The Planning Commission determines that the following grounds, stated in Section 4, each provides an independent basis for denial of the application:

i. Ground 1: the project is over the maximum density allowed in the LCP Land Use Plan (LUP) (Sections 4.A.1(a) and 4.G.5);
ii. Ground 2: the project would contribute to adverse cumulative effects on coastal resources due to insufficient transfer of development credits (TDC) as required by the LUP and LIP for the protection of natural sensitive resources in the Santa Monica Mountains Coastal Zone (Sections 4.E, 4.G.3, and 4.G.7);
iii. Ground 3: the project does not comply with the minimum lot area, width, and depth required by the LIP (Sections 4.A.1(a) and 4.G.1);
iv. Ground 4: the project does not comply with slope density and minimum parcel size for new lot creation required by the LIP (Section 4.G.5);
v. Ground 5: the project would result in parcels that are smaller than the average size of surrounding parcels, which is prohibited by the LIP (Section 4.G.6);
vi. Ground 6: the project would exceed the maximum allowed height in the LIP (Sections 4.A.1(b) and 4.B.1);
vii. Ground 7: the project would authorize improvements to development that was built without a CDP and is not lawfully established, which LIP Section 13.3(F) does not allow unless the existing and proposed development both conform to the LCP (Section 4.A.1(c));
viii. Ground 8: the project would not comply with the parking requirements of the LIP (Section 4.B.2); and
ix. Ground 9: the project would create at least one nonconforming lot in a Very High Fire Hazard Severity Zone (VHFHSZ) contrary to the hazard policies of the LCP (Sections 4.F and 4.G.8).

The City may not approve a CDP without full conformity with the LCP (Determination 6).

6. Conformity with the Certified LCP. Under Coastal Act Section 30604(b) and LIP Section 13.9(A), the City may approve a CDP only on a finding that the development conforms to the certified LCP. That finding cannot be made for the reasons stated in Grounds 1 through 9, and the City therefore has no authority to approve CDP No. 23-010. Gov. Code sections 65852.21(k) and 66411.7(n) provide that nothing in those sections "shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976," and the only accommodation those sections make for coastal jurisdictions is that a public hearing is not required for the CDP. The ministerial approval SB 9 directs for a qualifying urban lot split and two-unit housing development does not override the required CDP findings those projects require in Malibu. As the CDP cannot be approved, the urban lot split and the two-unit housing development cannot be approved.

SECTION 4. Coastal Development Permit Findings of Denial

Based on the evidence in the record, including the agenda report and the October 5, 2026, hearing, and under LIP sections 13.7(B) and 13.9, the Planning Commission adopts the following findings of fact herein. On those findings, the Planning Commission denies CDP No. 23-010, TPM No. 23-001, and the two-unit housing development application for the project described in the title of this Resolution.

A. General Coastal Development Permit (LIP Chapter 13)

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

This finding cannot be made, for the reasons stated in subparagraphs (a) through (c) and in Sections 4.B, 4.E, 4.F, and 4.G.

(a) Density and lot standards. The subject parcel is one acre in size. The certified LUP designates the subject parcel as RR-1, which limits density to one primary dwelling unit per acre. One primary residence is allowed on the subject parcel whereas the project proposes two. The RR District is intended for "sensitively designed, large lot single family residential development," and its minimum lot areas "represent the maximum density permitted in each RR designation" (LIP sections 3.3(A)(1), (A)(3)(a)). The LCP does not allow a second primary dwelling on an RR parcel. A second residential unit of up to 900 sf. of living area may be permitted under LIP Section 3.6(N)(1), but only "as an accessory to a permitted or existing single-family dwelling." LUP Policy 5.38 provides that "[t]he City shall not approve a land division if any parcel being created would not be consistent with the maximum density designated by the Land Use Plan map, and the slope density criteria." Neither the finding required by LUP Chapter 1(D), nor the finding of LIP Section 15.2(B)(9) that the land division "[i]s consistent with the maximum density designated for the property by the Land Use Plan map," can be made. The density standard precludes both the land division and the residence proposed on Parcel B, regardless of the parcel's division (*Ground 1*).

LIP Section 3.3(A)(3) requires every new lot in the RR-1 District to have at least one acre (43,560 sf.), a width of 150 ft., and a depth of 250 ft. The subject parcel is 43,636 sf., and no land division of it can result in two one-acre lots. Proposed Parcel A would be 25,536 sf. and proposed Parcel B would be 18,100 sf., each below the LIP's minimum one-acre lot size standard. Lot width and depth, measured using the methodology established in Zoning Code Interpretation No. 3, would also be substandard. Parcel A (96.86 ft.) and Parcel B (111.86 ft.) would each be less than the 150 ft. minimum width, and Parcel B would not comply with the minimum 250 ft. depth at 118 ft. Parcel A, at 258.87 ft., meets the depth standard. A division along the parcel's length would produce two parcels approximately 56 ft. wide, so no configuration of two parcels can satisfy the width standard (*Ground 3*).

(b) Height. LUP Policy 6.7 limits structures on non-beachfront lots to 18 ft. "to minimize impacts to visual resources." LIP Section 3.6(E)(1) provides that on non-beachfront lots "[e]very residence and every other building or structure associated with a residential development . . . shall not be higher than 18 feet above natural or finished grade, including rooftop, parapet and deck walls and railings, whichever results in a lower building height." The height limit is how the certified LCP implements Coastal Act Section 30251 on residential lots. The proposed residence on Parcel B, at 21 ft. 8 in., is new development with structure height above 18 ft. As depicted on the project plans, the first floor would be enlarged from 832 sf. to 2,000 sf., the building converted from non-habitable storage to a dwelling unit, and all exterior walls would be removed. The LIP definition of "remodel" allows replacement of exterior walls only "without altering the existing foundation, footprint or building envelope." In 2012, Site Plan Review No. 12-027 authorized a height of 21 ft. 8 in. only for the non-habitable storage building, on findings made for that project, and does not authorize that height for the residence. No Site Plan Review, Minor Modification, Variance, or other discretionary application was requested (Section 3, Determination 3). The standard applies

to the CDP under the certified LCP. The residence exceeds the standard and cannot be approved (*Ground 6*).

(c) Improvements to unpermitted existing development. LIP Section 13.3(F) provides that development "that was not authorized in a coastal development permit or otherwise authorized under the Coastal Act, is not lawfully established or lawfully authorized development. No improvements, repair, modification or additions to such existing development may be approved, unless the city also approves a coastal development permit that authorizes the existing development. The coastal development permit shall only be approved if the existing and proposed development, with any applicable conditions of approval, is consistent with the policies and standards of the LCP." "Lawfully established" is the LIP's term for development that was authorized by a CDP or otherwise under the Coastal Act. Development that was not is excluded from the nonconforming use provisions of LIP Section 13.5 and is governed by Section 13.3(F) (LIP Section 13.5(A)).

Administrative Plan Review No. 12-020 and CDP Exemption No. 12-054 authorized a non-habitable storage building at 21 ft. 8 in., and Building Permit No. 14-1448, finaled March 2, 2016, assigned a Group "U" occupancy classification. Since the 2012 approvals, and without the required permits (both a CDP and building permits were required), container additions were built onto the structure, it was outfitted for residential use, and a second OWTS serving the residential use was installed, as documented in the code enforcement record and staff's May 19, 2026 inspection of the project site. The applicant's geotechnical report states that steel container boxes "expanded the square footage adjoining the original storage structure footprint," "were constructed without the benefit of a building permit," and "lack an adequate foundation system" (Gold Coast GeoServices, Inc., October 6, 2022, pgs. 5 and 15). Real-estate listing records show the structure was most recently marketed as a furnished rental, from December 4, 2018 until the listing was removed on May 1, 2019. The CDP application requests approval of improvements made to the structure approved in Administrative Plan Review No. 12-020. However, removing all exterior walls of the storage building makes the residence a replacement structure requiring a CDP under LIP Section 13.4.2(D), and the change in use from non-habitable storage to a dwelling is a change in the intensity of use of land that the LCP defines as development—which also requires a CDP. The OWTS serving the structure was installed without the CDP required by LIP Section 13.3(A). The exemption for improvements to existing single-family residences in LIP Section 13.4.1(A) does apply to the OWTS because LIP Section 13.4.1(B)(3) excludes "the expansion or construction of water wells or septic systems." The CDP for the project can therefore be approved only if the existing and the proposed development both conform to the LCP. The proposed residence on Parcel B would exceed the 18 ft. height standard (subparagraph (b)). The existing container additions lack an adequate foundation system according to the applicant's geotechnical report and extend beyond the footprint Administrative Plan Review No. 12-020 authorized. Further, a second primary dwelling is not an allowed use on the subject parcel under the certified LUP (subparagraph (a)). The structure is therefore no longer lawful in its current condition. It must be returned to the non-habitable storage building the 2012 approvals authorized, demolished, or brought into conformance with the LCP as a whole through a CDP that can be approved under LIP Section 13.3(F). The CDP requested here cannot be, for the reasons stated in this subparagraph, subparagraphs (a) and (b), and Section 4.B.2.

While Gov. Code section 66411.7(i) prohibits the City from requiring correction of nonconforming zoning conditions as a condition of an urban lot split, this prohibition does not apply to the LCP

or excuse the requirements to obtain a CDP. Development built without the permits required at the time is not a legal nonconforming condition and is unpermitted development, which LIP Section 13.5(A) excludes from the nonconforming use provisions of the LIP and subjects to Section 13.3(F). The unpermitted conversion was documented in the code enforcement record and has not been corrected.

The additions, conversion, and second OWTS were never lawfully established, so neither the existing nor the proposed development conforms to the LCP. The finding required by LIP Section 13.3(F) cannot be made. Ground 7 applies to the residence proposed on Parcel B. The tentative parcel map cannot be approved because the CDP for the land division cannot be approved on Grounds 1 through 5 and 9.

2. *If the project is located between the first public road and the sea, the project is in conformity with 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 not located between the first public road and the sea. Therefore, this finding is not applicable.

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

The finding required by LIP Section 13.9(A) cannot be made, and a finding under LIP Section 13.9(C) cannot cure that failure. The Planning Commission makes no finding under LIP Section 13.9(C).

4. *The project is located in or adjacent to an environmentally sensitive habitat area (ESHA) pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay).*

The LCP ESHA and Marine Resources Map does not identify any ESHA on the subject parcel or on adjacent parcels. The parcel is subject to the ESHA buffer standards for the Point Dume neighborhood pursuant to LIP Section 4.6.1(A). The subject parcel also drains to an Area of Special Biological Significance (ASBS). Therefore, this finding is not applicable.

B. Residential Development Standards (LIP Chapter 3)

1. Height. The residence proposed on Parcel B does not comply with the 18 ft. standard of LIP Section 3.6(E)(1) for the reasons stated in Section 4.A.1(b) (*Ground 6*).

2. Parking. LUP Policy 2.25 requires new development to provide off-street parking sufficient to serve the approved use "in order to minimize impacts to public street parking available for coastal access and recreation," which implements Coastal Act Section 30252. LIP Section 3.14.3 provides that "[a] minimum of two spaces shall be provided for any use or development regardless of the size or scope of the use or development." The plans show one unenclosed 10 ft. by 20 ft. space for the proposed residence on Parcel B. The proposed residence provides one parking space where LIP Section 3.14.3 requires at least two, and the finding of conformity with LUP Policy 2.25 and LIP Section 3.14.3 cannot be made (*Ground 8*).

3. Standards met. The following aspects of the project comply and are not grounds for this Resolution:

i. the setbacks on Parcel B;
ii. the total development square footage (4,050 sf proposed of 5,175 sf allowed on Parcel A; 2,749 sf proposed of 3,872 sf allowed on Parcel B);
iii. the impermeable coverage (4,609 sf proposed of 7,493 sf allowed on Parcel A; 2,619 sf proposed of 5,679 sf allowed on Parcel B) (LIP Section 3.6(I)(1)); and
iv. the 4-foot retaining wall.

The allowable square footage and coverage are computed on net lot areas of 24,975 sf for Parcel A and 16,225 sf for Parcel B.

C. Conformance Review (LIP Chapters 8, 11, 17, and 18)

As reported on the applicant's grading plan, non-exempt grading is 55 cubic yards against the 1,000 cubic yard maximum of LIP Section 8.3. A Phase I Archaeological Survey (Brandon S. Lewis, Ph.D., RPA, March 5, 2012) identified no archaeological resources in the project area (LIP Chapter 11). Public Works reviewed the project under LIP Chapter 17 and the State Water Resources Control Board requirements for the Area of Special Biological Significance to which the site drains. The City Environmental Health Administrator found the proposed advanced OWTS to meet the minimum requirements of the certified LCP and Malibu Municipal Code as proposed (LIP Chapter 18). The system now serving the existing structure was installed without the required CDP and is addressed in Section 4.A.1(c). None of these chapters is a ground for this Resolution, and, because the application is denied, no conditions of approval are imposed.

D. Chapters Not in Issue (LIP Chapters 4, 5, 6, 10, and 12)

No ESHA is mapped on or adjacent to the parcel, and the parcel is subject to the ESHA buffer standards for the Point Dume neighborhood under LIP Section 4.6.1(A). The native coast live oak tree on the parcel would be protected in place and maintained under LIP Section 5.4. The parcel is not on or along the shoreline or a coastal bluff, the parcel is not between the first public road and the sea, and no trail is mapped on or adjacent to it. The native tree protection standards of LIP Chapter 5 are satisfied by protection of the coast live oak in place. The findings of LIP Chapters 4, 10, and 12 are not applicable and are not a basis for the Resolution. This Resolution is not founded on neighborhood character, and the findings of LIP Chapter 6 are not incorporated. The height limit applied in Section 4.A.1(b) is the numeric standard of LIP Section 3.6(E)(1) and LUP Policy 6.7.

E. Transfer of Development Credits (LIP Chapter 7)

LIP Section 15.2(B)(7) allows a land division only if it "does not create any additional parcels in an area where adequate public services are not available and will not have significant effects, either individually or cumulatively, on coastal resources," applying the requirements of Coastal Act Section 30250(a). As certified by the CCC, the LCP contains findings criteria for ensuring that the cumulative effect of new parcels created in Malibu is mitigated. LIP Section 7.1 states that buildout of existing lots will have cumulative impacts on habitat, scenic resources, landforms, and recreation, that development on new parcels increases risks from geologic, flood, and fire hazards, and that density increased through new land divisions "will not be approved unless Transfer of

Development Credits are purchased to retire development rights on existing donor lots in the Santa Monica Mountains Area."

The Coastal Commission has required lot retirement for new land divisions in the Santa Monica Mountains since 1978, having found that "[a]bsent such mitigating measures no new land divisions could be found consistent with the provisions of the Coastal Act" (California Coastal Commission, Findings and Recommendations for the Santa Monica Mountains/Malibu Regional Cumulative Assessment Project, Chapter 3, pg. 14). The applicant has not proposed a TDC for the newly created parcel. Under LIP Section 15.2(B)(16), a land division must include "the requirement to acquire transfer of development credits" when those credits are required by the LUP, and LUP Policy 5.39 calls for one credit for each new lot created. LUP Policy 5.26 sets forth the Lot Retirement Program, of which the Transfer of Development Credit Program is a component. LUP Policy 5.27 states that the TDC Program exists "to ensure that the individual and cumulative impacts of creating new lots or developing multi-family residential units are minimized and mitigated through the retirement of an equivalent number of development credits from existing lots that meet the qualification criteria of the program." The finding under LIP Section 15.2(B)(16) cannot be made. By not adhering to the TDC process, no donor lot is retired to offset the new parcel, and the division adds to the cumulative buildout and significant negative impacts on coastal resources in this sensitive area that the TDC program is intended to mitigate.

LIP Section 7.4 describes the purpose of the TDC program in protecting sensitive resources in the Santa Monica Mountains Coastal Zone, including the following: (A) "Implement regulations that establish a voluntary program to transfer development rights for owners of property proposed for subdivision or multi-family developments and for owners of small lots in small lot subdivisions or lots with significant resource constraints"; (B) "Implement regulations that will mitigate cumulative impacts by ensuring that no net increase of density will result through creation of new buildable parcels or new multifamily units by retiring development rights on other buildable parcels"; (C) "Establish regulations to allow the transfer of development credit from buildable parcels with resource constraints in the Santa Monica Mountains Area coastal zone where development would result in individual and cumulative impacts inconsistent with Coastal Act policies, to other sites within the City of Malibu where subdivision and multifamily unit development can occur consistent with policies of the certified LCP"; (D) "To mitigate the cumulative impacts of the development of existing buildable parcels in the Santa Monica Mountains Area on natural resources, coastal access roads, recreational facilities and beaches by ensuring that even if land divisions or multifamily units are approved consistent with the certified LCP, that the overall number of lots and multi family units in the Santa Monica Mountains Area will not increase"; and (E) "To create an incentive program for owners of donor lots with significant resource constraints to not develop the parcel." Retirement is accomplished by recording a permanent open space easement that extinguishes the development potential of the donor lot. The donor lots the program directs retirement toward are the small, constrained lots in the Santa Monica Mountains whose buildout the Coastal Commission found would have significant cumulative impacts on environmentally sensitive habitat, water quality, public access, and public services (LIP Section 7.1; Santa Monica Mountains/Malibu Regional Cumulative Assessment Project, Chapter 3, pgs. 13-14). A division approved without a TDC leaves no donor lot and adds a developable parcel with no offset. LIP Section 7.1 identifies that cumulative effect as the one the TDC requirement mitigates, and LUP Policy 5.39 and LIP Section 15.2(B)(16) direct the City to require the offset before a new parcel is created.

The project has not demonstrated compliance with the TDC program. Because the project would result in a net increase in density without any offsetting retirement of development rights, the project is inconsistent with the LCP's cumulative impact mitigation requirements in the Santa Monica Mountains.

Since a land division is permanent, the Planning Commission also considered the development entitlement that the two parcels would accommodate under the certified LCP. LIP Section 3.6(K) calculates total development square footage (TDSF) at 17.7 percent of net lot area plus 1,000 sf. for the first half acre, and 10 percent of the area between a half-acre and one acre. A land division doubles the 1,000 sf. base and moves the area of the smaller parcel from the 10 percent tier into the 17.7 percent tier. For proposed Parcels A and B, this adds 2,050 sf. of TDSF, from 6,997 sf. to 9,047 sf., on 1,998 sf. less net lot area. Any land division of the parcel produces an increase of approximately this magnitude. Although the project as proposed is within the allowance for the subject parcel (pre-land division), the larger entitlement would run with the new parcels in perpetuity.

The land division would also reduce the required yards. Setbacks under the LIP are proportional to lot dimensions, so smaller parcels are subject to smaller required yards. Table 4 of the agenda report compares the yards the 2012 approval applied to the subject parcel (pre-land division) with the yards that would apply to proposed Parcels A and B. The front and rear yards on Parcel B would be roughly one-third of those on the subject parcel (pre-land division). In 2012, SPR No. 12-042 was required to permit a rear yard of 46 ft. 8 in. for the storage building. A structure in the same location on proposed Parcel B would be subject to a required rear yard of 17 ft. 9 in. As with the larger TDSF allowance, the smaller required yards would remain with the parcels after the land division.

The certified LCP permits these increases only where the new parcels meet the minimum lot size and surrounding parcel standards (Sections 4.G.1, 4.G.5, and 4.G.6) and the new lot is offset by retiring a donor lot via a TDC as required by LIP Chapter 7. Neither condition is satisfied by the proposed land division, and the finding required by LIP Section 15.2(B)(7) cannot be made (Section 4.G.3; *Ground 2*).

F. Hazards (LIP Sections 15.2(B)(1)(b), 7.1, 9.1, 9.2(A)(7), and 9.4(O); LUP Policies 4.2 and 4.45; Coastal Act section 30253(a); General Plan Safety Element Policies S-3.3.3, S-3.3.4, and S-3.3.16 (supporting policies))

Multiple provisions of the certified LCP require new development, which includes a land division, to minimize risks to life and property in areas of high fire hazard. The subject parcel is within the VHFHSZ. Coastal Act section 30253(a) provides that new development shall "minimize risks to life and property in areas of high geologic, flood, and fire hazard," and LUP Policies 4.2 and 4.45 carry that requirement into the certified LCP for new development and land divisions in fire hazard areas. LIP Section 7.1 identifies increased risk to life and property from fire as a cumulative effect of new parcels. LIP Chapter 9 designates the VHFHSZ as a hazard area subject to those policies (LIP Sections 9.1, 9.2(A)(7)). For land divisions, LIP Section 15.2(B)(1)(b) requires a finding that the division "[d]oes not create any parcels that do not contain an identified building site that ... [i]s safe from flooding, erosion, geologic and extreme fire hazards," and a safe access road that complies with fire safety regulations. LIP Section 9.4(O) provides that "[l]and divisions, including lot line adjustments, shall be prohibited unless all proposed parcels can be demonstrated to be safe

from flooding, erosion, geologic and extreme fire hazards."

Since 1930, at least 24 wildfires have burned within or adjacent to Malibu, including the 2018 Woolsey Fire, the 2024 Franklin Fire, and the 2025 Palisades Fire (City of Malibu Community Wildfire Protection Plan (CWPP), Table 4). The 2018 Woolsey Fire was the largest at the time, burning 97,000 acres and destroying 1,500 structures (670 of which occurred in the Malibu City limits) (CWPP 2021, pg. 38). Within the City, 488 homes were destroyed and the City's structure damage was approximately 36 percent of the total in Los Angeles County (After Action Review of the Woolsey Fire Incident, Los Angeles County Fire, pg. 23). CAL FIRE's Woolsey Fire damage inspection records for the Point Dume neighborhood list 171 damaged structures, of which 145 were destroyed, the classification CAL FIRE assigns to structures with more than 50 percent damage. The destroyed structures include 102 residences, one of them on Boniface Drive, 42 accessory structures, and one commercial building (CAL FIRE Damage Inspection Data). The Woolsey Fire perimeter lies within 263 ft. southwest of the subject parcel.

The County of Los Angeles After Action Review of the Woolsey Fire Incident describes the period after the fire crossed Highway 101 at 5:15 a.m. on November 9 as "the fire's final run to the ocean, charring the core of the mountains and devastating Malibu in a little over six hours" (After Action Review, pg. 26), and identifies "[a]n uninterrupted, open vegetation fuel bed line from the ignition area straight to Point Dume" as one of the three factors that "broke" the pre-planned attack in the Highway 101 corridor (After Action Review, pg. 32). The report further explains:

> *Before noon on Friday, the Malibu coast only had between 7 [to] 26 engines, not the 100–200 mutual aid engines needed to immediately defend structures in highly developed areas. On Friday morning and early afternoon, the few engines present could not conduct structure defense, but instead were required to address an avalanche of 9-1-1 calls and conduct life safety missions (After Action Review, pg. 29).*

In January 2025, the Palisades Fire destroyed roughly one-third of the City of Malibu, destroying over 500 homes and many other commercial and multifamily properties (City of Malibu Palisades Fire incident data). Roughly 1,400 residents were displaced. Power and gas service were shut off citywide for an extended period, Pacific Coast Highway and Malibu Canyon Road were closed, and Santa Monica-Malibu Unified School District schools and Pepperdine University closed. The event, like the Woolsey Fire, was declared a federal emergency, and the County has issued an after-action report on the incident. In both fires, the structures threatened exceeded the capacity of the firefighting resources available to defend them (After Action Review, pg. 29).

The proposed land division would create a second parcel in this setting. Parcel B would be a rear flag parcel, entitled as of right to a primary residence and to the floor area described in Section 4.E, served by a single 15 ft. access strip to Boniface Drive with one way out to a public road, and dependent on the same evacuation routes and fire protection resources that, in the Woolsey Fire, could not conduct structure defense at the existing density. The smaller parcels reduce the room available for structure separation, defensible space, and fuel modification (Section 4.E), and the added density places more people and property at risk. Unlike a structure, a parcel has no expected lifespan, so the exposure added is a permanent condition of the land. The record does include the fire agency approvals for the project, including a fuel modification plan approved by LACFD on September 12, 2024, a fire access plan cleared by the LACFD Land Development Unit on October 16, 2025, covering the access strip and hammerhead turnaround, and Fire Flow Form 185 signed

by Waterworks District No. 29 on March 6, 2024. As explained next, those approvals satisfy the LCP's access findings but do not make the building site finding that the LCP assigns to the City.

The LACFD approvals establish that the access strip and turnaround comply with fire safety regulations and that the fuel modification plan meets the minimum requirements of the Fire Code. The access element of LIP Section 15.2(B)(1)(b) is satisfied. These approvals, however, do not make the finding that LIP Section 15.2(B)(1)(b) assigns to the City for the building site. On this record, the Planning Commission cannot find that a new rear parcel accessed by a single 15 ft. strip, in a neighborhood the Woolsey Fire entered along an open fuel bed and where 145 structures were destroyed while the engines on the Malibu coast could not conduct structure defense (After Action Review, pg. 29), has a building site safe from extreme fire hazard within the meaning of LIP Section 15.2(B)(1)(b). The approvals also do not offset the cumulative exposure that LUP Policies 4.2 and 4.45 and LIP Section 7.1 direct the City to avoid. The land division does not minimize risks to life and property from fire hazard as the certified LCP requires, and the findings of LIP Section 15.2(B)(1)(b) and of conformity with LUP Policies 4.2 and 4.45 cannot be made.

Since these fires, the City has taken numerous proactive actions, including the update of the General Plan Safety Element, adopted by the City Council on April 13, 2026. The project would not conform to the following Safety Element policies:

i. Policy S-3.3.3 ("All proposed development shall incorporate fire safe design and adhere to the latest fire safe regulations adopted by the State and City");
ii. Policy S-3.3.4 ("Require development to be located, designed, and constructed to provide adequate fire defensibility and minimize the risk of structural loss and life safety"); and
iii. Policy S-3.3.16 ("Require all planned development and major redevelopment has adequate fire and emergency services").

A flag lot below the LIP's minimum area, width, and depth, with a single point of access, is not located or designed to provide adequate defensibility (Policy S-3.3.4). The smaller parcels reduce the room for the fire safe design and defensible space which Policy S-3.3.3 calls for. The Woolsey record shows that fire and emergency services in this neighborhood could not defend structures at the existing density (Policy S-3.3.16), let alone at an increased density. The Safety Element is not part of the certified LCP, but supports the LCP hazard policies applied above.

The Governor addressed the same concern in Executive Order N-32-25, issued July 30, 2025, which suspended SB 9 within the Palisades and Eaton Fire perimeters in the VHFHSZ until August 6, 2025, and thereafter authorized those local agencies to elect whether to apply SB 9 in the rebuilding areas in whole, in part, or not at all. The Order's recitals state that community members and local officials have expressed

> *[C]oncern about the potential for widespread SB 9 development concentrated in neighborhoods rebuilding from destructive fires in very high fire hazard severity zones to crowd evacuation routes, and while SB 9 already requires development in these zones to meet updated ingress and egress standards, and allows local governments discretion to deny a project that would have a specific, adverse impact on public health and safety that cannot be mitigated, the unprecedented scale of this disaster calls for affording local governments increased discretion to ensure that SB 9 development in the rebuilding areas*

appropriately accounts for fire safety concerns. (Recitals, Executive Order N-32-25)

The Order was limited to the Palisades and Eaton Fire areas. It is noted for the subject parcel because the State has regarded the crowding of evacuation routes by SB 9 lot splits in burned VHFHSZ neighborhoods as a fire safety concern warranting local discretion. Point Dume is such a neighborhood as the Woolsey Fire burned through it in 2018 and destroyed 145 structures, and the City as a whole is rebuilding from fire destruction.

The LIP's lot standards, setbacks, and hazard policies provide the structure separation and defensible space this fire-prone area requires. The project would add a new parcel, a new residence, and the evacuation and fire protection demand that come with them, without the offset the LCP requires and without a building site that can be found safe from extreme fire hazard. The findings of LIP Section 15.2(B)(1)(b) and of conformity with LUP Policies 4.2 and 4.45, which implement Coastal Act Section 30253(a), cannot be made, and the land division is inconsistent with the hazard policies of LIP Chapter 9 (Sections 9.1, 9.2(A)(7), and 9.4(O)). General Plan Safety Element Policies S-3.3.3, S-3.3.4, and S-3.3.16 support this conclusion.

G. Land Divisions (LIP Chapter 15)

LIP Section 15.2(A) provides that a land division shall not be authorized unless it is approved in a CDP, and that such a permit shall not be approved unless the evidence shows, and the City finds, that the proposed land division complies with LIP Section 15.2. The proposed land division is development and a land division under the certified LCP (LUP Policy 5.33; Coastal Act Section 30106; LIP Section 15.1). The Planning Commission finds as follows.

1. Section 15.2(B)(1)(a): identified building site that could be developed consistent with all policies and standards of the LCP.

This finding cannot be made. The lot area, width, and depth standards of LIP Section 3.3(A)(3) are development standards that apply to each new lot created in the RR District and are standards of the certified LCP within the meaning of Section 15.2(B)(1)(a). Neither resulting parcel complies with them (Section 4.A.1(a)), and a building site on a parcel that does not meet the lot standards of the certified LCP cannot be developed consistent with all policies and standards of the LCP. The finding of LIP Section 15.2(B)(1)(a), that each new parcel contains a building site that "could be developed consistent with all policies and standards of the LCP," cannot be made (LUP Policy 5.36; *Ground 3*).

2. Sections 15.2(B)(3) and 15.2(B)(4): access.

Parcel B takes access to Boniface Drive by a 15 ft. wide strip held in fee containing the existing driveway, with reciprocal access easements shown on the tentative map (Tentative Parcel Map No. 23-001; Map No. 84368). The LACFD Land Development Unit cleared the access strip and hammerhead turnaround on October 16, 2025 (Section 4.F). The access findings of LIP Sections 15.2(B)(3) and 15.2(B)(4) are therefore satisfied.

3. Section 15.2(B)(7): cumulative effects on coastal resources and public services.

This finding cannot be made for the reasons stated in Section 4.E (*Ground 2*).

4. Section 15.2(B)(8): onsite wastewater treatment.

The City Environmental Health Administrator reviewed the application against the criteria of the LIP for a residential land division and found them satisfied as proposed. This criterion is not a ground for this Resolution. The system installed on the site without permits is addressed in Section 4.A.1(c).

5. Section 15.2(B)(9): consistency with the maximum density designated by the Land Use Plan map and the slope density criteria of LIP Section 15.6.

This finding cannot be made. The certified LUP designates the site RR-1, one primary dwelling unit per acre. The division would place two primary dwelling units on 1.00 acre and create two parcels each smaller than the one-acre minimum that the designated density requires. LUP Policy 5.38 precludes a land division inconsistent with that maximum (Section 4.A.1(a); *Ground 1*). Slope density is a standard in the LIP. LIP Section 15.6 applies slope density criteria to land divisions in RR districts "with the intent to limit the potential intensity of development as the topography becomes steeper." The minimum lot size for a land division is the base minimum, one acre in RR-1, multiplied by a slope factor of not less than 1.0 (LIP sections 15.6.1, 15.6.3). The applicant's geotechnical report (October 6, 2022) states that slopes on the subject parcel are no steeper than 10:1 (horizontal ft.: vertical ft.), the lowest band of the LIP Section 15.6.3 slope density table, and the 438 sf. of 1:1 slopes on the parcel is approximately one percent of the parcel. At a factor of 1.0, the minimum is 43,560 sf. Both parcels (25,536 sf. and 18,100 sf.) are smaller, and a steeper average slope would only increase the minimum required lot area. The finding under LIP Section 15.6 cannot be made (LUP Policy 5.38; *Ground 4*).

6. Section 15.2(B)(10): parcel size relative to surrounding parcels.

This finding cannot be made. LIP Section 15.2(B)(10) and LUP Policy 5.35 prohibit a land division that creates parcels smaller than the average size of the surrounding parcels. LIP Section 15.2(B)(10) does not specify a radius or methodology for use in this determination. For the measurement, staff relied upon Los Angeles County Assessor data for the 41 parcels within 500 ft. of the property lines, which is the distance the LCP uses to define a "neighborhood" for other purposes (LIP Section 3.6(L)). The average lot area for the 41 parcels is 44,119 sf. (median 43,617 sf.; average of 40,352 sf. excluding the three outlier parcels of 85,000 sf. or more). Proposed Parcels A (25,536 sf.) and B (18,100 sf.) are smaller than the average size of the surrounding parcels, and no land division of a 43,636 sf. parcel could yield two parcels at or above the average. The finding of LIP Section 15.2(B)(10) cannot be made (LUP Policy 5.35; *Ground 5*).

7. Section 15.2(B)(16): transfer of development credits.

This finding cannot be made. Under LIP Section 15.2(B)(16), a land division must include "the requirement to acquire transfer of development credits" where the LUP calls for them, and LUP Policy 5.39 calls for one for each new lot. The application includes no transfer of development credit (Section 4.E; *Ground 2*).

8. Section 15.2(B)(1)(b): building site safe from extreme fire hazard.

Access under Sections 15.2(B)(3) and 15.2(B)(4) is addressed in Section 4.G.2. The building site cannot be found in conformance, for the reasons stated in Section 4.F (*Ground 9*).

9. Remaining criteria of Section 15.2(B).

This Resolution is not founded on the remaining criteria of LIP Section 15.2(B), and the Planning Commission makes no finding under them. The findings required by Section 15.2(B)(1)(a), (1)(b), (7), (9), (10), and (16) cannot be made. Therefore, the finding required by Section 15.2(A) cannot be made.

SECTION 5. Planning Commission Denial.

The Coastal Act does not allow the City to approve a CDP without finding conformity with the certified LCP (Coastal Act Section 30604(b)), and that finding cannot be made. Based on the foregoing findings and the evidence in the record, the Planning Commission denies CDP No. 23-010. A land division shall not be authorized unless approved in a CDP (LIP Section 15.2(A); LUP Policy 5.33), a requirement Gov. Code Section 66411.7(n) preserves, and the Planning Commission denies TPM No. 23-001. Because the two-unit housing development cannot be approved without the CDP that Gov. Code Section 65852.21(k) preserves, the Planning Commission denies the two-unit housing development application. Grounds 1 and 6 through 8 are applied to the CDP under the certified LCP as to the residence proposed on Parcel B. Each of Grounds 1 through 5 and 9 is an independent basis for denial of CDP No. 23-010 and TPM No. 23-001, and the Planning Commission would deny the project on each of those grounds standing alone. On each of those grounds, the project does not conform to the certified LCP, and the City may not approve a CDP without full conformity with the LCP. SB 9 does not displace or excuse such projects from the requirements of the Coastal Act—which is implemented in Malibu through its certified LCP (Section 3, Determinations 1 and 6). Each of Grounds 1 and 6 through 8 is an independent basis for denial of the CDP as to the residence proposed on Parcel B. The Planning Commission adopts the written comments in Attachment 3 to the agenda report as its comments under Gov. Code Sections 65852.21(h)(2) and 66411.7(b)(1)(C), and directs the Community Development Director to transmit them to the applicant on October 5, 2026.

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

PASSED, APPROVED AND ADOPTED this 5th day of October 2026.

_____
MARNI KAMINS, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

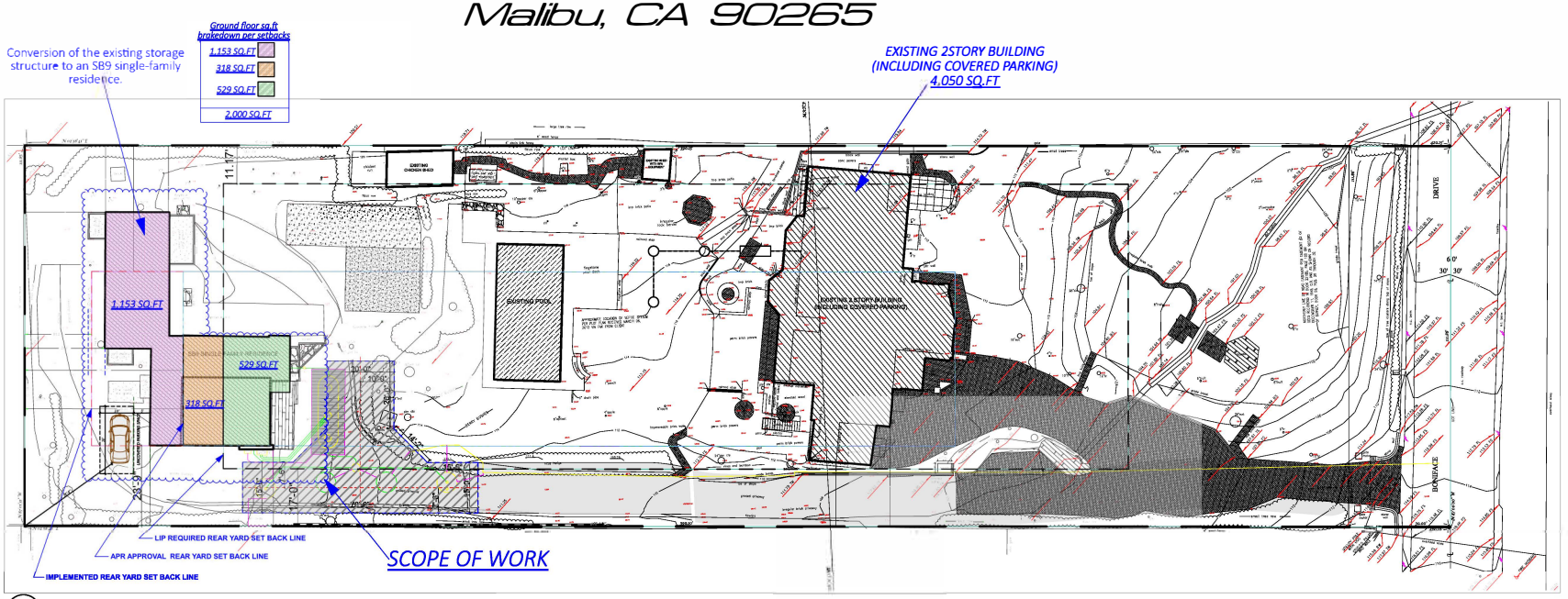
LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with 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.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 26-46 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting held on the 5th day of October 2026 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

Lehman Residence
28809 Boniface Drive,
Malibu, CA 90265



A **PROPOSED SITE PLAN (SQ.FT)**
SCALE: 1/16" = 1'-0"

CONSULTANTS

DESIGNER
BARSOCCHINI & ASSOCIATE S DESIGNS
3502Coast View Drive
Malibu, CA 90265
t. 310.456.3625
f. 310.456.7175
Contact: Nick Barsocchini

CIVIL
LC ENGINEERING GROUP, INC.
889 PierceCt., Ste. 101,
Thousand Oaks, CA 91360
lcegroupinc.com
t: 209-351-2015 805-497-1244 |
818-991-7148 |
Contact: Patrick Kauffman, PE

SEPTIC ENGINEERING (EPD)
SUSTAINABLE WATER SYSTEMS & SOLUTIONS
20722 Main Street
Carson, CA 90745
t (310) 241-6565
f. (310) 241-656
Contact: Kevin Poffenbarger
kevin@epd-net.com

EXISTING SQ.FT (PROJECT SITE 1 & 2)
EXISTING HOUSE (INCLUDING COVERED PARKING).....4,050 SQ.FT
EXISTING DETACHED STORAGE BUILDING.....998 SQ.FT
TOTAL EXISTING.....5,048 SQ.FT

SQ.FT CONVERSION CALCULATION (PROJECT SITE 2)
CONVERT (E) DETACHED STORAGE BUILDING (998 SQ.FT)
INTO A SB9 2STORY SINGLE FAMILY RESIDENCE (2548 SQ.FT)

SB9 SINGLE FAMILY RESIDENCE (PROJECT SITE 2)
GROUND FLOOR.....2,000 SQ.FT
UPPER FLOOR.....548 SQ.FT
TOTAL PROPOSED SQ.FT.....2,548 SQ.FT

EXISTING + PROPOSED SQ.FT (PROJECT SITE 1 & 2)
EXISTING HOUSE (INCLUDING COVERED PARKING).....4,050 SQ.FT
SB9 2STORY S.F.R.....2,548 SQ.FT
TOTAL SQ.FT.....6,598 SQ.FT

OCCUPANCY GROUP....GARAGE.....(PROJECT SITE 1)....UI
OCCUPANCY GROUP....EXISTING HOUSE.....(PROJECT SITE 1)....R3
OCCUPANCY GROUP....SB9 2 STORY SFR.....(PROJECT SITE 2)...R3
CONSTRUCTION TYPE.....VB

FRONT PARCEL [#1]
Maximum TDSF:.....5,196 sf.
SFR incl covered parking:....4,050 sf
PROJECT SITE [1]
NOTE: *Existing chicken shed 202sf and shed with spa equipment 75sf not included* (structures under 6' not included in TDSF).

REAR PARCEL [#2]
Maximum TDSF:.....3,187 sf.
SB9 S.F.R.....= 2,548 sf
PROJECT SITE [2]

LAND USE DATA:

LOT AREA:	
GROSS AREA:	46,992 SF / 1.08 AC
NET AREA:	43,636 SF* / 1.00 AC*
*NET AREA IS GROSS LESS PUBLIC ACCESS EASEMENT	
A.P.N. #	4466-018-025
ZONING:	
EXISTING:	RR1 (RURAL RESIDENTIAL – 1 DU.ACRE)
PROPOSED:	NO PROPOSED ZONE CHANGE
SITE ADDRESS:	28809 BONIFACE DRIVE MALIBU, CA 90265

PROPOSED PARCEL DATA:

PARCEL	PARCEL AREA (GROSS)	PARCEL AREA (NETT)	% OF TOTAL**
1	28,260 SF	25,534 SF	58.5%
2	18,702 SF	18,108 SF	41.5%
TOTAL	46,992 SF	43,636 SF	100%

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.48'	N87°01'11.50"W
L2	6.75'	N37°08'52.43"E

*NET AREA IS GROSS AREA LESS PUBLIC ACCESS EASEMENT
**% OF TOTAL IS BASED ON NET AREA

MAXIMUM ALLOWABLE SQUARE FOOTAGE (PARCEL 1)
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)
PURSUANT TO MALIBU MUNICIPAL CODE SECTION 17.40.040(D)

UP TO 0.5 AC.	21,780 x 0.177 = 3,855 + 1,000 =	4,855 S.F.
0.5 AC TO 1 AC.	25,193 – 21,780 = 3,413 x 0.10 =	341 S.F.
	TOTAL:	5,196 S.F.

NOTE: USE LOT AREA MINUS ALL SLOPES GREATER THAN OR EQUAL TO 1:1

MAXIMUM ALLOWABLE SQUARE FOOTAGE (PARCEL 2)
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)
PURSUANT TO MALIBU MUNICIPAL CODE SECTION 17.40.040(D)

UP TO 0.5 AC.	18,005 x 0.177 = 3,855 + 1,000 =	3,187 S.F.
	TOTAL:	3,187 S.F.

NOTE: USE LOT AREA MINUS ALL SLOPES GREATER THAN OR EQUAL TO 1:1

SCOPE OF WORK : (Interior & Exterior Remodel)
1. Conversion of the existing storage structure to an SB9 single-family residence.
2. New Onsite Wastewater System.
3. SB9 Lot Split.

PROPERTY INFORMATION
APN:4466-018-025
Address:28809 BONIFACE DR MALIBU CA 90265
Property Type:Single Family Residential
RECORD OF SURVEY AS PER BK 56 PG 29 TO 32 OF RECORD OF SURVEYS EX OF ST LOT 94

GOVERNING CODES FOR PROPOSED WORKS
Plans Shall Comply with Title 24 and
2020 County of Los Angeles Building Code (CoLABC),
2020 County of Los Angeles Electrical Code (CoLAEC),
2020 County of Los Angeles Plumbing Code (CoLAPC),
2020 County of Los Angeles Mechanical Code (CoLAMC),
2020 County of Los Angeles Residential Code (CoLARC) and
2020 California Energy Code (CEC) With Local Amendments

Smoke alarms are required in each sleeping room, outside each separate sleeping area, in the immediate vicinity of the bedrooms and at each additional floor or basement for alterations, repairs and additions.
Carbon Monoxide alarms are required outside of each separate dwelling unit sleeping area in immediate vicinity of the bedroom/s and on every level of a dwelling unit including basements. [R314] & [R315]

SHEET INDEX

ARCHITECTURAL
A-1.0 COVER SHEET
A-1.1 EXISTING AND PROPOSED SITE PLAN
A-1.2 SQUARE FOOTAGE CALCULATIONS
A-1.3 SQUARE FOOTAGE CALCULATIONS
A-1.4 LOT SPLIT CALCULATIONS
A-2.0 EXISTING FLOOR PLANS
A-2.1 CONVERSION PROCESS
A-2.2 CONVERTED [PROPOSED] FLOOR PLANS
A-3.0 EXISTING ELEVATIONS
A-3.1 CONVERTED [PROPOSED] ELEVATIONS
A-5.0 WINDOWS AND DOORS SCHEDULE
A-5.1 PROPOSED FIXTURE COUNT
A-6.0 DETAILS
A-6.1 DETAILS
A-6.2 DETAILS
A-6.3 DETAILS
A-6.4 DETAILS

SURVEY
TPM 1.0 TENTATIVE PARCLE MAP
TPM 1.1 TENTATIVE PARCLE MAP

CIVIL
C 1.0 COVER SHEET
C 2.0 OVERALL GRADING AND DRAINAGE PLAN
C 2.1 ENLARGED GRADING AND DRAINAGE PLAN
C 3.0 OVERALL SITE PLAN

CIVIL (Fire Cleared Plans)
TPM1.1 TENTATIVE PARCEL MAP
SB 1.1 SLOPE BAND ANALYSIS EXHIBIT
FD 1.0 FIRE ACCESS EXHIBIT
FD 1.1 FIRE ACCESS PROFILE

SEPTIC ENGINEERING (EPD)
W0.00 ONSITE WASTEWATER SYSTEM (OWS) OVERALL SITE PLAN
W0.01 ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN



B VICINITY MAP

REVISIONS	
[5-6],[6-14],[6-17],[7-13],[8-19],[10-17],[10-19]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
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COVER SHEET

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER O
JOB No.: 100000
SHEET
A-1.0

ATTACHMENT 2

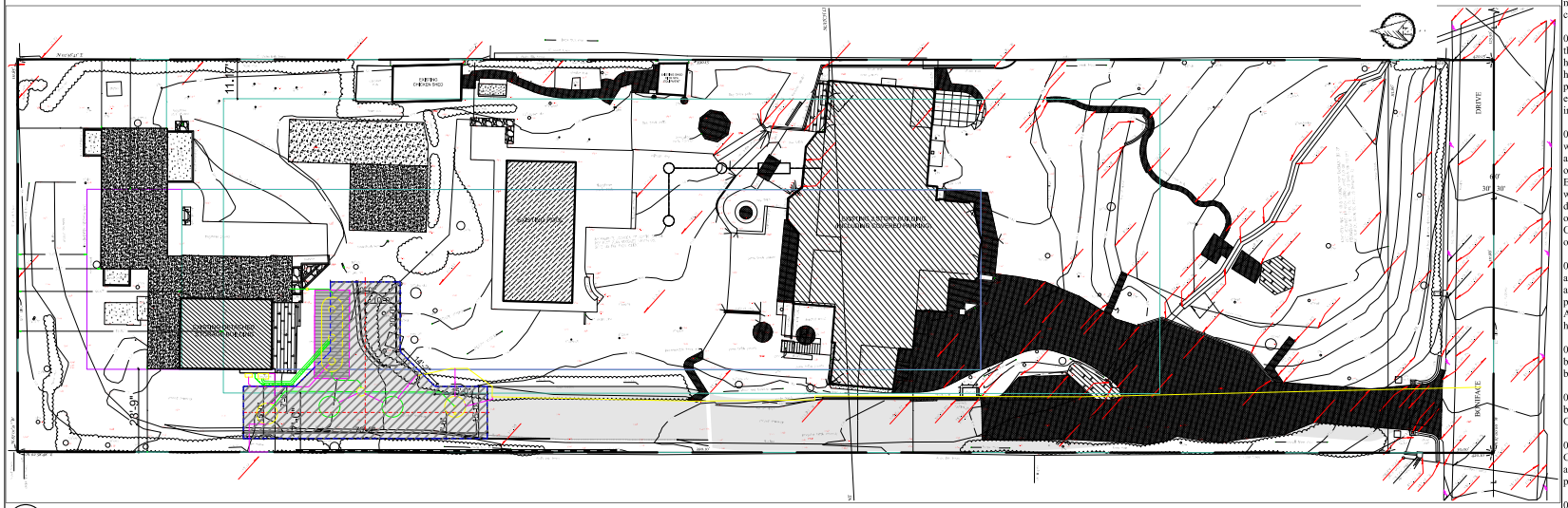
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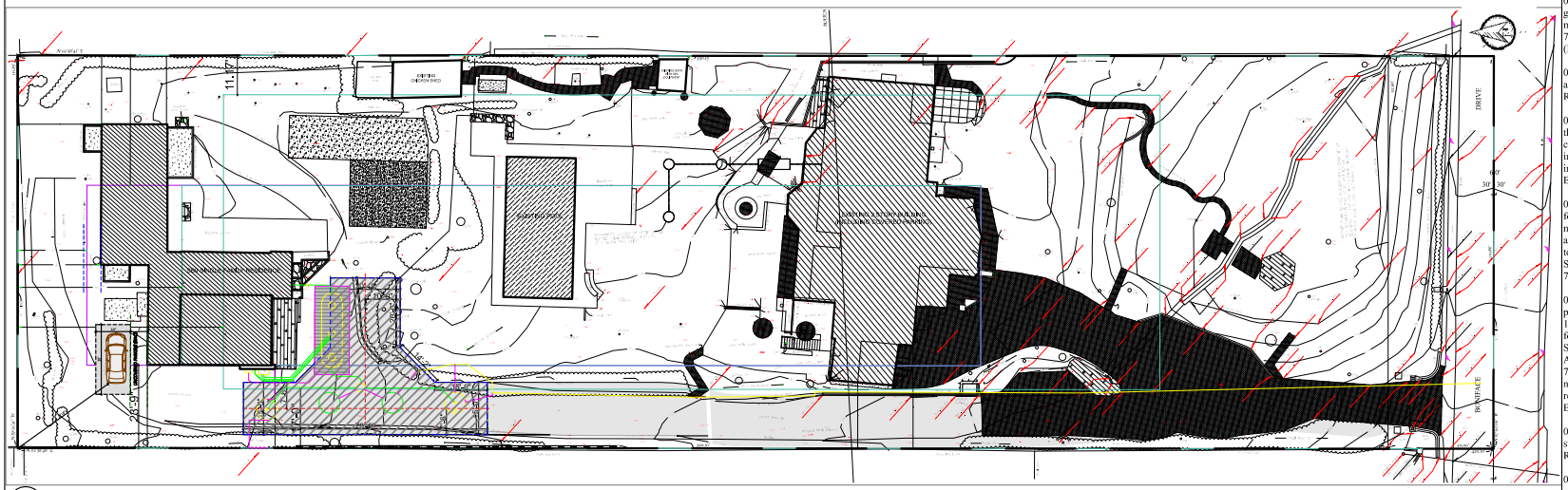
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OCCUPANCY GROUP....EXISTING HOUSE.....(PROJECT SITE 1)....R3
OCCUPANCY GROUP....SB9 2 STORY SFR.....(PROJECT SITE 2)...R3
CONSTRUCTION TYPE .....VB



A **EXISTING SITE PLAN (PER 13 2014 APPROVAL)**
SCALE: 1/16" = 1'-0"



B **PROPOSED SITE PLAN**
SCALE: 1/16" = 1'-0"

FIRE DEPT NOTES

001. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

010 . Provide approved signs or other approved notices or markings that include the words NO PARKING - FIRE LANE. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3.

011 . When security gates are provided, maintain a minimum access width of __20___ feet. The security gate shall be provided with an approved means of emergency operation, and shall be maintained operational at all times and replaced or repaired when defective. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F220. Gates shall be of the swinging or sliding type. Construction of gates shall be of materials that allow manual operation by one person. Fire Code 503.6.

017. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

020. An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector.

027. All fire hydrants shall measure 6"" x 4"" x 2-1/2"", brass or bronze, conforming to American Water Works Association Standard C503, or approved equal.

012. Fire Sprinkler plans shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation in accordance with Fire Code 901.2 and the type of sprinkler system provided will comply with either NFPA 13,NFPA 13R, or NFPA 13?"

001 .All roof coverings shall be Class ""A"" as specified in Building Code 1505.1.1 (Residential Code R327.5.2 & R902).

002. Roof valley flashings shall be not less than 0.019-inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of No. 72 ASTM cap sheet meeting running the full length of the valley. (Residential Code R327.5.3 and Building Code 705A.3)

003 .Roof gutters shall be provided with a means to prevent the accumulation of leaves and debris in the gutter. (Residential Code R327.534 and building Code 705A.4)

004.Vents shall resist the intrusion of flame and embers and flame through the ventilation openings. Vent openings shall be protected by corrosion-resistant, noncombustible wire mesh with minimum 1/16th inch openings and shall not exceed 1/8th inch. Vents shall NOT be installed in eaves or cornices. (Residential Code R337.6. and Building Code 706A.1)

006. Enclosed roof eaves and roof eave soffits shall meet one of the following: a. Noncombustible material OR b. Ignition-resistant material OR c. One layer of 5/8-inch Type X gypsum sheathing applied behind and exterior covering d. 1-hour wall assembly applied to the underside of the roof deck e. Conform to performance standard SFM 12-7A-3 (Residential Code R327.7.5 and building Code 707A.5)

010 .Decking, surfaces, stair treads, risers, and landings of decks, porches, and balconies where any portion of such surface is within 10 feet of the primary structure shall comply with one of the following: a. Ignition resistant material AND meet SFM 12-7A-4and SFM 12-7A-5 OR b. Approved noncombustible construcion OR c. Any material that complies with the performance requirements of 12-7A-4A when attached exterior wall covering is also either noncombustible or ignition-resistant material OR d. Exterior fire retardant treated wood construction (Residential Code R327.9.1 and Building Code 709A.3)

013 . Ancillary buildings and structures and detached accessory structures shall comply with the provisions of Residential Code R327.10.1 and Building Code 710A.1.

014 Clearance of brush and vegetative growth shall be maintained per Fire Code 325

REVISIONS	
[5-4]-[6-14]-[6-17]-[7-13]-[8-19]-[10-17]-[10-18]	P.O
[7-17]-[7-28]-[9-21]- 2023	P.O
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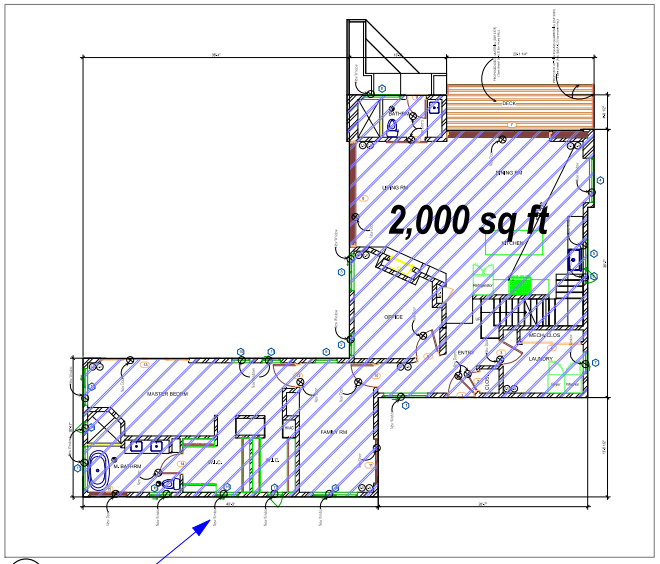
Lehman Residence
28809 Bonifacio Drive,
Malibu, CA 90265

BARSOCCHINI & ASSOCIATES DESIGNS
3502 COAST VIEW DRIVE - MALIBU CA 90265
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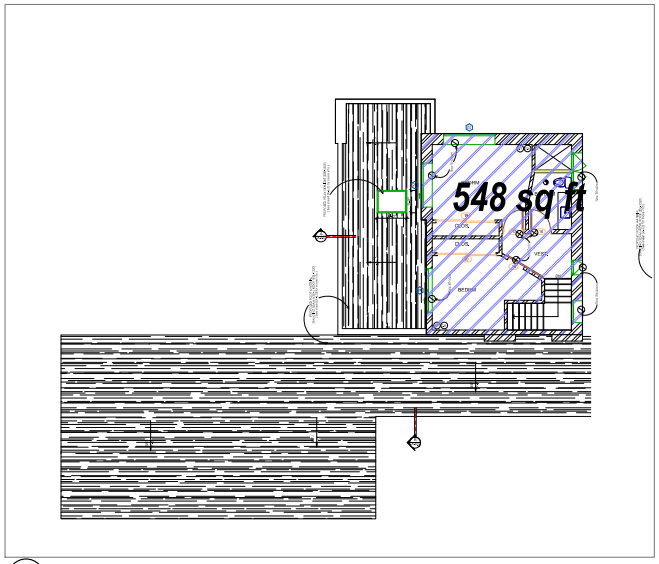
EXISTING AND PROPOSED SITE PLAN

DATE START:	2/22/2021
SCALE:	As Noted
DRAWN BY:	PETER O
JOB No.:	108569

SHEET
A-1.1



A PROPOSED GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



B PROPOSED UPPER FLOOR
SCALE: 1/8" = 1'-0"

EXISTING SQ.FT (PROJECT SITE 1 & 2)
EXISTING HOUSE (INCLUDING COVERED PARKING).....4,050 SQ.FT
EXISTING DETACHED STORAGE BUILDING.....998 SQ.FT
TOTAL EXISTING.....5,048 SQ.FT

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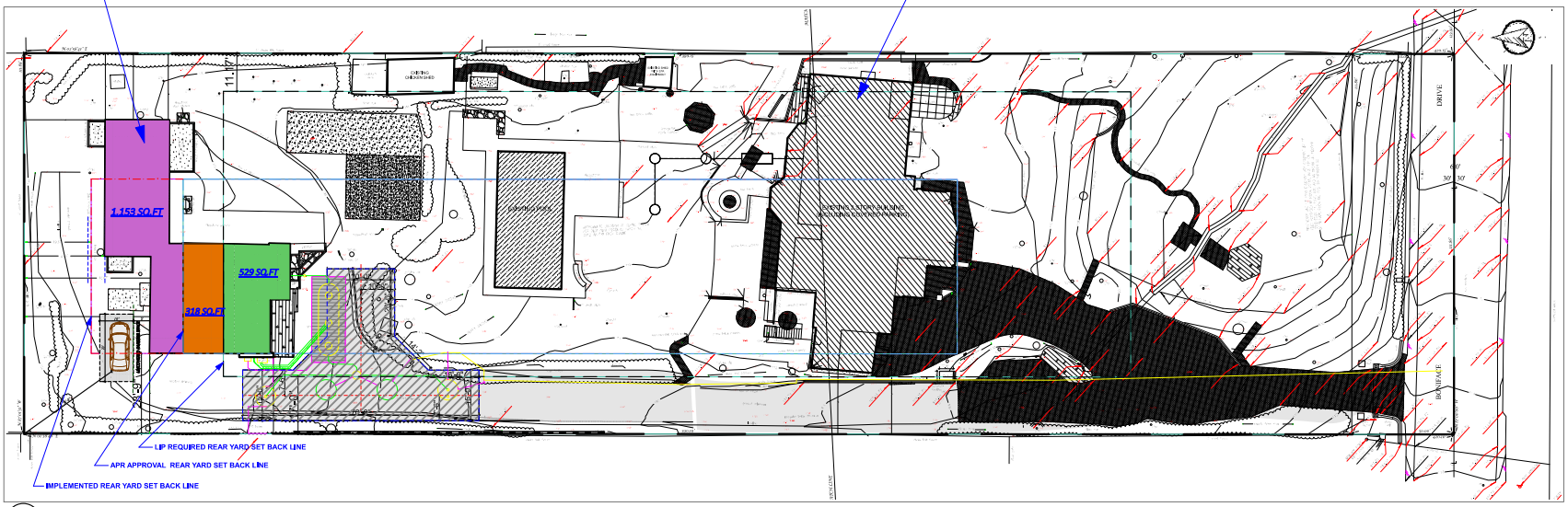
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OCCUPANCY GROUP....EXISTING HOUSE.....(PROJECT SITE 1)....R3
OCCUPANCY GROUP....SB9 2 STORY SFR.....(PROJECT SITE 2)...R3
CONSTRUCTION TYPE .....VB

Conversion of the existing storage structure to an SB9 single-family residence.

Ground floor sq.ft brakedown per setbacks
1,153 SQ.FT
318 SQ.FT
529 SQ.FT
2,000 SQ.FT

EXISTING 2STORY BUILDING (INCLUDING COVERED PARKING) 4,050 SQ.FT



C PROPOSED SITE PLAN (SQ.FT)
SCALE: 1/16" = 1'-0"

Lehman Residence - (10-2- 2024).pln , printed on 7/4/2026

REVISIONS

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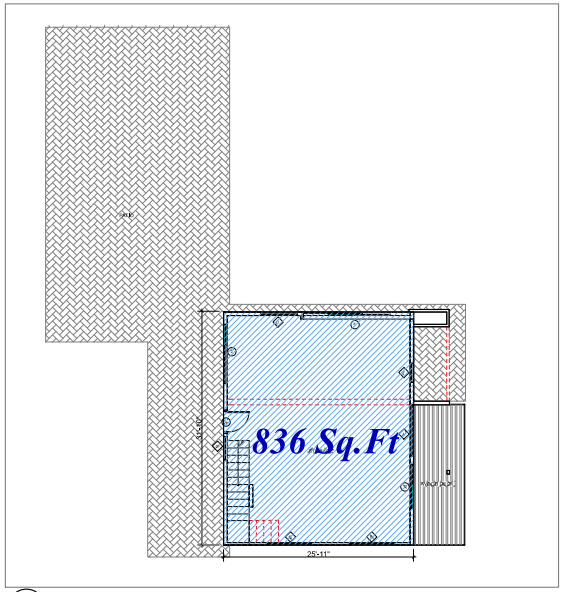
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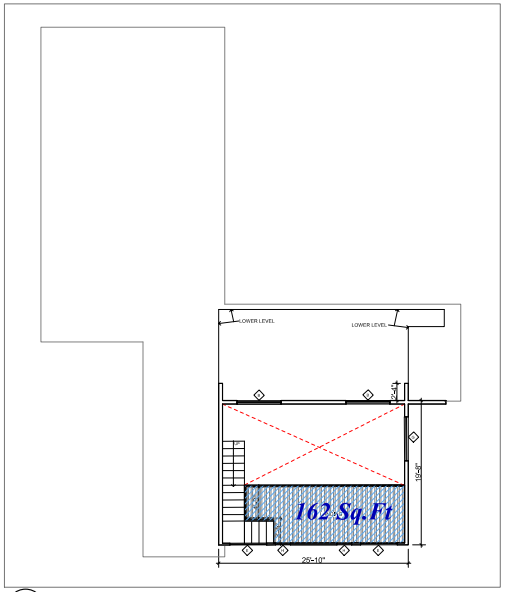
SQUARE FOOTAGE CALCULATION

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER O
JOB No.: 108569

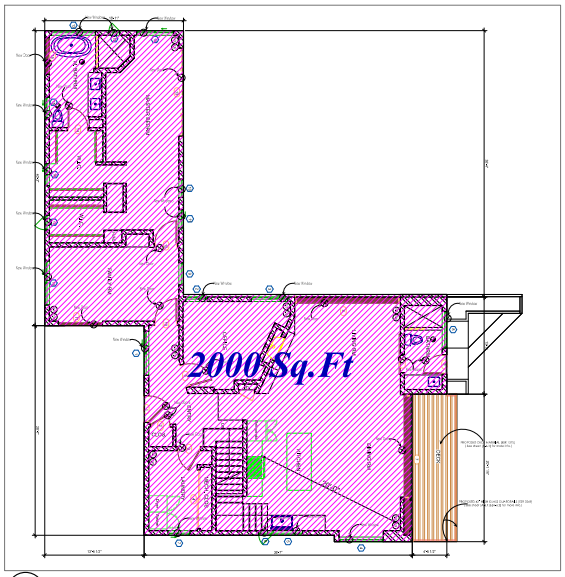
SHEET
A-1.2



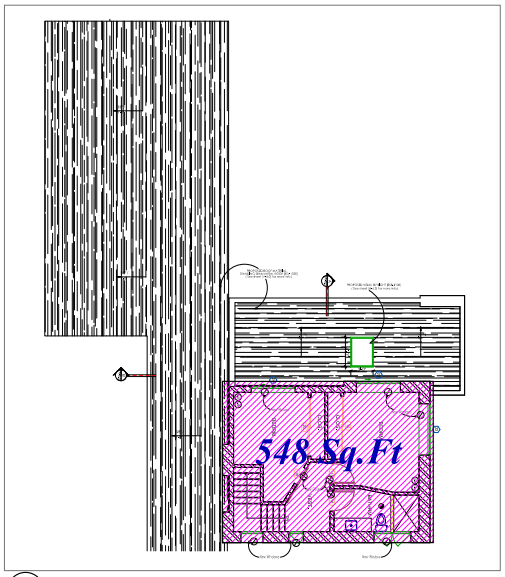
A EXISTING GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



B EXISTING UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"



A PROPOSED GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



B PROPOSED UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"

EXISTING SQ.FT (PROJECT SITE 1 & 2)
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CONSTRUCTION TYPE .....VB

REVISIONS

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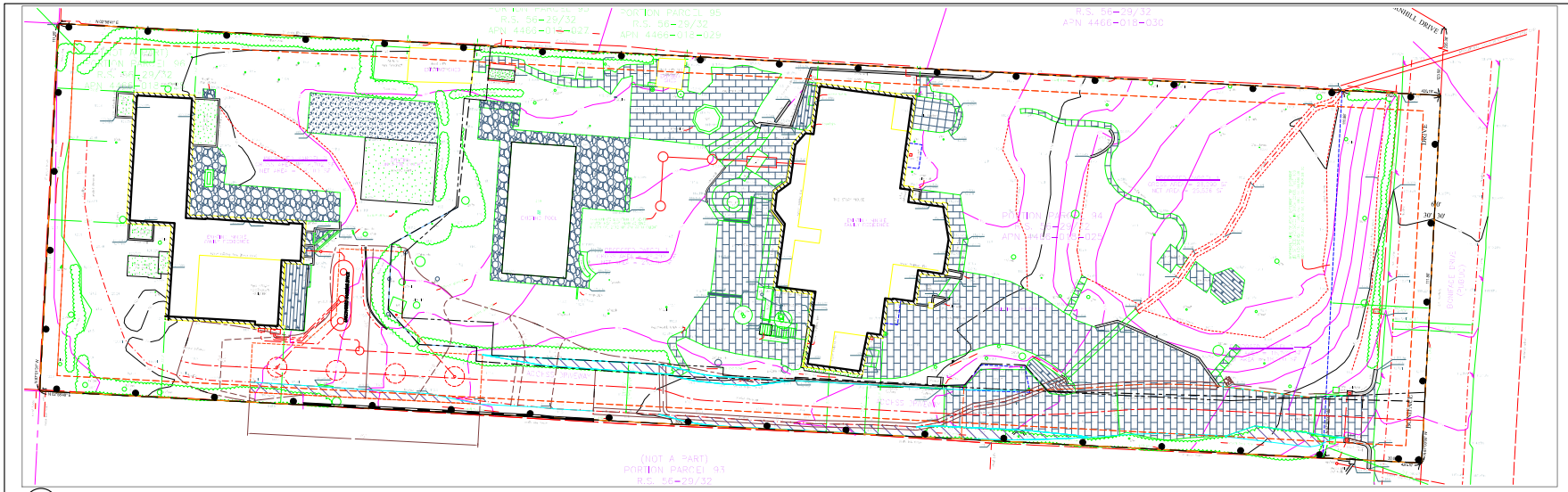
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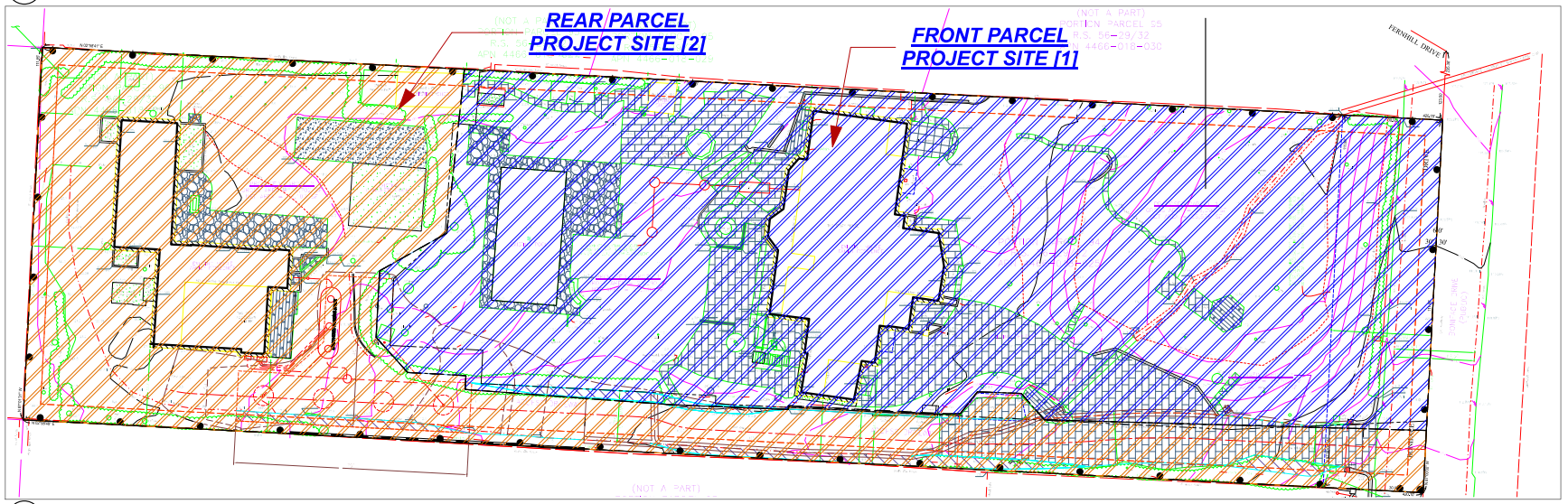
SQUARE FOOTAGE CALCULATION

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER O
JOB No.: 108569

SHEET
A-1.3



A **PROPOSED SITE PLAN - [SQUARE FOOTAGE]**
SCALE: 1/16" = 1'-0"



A **PROPOSED SITE PLAN - [SQUARE FOOTAGE]**
SCALE: 1/16" = 1'-0"

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TOTAL	46,992 SF	43,636 SF	100%

*NET AREA IS GROSS AREA LESS PUBLIC ACCESS EASEMENT
**% OF TOTAL IS BASED ON NET AREA

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.40'	N87°01'11.50"W
L3	6.75'	N5°00'52.42"E
L2	10.00'	S87°01'11.50"E

MAXIMUM ALLOWABLE SQUARE FOOTAGE (PARCEL 1)
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)
PURSUANT TO MALIBU MUNICIPAL CODE SECTION 17.40.040(13)

UP TO 0.5 AC.	21,780 x 0.177 = 3,855 + 1,000 =	4,855 S.F.
0.5 AC. TO 1 AC.	25,193 - 21,780 = 3,413 x 0.10 =	341 S.F.
	TOTAL:	5,196 S.F.

NOTE: USE LOT AREA MINUS ALL SLOPES GREATER THAN OR EQUAL TO 1:1

MAXIMUM ALLOWABLE SQUARE FOOTAGE (PARCEL 2)
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)
PURSUANT TO MALIBU MUNICIPAL CODE SECTION 17.40.040(13)

UP TO 0.5 AC.	18,005 x 0.177 = 3,855 + 1,000 =	3,187 S.F.
	TOTAL:	3,187 S.F.

NOTE: USE LOT AREA MINUS ALL SLOPES GREATER THAN OR EQUAL TO 1:1

REVISIONS	
[5-4],[5-14],[5-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]-2023	P.O
[2-3],[2-7],[10-3],[10-24]-2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

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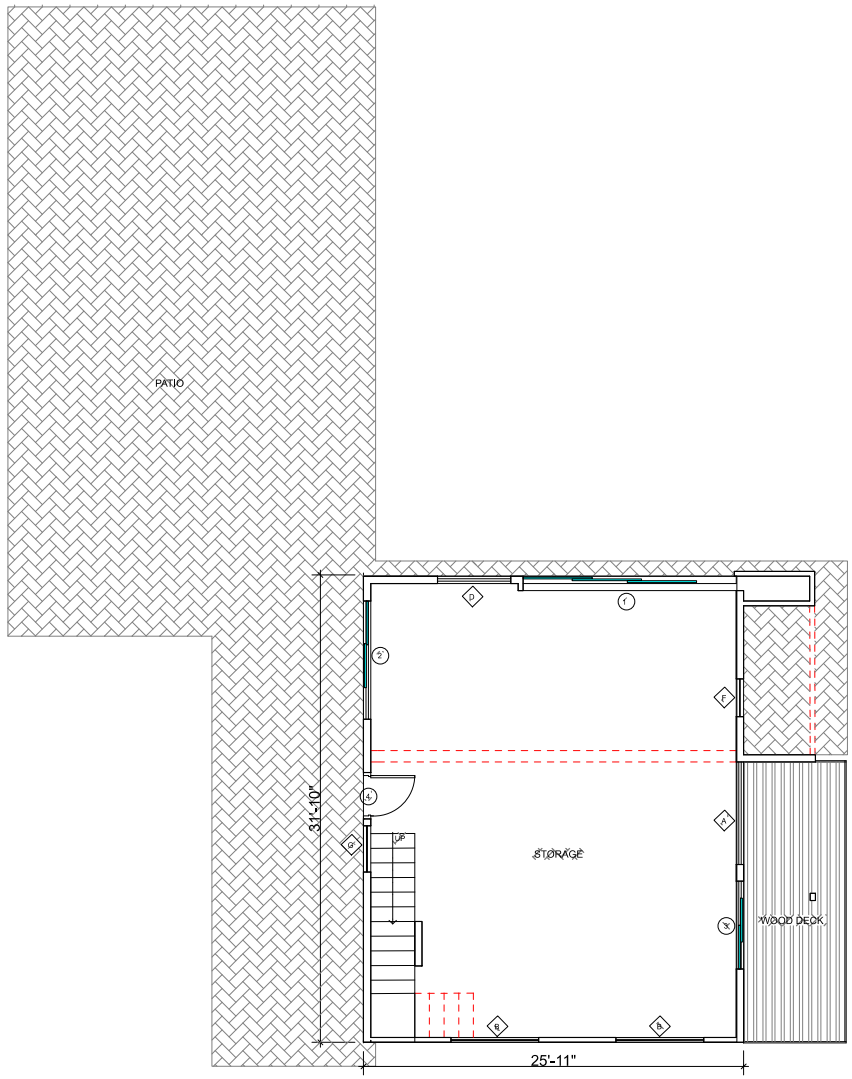
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LOT SPLIT CALCULATIONS

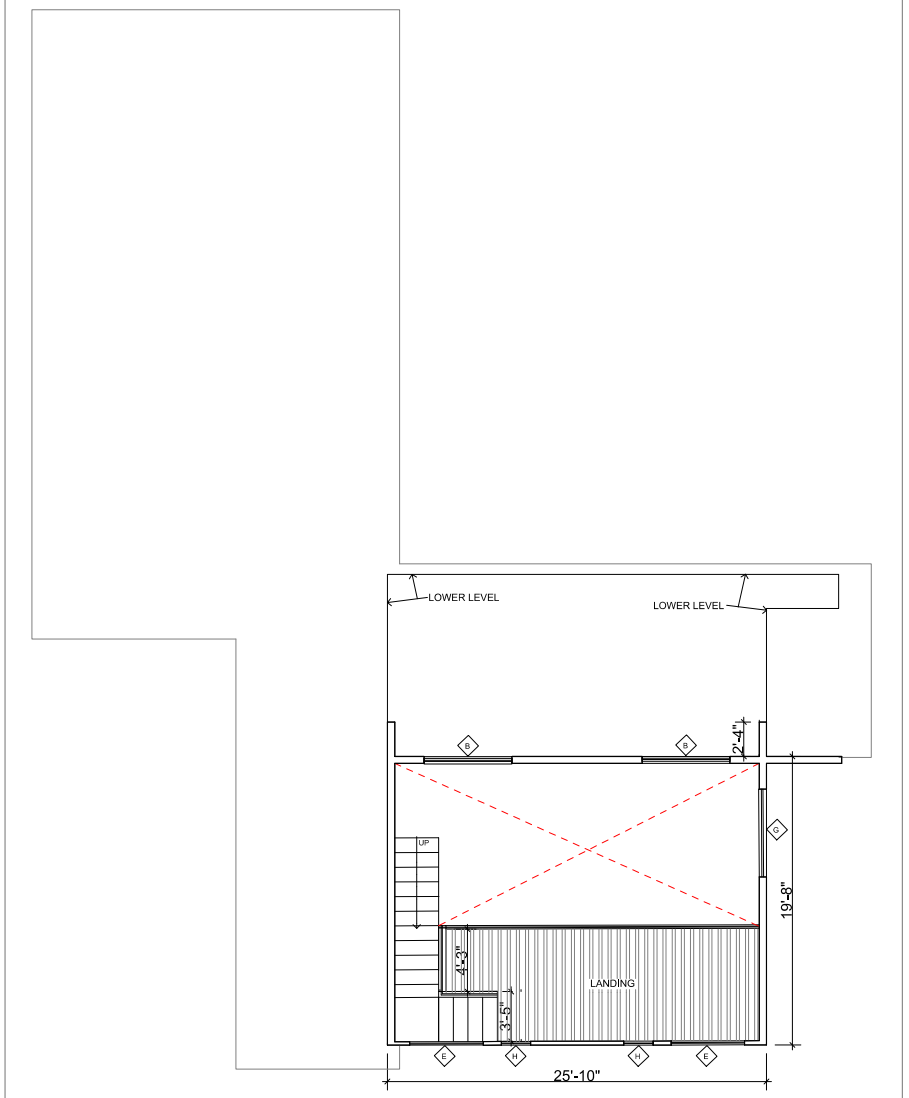
DATE START:	2/22/2021
SCALE:	As Noted
DRAWN BY:	PETER O
JOB No.:	108569

SHEET
A-1.4

NOTE :The storage building is being converted to the SB9 SFR.



A **EXISTING GROUND FLOOR PLAN**
SCALE: 1/4" = 1'-0"



B **EXISTING UPPER FLOOR PLAN**
SCALE: 1/4" = 1'-0"

REVISIONS	
[5-4],[5-14],[5-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

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EXISTING PLANS

DATE START:	2/22/2021
SCALE:	As Noted
DRAWN BY:	PETER O
JOB No.:	108569

SHEET
A-2.0

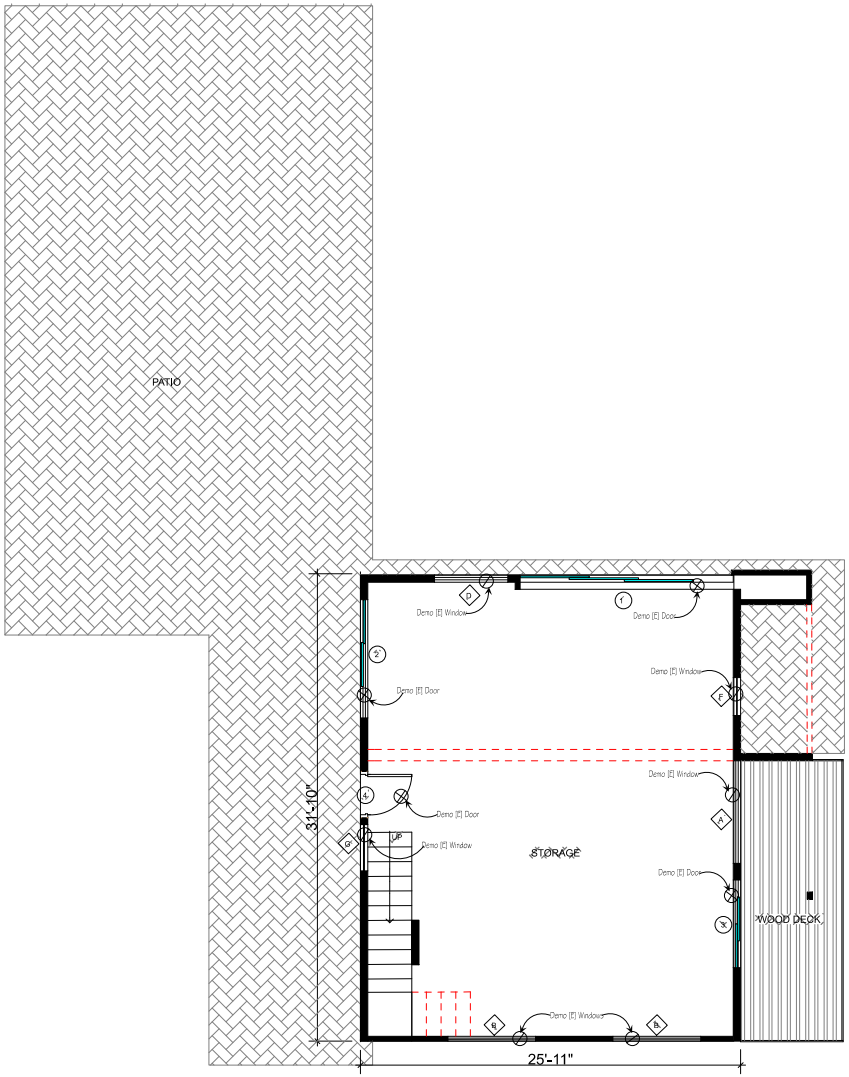
NOTE :The storage building is being converted to the SB9 SFR.

= Existing Walls

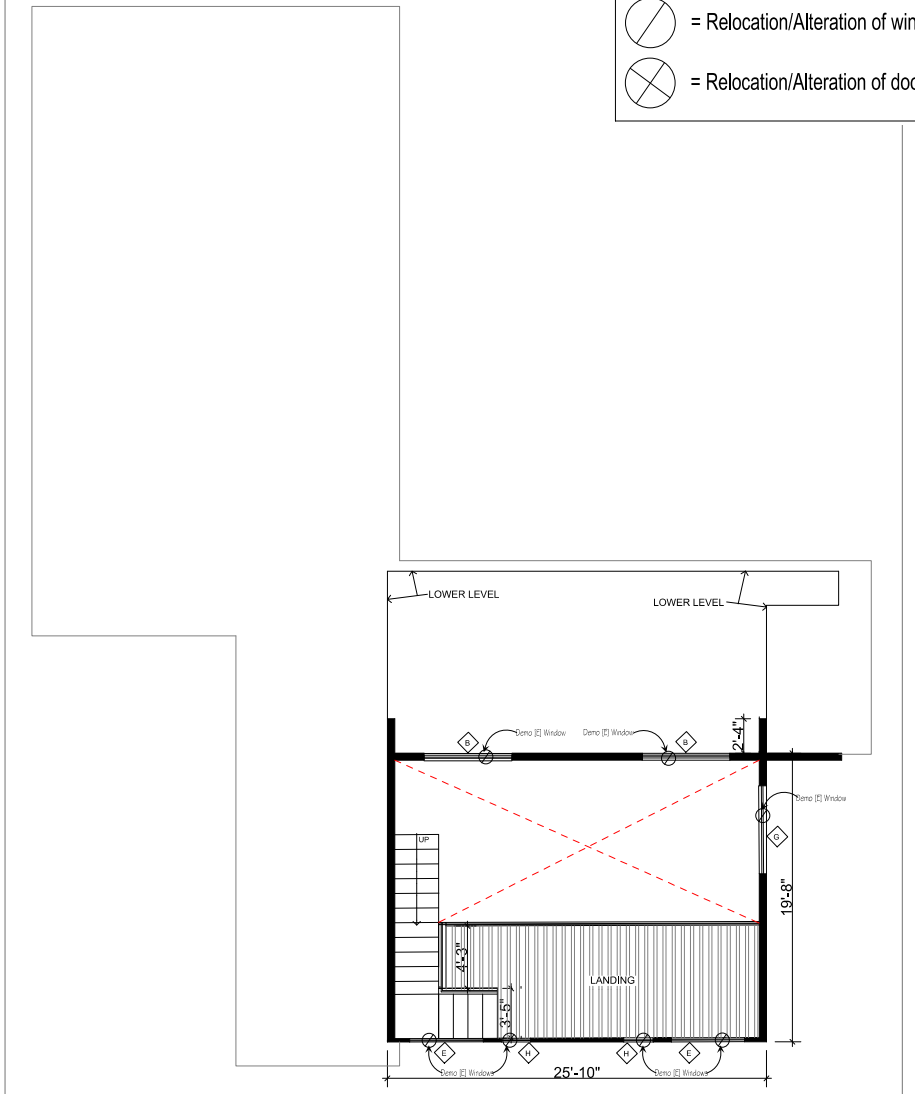
= Demolished Walls

= Relocation/Alteration of windows

= Relocation/Alteration of doors



A GROUND FLOOR PLAN - CONVERSION PROCESS
SCALE: 1/4" = 1'-0"



B UPPER FLOOR PLAN - CONVERSION PROCESS
SCALE: 1/4" = 1'-0"

REVISIONS	
[5-4],[5-14],[5-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

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CONVERSION PROCESS

DATE START:	2/22/2021
SCALE:	As Noted
DRAWN BY:	PETER O
JOB No.:	108569

SHEET
A-2.1

NOTE :The storage building is being converted to the SB9 SFR.

= Existing Walls

= New Walls

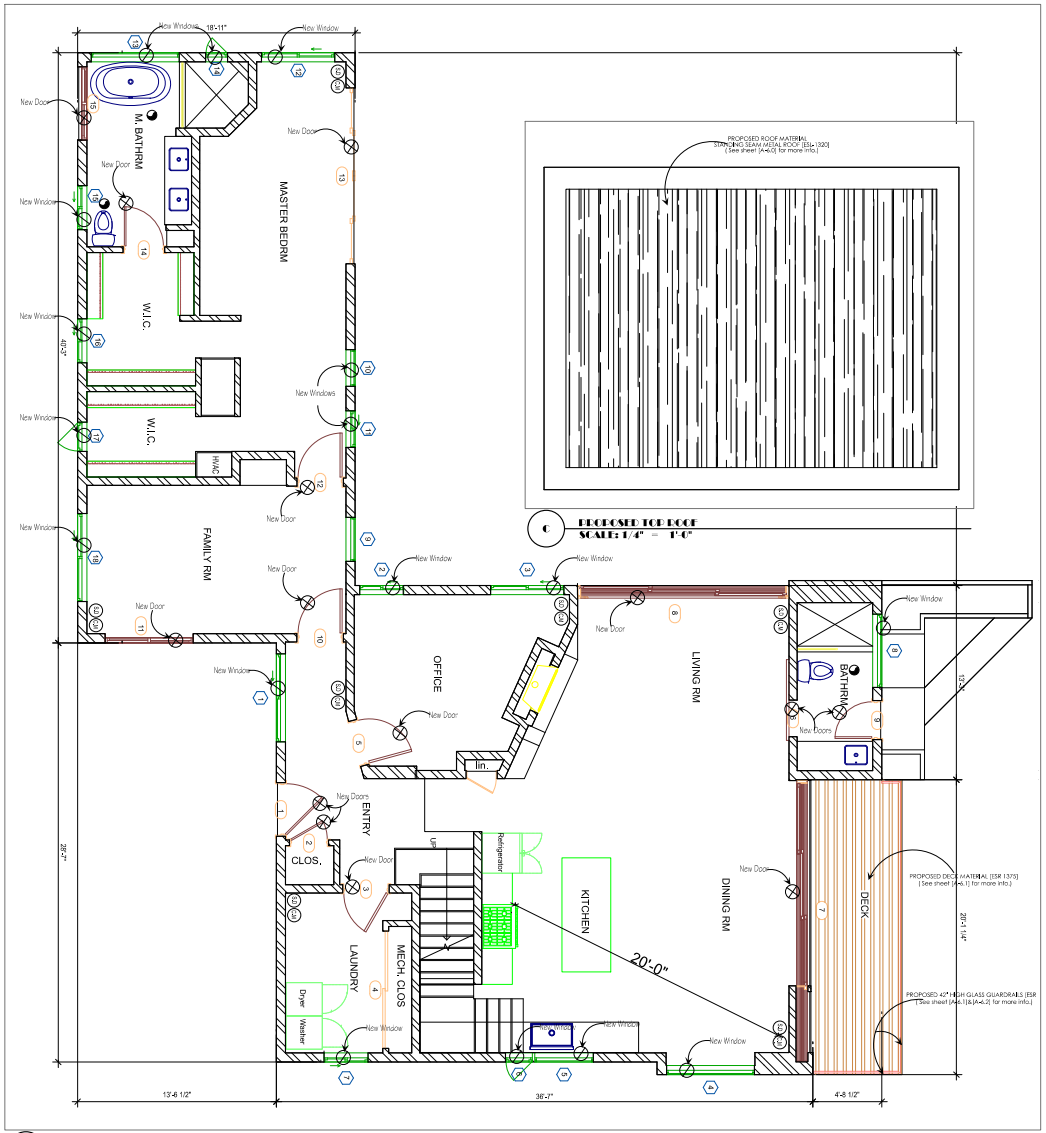
= Relocation/Alteration of windows

= Relocation/Alteration of doors

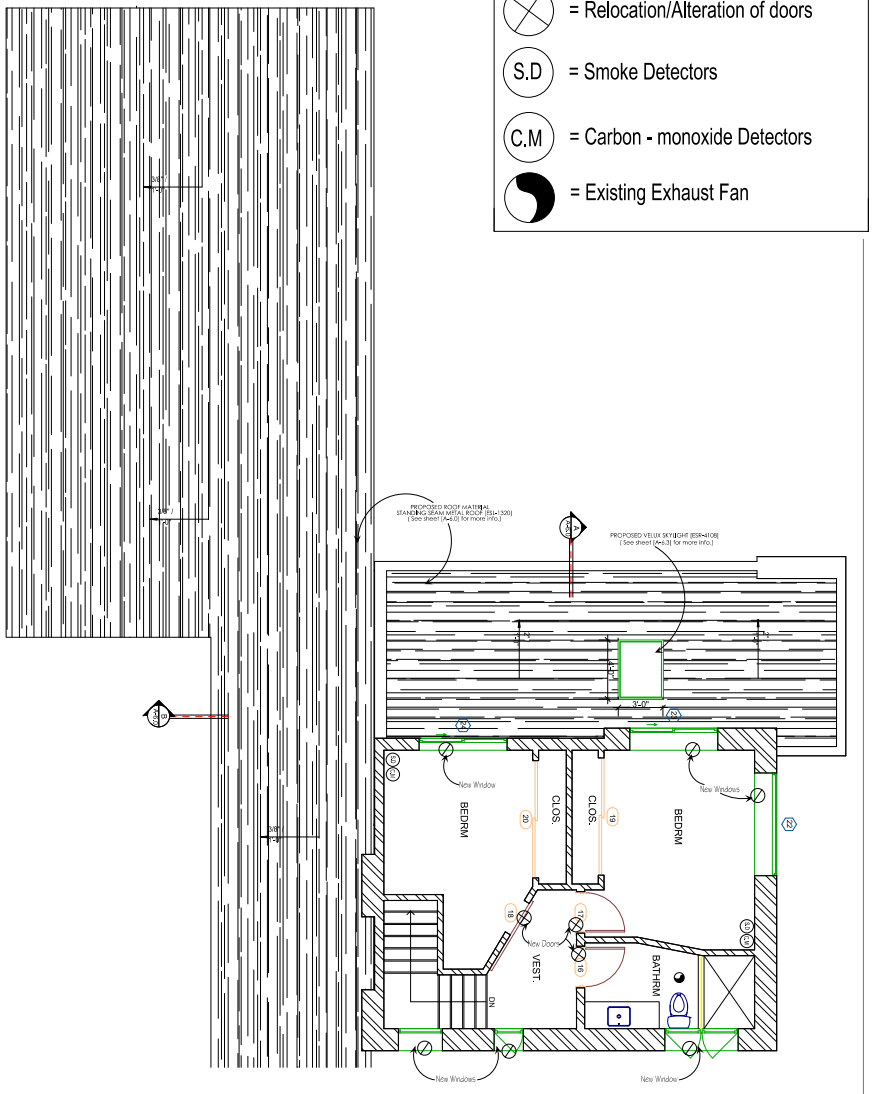
S.D = Smoke Detectors

C.M = Carbon - monoxide Detectors

= Existing Exhaust Fan



PROPOSED TOP ROOF
SCALE: 1/4" = 1'-0"



A CONVERTED [PROPOSED] GROUND FLOOR PLAN
SCALE: 1/4" = 1'-0"

B CONVERTED [PROPOSED] UPPER FLOOR PLAN
SCALE: 1/4" = 1'-0"

REVISIONS	
[5-4],[6-14],[6-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

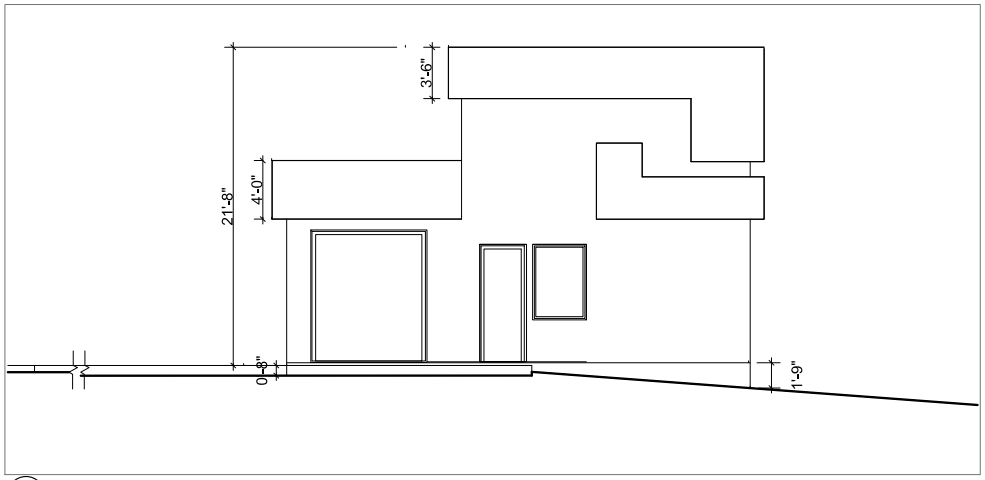
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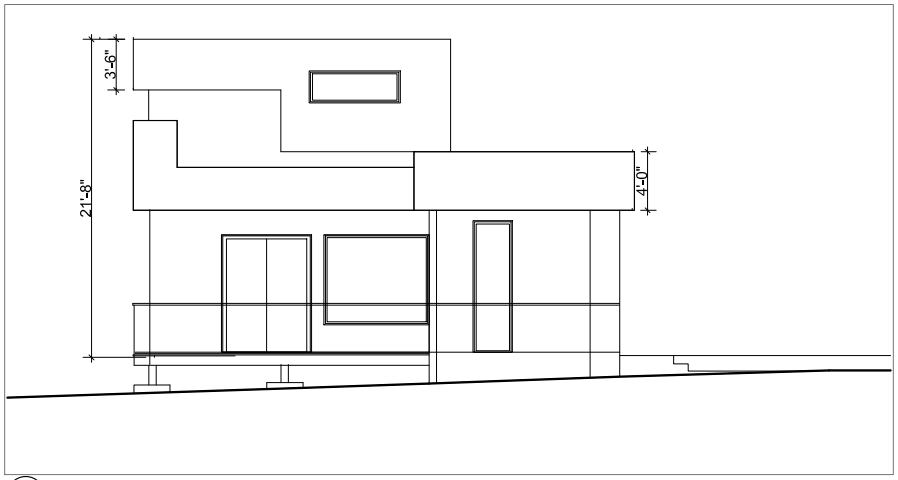
CONVERTED [PROPOSED] PLANS

DATE START:	2/22/2021
SCALE:	As Noted
DRAWN BY:	PETER .O
JOB No.:	108569

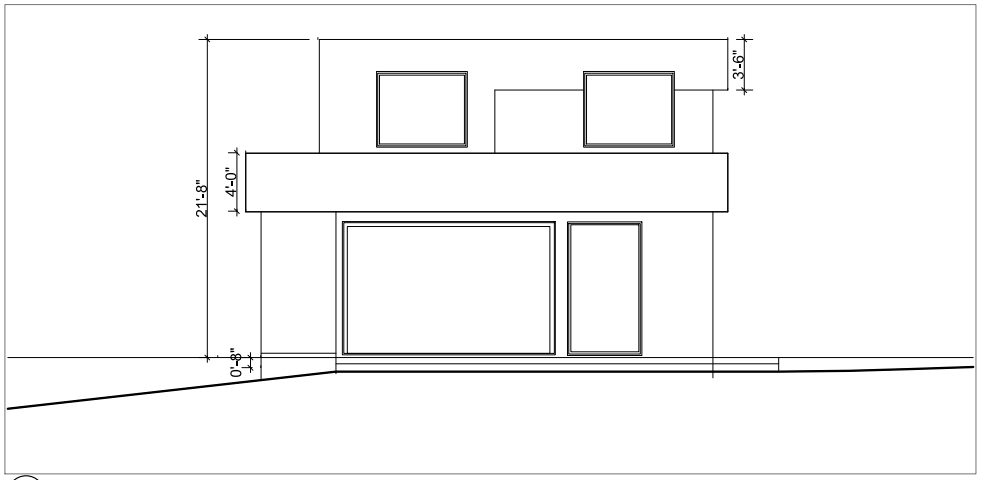
SHEET
A-2.2



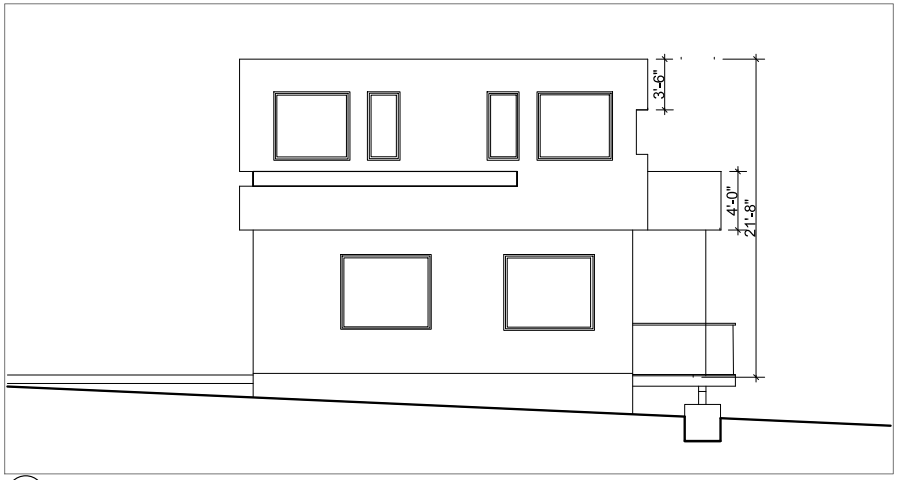
A **EXISTING NORTH ELEVATION**
SCALE: 1/4" = 1'-0"



B **EXISTING SOUTH ELEVATION**
SCALE: 1/4" = 1'-0"



C **EXISTING EAST ELEVATION**
SCALE: 1/4" = 1'-0"



D **EXISTING WEST ELEVATION**
SCALE: 1/4" = 1'-0"

REVISIONS	
[5-4],[6-14],[6-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

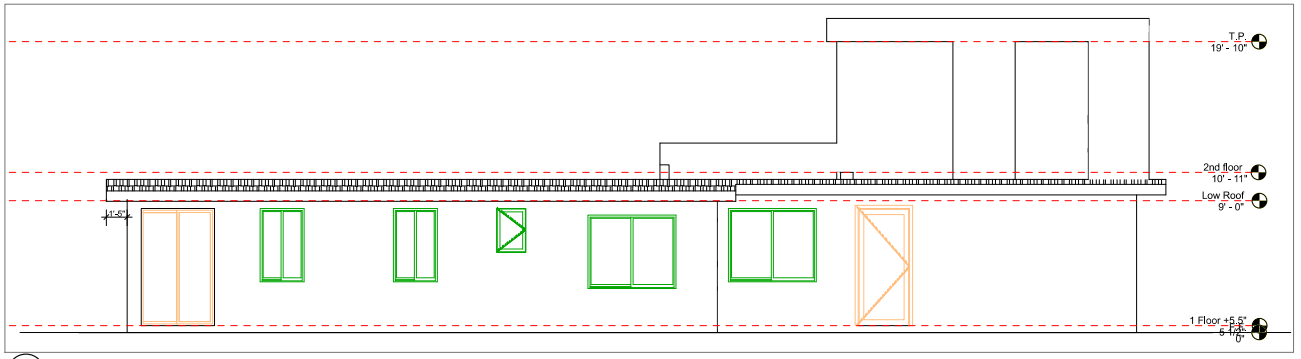
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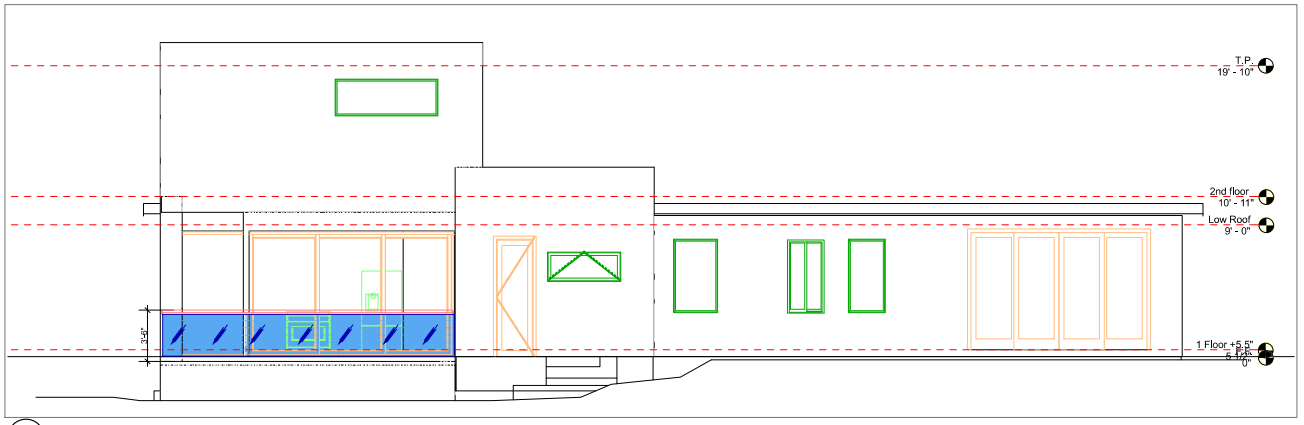
EXISTING ELEVATIONS

DATE START:	2/22/2021
SCALE:	As Noted
DRAWN BY:	PETER O
JOB No.:	108569

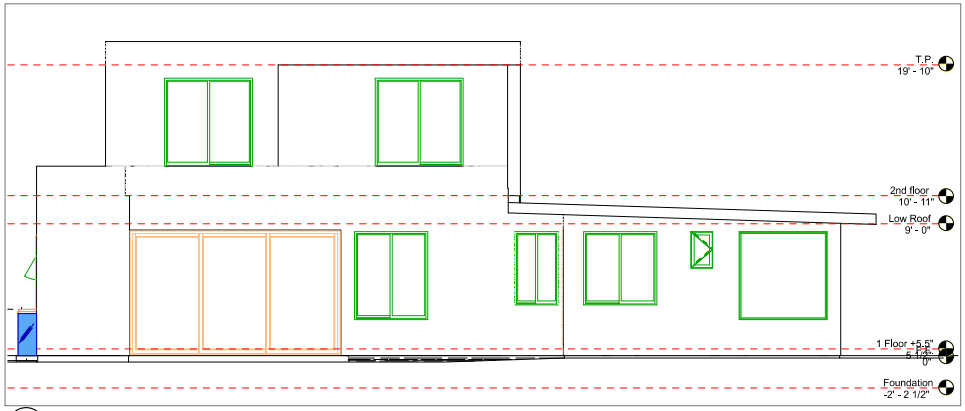
SHEET
A-3.0



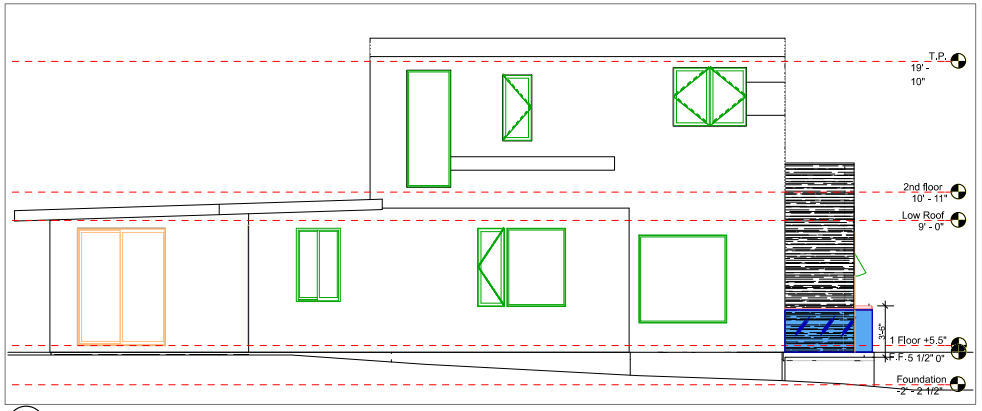
A **CONVERTED [PROPOSED] NORTH ELEVATION**
SCALE: 1/4" = 1'-0"



B **CONVERTED [PROPOSED] SOUTH ELEVATION**
SCALE: 1/4" = 1'-0"



C **CONVERTED [PROPOSED] EAST ELEVATION**
SCALE: 1/4" = 1'-0"



D **CONVERTED [PROPOSED] WEST ELEVATION**
SCALE: 1/4" = 1'-0"

REVISIONS	
[5-4]-[5-14],[5-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

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CONVERTED [PROPOSED] ELEVATIONS

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER O
JOB No.: 108569

SHEET
A-3.1

PROPOSED DOOR SCHEDULE

Mark	Width	Height	Family	Comments
1	3' - 6"	8' - 0"	French Solid Core Single	
2	2' - 6"	6' - 8"	Single Flush Panel Hollow Core	
3	3' - 0"	7' - 0"	Single Flush Panel Hollow Core	
4	8' - 0"	7' - 0"	Sliding-Closet	
5	3' - 0"	7' - 0"	Single Flush Panel Hollow Core	
6	2' - 6"	7' - 0"	Barn Sliding Door	
7	14' - 0"	8' - 6"	Door_Sliding_LaCantina_Aluminum-Wood-Series-Pocket	
8	14' - 4"	8' - 6"	Door_Sliding_LaCantina_Aluminum-Wood-Series-1	
9	2' - 6"	8' - 0"	French Solid Core Single	
10	3' - 0"	6' - 8"	Single Flush Panel Hollow Core	
11	6' - 0"	8' - 0"	Sliding Glass Doors	
12	3' - 0"	6' - 8"	Single Flush Panel Hollow Core	
13	12' - 0"	8' - 0"	Sliding-French doors 4 Panel	
14	2' - 8"	6' - 8"	Single Flush Panel Hollow Core	
15	5' - 0"	8' - 0"	Sliding Glass Doors	
16	2' - 8"	8' - 0"	Single Flush Panel Hollow Core	
17	2' - 8"	8' - 0"	Single Flush Panel Hollow Core	
18	2' - 6"	8' - 0"	Barn Sliding Door	
19	8' - 0"	7' - 0"	Sliding-Closet	
20	8' - 0"	7' - 0"	Sliding-Closet	

PROPOSED WINDOW SCHEDULE

Mark	Width	Height	Family	Head Height
1	6' - 0"	5' - 0"	Window-Sliding-Double	8' - 0"
2	3' - 0"	5' - 0"	Window-Sliding-Double	8' - 0"
3	5' - 0"	6' - 0"	Window-Sliding-Double	8' - 0"
4	6' - 0"	6' - 0"	Window-Fixed	8' - 0"
5	4' - 0"	5' - 4"	Window-Fixed	8' - 0"
6	1' - 10"	5' - 4"	Window-Casement-Single_Left	8' - 0"
7	3' - 0"	5' - 0"	Window-Sliding-Double	8' - 0"
8	5' - 0"	2' - 0"	Window-Awning-Single	6' - 8"
9	3' - 0"	5' - 0"	Window-Fixed	8' - 0"
10	2' - 6"	5' - 0"	Window-Fixed	8' - 0"
11	2' - 6"	5' - 0"	Window-Sliding-Double	7' - 6"
12	5' - 0"	5' - 0"	Window-Sliding-Double	8' - 0"
13	6' - 0"	6' - 0"	Window-Fixed	8' - 0"
14	1' - 6"	2' - 6"	Window-Casement-Single_Left	8' - 0"
15	3' - 0"	5' - 0"	Window-Sliding-Double	8' - 0"
16	3' - 0"	5' - 0"	Window-Sliding-Double	8' - 0"
17	2' - 0"	3' - 0"	Window-Casement-Single_Left	8' - 0"
18	6' - 0"	5' - 0"	Window-Sliding-Double	8' - 0"
19	3' - 0"	8' - 0"	Window-Fixed	8' - 4"
20	2' - 0"	4' - 6"	Window-Casement-Single_Right	8' - 0"
21	5' - 0"	4' - 0"	Window-Casement-Double	8' - 6"
22	7' - 0"	2' - 6"	Window-Fixed	8' - 0"
23	6' - 0"	6' - 0"	Window-Sliding-Double	8' - 0"
24	6' - 0"	6' - 0"	Window-Sliding-Double	8' - 0"
25	3' - 0"	4' - 0"	Skylight-Flat	

REVISIONS

[5-6]-[6-14]-[6-17]-[7-13]-[8-19]-[10-17]-[10-18]	P.O
[7-17]-[7-28]-[9-21]-2023	P.O
[2-3]-[2-7]-[10-3]-[10-24]-2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

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WINDOWS AND DOORS SCHEDULE

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER .O
JOB No.: 108569

SHEET
A-5.0

= Existing Walls

= New Walls

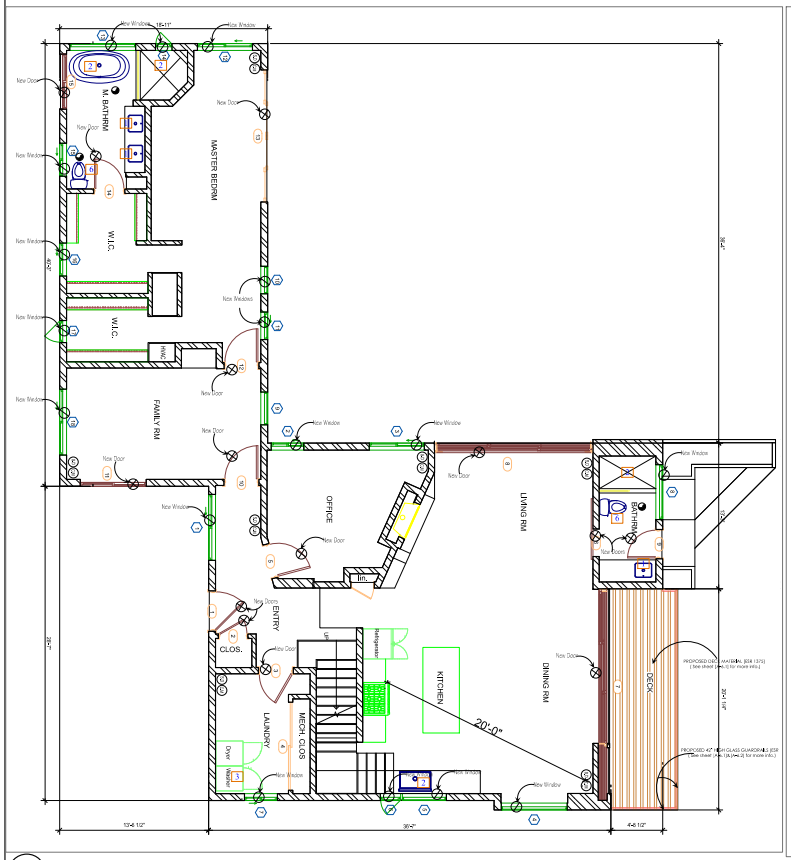
= Relocation/Alteration of windows

= Relocation/Alteration of doors

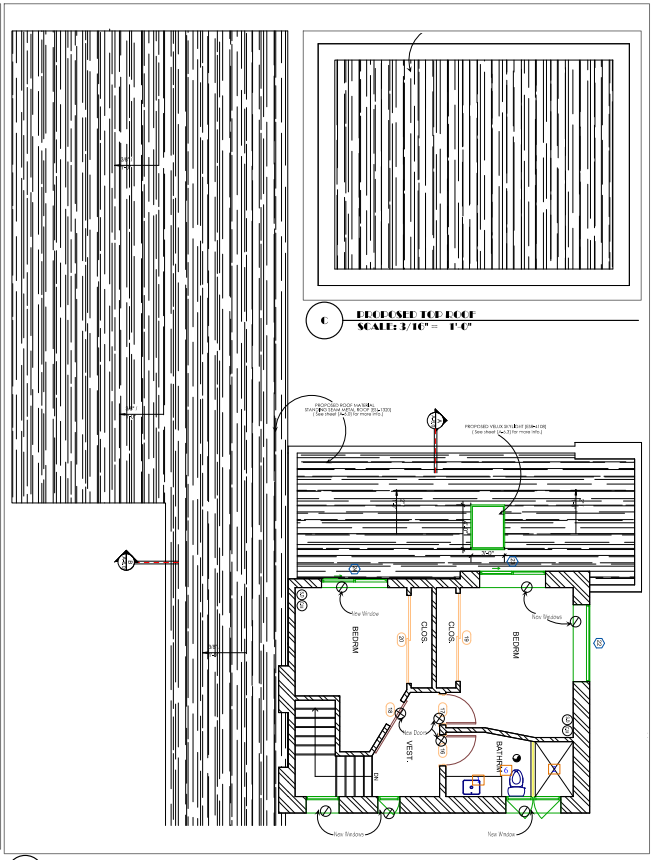
S.D = Smoke Detectors

C.M = Carbon - monoxide Detectors

= Existing Exhaust Fan



A CONVERTED [PROPOSED] GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"



C PROPOSED TOP ROOF
SCALE: 3/16" = 1'-0"

E CONVERTED [PROPOSED] UPPER FLOOR PLAN
SCALE: 3/16" = 1'-0"

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 317-1950 · www.malibucity.org

ONSITE WASTEWATER TREATMENT SYSTEM FIXTURE UNIT WORKSHEET

This worksheet shall be used to determine the existing fixture unit count and the proposed fixture unit count for all planned alterations to existing structures. Floor plans may be required to confirm both existing and proposed conditions. When a new OWTS system only is proposed, complete only the proposed column of the worksheet. The completed worksheet shall be certified by an Architect, Civil Engineer, Environmental Health Specialist, or an "A", "C-42", "C-36" Contractors License.

Date: 6/17/2022

Applicant: Nick Barsocchini

Address: 28809 Bonifacio Drive,Malibu, CA 90265

Number of Bedrooms (Existing): NA

Number of Bedrooms (Future): 3

Planning Division Reference Number:

Worksheet Certification by:

Print name Signature

Applicable California State License or Registration Type

State License or Registration Number Expiration Date

Type of Plumbing Fixture	Existing Fixtures "A"	+	Proposed Fixtures "B"	=	Total Fixtures "(A + B)"	x	Unit Value "C"	=	Existing Fixture Units "A x C"	Total Future Fixture Units "(A + B) x C"
Bathtub or Combination Bath/Shower		+	4	=	4	x	2	=		8
Bidet		+		=		x	2	=		
Bar Sink		+		=		x	1	=		
Clothes Washer		+	1	=	1	x	3	=		3
Dishwasher		+		=		x	2	=		
Laundry Sink		+		=		x	2	=		
Lavatory (Wash Basin)		+	4	=	4	x	1	=		4
Kitchen Sink		+	1	=	1	x	2	=		2
Shower (Single Head)		+		=		x	2	=		
Water Closet (Flush Toilet)		+	3	=	3	x	6	=		18
Other (MPC Table 7-3)		+		=		x		=		
Other (MPC Table 7-3)		+		=		x		=		

TOTAL EXISTING FIXTURE UNITS: NA

TOTAL FUTURE FIXTURE UNITS: 35

Notes

1. In completing this form, a room is considered a bedroom if it provides privacy, has an associated closet, and is in close proximity to a bathroom with bathtub and/or shower fixtures.
2. If an existing fixture is to be deleted from the project, indicate the fixture with a minus sign (–) next to the proposed fixture quantity in column "B".
3. For plumbing fixtures not shown in this table please refer to Malibu Plumbing Code (MPC) Table 7-3.

G:\Handouts\Misc Handouts\FIXTURE UNIT WORKSHEET 12-01-21.doc

REVISIONS	
[5-4]-[6-14],[6-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

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Malibu, CA 90265

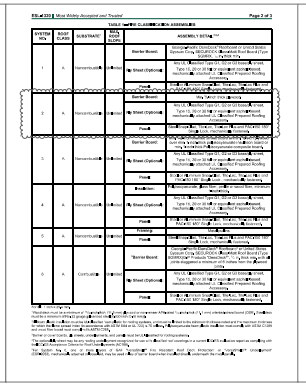
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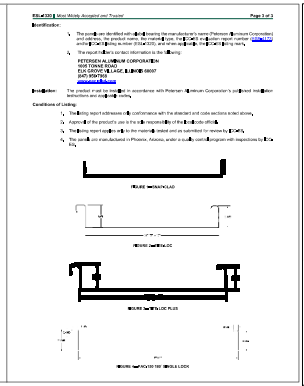
PROPOSED FIXTURE COUNT

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER .O
JOB No.: 108569
SHEET A-5.1

ROOF MATERIAL SPECIFICATION







FIRE DEPT NOTES

001 .All roof coverings shall be Class ""A"" as specified in Building Code 1505.1.1 (Residential Code R327.5.2 & R902).

002. Roof valley flashings shall be not less than 0.019-inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of No. 72 ASTM cap sheet meeting running the full length of the valley. (Residential Code R327.5.3 and Building Code 705A.3)

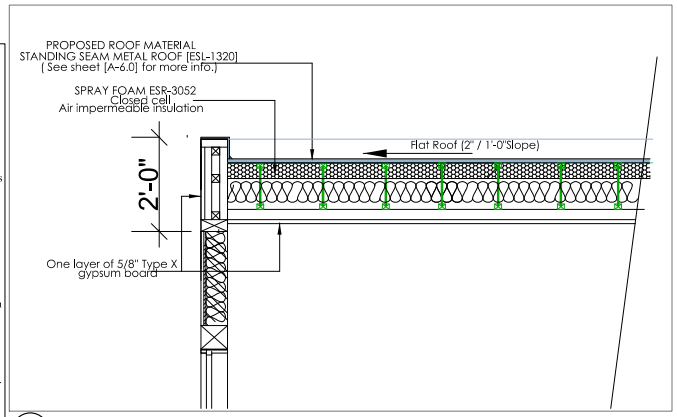
003 .Roof gutters shall be provided with a means to prevent the accumulation of leaves and debris in the gutter. (Residential Code R327.534 and building Code 705A.4)

004.Vents shall resist the intrusion of flame and embers and flame through the ventilation openings. Vent openings shall be protected by corrosion-resistant, noncombustible wire mesh with minimum 1/16th inch openings and shall not exceed 1/8th inch. Vents shall NOT be installed in eaves or cornices. (Residential Code R337.6. and Building Code 706A.1)

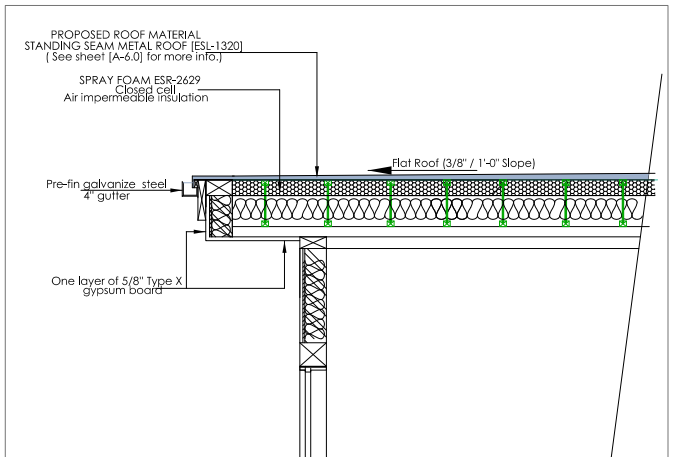
006. Enclosed roof eaves and roof eave soffits shall meet one of the following: a. Noncombustible material OR b. Ignition-resistant material OR c. One layer of 5/8-inch Type X gypsum sheathing applied behind and exterior covering d. 1-hour wall assembly applied to the underside of the roof deck e. Conform to performance standard SFM 12-7A-3 (Residential Code R327.7.5 and building Code 707A.5)

013 . Ancillary buildings and structures and detached accessory structures shall comply with the provisions of Residential Code R327.10.1 and Building Code 710A.1.

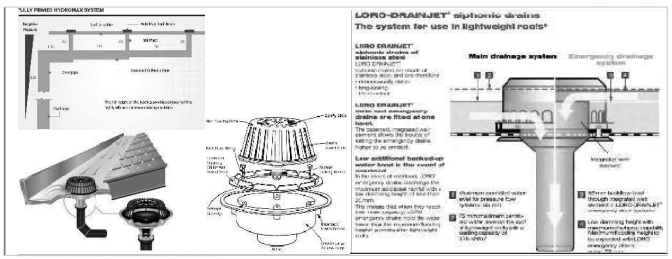
014 Clearance of brush and vegetative growth shall be maintained per Fire Code 325



A
A-6.0
FLAT ROOF @ PARAPET AREA
NOT TO SCALE



B
A-6.0
FLAT ROOF @ ROOF GUTTER
NOT TO SCALE



C
ROOF DRAIN DETAIL
SCALE: 1:14.35

REVISIONS	
[5-4]-[6-14],[6-17],[7-13],[8-19],[10-19]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-31],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

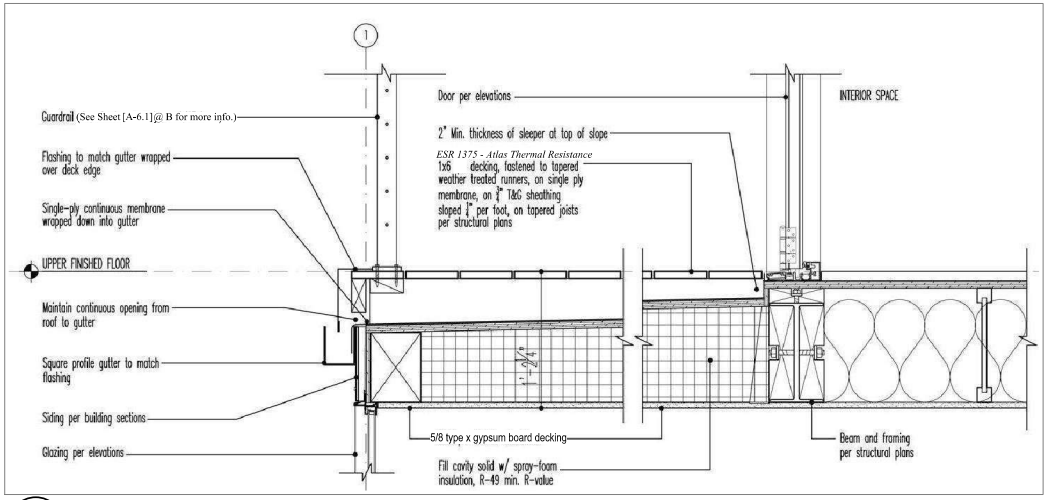
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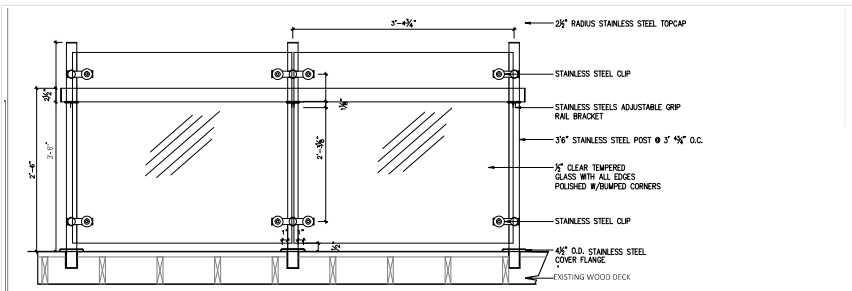
DETAILS

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER O
JOB No.: 108569
SHEET
A-6.0

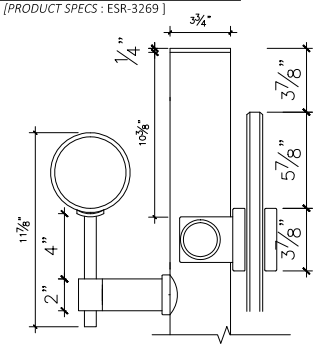
Lehman Residence - [10-2- 2024].pln , printed on 7/4/2026



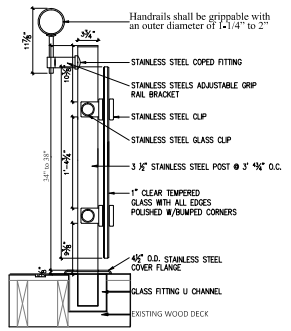
A DECK DETAIL



1 RAILING ELEVATION
[PRODUCT SPECS : ESR-3269]

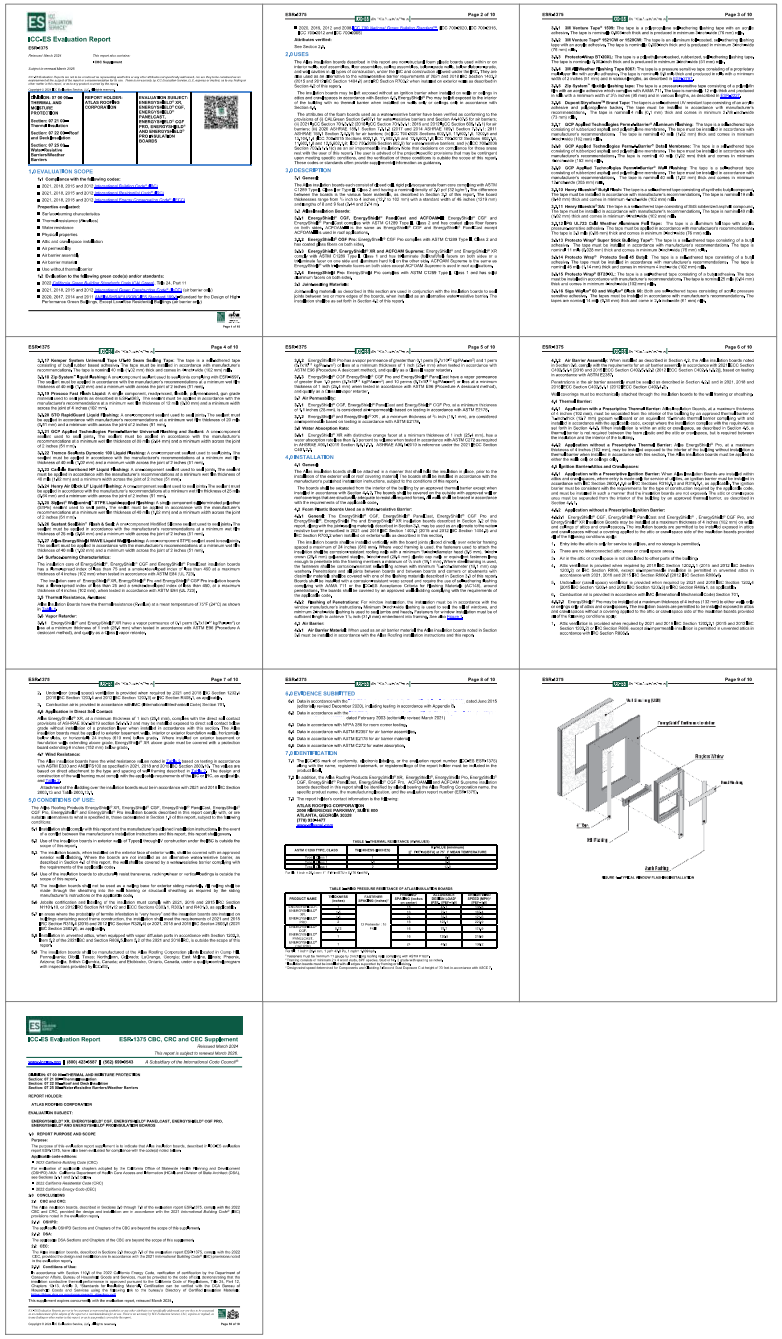


2 RAILING CONNECTION BRACKET
[PRODUCT SPECS : ESR-3269]



3 RAILING ELEVATION
[PRODUCT SPECS : ESR-3269]

B **GLASS GUARD RAIL DETAIL (SEE SHEET [A-6.3] FOR SPECS AND INFO [ESR-3269])**
NOT TO SCALE



REVISIONS

[5-4]; [6-14]; [6-17]; [7-13]; [8-19]; [10-17]; [10-18]	P.O
[7-17]; [7-28]; [9-21]- 2023	P.O
[2-3]; [2-7]; [10-3]; [10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

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DETAILS

DATE START: 2/22/2021
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SHEET
A-6.1

![ES ICC Evaluation Service]

ICC-ES Evaluation Report

ESR-3269

Reissued November 2023 *This report also contains:* • CBC Supplement

Subject to renewal November 2024

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DIVISION: 05 00 00—METALS Section: 05 52 00—Metal Railings Section: 05 73 13—Glazed Decorative Metal Railings DIVISION: 08 00 00—OPENINGS Section: 08 81 00—Glass Glazing Section: 08 88 00—Special Function Glazing DIVISION: 32 00 00—EXTERIOR IMPROVEMENTS Section: 32 35 00—Screening Devices	REPORT HOLDER: C.R. LAURENCE COMPANY, INC.	EVALUATION SUBJECT: GRS™ GLASS BALUSTRADE GUARD SYSTEM FOR MONOLITHIC TEMPERED GLASS APPLICATIONS	

1.0 EVALUATION SCOPE

Compliance with the following codes:

- 2021, 2018, 2015, 2012, 2009 and 2006 *International Building Code*® (IBC)
- 2021, 2018, 2015, 2012, 2009 and 2006 *International Residential Code* (IRC)
- 2013 *Abu Dhabi International Building Code* (ADIBC)†

†The ADIBC is based on the 2009 IBC. 2009 IBC code sections referenced in this report are the same sections in the ADIBC.

Properties evaluated:

- Structural
- Durability

2.0 USES

The GRS Glass Rail System structural glass balustrades described in this report are intended for interior and exterior weather-exposed applications, and are suitable for use in most natural environments. The GRS system may be used for residential, commercial and industrial applications for guards along balconies, porches, mezzanines, stairs and similar locations except where vehicle impact resistance is required. The GRS system is compatible with all construction types.

TABLE 2A—SURFACE-MOUNTED SHOE

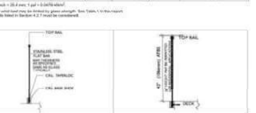
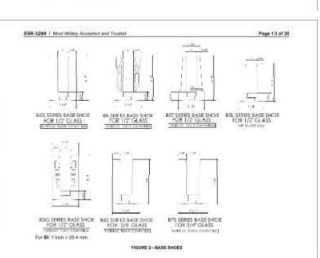


TABLE 2B—FASCIA-MOUNTED SHOE



For SI: 1 inch = 25.4 mm.

FIGURE 2—BASE SHOES

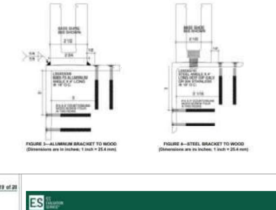


FIGURE 3—ALUMINUM BRACKET TO WOOD (Dimensions are in inches; 1 inch = 25.4 mm)

FIGURE 4—STEEL BRACKET TO WOOD (Dimensions are in inches; 1 inch = 25.4 mm)

TABLE 5—BRACKET SPACING

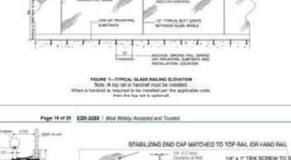


FIGURE 1—TYPICAL GLASS RAILING ELEVATION
Note: A top rail or handrail must be installed.
When a handrail is required to be installed per the applicable code, then the top rail is optional.



FIGURE 5—TOP RAIL SUPPORT OPTIONS

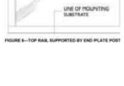
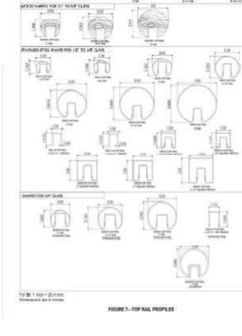


FIGURE 6—TOP RAIL SUPPORTED BY END PLATE POST



For SI: 1 inch = 25.4 mm.
Dimensions are in inches

FIGURE 7—TOP RAIL PROFILES

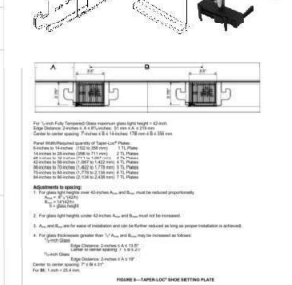


FIGURE 8—TAPER-LOC® SHOE SETTING PLATE

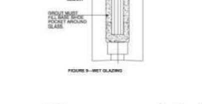


FIGURE 9—WET GLAZING



FIGURE 10—TOP RAIL SUPPORT OPTIONS

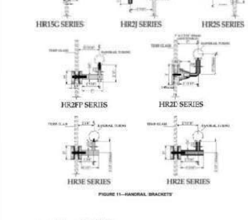


FIGURE 11—HANDRAIL BRACKETS

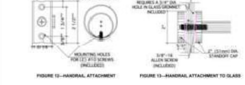


FIGURE 12—HANDRAIL ATTACHMENT

FIGURE 13—HANDRAIL ATTACHMENT TO GLASS



FIGURE 14—STABILIZING END CAP

ICC-ES Evaluation Report — ESR-3269 CBC and CRC Supplement

Reissued November 2023
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DIVISION: 05 00 00—METALS
Section: 05 52 00—Metal Railings
Section: 05 73 13—Glazed Decorative Metal Railings

DIVISION: 08 00 00—OPENINGS
Section: 08 81 00—Glass Glazing
Section: 08 88 00—Special Function Glazing

DIVISION: 32 00 00—EXTERIOR IMPROVEMENTS
Section: 32 35 00—Screening Devices

REPORT HOLDER:

C.R. LAURENCE COMPANY, INC.

EVALUATION SUBJECT:

GRS™ GLASS BALUSTRADE GUARD SYSTEM FOR MONOLITHIC TEMPERED GLASS APPLICATIONS

1.0 REPORT PURPOSE AND SCOPE

Purpose:

The purpose of this evaluation report supplement is to indicate that the GRS™ Glass Balustrade Guard System for Monolithic Tempered Glass Applications, described in ICC-ES evaluation report ESR-3269, has also been evaluated for compliance with the codes noted below.

Applicable code editions:

- 2022 and 2019 *California Building Code*® (CBC)

For evaluation of applicable chapters adopted by the California Office of Statewide Health Planning and Development (OSHPD) AKA: California Department of Health Care Access and Information (HCAI) and the Division of State Architect (DSA), see Sections 2.1.1 and 2.1.2 below.

- 2022 and 2019 *California Residential Code*® (CRC)

2.0 CONCLUSIONS

2.1 CBC:

The GRS™ Glass Balustrade Guard System for Monolithic Tempered Glass Applications, described in Sections 2.0 through 7.0 of the evaluation report ESR-3269, complies with CBC Chapters 10 and 24, provided the design and installation are in accordance with the 2021 and 2018 *International Building Code*® (IBC) provisions, respectively, noted in the evaluation report and the additional requirements of CBC Chapters 10, 16 and 24, as applicable.

2.1.1 OSHPD: The applicable OSHPD Sections and Chapters of the CBC are beyond the scope of this supplement.

2.1.2 DSA: The applicable DSA Sections and Chapters of the CBC are beyond the scope of this supplement.

2.2 CRC:

The GRS™ Glass Balustrade Guard System for Monolithic Tempered Glass Applications, described in Sections 2.0 through 7.0 of the evaluation report ESR-3269, complies with CRC Chapter 3, provided the design and installation are in accordance with the 2021 and 2018 *International Residential Code*® (IRC) provisions, respectively, noted in the evaluation report and the additional requirements of CRC Chapter 3.

This supplement expires concurrently with the evaluation report, reissued November 2023.

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REVISIONS	
[6-6],[6-14],[6-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

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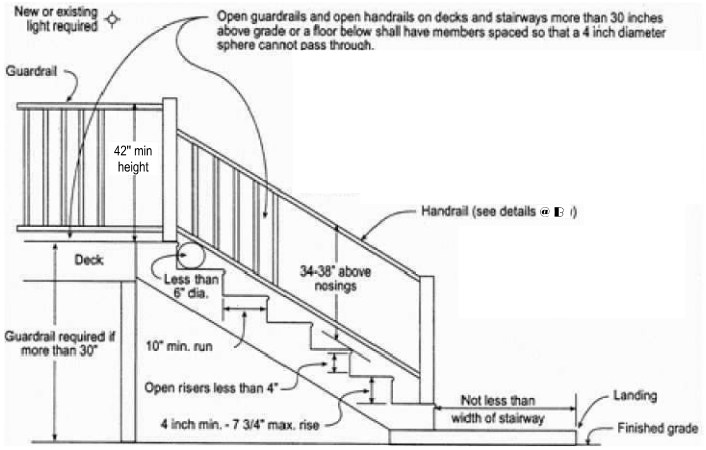
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DETAILS

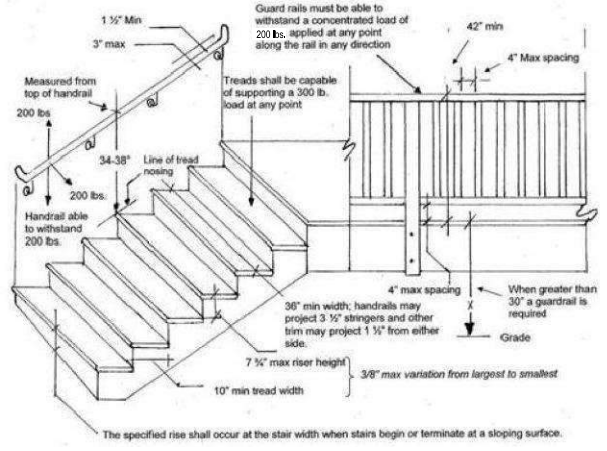
DATE START:	2/22/2021
SCALE:	As Noted
DRAWN BY:	PETER .O
JOB No.:	108569

SHEET

A-6.2



A STAIR DETAILS AND NOTES
NOT TO SCALE



B STAIR DETAILS AND NOTES
NOT TO SCALE

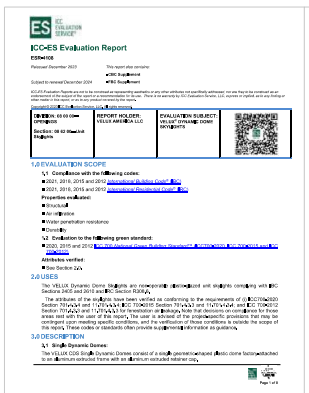
STAIRWAYS NOTES

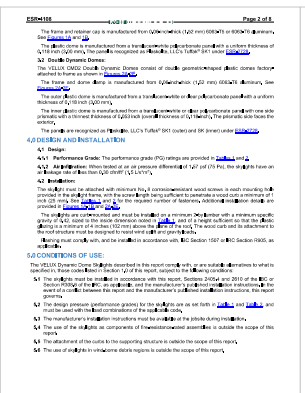
A4. a) 36" Minimum stair width per CRC R311.7.1.
b) Stair tread depth (11" or 10" minimum plus tread nosing) and riser height (7.75" maximum) per CRC R311.7.5.1
c) 36" Minimum landing at the top and bottom of the stairs per CRC R311.7.6.
d) Provide light fixture to illuminate the walking surface of the stairs per CRC R311.7.9.

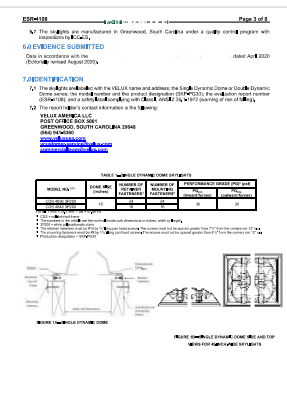
A5. a) Guardrail shall be at the same height as the handrail at the stairs or 42" minimum at the walkway. CRC R312.
b) The spacing of the openings at the guards to be such that a sphere, 4 inch in diameter shall not pass through. CRC R312.1.3.

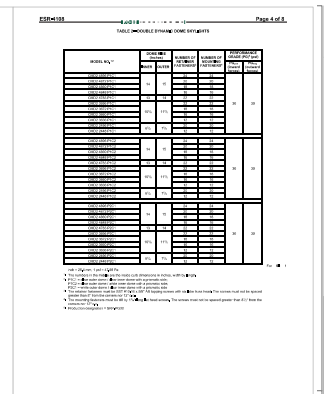
A6. a) Handrails are required to be 34" to 38" above the stair treads. CRC R311.7.8.1.
b) Handrails shall be continuous for the full length of the flight, from a point directly above the top riser to the lowest riser flight. CRC R311.7.8.2.
c) Handrail ends shall be returned or shall terminate in newel posts or safety terminals. CRC R311.7.8.2.
d) Handrails adjacent to a wall shall have a space of not less than 1-1/2" between the wall and the handrails. CRC R311.7.8.2.
e) Handrail shall be graspable per CRC R311.7.8.3.
i) Handrail shall either be circular with an outside diameter of 1-1/4" to 2",
ii) Or with a perimeter greater than 6-1/4 inches with graspable finger recess area on both sides of the profile.
f) Handrail connection shall be designed to withstand a 200-pound load applied in any direction at any point along the top of the rail.

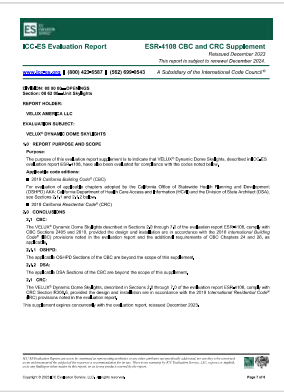
SKYLIGHTS SPECIFICATIONS / INFORMATION

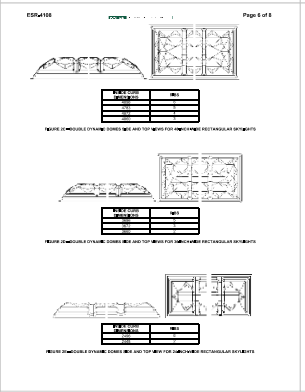

ICC-ES Evaluation Report
ESR-4108
Reissued December 2023
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DIVISION: 08 00 00—OPENINGS
Section: 08 62 00—Unit Skylights
REPORT HOLDER: VELUX AMERICA LLC
EVALUATION SUBJECT: VELUX® DYNAMIC DOME SKYLIGHTS
1.0 EVALUATION SCOPE
1.1 Compliance with the following codes:
2021, 2018, 2015 and 2012 International Building Code® (IBC)
2021, 2018, 2015 and 2012 International Residential Code® (IRC)
Properties evaluated:
Structural
Air infiltration
Water penetration resistance
Durability
1.2 Evaluation to the following green standard:
2020, 2015 and 2012 ICC-700 National Green Building Standard™ (ICC-700) and 2021 IRC Appendix AX
Attributes verified:
See Section 2.0
2.0 USES
The VELUX Dynamic Dome Skylights are deck-mounted, double-glazed unit skylights complying with IBC Sections 2405 and 2610 and IRC Section R308.6.
The attributes of the skylights have been verified as conforming to the requirements of ICC-ES AC286 (2020), IBC Section 2405.5 and IRC Section R308.6.5, and as meeting the IBC Section 2610.1 and IRC Section 308.6.1 and 1.1.1.1.1.1.1 for fenestration air leakage. Note that decisions on compliance for those areas rest with the user of this report. The user is advised of the projects/specific provisions that may be contingent upon meeting specific conditions, and the verification of those conditions is outside the scope of this report. These codes or standards often provide supplemental information as guidance.
3.0 DESCRIPTION
3.1 Single Dynamic Domes:
The VELUX CDS Single Dynamic Domes consist of a single-glazed/curb-mounted plastic dome factory-attached to an aluminum extruded frame with an aluminum extruded retainer ring.
Page 1 of 8

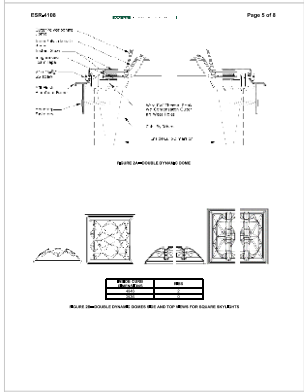

ESR-4108 Page 2 of 8
The frame and retainer ring is manufactured from 0.040-inch-thick (1.02 mm) 6063-T5 or 6063-T6 aluminum. See Table 3 and Figure 1.
The plastic dome is manufactured from a translucent/white plastic/clear/tinted panel with a uniform thickness of 0.118 inch (3.0 mm). The panel is recognized as Rexlite by LLC's Tuffak® (SK1 cooler Tuffak Corp.
3.2 Double Dynamic Domes:
The VELUX DWD/ Double Dynamic Domes consist of double-glazed/curb-mounted plastic domes factory-attached to frame as shown in Figure 2 and Figure 3.
The frame and dome ring is manufactured from 6063-T5 or 6063-T6 aluminum. See Figure 1 and Figure 2.
The outer plastic dome is manufactured from a translucent/white or clear/tinted/colored panel with a uniform thickness of 0.118 inch (3.00 mm).
The inner plastic dome is manufactured from a translucent/white or clear/tinted/colored panel with one side printed/etc with a thinned thickness of 0.059 inch (one-half thickness of 0.118 inch). The prismatic side faces the exterior.
The panels are recognized as Rexlite by LLC's Tuffak® (SK1 (outer) and SK (inner) under Tuffak Corp.
4.0 DESIGN AND INSTALLATION
4.1 Design:
4.1.1 Performance Grade: The performance grade (PG) ratings are provided in Table 1 and 2.
4.1.2 Air Infiltration: When tested at an air pressure differential of 1.57 psf (75 Pa), the skylights have an air leakage rate of less than 0.06 cfm/ft² (.3 L/s/m²).
4.2 Installation:
The skylight must be attached with minimum forty-8 corrosion-resistant wood screws in each mounting hole provided in the skylight frame, with the screw length being sufficient to penetrate a wood curb a minimum of 1 inch (25 mm). See Table 3 and Figure 1, for the required number of fasteners. Additional installation details are provided in Figure 1, Figure 2 and Figure 3.
The skylights are curb-mounted and must be installed on a minimum 2x6 nominal curb with a minimum curb-wall thickness of 1.5 inches (38 mm). The curb must be flashed and sealed to the roof deck and roofing system, allowing a minimum of 4 inches (102 mm) above the plane of the roof. The wood curb and its attachment to the roof structure must be designed to resist wind uplift and gravity loads.
Flashing must comply with, and be installed in accordance with, IBC Section 1507 or IRC Section R905, as applicable.
5.0 CONDITIONS OF USE:
The VELUX Dynamic Dome Skylights described in this report comply with, or are suitable alternatives to what is specified in, those codes listed in Section 1.0 of this report, subject to the following conditions:
5.1 The skylights must be installed in accordance with this report, Sections 2405.4 and 2610 of the IBC or Section R308.6 of the IRC, as applicable, and the manufacturer's published installation instructions. In the event of a conflict between this report and the manufacturer's published installation instructions, this report governs.
5.2 The design pressure (performance graded) for the skylights are as set forth in Table 1 and Table 2, and must be used with the applicable provisions of the applicable code.
5.3 The manufacturer's installation instructions must be available at the jobsite during installation.
5.4 The use of the skylights as components of fire-resistance-rated assemblies is outside the scope of this report.
5.5 The attachment of the curbs to the supporting structure is outside the scope of this report.
5.6 The use of skylights in wind-borne debris regions is outside the scope of this report.


ESR-4108 Page 3 of 8
5.7 The skylights are manufactured in Greenwood, South Carolina under a quality control program with inspections by ICC-ES.
6.0 EVIDENCE SUBMITTED
Data in accordance with the Evaluation Criteria for Unit Skylights, dated July 2020.
7.0 IDENTIFICATION
7.1 The skylights are identified with the VELUX name and address; the Single Dynamic Dome or Double Dynamic Dome name; the model number and the product designation (ESR-4108); the evaluation report number (ESR-4108); and a code-compliant mark with Quick Mark [ ], or VRC warning of risk of fall.
7.2 The report holder's contact information is the following:
VELUX AMERICA LLC
POST OFFICE BOX 5001
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technical.literature@velux.com

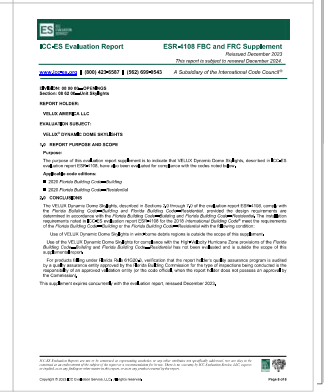

ESR-4108 Page 4 of 8
TABLE 1—DOUBLE DYNAMIC DOME SKYLIGHTS

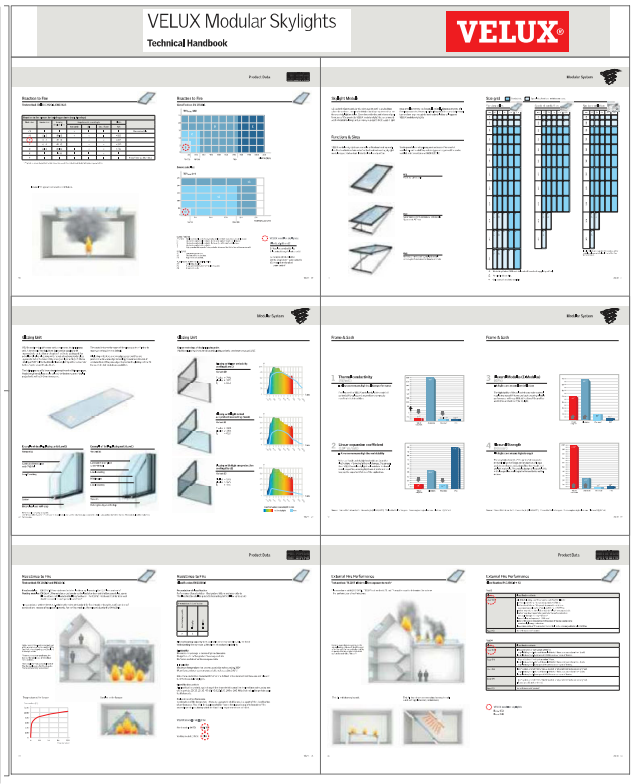

ESR-4108 Page 5 of 8
FIGURE 2—DOUBLE DYNAMIC DOMES


ESR-4108 Page 6 of 8
FIGURE 2—DOUBLE DYNAMIC DOMES (SQUARE AND TOP VIEWS FOR SQUARE AND RECTANGULAR SKYLIGHTS)


FIGURE 2—DOUBLE DYNAMIC DOMES (SQUARE AND TOP VIEWS FOR SQUARE SKYLIGHTS)

ICC-ES Evaluation Report ESR-4108 CBC and CRC Supplement
Reissued December 2022
This report is subject to renewal December 2024.
www.icc-es.org | (800) 423-6587 | (562) 699-0543 A Subsidiary of the International Code Council®
DIVISION: 08 00 00—OPENINGS
Section: 08 62 00—Unit Skylights
REPORT HOLDER:
VELUX AMERICA LLC
EVALUATION SUBJECT:
VELUX® DYNAMIC DOME SKYLIGHTS
2.0 REPORT PURPOSE AND SCOPE
Purpose:
The purpose of this evaluation report supplement is to indicate that VELUX® Dynamic Dome Skylights, described in ICC-ES evaluation report ESR-4108, have been evaluated for compliance with the codes noted below.
Applicable code editions:
2019 California Building Code® (CBC)
For applications of skylights adopted by the California Office of Statewide Health Planning and Development (OSHPD), see Section 2.0 of the corresponding OSHPD Sections of the CBC.
2019 California Residential Code® (CRC)
3.0 CONCLUSIONS
3.1 CBC:
The VELUX® Dynamic Dome Skylights described in Sections 2.0 through 7.0 of the evaluation report ESR-4108, comply with CBC Sections 2405 and 2610, provided the design and installation are in accordance with the 2018 International Building Code® (IBC) provisions noted in the evaluation report and the additional requirements of CBC Chapters 24 and 26, as applicable.
3.1 OSHPD:
The applicable OSHPD Sections of the CBC are beyond the scope of this supplement.
3.2 DSA:
The applicable DSA Sections of the CBC are beyond the scope of this supplement.
3.3 CRC:
The VELUX® Dynamic Dome Skylights described in Sections 2.0 through 7.0 of the evaluation report ESR-4108, comply with CRC Section 308.6, provided the design and installation are in accordance with the 2018 International Residential Code® (IRC) provisions noted in the evaluation report.
This supplement expires concurrently with the evaluation report, reissued December 2022.
Page 1 of 2


ICC-ES Evaluation Report ESR-4108 FBC and FRC Supplement
Reissued December 2023
This report is subject to renewal December 2024.
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DIVISION: 08 00 00—OPENINGS
Section: 08 62 00—Unit Skylights
REPORT HOLDER:
VELUX AMERICA LLC
EVALUATION SUBJECT:
VELUX® DYNAMIC DOME SKYLIGHTS
2.0 REPORT PURPOSE AND SCOPE
Purpose:
The purpose of this evaluation report supplement is to indicate that VELUX® Dynamic Dome Skylights, described in ESR-4108 and re-issued report ESR-4108, have been evaluated for compliance with the codes noted below.
Applicable code editions:
2020 Florida Building Code—Building
2020 Florida Building Code—Residential
3.0 CONCLUSIONS
The VELUX® Dynamic Dome Skylights, described in Sections 2.0 through 7.0 of the evaluation report ESR-4108, comply with the Florida Building Code—Building and Florida Building Code—Residential, provided the design requirements are determined in accordance with the Florida Building Code—Building and Florida Building Code—Residential. The installation requirements are as noted in ESR-4108 and the applicable sections of the Florida Building Code—Building or the Florida Building Code—Residential with the following condition:
Use of VELUX® Dynamic Dome Skylights in wind-borne debris regions is outside the scope of this supplement.
Use of the VELUX® Dynamic Dome Skylights for compliance with the High-Velocity Hurricane Zone provisions of the Florida Building Code—Building and Florida Building Code—Residential has not been evaluated and is outside the scope of this supplement.
For products falling under Florida Rule 61G20-3, verification that the report holder's quality assurance program is audited by a qualified third-party entity approved by the Florida Building Commission for the type of inspections being conducted is the responsibility of an approved validation entity (or the code official) when the report holder does not possess an approved quality assurance program.
This supplement expires concurrently with the evaluation report, reissued December 2023.
Page 1 of 2



REVISIONS

[5-4],[6-14],[6-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[8-21]- 2023	P.O
[2-3],[2-7],[10-3],[10-24]- 2024	P.O
2-4-2025	P.O
2-11-2025	P.O
7-3-2026	P.O

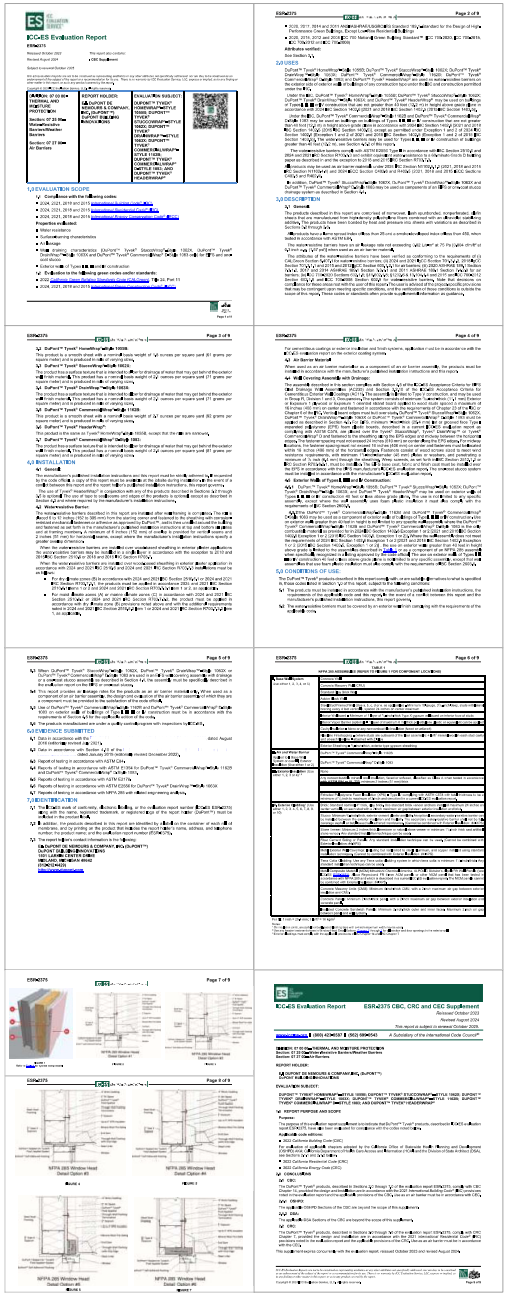
Lehman Residence
28809 Bonifacio Drive,
Malibu, CA 90265

BARSOCCHINI & ASSOCIATES DESIGNS
3502 COAST VIEW DRIVE - MALIBU CA 90265
P 310-453-8625 - F 310 457-7175 - REM@BARSOCCHINI.COM

DETAILS

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER .O
JOB No.: 108569
SHEET
A-6.3

WATERRESISTIVE BARRIER SPECIFICATIONS



RESIDENTIAL LANDINGS & THRESHOLDS
2016 CALIFORNIA RESIDENTIAL CODE
SECTIONS R311.3 & R311.7.6

The following is a list of the general requirements for residential landings and thresholds based on the 2016 California Residential Code. This handout is intended to provide only general information, contact the Building and Safety Division for any questions or additional information.

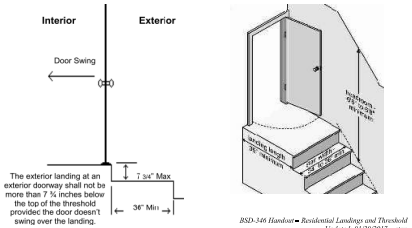
R311.3 Floors and landings at exterior doors. There shall be a landing or floor on each side of each exterior door. The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension of 36 inches measured in the direction of travel. Exterior landings shall be permitted to have a slope not to exceed ¼ unit vertical in 12 units horizontal (2-percent).

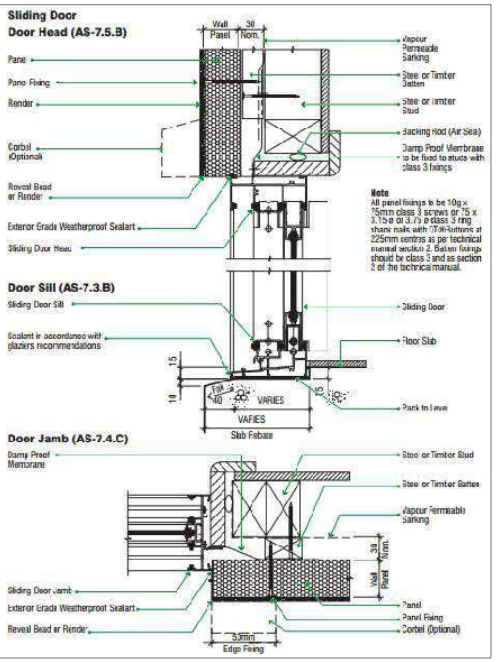
R311.3.1 Floor elevations at required egress doors. Landings or floors at the required egress doors shall not be more than 1 ½ inches lower than the top of the threshold.
Exception: The exterior landing or floor shall not be more than 7 ¾" inches below the top of the threshold provided the door does not swing over the landing or floor.

R311.7.6 Landings for stairways. There shall be a floor or landing at the top and bottom of each stairway. The minimum width perpendicular to the direction of travel shall not be less than the width of the flight served.

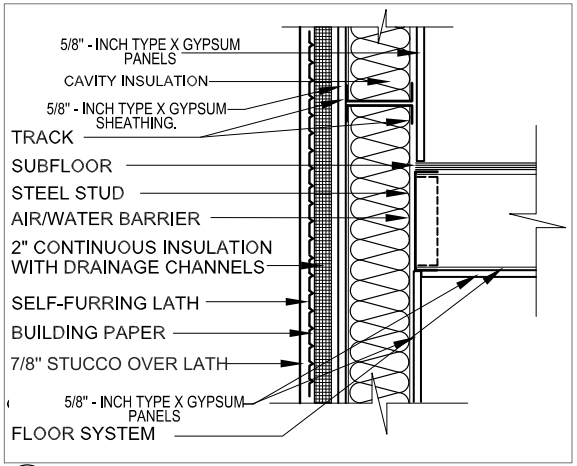
Where the stairway has a straight run, the minimum depth in the direction of travel shall be not less than 36 inches.

Exception: A floor or landing is not required at the top of an interior flight of stairs, including stairs in an enclosed garage, provided a door does not swing over the stairs.

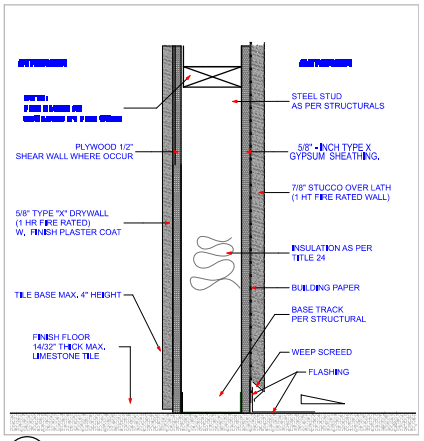




EGRESS NOTES AND DETAILS
NOT TO SCALE



WALL DETAIL
NOT TO SCALE



1 HOUR FIRE RATED WALL
NOT TO SCALE

REVISIONS

[5-4],[6-14],[6-17],[7-13],[8-19],[10-17],[10-18]	P.O
[7-17],[7-28],[9-21]- 2023	P.O
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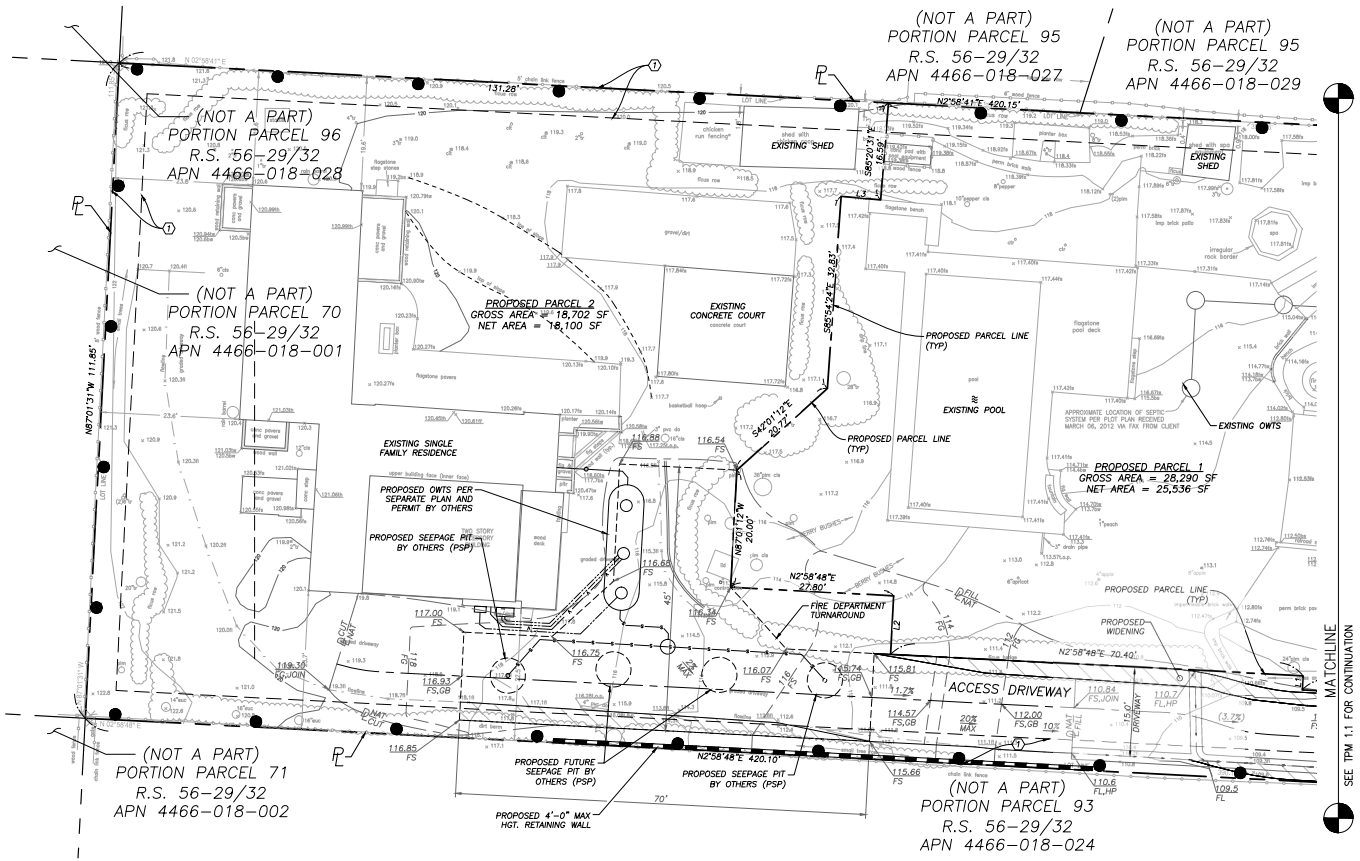
DETAILS

DATE START: 2/22/2021
SCALE: As Noted
DRAWN BY: PETER .O
JOB No.: 108569
SHEET
A-6.4

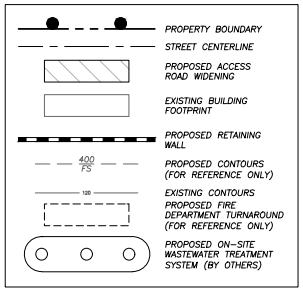
MINOR LAND DIVISION

TENTATIVE PARCEL MAP NO. 84368

IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES



LEGEND:



NOTES:

1. ALL SURVEY INFORMATION PROVIDED HEREON IS BASED ON A 'TOPOGRAPHY SURVEY' PREPARED BY DANIELSON SURVEYING, DATED JULY 20, 2021.
2. ALL FIRE ACCESS AND PROPOSED GRADING & DRAINAGE IMPROVEMENTS SHOWN ON THIS MAP ARE PROVIDED FOR REFERENCE ONLY. REFER TO THE LATEST VERSIONS OF THE 'FIRE ACCESS EXHIBIT' AND 'GRADING AND DRAINAGE PLANS' PREPARED BY OUR OFFICE. THESE PLANS ARE NOT CONSIDERED FINAL WITHOUT STAMPS AND SIGNATURES FROM OUR OFFICE, ALONG WITH THE CORRESPONDING APPROVALS FROM THE CITY OF MALIBU AND OTHER AGENCIES HAVING JURISDICTION.
3. ALL EXISTING STRUCTURES ARE PROPOSED TO REMAIN.
4. FINAL MONUMENTS WILL BE SET PRIOR TO FILING WITH THE COUNTY RECORDER OF THE FINAL MAP.
5. ALL EXISTING TREES ARE PROPOSED TO REMAIN, EXCEPT THOSE WHICH MUST BE REMOVED TO SATISFY FIRE DEPARTMENT ACCESS REQUIREMENTS.
6. WATER IS PROVIDED TO THE SITE BY LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29.

LAND USE DATA:

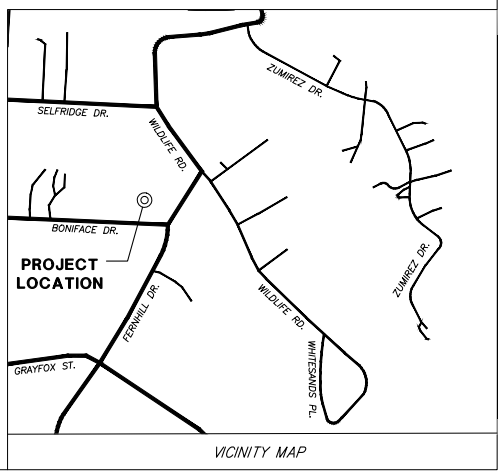
LOT AREA:		
	GROSS AREA:	46,992 SF / 1.08 AC
	NET AREA:	43,636 SF* / 1.00 AC*
	*NET AREA IS GROSS LESS PUBLIC ACCESS EASEMENT	
A.P.N. #		4466-018-025
ZONING:		
	EXISTING:	RR1 (RURAL RESIDENTIAL – 1 DU.ACRE)
	PROPOSED:	NO PROPOSED ZONE CHANGE
SITE ADDRESS:		28809 BONIFACE DRIVE MALIBU, CA 90265

PROPOSED PARCEL DATA:

PARCEL	PARCEL AREA (GROSS)	PARCEL AREA (NET*)	% OF TOTAL**
1	28,290 SF	25,536 SF	58.5%
2	18,702 SF	18,100 SF	41.5%
TOTAL	46,992 SF	43,636 SF	100%

*NET AREA IS GROSS AREA LESS PUBLIC ACCESS EASEMENT
**% OF TOTAL IS BASED ON NET AREA

LINE TABLE		
LINE	LENGTH	BEARING
L2	10.00'	S87°01'11.50"E
L1	2.40'	N87°01'11.50"W
L3	6.75'	N5°00'52.42"E



VICINITY MAP

PROJECT INFORMATION:

OWNER	DONALD R. LEHMAN AND MARIE CHRISTINE LEHMAN FAMILY REVOCABLE TRUST 28809 BONIFACE DRIVE MALIBU, CA 90265 (310) 866-1645
CIVIL ENGINEER	LC ENGINEERING GROUP, INC. 889 PIERCE COURT SUITE 101 THOUSAND OAKS, CA. 91360 (805) 497-1244 (818) 991-7148
SURVEYOR	MARK DANIELSON, PLS 7882 DANIELSON SURVEYING 25000 AVENUE STANFORD, STE. 141 (661) 904-7039

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

LEGAL DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
A PARCEL OF LAND BEING A PORTION OF THE RANCHO TOPANGA MALIBU SEQUIT, IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1, PAGE 407, ET SEQ., OF PATENS, RECORDS OF SAID COUNTY, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF PRIVATE ROAD EASEMENT NO. 3 AS DESCRIBED IN THE DECLARATION OF EASEMENTS FILED FOR RECORD DECEMBER 11, 1945 IN BOOK 22185, PAGE 400 OF OFFICIAL RECORDS OF SAID COUNTY, SAID POINT OF BEGINNING BEING SOUTH 87°00' 00" EAST 1024.41 FEET FROM THE NORTHWESTERLY EXTREMITY OF THAT CERTAIN CENTERLINES COURSE DESCRIBED IN SAID EASEMENT NO. 3 AS SOUTH 87°00' 00" EAST 1260.00 FEET; THENCE FOLLOWING SAID CENTERLINE SOUTH 87°00' 00" EAST 112.00 FEET; THENCE NORTH 30°00' 00" EAST 420.01 FEET; THENCE NORTH 87°00' 00" WEST 112.00 FEET; THENCE SOUTH 30°00' 00" WEST 420.01 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LAND IS ALSO KNOWN AS PARCEL 94 ON A RECORD OF SURVEY FILED IN BOOK 56, PAGES 29 TO 32, RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL MINERALS, OIL, PETROLEUM, ASPHALT, GAS, COAL, OTHER HYDROCARBON SUBSTANCES AND WATER CONTAINED IN, ON, WITHIN AND UNDER SAID LAND BUT WITHOUT ANY RIGHT OF SURFACE ENTRY, AS RESERVED BY MARBLEHEAD LAND COMPANY IN BOOK 24224, PAGE 351 OF OFFICIAL RECORDS.

BENCHMARK:

NO. Y-11386 (L.A. COUNTY PUBLIC WORKS)
(SURVEY SECTION | MALIBU QUAD)
ELEVATION 189.381, 2008 ADJUSTMENT
DATUM: NAVD 1988
DPW BM TAG IN W CB 600MM(2') N/O BCR @ NW COR PACIFIC COAST HWY & CAVALLERI RD

EXISTING EASEMENT LEGEND:

① 5' WIDE EASEMENT FOR POLE LINES, POWER LINE, CABLES, CONDUITS, SEWERS AND POLES PER BOOK 24224, PAGE 351, O.R.

PROPOSED EASEMENT LEGEND:

① PROPOSED ACCESS IN FAVOR OF PARCEL 2
② PROPOSED ACCESS IN FAVOR OF PARCEL 1

LC ENGINEERING GROUP, INC.
CONSULTING ENGINEERS
CIVIL • STRUCTURAL • GEOTECHNICAL
889 Pierce Court, Suite 101, Thousand Oaks, California 91360
818-991-7148 • 805-497-1244 • lcengroup@lcengroup.com

FOR PLAN CHECK ONLY
THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.

REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

TENTATIVE PARCEL MAP

DATE:	1/13/2022
SCALE:	1"=10'
DRAWN:	ED
JOB NO:	8181
SHEET	

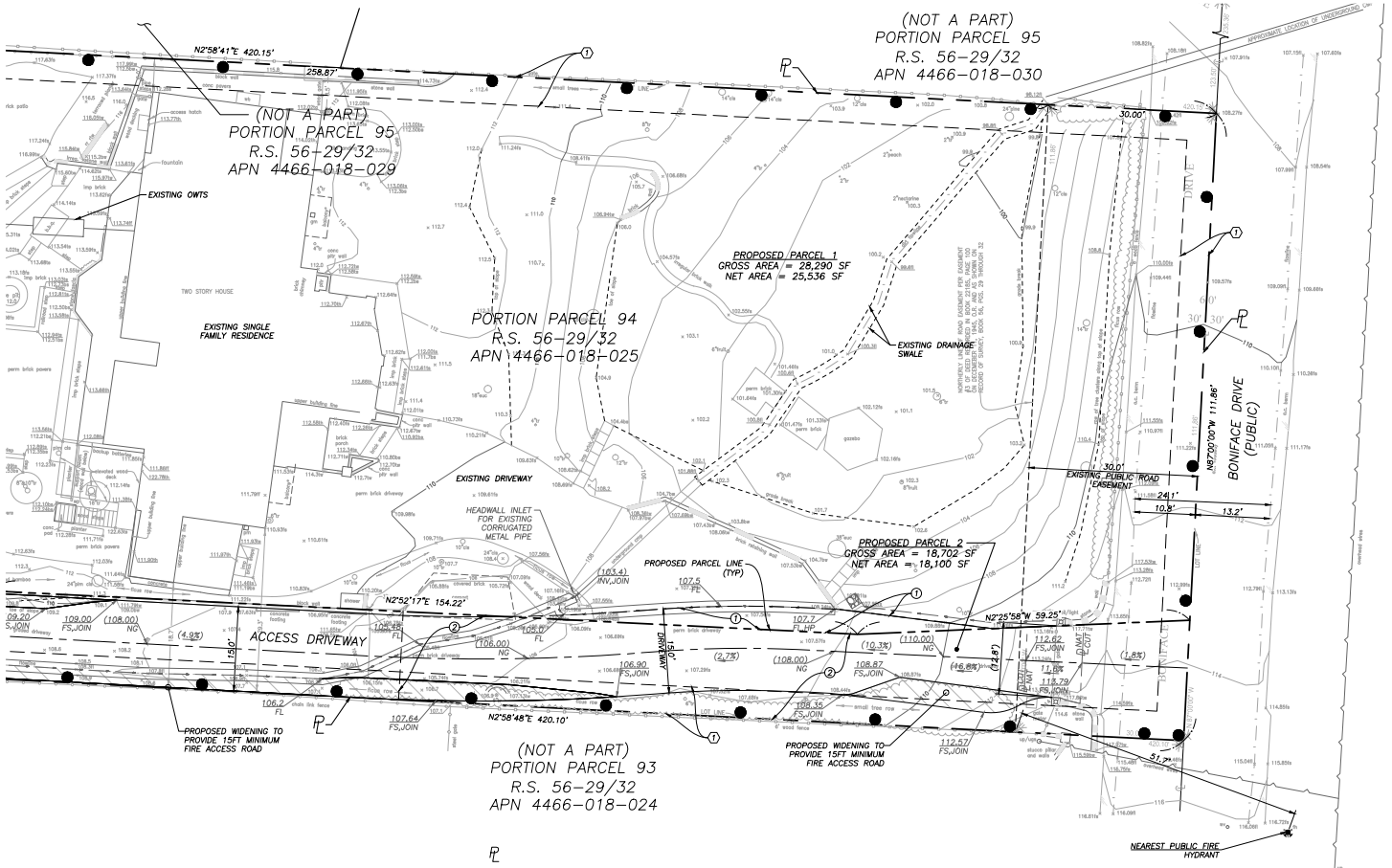
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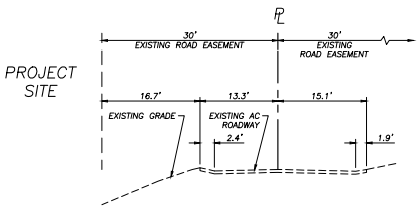
Jan 13, 2026, 3:53pm Patrick Kaufman
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MINOR LAND DIVISION

TENTATIVE PARCEL MAP NO. 84368

IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES





BONIFACE DRIVE STREET SECTION

1"=10'

SCALE: 1"=10'

10' 5' 0' 10' 20'

LEGEND:

- PROPERTY BOUNDARY
- STREET CENTERLINE
- PROPOSED ACCESS ROAD WIDENING
- EXISTING BUILDING FOOTPRINT
- PROPOSED RETAINING WALL
- PROPOSED CONTOURS (FOR REFERENCE ONLY)
- EXISTING CONTOURS
- PROPOSED FIRE DEPARTMENT TURNAROUND (FOR REFERENCE ONLY)
- PROPOSED ON-SITE WASTEWATER TREATMENT SYSTEM (BY OTHERS)

EXISTING EASEMENT LEGEND:

① 5' WIDE EASEMENT FOR POLE LINES, POWER LINE, CABLES, CONDUITS, SEWERS AND POLES PER BOOK 24224, PAGE 351, O.R.

PROPOSED EASEMENT LEGEND:

① PROPOSED ACCESS IN FAVOR OF PARCEL 2

② PROPOSED FIRE LANE AND ACCESS IN FAVOR OF PARCEL 1

LINE TABLE		
LINE	LENGTH	BEARING
L2	10.00'	S87°01'11.50"E
L1	2.40'	N87°01'11.50"W
L3	6.75'	N5°00'52.42"E

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6. WATER IS PROVIDED TO THE SITE BY LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29.

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889 Ponce Court, Suite 110, Thousand Oaks, California 91360
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FOR PLAN CHECK ONLY

THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.

REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE

28809 BONIFACE DRIVE
MALIBU, CA 90265

TENTATIVE PARCEL MAP

DATE:	1/13/2022
SCALE:	1"=10'
DRAWN:	ED
JOB NO:	8181
SHEET	

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Jan 13, 2026, 3:52pm Patrick Kaufman

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CITY OF MALIBU GRADING NOTES

1. ANY MODIFICATIONS OF OR CHANGES IN APPROVED GRADING PLANS MUST BE APPROVED BY THE BUILDING OFFICIAL.
2. A COPY OF THE GRADING PERMIT AND APPROVED GRADING PLAN MUST BE IN THE POSSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE.
3. ENGINEER MUST SET GRADE STAKES FOR ALL DRAINAGE DEVICES AND OBTAIN INSPECTION APPROVAL BEFORE POURING.
4. PROVISIONS WILL BE MADE FOR CONTRIBUTORY DRAINAGE AT ALL TIMES,
5. SECURE PERMISSION FROM CITY ENGINEER, EASEMENT GRANTEE, STATE HIGHWAY DEPARTMENT, AND/OR HOMEOWNERS ASSOCIATION FOR CONSTRUCTION, GRADING, AND/OR DISCHARGE OF DRAINAGE WITHIN STREET RIGHT–OF–WAY.
6. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE GRADING INSPECTOR. A PRE–GRADING MEETING ON THE SITE IS REQUIRED BEFORE START OF GRADING WITH THE FOLLOWING PEOPLE PRESENT: OWNER, GRADING CONTRACTOR, DESIGN CIVIL ENGINEER, SOIL ENGINEER, GEOLOGIST, GRADING INSPECTOR, AND, WHEN REQUIRED, THE ARCHAEOLOGIST AND PALEONTOLOGIST. THE REQUIRED INSPECTIONS FOR GRADING WILL BE EXPLAINED AT THIS MEETING.
7. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN 3' HORIZONTAL TO 1' VERTICAL (3:1), EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE.
8. AREAS TO RECEIVE FILL SHALL BE PROPERLY PREPARED AND APPROVED, IN WRITING, BY THE SOIL ENGINEER AND THE BUILDING OFFICIAL PRIOR TO PLACING FILL.
9. FILL SHALL BE BENCHED INTO COMPETENT MATERIAL PER CITY OF MALIBU STANDARD OR SOIL ENGINEER'S DIRECTION.
10. ALL EXISTING FILLS SHALL BE APPROVED BY THE BUILDING OFFICIAL OR REMOVED PRIOR TO PLACING ADDITIONAL FILLS.
11. ANY EXISTING IRRIGATION LINES AND CISTERNS SHALL BE REMOVED OR CRUSHED, IN PLACE, AND APPROVED BY THE BUILDING OFFICIAL AND SOIL ENGINEER.
12. STOCKPILING OF EXCESS MATERIAL SHALL BE APPROVED BY THE BUILDING OFFICIAL PRIOR TO EXCAVATION.
13. THE DESIGN ENGINEER, AS A CONDITION OF ROUGH GRADE APPROVAL, SHALL PROVIDE A BLUE TOP WITH ACCOMPANYING WITNESS STAKE, SET AT THE CENTER OF EACH PAD REFLECTING THE PAD ELEVATION FOR PRECISE PERMITS AND A BLUE TOP WITH WITNESS STAKE SET AT THE DRAINAGE SWALE HIGH POINT REFLECTING THE HIGH POINT ELEVATION FOR PRELIMINARY PERMITS.
14. ALL TRENCH BACKFILLS SHALL BE TESTED AND APPROVED BY THE SOILS ENGINEER.
15. SUBDRAIN OUTLETS SHALL BE COMPETED AT THE BEGINNING OF THE SUBDRAIN CONSTRUCTION AND SURVEY FOR LOCATION. THE AS GRADED PLAN SHALL SHOW ALL SUBDRAIN LOCATIONS AND ELEVATIONS.
16. SUBDRAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBDRAIN CONSTRUCTION.
17. THE EXACT LOCATION OF THE SUBDRAINS SHALL BE SURVEYED IN THE FIELD FOR LINE/GRADE AND REFLECTED ON AS–GRADED PLANS. CONTINUOUS INSPECTION BY THE SOILS ENGINEER OR HIS RESPONSIBLE REPRESENTATIVE SHALL BE PROVIDED DURING ALL SUBDRAIN INSTALLATIONS OR WHEREVER DETERMINED TO BE NECESSARY BY THE BUILDING OFFICIAL.
18. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH DURING AND AFTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY SLOPE STABILITY PROBLEM EXISTS. SHOULD EXCAVATION DISCLOSE ANY GEOLOGICAL HAZARDS OR POTENTIAL GEOLOGICAL HAZARDS, THE ENGINEERING GEOLOGIST SHALL SUBMIT RECOMMENDED REMEDIATION TO THE BUILDING OFFICIAL FOR APPROVAL.
19. WHERE SUPPORT OR BUTTRESSING OF CUT AND NATURAL SLOPES IS DETERMINED TO BE NECESSARY BY THE ENGINEERING GEOLOGIST AND SOILS ENGINEER, THE SOILS ENGINEER SHALL SUBMIT DESIGN, LOCATIONS, AND CALCULATIONS TO THE BUILDING OFFICIAL PRIOR TO CONSTRUCTION. THE ENGINEERING GEOLOGIST AND SOILS ENGINEER SHALL INSPECT AND CONTROL THE CONSTRUCTION OF THE BUTTRESSING AND CERTIFY TO THE STABILITY OF THE SLOPE AND ADJACENT STRUCTURES UPON COMPLETION.
20. WHEN CUT PADS ARE BROUGHT TO NEAR GRADE, THE ENGINEERING GEOLOGIST SHALL DETERMINE IF THE BEDROCK IS EXTENSIVELY FRACTURED OR FAULTED AND WILL READILY TRANSMIT WATER. IF CONSIDERED NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, A COMPACTED FILL BLANKET WILL BE PLACED.
21. THE ENGINEERING GEOLOGIST SHALL PERFORM PERIODIC INSPECTIONS AND SUBMIT A COMPLETE REPORT AND MAP UPON COMPLETION OF THE ROUGH GRADING.
22. THE COMPACTION REPORT AND APPROVAL FROM THE SOILS ENGINEER SHALL INDICATE THE TYPE OF FIELD TESTING PERFORMED. EACH TEST SHALL BE IDENTIFIED WITH THE METHOD OF OBTAINING THE IN–PLACE DENSITY, WHETHER SAND CONE OR NUCLEAR GAUGE, AND SHALL BE SO NOTED FOR EACH TEST.
23. THE GRADING CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT VERIFYING THAT THE WORK DONE UNDER HIS DIRECTION WAS PERFORMED IN ACCORDANCE WITH THE APPROVED PLANS AND REQUIREMENTS OF CHAPTER 33 OF THE MALIBU BUILDING CODE OR DESCRIBING ALL VARIANCES FROM THE APPROVED PLANS AND REQUIREMENTS OF THE CODE. [3318.1]
24. THE DESIGN ENGINEER VERIFIES THAT THIS GRADING PLAN WAS PREPARED UNDER MY SUPERVISION IN ACCORDANCE WITH SECTION 3318.1 OF THE MALIBU BUILDING CODE. ALL SOILS ENGINEER AND ENGINEERING GEOLOGY RECOMMENDATIONS WERE INCORPORATED IN THE PLAN. (MUST BE SIGNED AND DATED BY THE DESIGN ENGINEER.)
25. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH INSPECTION REPORTS TO BE SUBMITTED TO THE BUILDING DEPARTMENT.
26. EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE SHOWN CLEARLY ON APPROVED PLANS.
27. SLOPES SHALL BE PLANTED WITH AN APPROVED PLANT MATERIAL AND PROVIDED WITH AN APPROVED IRRIGATION SYSTEM, UNLESS AN ALTERNATIVE HAS BEEN APPROVED BY THE CITY BIOLOGIST.
28. THE ENGINEER SHALL SUBMIT A LETTER OF CERTIFICATION TO THE BUILDING OFFICIAL STATING THAT THE GRADING WAS DONE IN COMPLIANCE WITH THE APPROVED GRADING PLAN.
29. PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS, AS APPROVED BY THE CITY OF MALIBU, ARE CONSIDERED A PART OF THE APPROVED GRADING PLAN. ALL RECOMMENDATIONS CONTAINED ARE TO BE COMPLIED WITH, OR REVISIONS SUBMITTED FOR REVIEW.
30. ALL EXISTING DRAINAGE COURSES THROUGH THIS SITE SHALL REMAIN OPEN UNTIL FACILITIES TO HANDLE STORM WATER ARE APPROVED AND FUNCTIONAL; HOWEVER, IN ANY CASE, THE PERMITEE SHALL BE HELD LIABLE FOR ANY DAMAGE DUE TO OBSTRUCTING NATURAL DRAINAGE PATTERNS.
31. GRADING OPERATIONS, INCLUDING MAINTENANCE OF EQUIPMENT, SHALL BE ACCOMPLISHED WITHIN THE CONFINES OF THE NOISE ORDINANCE AND POLICIES OF THE CITY OF MALIBU.
32. ROOF GUTTERS SHALL BE INSTALLED TO PREVENT ROOF DRAINAGE FROM FALLING ON MANUFACTURED SLOPES. GUTTERS SHALL BE CONNECTED TO NON–EROSIVE PIPING OR ANOTHER METHOD ACCEPTABLE TO THE BUILDING OFFICIAL.
33. ANY EXCAVATIONS ADJACENT TO OTHER PROPERTY OR STRUCTURES ARE SUBJECT TO THE PROVISIONS OF CALIFORNIA CIVIL CODE, SECTION 832, AND IS THE RESPONSIBILITY OF THE PERMITTEE AND/OR THE OWNER.

PLANTING AND IRRIGATION NOTES

34. ALL CUT AND FILL SLOPES WILL BE PLANTED WITH AN APPROVED GROUND COVER AND PROVIDED WITH AN IRRIGATION SYSTEM AS SOON AS IS PRACTICAL DURING GRADING. IN ADDITION TO THE GROUND COVER PLANTS SHALL BE INSTALLED ON ALL SLOPES. ALL PLANTING SHALL BE OF A TYPE APPROVED BY THE CITY BIOLOGIST.
35. THE PLANS FOR A DESIGNED IRRIGATION SYSTEM FOR FULL COVERAGE OF ALL PORTIONS OF THE SLOPES SHALL BE SUBMITTED AND APPROVED PRIOR TO ROUGH GRADING APPROVAL BY THE CITY BIOLOGIST.
36. PLANTING AND IRRIGATION PLANS FOR SLOPES MUST BE PREPARED AND SIGNED BY A CIVIL ENGINEER OR LANDSCAPE ARCHITECT.
37. FINISH GRADING WILL BE COMPLETED AND APPROVED AND SLOPE PLANTING IRRIGATION SYSTEMS INSTALLED BEFORE OCCUPANCY OF BUILDINGS.

FILL NOTES

38. THE PERMITTEE OR HIS AGENT SHALL NOTIFY THE BUILDING OFFICIAL 24 HOURS BEFORE THE GRADING OPERATION IS READY FOR EACH OF THE FOLLOWING INSPECTIONS. (THE PERMITTEE NEED NOT WAIT FOR THE INSPECTOR TO ARRIVE BEFORE PROCEEDING WITH THE WORK).
39. FILL SHALL BE COMPACTED (AS DETERMINED BY A.S.T.M. SOIL COMPACTION TEST D1557–LATEST VERSION) THROUGHOUT THEIR FULL EXTENT TO [3313.4]:
   A. A MINIMUM RELATIVE COMPACTION OF 90% OF MAXIMUM DRY DENSITY WITHIN 40 FT. BELOW FINISH GRAD, AND
   B. 93% OF MAXIMUM DRY DENSITY DEEPER THAN 40 FT. BELOW FINISH GRADE
40. FIELD DENSITY SHALL BE DETERMINED BY SAND–CONE METHOD, A.S.T.M. D1557–LATEST VERSION. IN FINE–GRAINED COHESIVE SOILS FIELD DENSITY SHALL BE DETERMINED BY THE DRIVE–CYLINDER METHOD, A.S.T.M. D–2937–LATEST VERSION, PROVIDED NOT LESS THAN 20% OF THE REQUIRED DENSITY SHALL BE SHOWN IN THE COMPACTION REPORT. OTHER METHODS MAY BE USED IF RECOMMENDED BY THE SOILS ENGINEER AND APPROVED IN ADVANCE BY THE BUILDING OFFICIAL. [33132.4]
41. SUFFICIENT TESTS OF SOIL PROPERTIES, INCLUDING SOIL TYPES AND SHEAR STRENGTH, SHALL BE MADE DURING GRADING OPERATIONS TO VERIFY COMPLIANCE WITH DESIGN CRITERIA. THE RESULTS OF SUCH TESTING SHALL BE FURNISHED TO THE BUILDING OFFICIAL UPON COMPLETION OF GRADING OPERATIONS, OR WHEN NECESSITATED BY FIELD CONDITIONS UPON REQUEST OF THE BUILDING OFFICIAL. [331.8] ONE FIELD DENSITY TEST TO BE MADE AS FOLLOWS:
   a. ONE TEST FOR EACH TWO FOOT VERTICAL LIFT.
   b. ONE TEST FOR EACH 1,000 CUBIC YARDS OF MATERIAL PLACED.
   c. ONE TEST WILL BE MADE AT POINT APPROXIMATELY ONE FOOT BELOW THE FILL SLOPE SURFACE ON THE BASIS OF ONE TEST FOR EACH 1,000 SQUARE FEET OF SLOPE SURFACE BUT NOT LESS THAN ONE TEST FOR EACH 10 FOOT OF VERTICAL SLOPE HEIGHT.
42. NO FILL SHALL BE PLACED UNTIL STRIPPING OF VEGETATION, REMOVAL OF UNSUITABLE SOILS, AND INSTALLATION OF SUBDRAINS (IF ANY) HAVE BEEN INSPECTED AND APPROVED BY SOILS ENGINEER.
43. NO ROCK OR SIMILAR MATERIAL GREATER THAN 12" IN DIAMETER WILL BE PLACED IN THE FILL UNLESS RECOMMENDATIONS FOR SUCH PLACEMENT HAVE BEEN SUBMITTED BY THE SOILS ENGINEER AND APPROVED, IN ADVANCE, BY THE BUILDING OFFICIAL.
44. CONTINUOUS INSPECTION BY THE SOILS ENGINEER OR HIS RESPONSIBLE REPRESENTATIVE SHALL BE PROVIDED DURING ALL SUBDRAIN INSTALLATIONS OR WHEREVER DETERMINED TO BE NECESSARY BY THE BUILDING OFFICIAL.
45. ORIGINAL OF ALL REPORTS SHALL BE PROVIDED TO THE BUILDING OFFICIAL FOR ALL COMPACTED FILLS.
46. ALL CONCRETE PLACED ON GRADE SHALL BE COLORED TO MATCH NATURAL CONDITIONS ADJACENT TO THE STRUCTURES. SURFACE PAINT IS NOT ACCEPTABLE. ALL COLORS ARE TO BE INCORPORATED INTO THE MIX AND BLENDED UNIFORMLY.
47. FILL PLACED OVER EXISTING TERRAIN 5:1 AND STEEPER THAN 3' HORIZONTAL TO 1' VERTICAL (3:1) EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE.
48. FILL SHALL BE COMPACTED THROUGHOUT TO A MINIMUM OF 90% RELATIVE COMPACTION, AGGREGATE BASE FOR ASPHALTIC AREAS SHALL BE COMPACTED TO A MINIMUM OF 95% RELATIVE COMPACTION, TEST D1557–91T OR APPROVED EQUIVALENT. ORIGINALS OF ALL REPORTS SHALL BE PROVIDED TO THE BUILDING OFFICIAL.

GRADING INSPECTION REQUIREMENTS

49. THE PERMITTEE OR HIS AGENT SHALL NOTIFY THE BUILDING OFFICIAL 24 HOURS BEFORE THE GRADING OPERATION IS READY FOR EACH OF THE INSPECTIONS. (THE PERMITTEE NEED NOT WAIT FOR THE INSPECTOR TO ARRIVE BEFORE PROCEEDING WITH WORK).
   a. INITIAL INSPECTION: WHEN THE SITE HAS BEEN CLEARED OF VEGETATION AND UNAPPROVED FILL AND IT HAS BEEN SCARIFIED, BENCHED OR OTHERWISE PREPARED FOR FILL. NO FILL SHALL HAVE BEEN PLACED PRIOR TO INSPECTION.
   b. TOE INSPECTION: AFTER THE NATURAL GROUND IS EXPOSED AND PREPARED TO RECEIVE FILL AND BEFORE ANY FILL IS PLACED.
   c. EXCAVATION INSPECTION: AFTER THE EXCAVATION IS STARTED AND BEFORE THE DEPTH OF EXCAVATION EXCEEDS 10 FEET.
   d. ROUGH INSPECTION: WHEN APPROXIMATE FINAL ELEVATIONS HAVE BEEN ESTABLISHED; DRAINAGE TERRACE, SWALES AND OTHER DRAINAGE DEVICES NECESSARY FOR THE PROTECTION OF THE BUILDING FROM FLOODING ARE INSTALLED; BERMS INSTALLED AT THE TOP OF SLOPES; SUBMIT THE REQUIRED "ROUGH GRADING RECORDS". FOUNDATIONS SHALL NOT BE EXCAVATED UNTIL THE BUILDING OFFICIAL HAS APPROVED ROUGH GRADING.
   e. FINAL INSPECTION: WHEN GRADING HAS BEEN COMPLETED, ALL DRAINAGE DEVICES NECESSARY TO DRAIN THE BUILDING PAD ARE INSTALLED, SLOPE PLANTING ESTABLISHED AND ALL IRRIGATION SYSTEM INSTALLED. SUBMIT THE REQUIRED "AS–BUILT GRADING PLAN" AND "NOTIFICATION OF COMPLETION".
   f. SUBDRAIN INSTALLATION: PROVIDE CONTINUOUS INSPECTION DURING SUBDRAIN EXCAVATION AND INSTALLATION. CONTINUOUS INSPECTION BY THE SOILS ENGINEER OR HIS RESPONSIBLE REPRESENTATIVE SHALL BE PROVIDED DURING ALL SUBDRAIN INSTALLATIONS. [3313.2]
   g. FILL INSTALLATION:
      i. AFTER THE FILL EMPLACEMENT IS STARTED AND BEFORE THE VERTICAL HEIGHT OF THE LIFTS EXCEEDS 10ft. [3313.2]
      ii. DURING PREPARATION OF NATURAL GROUND AND PLACEMENT AND COMPACTION FILL.
      iii. THE SOILS ENGINEER SHALL BE PRESENT DURING THE ENTIRE FILL PLACEMENT AND COMPACTION OF FILLS THE WILL EXCEED A VERTICAL HEIGHT OR DEPTH OF 30ft> OR RESULTS IN A SLOPE SURFACE STEEPER THE 2 HORIZONTAL 1 VERTICAL [3313.7]
   h. DRAINAGE DEVICE INSPECTION: AFTER FORMS AND PIPES ARE IN PLACE AND h. BEFORE ANY CONCRETE IS POURED
   i. ROUGH GRADING: WHEN ALL ROUGH GRADING HAS BEEN COMPLETED AND EROSION i. PROTECTION HAS BEEN INSTALLED. THE GEOTECHNICAL ENGINEER SHALL SUBMIT THE FINAL COMPACTION REPORT PRIOR TO THE APPROVAL OF ROUGH GRADE.

GRADING PLAN NOTES:

50. THE CONTRACTOR SHALL VERIFY ALL EXISTING TOPOGRAPHY AND GRADES PRIOR TO GRADING. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO NOTIFY THE PROJECT CIVIL ENGINEER OF ANY DISCREPANCIES OR REQUIRED DESIGN CHANGES SO THE APPROPRIATE CHANGES CAN BE MADE.
51. THE CONTRACTOR SHALL ENSURE THAT ALL UTILITIES AND EASEMENTS ARE ADEQUATELY STAKED PRIOR TO ANY GRADING.
52. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UNDERGROUND UTILITIES. UNDERGROUND ALERT SHALL BE NOTIFIED A MINIMUM OF 48 HOURS PRIOR TO DIGGING.
53. THE APPROVED GEOLOGY AND GEOTECHNICAL REPORTS SHALL BE CONSIDERED A PART OF THESE PLANS. COPIES OF THESE REPORTS SHOULD BE MAINTAINED ON SITE DURING SITE DEVELOPMENT.
54. THE PROJECT CIVIL ENGINEER SHALL BE NOTIFIED AND APPROVE ANY DESIGN CHANGES PRIOR TO IMPLEMENTATION DURING SITE DEVELOPMENT.
55. ALL RETAINING WALLS ARE UNDER SEPARATE PERMIT. PRIOR TO IMPLEMENTATION DURING SITE DEVELOPMENT.
56. SOIL COMPACTION REPORT SHALL BE PROVIDED TO THE BUILDING INSPECTOR AT THE JOB SITE PRIOR TO PLACEMENT OF CONCRETE FOR THE FOUNDATION.
57. SOIL ENGINEER SHALL INSPECT FOUNDATION PRIOR TO PLACEMENT OF CONCRETE FOR THE FOUNDATION.

ADDITIONAL NOTES:

58. EXPANSION INDEX TESTING SHOULD BE PERFORMED DURING SITE PREPARATION TO VERIFY AS–GRADED SITE CONDITIONS. THE RESULTS OF THE TESTS AS WELL AS SPECIFIC RECOMMENDATIONS FOR SLAB REINFORCEMENT AND THICKNESS MUST BE SUBMITTED TO THE CITY FOR REVIEW AT THAT TIME.
59. AN EVALUATION OF SOIL CORROSIVITY SHALL BE MADE IN ACCORDANCE WITH SECTION 6.2.1 OF THE CITY OF MALIBU'S GEOTECHNICAL GUIDELINES AT THE COMPLETION OF GRADING BY THE PROJECT GEOTECHNICAL CONSULTANT, WHO SHALL PROVIDE APPROPRIATE RECOMMENDATIONS.
60. PRIOR TO FINAL APPROVAL OF THE PROJECT AN AS–BUILT COMPACTION REPORT PREPARED BY THE PROJECT 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 OF ELEVATIONS OF KEYWAYS AND BACKDRAINS, LOCATIONS AND ELEVATION OF ALL REMOVAL BOTTOMS (INCLUDING THE RESULTS OF ALL TESTING PERFORMED TO VERIFY COMPETENT BOTTOMS) 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.
61. THE SURFACE OF THE CUT SHALL BE NO STEEPER THAN 3 HORIZONTAL TO 1 VERTICAL (33% SLOPE) UNLESS A SOILS ENGINEER OR AN ENGINEERING GEOLOGY REPORT STATING THAT A CUT AT A STEEPER SLOPE WILL BE STABLE AND NOT CREATE A HAZARD. PROVIDE A RECOMMENDATION FROM THE PROJECT GEOTECHNICAL ENGINEER GEOLOGIST AND APPROVED BY THE CITY SOILS AND GEOLOGY STAFF. [3312.2].
62. THE EXPORT OF CUT MATERIAL MAY BE REQUIRED TO PRESERVE THE NATURAL TOPOGRAPHY OF THE PROJECT SITE. [MLCP 8.3B, 2] ADD THE FOLLOWING NOTE ON THE PLANS: "CUT MATERIAL MAY ONLY BE EXPORTED TO AN APPROXIMATE LANDFILL OR A SITE PERMITTED TO ACCEPT MATERIAL".
63. MAXIMUM GRADE OF CUT OR FILL [MLCP 8.3D:
   a. 3:1 FOR AREAS CREATED FOR DEVELOPMENT OF STRUCTURES AND OPEN YARD AREAS.
64. THE FACES OF CUT AND FILL SLOPES SHALL BE PREPARED AND MAINTAINED TO CONTROL EROSION. THIS CONTROL MAY CONSIST OF EFFECTIVE PLANING, EROSION CONTROL BLANKETS. SOIL STABILIZERS OR OTHER APPROVED MEANS.
65. PROVIDE RIP–RAP OR OTHER REDUCER AT DISCHARGE END OF DRAINS NOT CONNECTED TO A PERMANENT SYSTEM. SHOW DETAIL. [3316.2]
66. ALL STORM DRAIN WORK IS TO BE DONE UNDER CONTINUOUS INSPECTION BY THE ENGINEER. WEEKLY STATUS REPORT SHALL BE SUBMITTED BY THE FIELD ENGINEER TO THE CITY BUILDING DEPARTMENT.
67. SEPARATE PLANS FOR TEMPORARY DRAINAGE AND WET WEATHER EROSION CONTROL MEASURES TO BE USED DURING THE RAINY SEASON MUST BE SUBMITTED PRIOR TO OCTOBER 1. THE EROSION CONTROL DEVISES SHOWN ON SAID PLANS MUST BE INSTALLED BY NO LATER THAN NOVEMBER 1 AND MAINTAINED IN OPERABLE CONDITION UNTIL APRIL 15. [3319.3]
68. ALL RECOMMENDATIONS INCLUDED IN THE CONSULTANT'S SOIL AND GEOLOGY REPORTS MUST BE COMPLIED WITH AND ARE A PART OF THE GRADING SPECIFICATIONS.
69. THE CONSULTING GEOLOGIST MUST APPROVE ROUGH GRADING BY FINAL REPORT. FINAL REPORT MUST INCLUDE AN AS–BUILT GEOLOGIC MAP.
70. THE BUILDING OFFICIAL SHALL APPROVE STOCK PILING OF EXCESS MATERIAL PRIOR TO EXCAVATION.
71. THE FIELD ENGINEER, AS A CONDITION OF ROUGH GRADE APPROVAL, SHALL PROVIDE A BLUE BLUE TOP WITH ACCOMPANYING WITNESS STAKE, SET AT THE CENTER OF EACH PAD REFLECTING THE PAD ELEVATION FOR PRECISE PERMITS AND A BLUE TOP WITH WITNESS STAKE SET AT THE DRAINAGE SWALE HIGH POINT REFLECTING THE HIGH POINT ELEVATION FOR PRELIMINARY PERMITS.
72. THE COMPACTION REPORT AND APPROVAL FROM THE SOIL ENGINEER SHALL INDICATE THE TYPE OF FIELD–TESTING PERFORMED. EACH TEST SHALL BE IDENTIFIED WITH THE METHOD OF OBTAINING THE IN–PLACE DENSITY, WETHER SAND CONE OR NUCLEAR GAUGE, AND SHALL BE SOS NOTED FOR EACH TEST.
73. GRADING PERMITS SHALL NOT BE ISSUED BETWEEN NOVEMBER 1 AND MARCH 31 EACH YEAR PER LCP SECTION 17.2.1. PROJECT APPROVED FOR GRADING PERMIT SHALL NOT RECEIVE GRADING PERMITS UNLESS THE PROJECT CAN BE ROUGH GRADED BEFORE NOVEMBER 1.
74. EXPORTED SOIL FROM A SITE SHALL BE TAKEN TO THE COUNTY LANDFILL OR TO A SITE WITH AN ACTIVE GRADING PERMIT AND THE ABILITY TO ACCEPT THE MATERIAL IN COMPLIANCE WITH THE CITY'S LOCAL IMPLEMENTATION PLAN (LIP), SECTION 8.3.
75. PRIOR TO THE PLACEMENT OF CONCRETE SLABS, THE SLAB SUBGRADE SOILS SHALL BE PRE–MOISTENED TO AT LEAST 120% OF THE OPTIMUM MOISTURE CONTENT TO THE DEPTH SPECIFIED BY THE GEOTECHNICAL ENGINEER. THE PRE–MOISTENED SOILS SHOULD BE TESTED AND VERIFIED TO BE BY THE GEOTECHNICAL ENGINEER WITHIN ONE DAY PRIOR TO THE PLACEMENT OF THE MOISTURE BARRIER AND SAND.

CONDITIONS OF APPROVAL

THIS PLAN CONFORMS TO THE COASTAL DEVELOPMENT PERMIT CONDITIONALLY APPROVED BY THE CITY FOR **28809 BONIFACE DR** ON ________.

CONTRACTORS NOTE:

THE EARTHWORK QUANTITIES ARE PROVIDED AS A COURTESY AND CONVENIENCE TO THE OWNERS, AND ARE FOR BONDING AND PLAN CHECK PURPOSES ONLY. THE YARDAGE FIGURES SHOWN ARE APPROXIMATE CALCULATED QUANTITIES BASED ON THE DIFFERENCE BETWEEN EXISTING GROUND ELEVATIONS AND DESIGNED ROUGH GRADE ELEVATIONS. THE CALCULATIONS MAKE NO PROVISIONS FOR STRIPPING, SHRINKAGE, BULKING OR ANY OTHER CONDITION NOT IMPLIED. FOR THIS REASON, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONSULT THE PROJECTS SOILS ENGINEER AND GEOLOGIC INVESTIGATIONS, AND TO DETERMINE FOR HIMSELF, THE QUANTITIES OF EARTH MOVING THAT WILL BE REQUIRED TO COMPLETE THIS PROJECT.

STARTING DATE 30 DAYS AFTER PERMIT ISSUANCE

COMPLETION DATE 90 DAYS AFTER PERMIT ISSUANCE

SCOPE OF WORK:

NEW LANDSCAPE AND DRIVEWAY
GRADING
RETAINING WALLS (PER SEPARATE PERMIT)

PUBLIC WORKS DEPARTMENT GENERAL NOTES

1. ALL WORK SHOWN ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (SSPWC) "GREEN BOOK."
2. CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (CAL–OSHA) SAFETY STANDARDS. IF REQUESTED BY THE INSPECTOR, THE CONTRACTOR SHALL PROVIDE PROOF OF A PERMIT FROM SAID DIVISION.
3. CONTRACTOR SHALL CALL THE PUBLIC WORKS INSPECTOR AT (310) 456–2489, EXT. 341 FOR PRE–CONSTRUCTION MEETING PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION OR GRADING OPERATIONS. CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS INSPECTOR 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION AND 24 HOURS IN ADVANCE OF A SPECIFIC INSPECTION NEEDS DURING THE COURSE OF THE WORK.
4. NO IMPROVEMENTS ARE PROPOSED WITHIN THE PUBLIC RIGHT–OF–WAY.
5. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CITY PUBLIC RIGHT OF WAY SHALL REQUIRE A CITY ENCROACHMENT PERMIT. CALL THE PUBLIC WORKS INSPECTOR AT (310) 456–2489 EXT. 341 TO APPLY FOR A PERMIT.
6. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CALTRANS PUBLIC RIGHT OF WAY SHALL REQUIRE A CALTRANS ENCROACHMENT PERMIT. SUBMIT A COPY OF THE CALTRANS ENCROACHMENT PERMIT TO THE PUBLIC WORKS DEPARTMENT.
7. ALL WORK SHALL BE PERFORMED DURING CITY WORKING HOURS AND IN COMPLIANCE WITH THESE PLANS.
8. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORK.
9. CONTRACTOR SHALL LOCATE, PROTECT, AND SAVE ANY AND ALL SURVEY MONUMENTS THAT WILL BE OR MAY BE DAMAGED OR DESTROYED BY THEIR OPERATIONS. ONCE FOUND, THE CONTRACTOR SHALL THEN NOTIFY BOTH THE DEVELOPER'S SUPERVISING CIVIL ENGINEER AND THE PUBLIC WORKS INSPECTOR. THE SUPERVISING CIVIL ENGINEER SHALL RESET ALL SAID MONUMENTS PER THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY INSOFAR AS IT MAY BE AFFECTED BY THESE OPERATIONS.
11. EXISTING TRAFFIC SIGNS ARE NOT TO BE REMOVED WITHOUT PRIOR TO NOTIFICATION AND APPROVAL OF THE CITY ENGINEER. AS A MINIMUM, CONSTRUCTION WORK ZONE TRAFFIC SIGNS AND STRIPING SHALL BE FURNISHED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH THE "WORK AREA TRAFFIC CONTROL HANDBOOK ("THE WATCH MANUAL"), PUBLISHED BY BNI BUILDING NEWS, INC. A TRAFFIC CONTROL PLAN, PREPARED BY THE DEVELOPER, MAY BE REQUIRED BY THE CITY.
12. DUST CONTROL SHALL BE MAINTAINED AT ALL TIMES.
13. EROSION CONTROL PLANS SHALL BE PROVIDED FOR ALL PROJECTS. GRADING AND CLEARING IS PROHIBITED FROM NOVEMBER 1 TO MARCH 31 FOR ALL DEVELOPMENTS WITHIN OR ADJACENT TO ESHA AND/OR INCLUDING GRADING ON SLOPES GREATER THAN 4:1.
14. ALL UNDERGROUND UTILITIES AND SERVICE LATERALS SHALL BE INSTALLED PRIOR TO CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS, AND PAVING UNLESS OTHERWISE PERMITTED BY THE CITY ENGINEER.
15. THE DEVELOPER SHALL COMPLY WITH NDPES REQUIREMENTS. THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES AND SHALL BE KEPT UP TO DATE.
16. ALL RECOMMENDATIONS MADE BY THE GEOTECHNICAL/SOILS ENGINEER (AND ENGINEERING GEOLOGIST, WHERE EMPLOYED), AND CONTAINED IN THE REPORTS REFERENCED HEREON, AS APPROVED OR CONDITIONED BY THE CITY, SHALL BE CONSIDERED A PART OF THE GRADING PLAN.
17. ALL STORM DRAIN PIPE WITHIN THE PUBLIC RIGHT–OF–WAY AND EASEMENTS SHALL BE REINFORCED CONCRETE PIPE (RCP).
18. TERRACE DRAINS, INTERCEPTOR DRAINS, AND DOWN DRAINS SHALL BE CONSTRUCTED OF 3" P.C.C. REINFORCED WITH 6"x6"x#10 W.W.M. AND SHALL BE EITHER SEMICIRCULAR OR TRIANGULAR CROSS SECTION. CONCRETE COLOR SHALL BE "OMAHA TAN" OR APPROVED EQUIVALENT.
19. GRADING QUANTITIES:
   CUT: 700 CU. YDS. FILL: 663 CU. YDS.
   EXPORT: 37 CU. YDS. IMPORT: Ø CU. YDS.
20. GROSS LOT AREA: 46,992 SQ. FT.
   NET LOT AREA: 43,636 SQ. FT.
   PROPOSED IMPERMEABLE COVERAGE: Ø SQ. FT.
   MAXIMUM ALLOWABLE IMPERMEABLE COVERAGE: 13,090 SQ. FT.
   TOTAL DISTURBED AREA: 7,159 SQ. FT.
   FLOOD ZONE ON FIRM: Ø BASE FLOOD ELEVATION: Ø FT.
21. ALL SLOPES ON PRIVATE PROPERTY ADJOINING STREETS, DRAINAGE CHANNELS, OR OTHER PUBLIC FACILITIES SHALL BE GRADED NOT STEEPER THAN 2:1 FOR CUT AND FILL UNLESS SPECIFICALLY APPROVED BY THE CITY ENGINEER ON RECOMMENDATION OF THE PROJECT'S GEOTECHNICAL/SOILS CONSULTANT.
22. THE APPLICANT SHALL LABEL ALL CITY/COUNTY STORM DRAIN INLETS WITHIN 250 FEET FROM EACH PROPERTY LINE PER THE CITY OF MALIBU STANDARD LABEL TEMPLATE.

MAXIMUM AMOUNT OF IMPERMEABLE COVERAGE

PERCENTAGES:

UP TO ¼ ACRE:	45% OF THE NET AREA
¼ ACRE TO ½ ACRE:	35% OF THE NET AREA
½ ACRE OR MORE	30% OF THE NET AREA
	UP TO A MAX. OF 25,000 SQ.FT. PER PARCEL.

PROPOSED IMPERMEABLE COVERAGE:

ALL PROPOSED IMPROVEMENTS WILL BE PERMEABLE

NOTE TO CONTRACTOR

CONTRACTOR TO VERIFY THE LOCATIONS OF ALL PROPOSED STRUCTURES, ELEVATIONS, AND DIMENSIONS, PRIOR TO CONSTRUCTION. CONTRACTOR TO CONTACT PROJECT ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY CONSTRUCTION.

811
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City of Malibu

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TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE

PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: ____________

PROJECT ADDRESS: 28809 Boniface Drive, Malibu, CA 90265

All projects proposing land form alteration which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed in the table. **All calculations utilized to estimate the cubic yardages indicated shall be attached to this form.** This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and wet signed by the preparing party.

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	530		157	13		700
Fill	530		91	42		663
Total	1060		248	55		1,363
Import	0		0	29		0
Export	0		66	0		37

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

PREPARED BY: ____________ PRINT NAME

____________ SIGN NAME

DATE: ____________

STAMP

Page 1 of 1

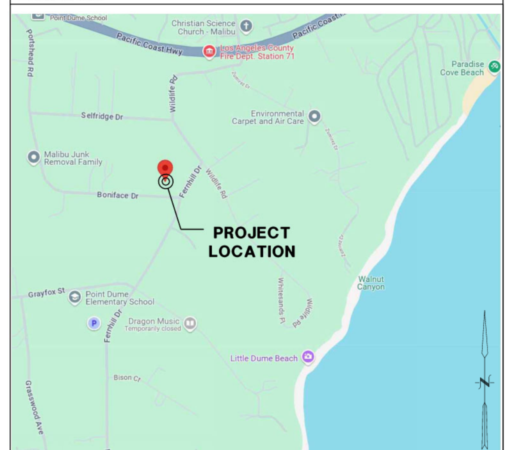
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BENCH MARK	NO. Y–11386 (LA COUNTY PUBLIC WORKS) (SURVEY SECTION | MALIBU QUAD) ELEVATION 189.381, 2008 ADJ DATUM: NAVD 1988 DPW BM TAG IN W CB 600MM(2') N/O BCR @ NW COR PACIFIC COAST HWY & CAVALLERI RD.
LEGAL DESCRIPTION	PARCEL 94, RECORD OF SURVEY, BK. 56, PGS. 29–32
OWNERS/BUILDER	DON LEHMAN 28809 BONIFACE DRIVE MALIBU, CA 90265
ARCHITECT	BARSOCCHINI & ASSOCIATES DESIGNS 3502 COAST VIEW DRIVE MALIBU, CA 90265 (310) 456–3625
CIVIL ENGINEER	LC ENGINEERING GROUP, INC. 889 PIERCE COURT SUITE 101 THOUSAND OAKS, CA. 91360 (805) 497–1244 (818) 991–7148 CONTACT: LENNIE LISTON
GEOTECHNICAL	GOLD COAST GEOSERVICES, INC. 5251 VERDUGO WAY SUITE J CAMARILLO, CA. 93012 (805) 484–5070
SURVEYOR	DANIELSON SURVEYING 25000 AVENUE STANFORD, SUITE 141 VALENCIA, CA 91355 (661) 904–7039 CONTACT: MARK R. DANIELSON

SHEET INDEX

1.0	COVER SHEET
2.0	OVERALL SITE PLAN
2.1	ENLARGED GRADING & DRAINAGE PLAN
3.0	DETAILS

WITHOUT ENGINEER'S SEAL AND WET SIGNATURE, THESE PLANS (THIS SHEET AND ALL ATTACHED SHEETS) ARE CONSIDERED PRELIMINARY, UNAPPROVED AND NOT FOR CONSTRUCTION.



VICINITY MAP

LC ENGINEERING GROUP, INC.
CONSULTING ENGINEERS
CIVIL • STRUCTURAL • GEOTECHNICAL
889 Pierce Court, Suite 101, Thousand Oaks, California 91360
818-991-7148 • 805-497-1244 • lcegroupinc.com • info@lcegroupinc.com

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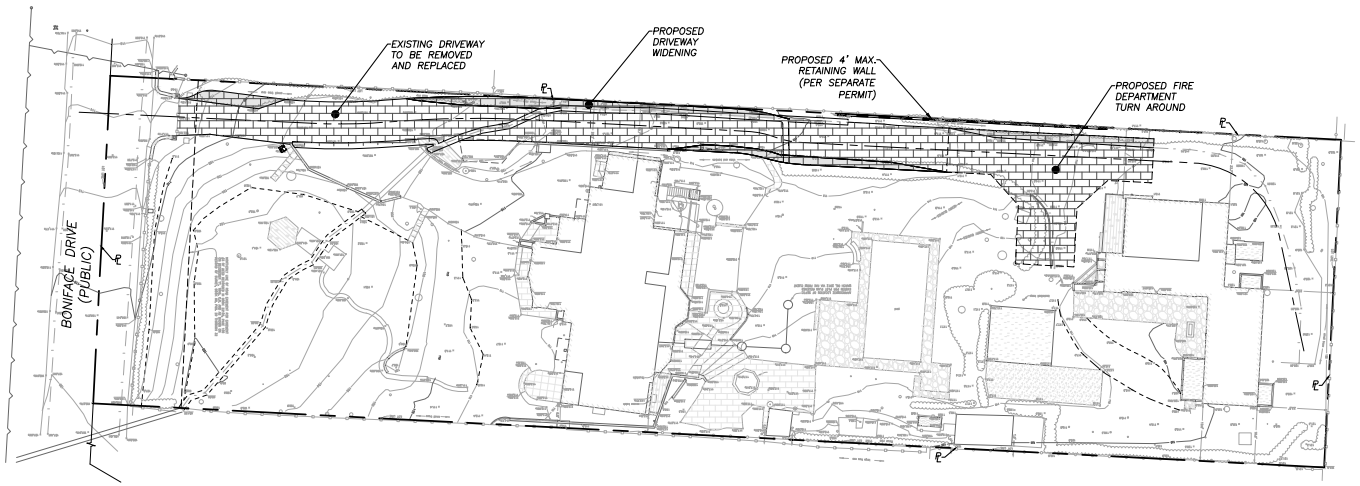
REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265
COVER SHEET

DATE:	6/10/2026
SCALE:	N.T.S.
DRAWN:	ED
JOB NO:	8181

SHEET
C 1.0

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LEGEND

℄	CENTER LINE
CO	CLEANOUT
DG	DECOMPOSED GRANITE
℘	DAYLIGHT LINE
DN	DOWN
● DS	DOWNSPOUT
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOW LINE
FS	FINISH SURFACE
GB	GRADE BREAK
HP	HIGH POINT
INV	INVERT
NG	NATURAL GRADE
PA	PLANTER AREA
℗	PROPERTY LINE
PSP	PER SEPARATE PERMIT
NG	NATURAL GRADE
TC	TOP OF CURB
TD	TOP OF DECK
TG	TOP OF GRATE
TW	TOP OF WALL
UNO	UNLESS NOTED OTHERWISE

RETAINING WALL PER SEPARATE PERMIT

BLOCK WALL PER SEPARATE PERMIT

FS — CONTRACTOR TO VERIFY HARD SURFACE THICKNESS PER ARCHITECTURAL SPECIFICATIONS AND DETAILS TO DETERMINE ROUGH GRADE ELEVATIONS.

12" SQ. CATCH BASIN PER NDS PLASTIC PRODUCTS PART NO. 1200-1204. U.N.O.

6"ø SPEE-D BASIN PER NDS. PLASTIC PRODUCTS PART NO. 101, 201, 300. U.N.O.

812.2 EXISTING SPOT ELEVATIONS

FLOW DIRECTION

CENTER LINE

PROPOSED DRIVEWAY WIDENING

PERMEABLE PAVER MOTOR COURT/DRIVEWAY PER DETAIL 1, SHT. C3.0.

SCALE: 1"=20'

20' 10' 0' 20' 40'

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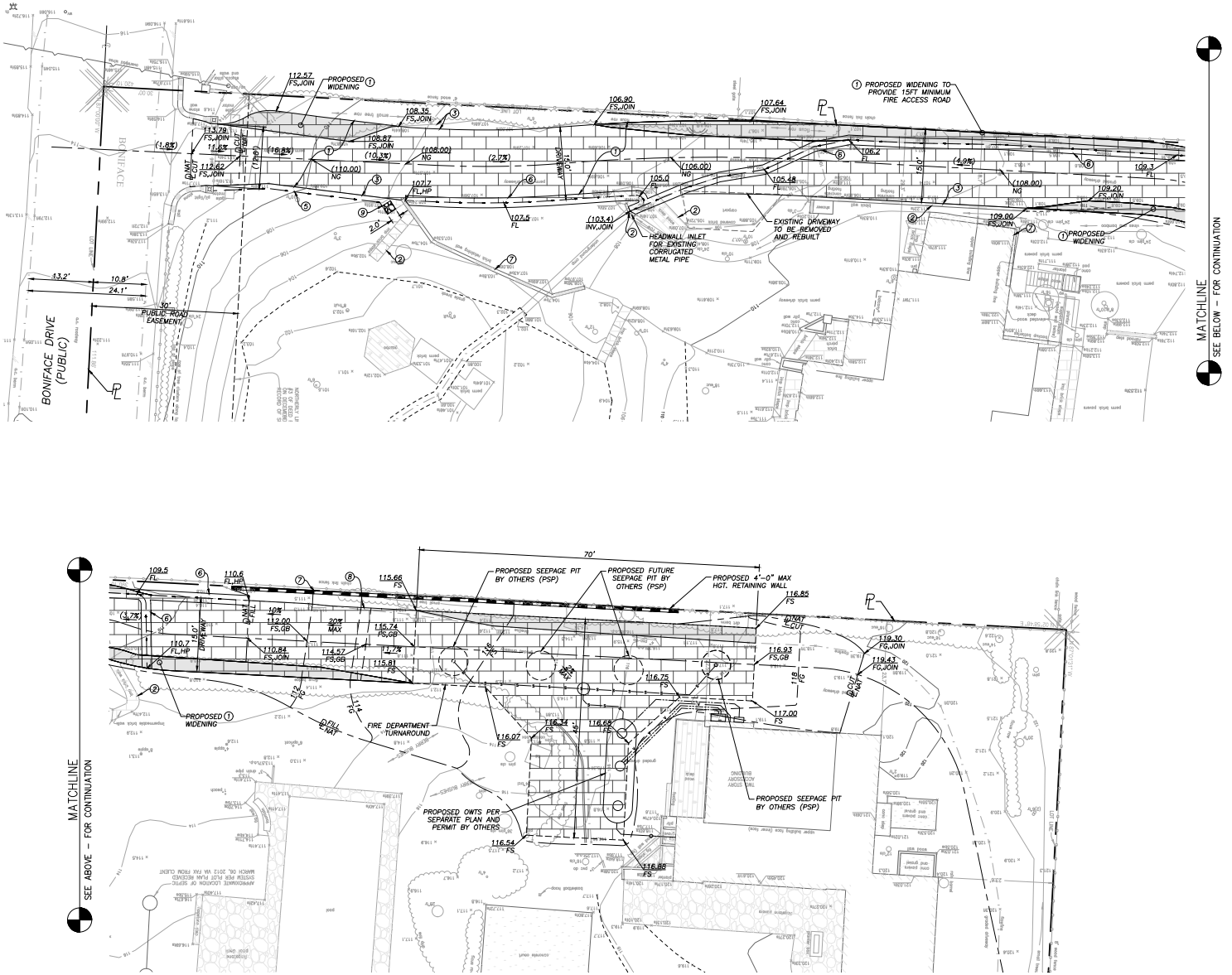
LEHMAN RESIDENCE

28809 BONIFACE DRIVE
MALIBU, CA 90265

OVERALL GRADING AND DRAINAGE PLAN

DATE:	6/10/2026
SCALE:	1"=10'
DRAWN:	ED
JOB NO:	8181
SHEET	C2.0

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LEGEND

℄	CENTER LINE
CO	CLEANOUT
DG	DECOMPOSED GRANITE
⊘	DAYLIGHT LINE
DN	DOWN
● DS	DOWNSPOUT
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOW LINE
FS	FINISH SURFACE
GB	GRADE BREAK
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812.2 EXISTING SPOT ELEVATIONS

FLOW DIRECTION

CENTER LINE

PROPOSED DRIVEWAY WIDENING

PERMEABLE PAVER MOTOR COURT/DRIVEWAY PER DETAIL 1, SHT. C3.0.

CONSTRUCTION NOTES

1. CONSTRUCT PERMEABLE MOTOR COURT/DRIVEWAY PER DETAIL 1, SHT. C3.0.
2. EXISTING TO REMAIN.
3. EXISTING TO BE REMOVED.
4. EXISTING TO BE REMOVED AND REPLACED.
5. CONSTRUCT GRASSY GRADED SWALE @ 2% MIN. SLOPE.
6. CONSTRUCT CONCRETE SWALE PER DETAIL 2, SHT. C3.0.
7. CONSTRUCT 4' HIGH MAX. RETAINING WALL PER STRUCTURAL PLANS PER SEPARATE PERMIT.
8. CONSTRUCT RIP-RAP PAD PER DETAIL 3, SHT. C3.0.

SCALE: 1"=10'

10' 5' 0' 10' 20'

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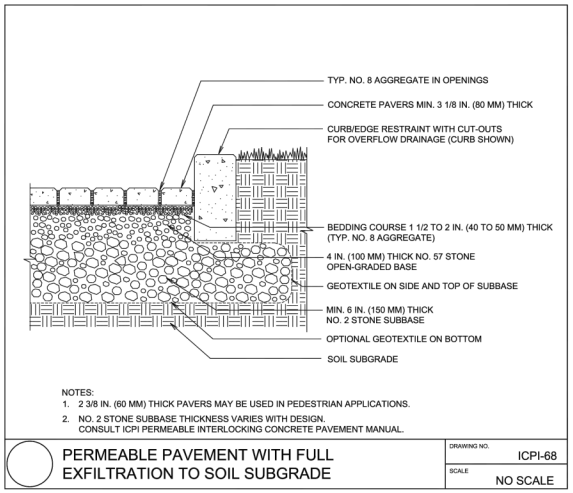
REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
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MALIBU, CA 90265

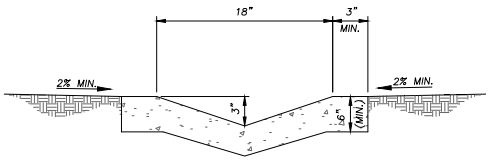
ENLARGED GRADING AND DRAINAGE PLAN

DATE:	6/10/2026
SCALE:	1"=10'
DRAWN:	ED
JOB NO:	8181
SHEET	C2.1

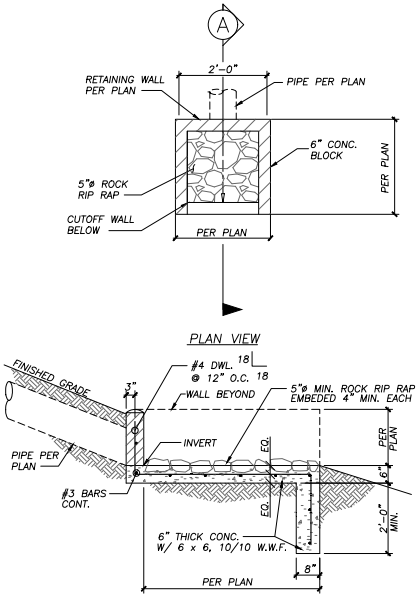
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DETAIL NO. 1 PERMEABLE MOTOR COURT/DRIVEWAY
N.T.S.



DETAIL NO. 2 CONCRETE SWALE
N.T.S.



DETAIL NO. 3 RIP-RAP PAD
N.T.S.

NOTE TO CONTRACTOR

CONTRACTOR TO VERIFY THE LOCATIONS OF ALL PROPOSED STRUCTURES, ELEVATIONS, AND DIMENSIONS, PRIOR TO CONSTRUCTION. CONTRACTOR TO CONTACT PROJECT ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY CONSTRUCTION.

811 DIAL TOLL FREE 811
AT LEAST TWO DAYS BEFORE YOU DIG
Know what's C before you dig.
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

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REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

OVERALL SITE PLAN

DATE:	6/10/2026
SCALE:	N.T.S.
DRAWN:	ED
JOB NO:	8181
SHEET	C3.0

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FUEL MODIFICATION PLAN NOTES

EMBER RESISTANT ZONE

EXTENDS 5 FEET BEYOND THE EDGE OF ANY COMBUSTIBLE STRUCTURE. ACCESSORY STRUCTURE, APPENDAGE OR PROJECTION. THE AREAS BENEATH EAVES, OVERHANGS OR PARTS OF STRUCTURES INCLUDING ATTACHED DECKS AND PERGOLAS SHALL BE INCLUDED IN THE EMBER RESISTANT ZONE.

THIS AREA SHALL BE FREE OF MATERIALS OR LANDSCAPING KNOWN TO BE RECEPTIVE TO FLYING EMBERS.

ZONE A

EXTENDS 30 FEET BEYOND THE EDGE OF ANY COMBUSTIBLE STRUCTURE, ACCESSORY STRUCTURE, APPENDAGE, OR PROJECTION. PROJECTIONS, SUCH AS EAVES, COVERED ENTRYWAYS, ATTACHED PERGOLAS, DECKS ETC. SHALL BE THE POINT AT WHICH THIS DISTANCE IS MEASURED.

IRRIGATION SHALL BE PROVIDED TO MAINTAIN HEALTHY VEGETATION AND FIRE RESISTANCE.

VEGETATION IN THIS ZONE SHALL CONSIST PRIMARILY OF MOWED GRASSES, LOW GROWING GROUND COVERS AND ADEQUATELY SPACED SHRUBS. THE OVERALL DENSITY AND ARRANGEMENT SHALL PROVIDE ADEQUATE DEFENSIBLE SPACE AND SIGNIFICANTLY REDUCE FIRE INTENSITY.

PLANT SPECIES SELECTED FOR ZONE A SHALL POSSESS CHARACTERISTICS WHICH INCREASE FIRE RESISTANT. SUCH CHARACTERISTICS ARE HIGH MOISTURE CONTENT, PLANTS PRODUCING LITTLE LEAF LITTER, SLOW GROWING PLANTS AND PLANTS THAT DO NOT REQUIRE PRUNING TO REDUCE THEIR SIZE AT MATURITY. SPECIES SELECTION SHOULD REFERENCE THE FUEL MODIFICATION PLANT LIST. THE LIST IS NOT A PRE-APPROVED PLANT LIST. OTHER SPECIES MAY BE USED SUBJECT TO APPROVAL AFTER REVIEW.

TREES ARE GENERALLY NOT RECOMMENDED, EXCEPT FOR DWARF VARIETIES OR MATURE TREES LESS THAN 25' TALL AND WIDE AT MATURITY. TREES SHALL BE POSITIONED SO THEIR CANOPIES DO NOT EXTEND OVER THE ROOF OF ANY STRUCTURE.

VINES AND CLIMBING PLANTS ARE NOT ALLOWED ON ANY COMBUSTIBLE STRUCTURE REQUIRING REVIEW.

ZONE B

EXTENDS FROM THE OUTER EDGE OF ZONE A AN ADDITIONAL 70 FEET FOR A TOTAL OF 100 FEET FROM THE STRUCTURE.

IRRIGATION SHALL BE PROVIDED TO MAINTAIN HEALTHY VEGETATION AND FIRE RESISTANCE.

VEGETATION IN THIS ZONE SHALL BE ARRANGED IN A MANNER THAT DOES NOT CREATE VERTICAL OR HORIZONTAL FUEL LADDERS. VEGETATION IN THIS ZONE CAN BE PLANTED AT A SLIGHTLY HIGHER DENSITY THAN ZONE A BUT THE OVERALL DENSITY AND ARRANGEMENT SHALL PROVIDE ADEQUATE DEFENSIBLE SPACE AND SIGNIFICANTLY REDUCE FIRE INTENSITY.

EXISTING CALIFORNIA NATIVE PLANTS MAY BE APPROVED TO REMAIN IF DETERMINED TO BE ACCEPTABLE UPON REVIEW AND ARE PROPERLY SPACED AND MAINTAINED.
PLANT SPECIES SELECTED FOR ZONE B SHALL POSSESS CHARACTERISTICS WHICH INCREASE FIRE RESISTANCE. SUCH CHARACTERISTICS ARE HIGH MOISTURE CONTENT, PLANTS PRODUCING LITTLE LEAF LITTER, SLOW GROWING PLANTS AND PLANTS THAT DO NOT REQUIRE PRUNING TO REDUCE THEIR SIZE AT MATURITY. SPECIES SELECTION SHOULD REFERENCE THE FUEL MODIFICATION PLANT LIST.
OTHER SPECIES MAY BE USED SUBJECT TO APPROVAL AFTER REVIEW.

TREES IN ZONE B MAY BE MEDIUM TO LARGE AT MATURITY PROVIDED THEY ARE PROPERLY POSITIONED AND DO NOT CREATE ANY VERTICAL OR HORIZONTAL FUEL LADDERS. TREE SELECTIONS ARE SUBJECT TO DENIAL UPON REVIEW.

ZONE C

EXTENDS FROM THE OUTER EDGE OF ZONE B AN ADDITIONAL 100 FEET FOR A TOTAL OF 200 FEET FROM THE STRUCTURE.

MAINTENANCE/MODIFICATION OF VEGETATION EXCEEDING 100 FEET BUT NOT TO EXCEED 200 FEET FROM STRUCTURES MAY BE DETERMINED NECESSARY. ANY REQUIRED MAINTENANCE/MODIFICATION IS TO BE DETERMINED UPON ON-SITE INSPECTION (FIRE CODE 325.2.2).

FIRE ACCESS ROAD ZONE

EXTENDS A MINIMUM OF 10' FROM THE EDGE OF ANY PUBLIC OR PRIVATE ROAD, DRIVEWAYS AND TURNAROUNDS USED BY FIREFIGHTING RESOURCES.

CLEAR AND REMOVE FLAMMABLE VEGETATION ON EACH SIDE OF ACCESS ROADS (FIRE CODE 325.10).

FIRE ACCESS ROADS SHALL HAVE UNOBSTRUCTED VERTICAL CLEARANCE A MINIMUM WIDTH OF 20' AND VERTICALLY CLEAR TO THE SKY. (FIRE CODE 503.2.1)

ADDITIONAL CLEARANCE BEYOND 10 FEET MAY BE REQUIRED UPON AN ON-SITE INSPECTION.

ALL PROPOSED PLANTINGS, UNLESS OTHERWISE APPROVED, SHALL BE POSITIONED SO THEY DO NOT OBSTRUCT ACCESS AT MATURITY. PRUNNING WILL NOT BE CONSIDERED AS AN ALTERNATIVE TO PLANT SELECTION.

MAINTENANCE

ROUTINE MAINTENANCE SHALL BE REGULARLY PERFORMED IN ALL ZONES. ABOVE ALL ELSE, REGULAR MAINTENANCE IS PARAMOUNT TO THE FIRE RESISTANCE OF A WELL-PLANNED FIRE-RESISTANT LANDSCAPE. CRITICAL ITEMS ARE OUTLINED BELOW. ADDITIONAL INFORMATION MAY BE FOUND ON OUR WEBSITE LISTED IN THE HEADER OF THIS DOCUMENT.

START WITH THE STRUCTURE. REMOVE LEAF LITTER AND OTHER COMBUSTIBLE DEBRIS FROM ROOFS, EAVES, RAIN GUTTERS ETC.

ENSURE THE EMBER RESISTANT ZONE IS MAINTAINED FREE OF ANY MATERIAL KNOWN TO BE RECEPTIVE TO FLYING EMBERS.

REMOVE ANY PLANT OR PORTION OF A PLANT THAT IS DEAD OR DYING THROUGHOUT ALL ZONES.

REMOVE DOWNED, ACCUMILATED PLANT LITTER AND DEAD WOOD THROUGHOUT ALL ZONES.

PRUNE TO REDUCE THE OVERALL AMOUNT AND CONTINUITY OF FUELS. ELIMINATE HORIZONTAL AND VERTICAL FUEL LADDERS THROUGHOUT ALL ZONES.

ALL INVASIVE SPECIES AND THEIR PARTS SHOULD BE REMOVED FROM THE SITE.

ENSURE IRRIGATION SYSTEMS ARE FUNCTIONING PROPERLY.

COMPLIANCE WITH THE FIRE CODE IS A YEAR-ROUND RESPONSIBILITY. ENFORCEMENT WILL OCCUR FOLLOWING INSPECTION BY THE FIRE DEPARTMENT. ANNUAL INSPECTIONS FOR BRUSH CLEARANCE CODE REQUIREMENTS ARE CONDUCTED FOLLOWING THE NATURAL DRYING OF FINE FUELS, BETWEEN THE MONTHS OF APRIL AND JUNE DEPENDING ON GEOGRAPHIC REGION EACH DWELLING EXISTS.

INSPECTION FOR COMPLIANCE WITH AN APPROVED FUEL MODIFICATION PLAN MAY OCCUR AT ANY TIME.

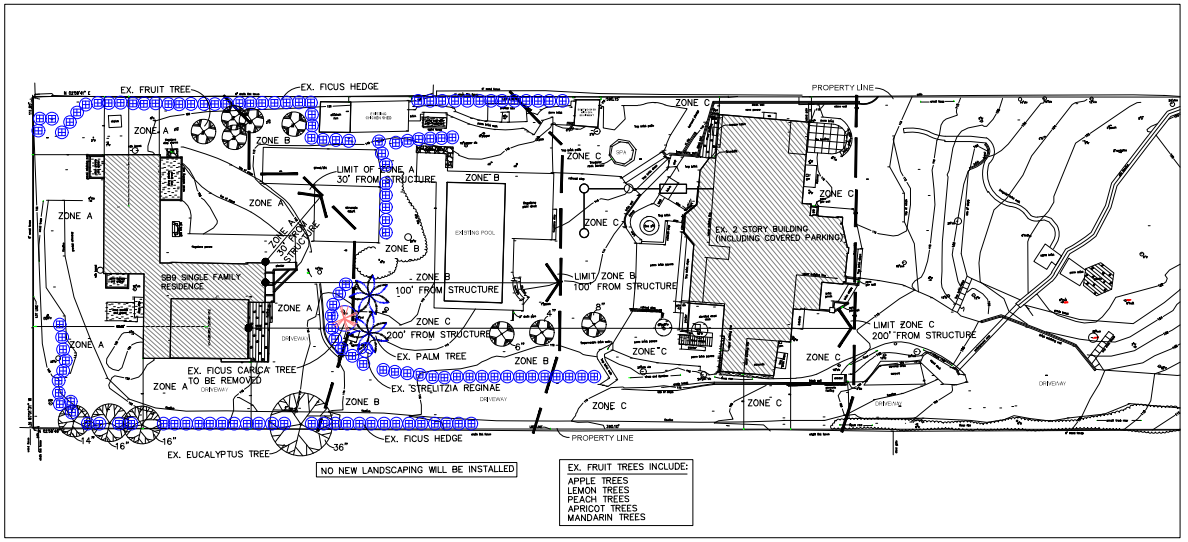
ALL FUTURE PLANTINGS SHALL BE IN ACCORDANCE WITH THE COUNTY OF LOS ANGELES FIRE DEPARTMENT FUEL MODIFICATION GUIDELINES AND APPROVED PRIOR TO INSTALLATION.

APPROVAL OF THIS FUEL MODIFICATION PLAN CONSTITUTES APPROVAL FOR ONLY THOSE CODES REVIEWED AS PART OF THE FUEL MODIFICATION PROCESS AND DOES NOT REPLACE THE NEEDED APPROVAL OF ANY OTHER OFFICE OR AGENCY WITH JURISDICTION AND REVIEW RESPONSIBILITY FOR THOSE ITEMS WHICH MAY OR MAY NOT BE ILLUSTRATED ON THE PLAN.

5374
COUNTY OF LOS ANGELES
FIRE DEPARTMENT
PREVENTION SERVICES BUREAU
FINAL
FUEL MODIFICATION PLAN
APPROVED

By _____ Date _____
FUEL MODIFICATION UNIT

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



NORTH

SCALE: 1" = 20'-0"

0 10 20 40 60

Wynn Landscape Architects, Inc.
192 Cherokee
Topanga
CA 90290
Tel: 310-455-4245
Fax: 310-455-4269

Client:

MARIE LEHMAN

Project:

28809 BONIFACE DRIVE
MALIBU
CA 90265

Delta	Date	Description	By

Revisions:

Date: 4/15/2024

Scale:

Drawing Title:

FUEL MODIFICATION PLAN

Sheet No:

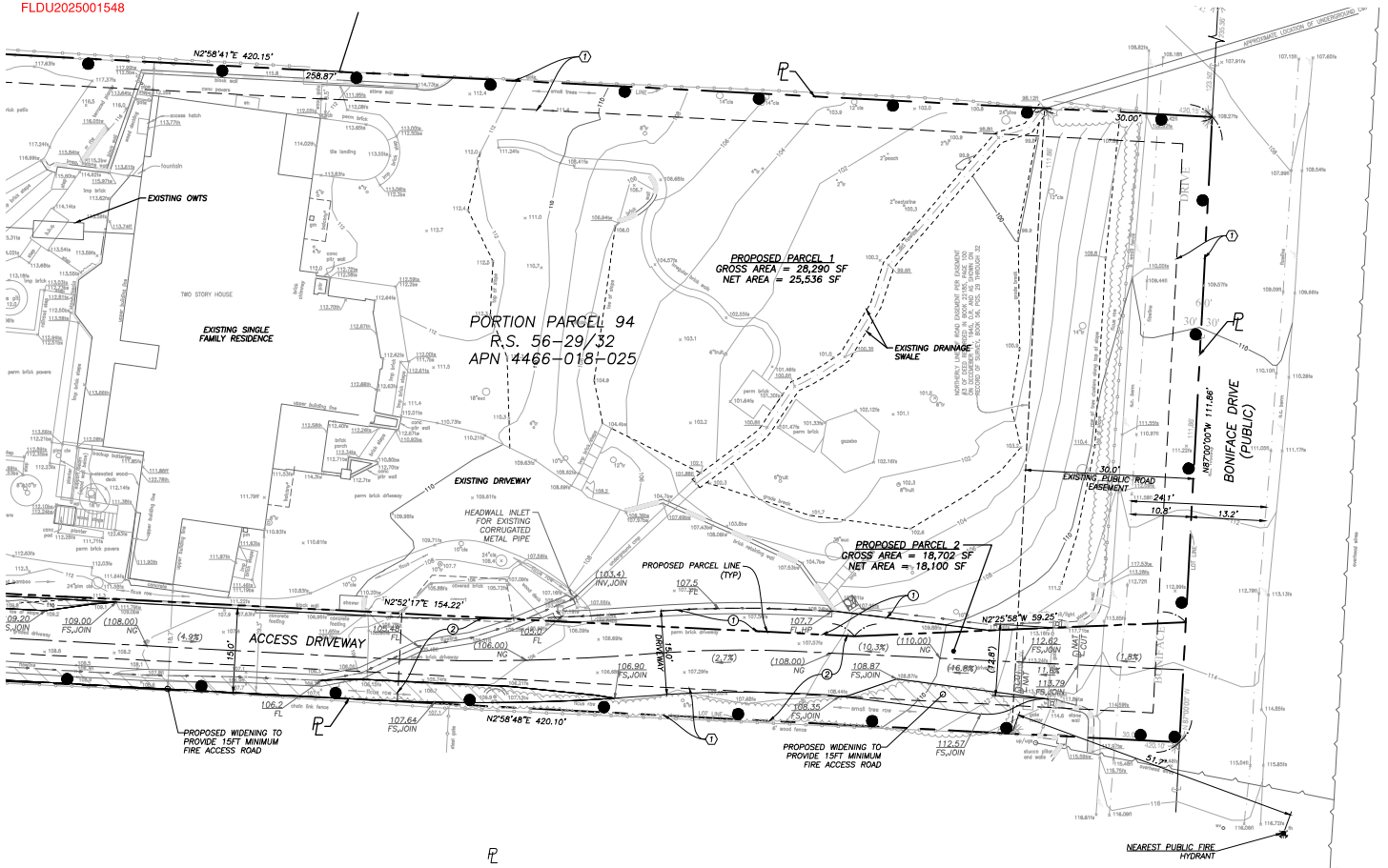
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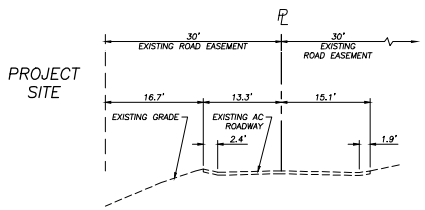
County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit

CLEARED FOR PUBLIC HEARING

10/16/2025
FLDU2025001548

MINOR LAND DIVISION
TENTATIVE PARCEL MAP NO. 84368
IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES





BONIFACE DRIVE STREET SECTION
1"=10'

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

LEGEND:

- PROPERTY BOUNDARY
- STREET CENTERLINE
- PROPOSED ACCESS ROAD WIDENING
- EXISTING BUILDING FOOTPRINT
- PROPOSED RETAINING WALL
- PROPOSED CONTOURS (FOR REFERENCE ONLY)
- EXISTING CONTOURS
- PROPOSED FIRE DEPARTMENT TURNAROUND (FOR REFERENCE ONLY)
- PROPOSED ON-SITE WASTEWATER TREATMENT SYSTEM (BY OTHERS)

EXISTING EASEMENT LEGEND:

① 5' WIDE EASEMENT FOR POLE LINES, POWER LINE, CABLES, CONDUITS, SEWERS AND POLES PER BOOK 24224, PAGE 351, O.R.

PROPOSED EASEMENT LEGEND:

① PROPOSED ACCESS IN FAVOR OF PARCEL 2

② PROPOSED FIRE LANE AND ACCESS IN FAVOR OF PARCEL 1

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.40'	N87°01'11.50"W
L3	6.75'	N5°00'52.42"E
L2	10.00'	S87°01'11.50"E

NOTES:

1. ALL SURVEY INFORMATION PROVIDED HEREON IS BASED ON A "TOPOGRAPHY SURVEY" PREPARED BY DANIELSON SURVEYING, DATED JULY 20, 2021.
2. ALL FIRE ACCESS AND PROPOSED GRADING & DRAINAGE IMPROVEMENTS SHOWN ON THIS MAP ARE PROVIDED FOR REFERENCE ONLY. REFER TO THE LATEST VERSIONS OF THE "FIRE ACCESS EXHIBIT" AND "GRADING AND DRAINAGE PLANS" PREPARED BY OUR OFFICE. THESE PLANS ARE NOT CONSIDERED FINAL WITHOUT STAMPS AND SIGNATURES FROM OUR OFFICE, ALONG WITH THE CORRESPONDING APPROVALS FROM THE CITY OF MALIBU AND OTHER AGENCIES HAVING JURISDICTION.
3. ALL EXISTING STRUCTURES ARE PROPOSED TO REMAIN.
4. FINAL MONUMENTS WILL BE SET PRIOR TO FILING WITH THE COUNTY RECORDER OF THE FINAL MAP.
5. ALL EXISTING TREES ARE PROPOSED TO REMAIN, EXCEPT THOSE WHICH MUST BE REMOVED TO SATISFY FIRE DEPARTMENT ACCESS REQUIREMENTS.
6. WATER IS PROVIDED TO THE SITE BY LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29.

LC ENGINEERING GROUP, INC.
CONSULTING ENGINEERS
CIVIL • STRUCTURAL • GEOTECHNICAL
897 Ventu Park Road, Suite 100, Thousand Oaks, California 91360
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REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

TENTATIVE PARCEL MAP

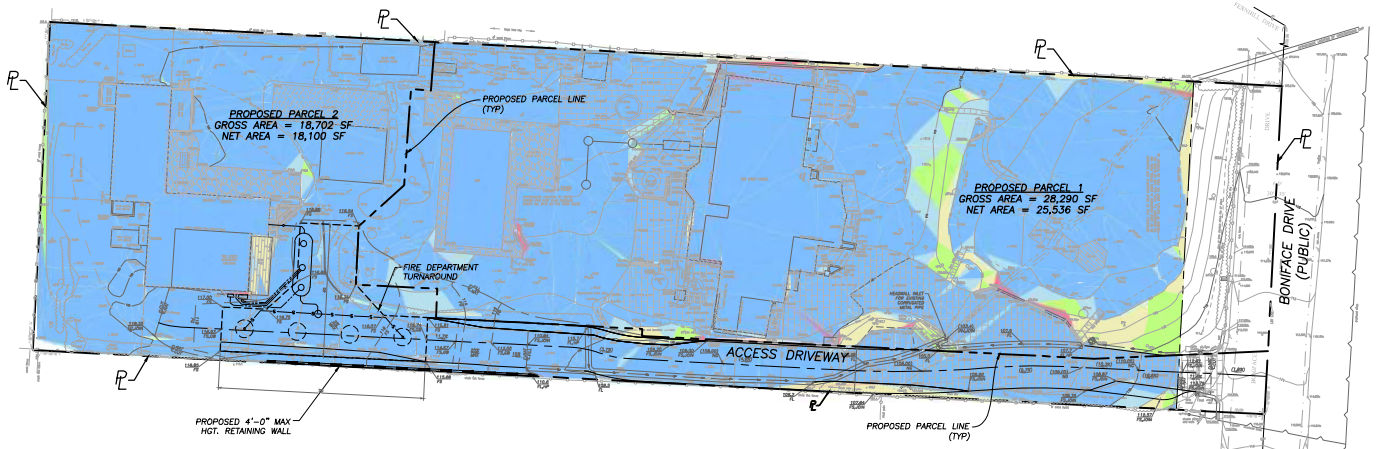
DATE:	2/3/2025
SCALE:	1"=10'
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JOB NO:	8181
SHEET	

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County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit

CLEARED FOR PUBLIC HEARING

10/16/2025
FLDU2025001548



PROPOSED PARCEL DATA:

PARCEL	PARCEL AREA (GROSS)	PARCEL AREA (NET*)	% OF TOTAL**
1	28,290 SF	25,536 SF	58.5%
2	18,702 SF	18,100 SF	41.5%
TOTAL	46,992 SF	43,636 SF	100%

*NET AREA IS GROSS AREA LESS PUBLIC ACCESS EASEMENT
**% OF TOTAL IS BASED ON NET AREA

PROPOSED PARCEL 1 SLOPE TABLE:

MINIMUM SLOPE	MAXIMUM SLOPE	COLOR	AREA (SF)
0	4:1		22,318 SF
4:1	3:1		1,082 SF
3:1	2.5:1		844 SF
2.5:1	1:1		949 SF
1:1	VERTICAL		343 SF
		VERTICAL	25,536 SF

PROPOSED PARCEL 2 SLOPE TABLE:

MINIMUM SLOPE	MAXIMUM SLOPE	COLOR	AREA (SF)
0	4:1		17,114 SF
4:1	3:1		356 SF
3:1	2.5:1		126 SF
2.5:1	1:1		409 SF
1:1	VERTICAL		95 SF
		VERTICAL	18,100 SF

MAXIMUM ALLOWABLE SQUARE FOOTAGE (PARCEL 1)
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)
PURSUANT TO MALIBU MUNICIPAL CODE SECTION 17.40.040(13)

UP TO 0.5 AC.	21,780 x 0.177 = 3,855 + 1,000 =	4,855 S.F.
0.5 AC. TO 1 AC.	25,193 – 21,780 = 3,413 x 0.10 =	341 S.F.
	TOTAL:	5,196 S.F.

NOTE: USE LOT AREA MINUS ALL SLOPES GREATER THAN OR EQUAL TO 1:1

MAXIMUM ALLOWABLE SQUARE FOOTAGE (PARCEL 2)
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)
PURSUANT TO MALIBU MUNICIPAL CODE SECTION 17.40.040(13)

UP TO 0.5 AC.	18,005 x 0.177 = 3,855 + 1,000 =	3,187 S.F.
	TOTAL:	3,187 S.F.

NOTE: USE LOT AREA MINUS ALL SLOPES GREATER THAN OR EQUAL TO 1:1

PROJECT INFORMATION:

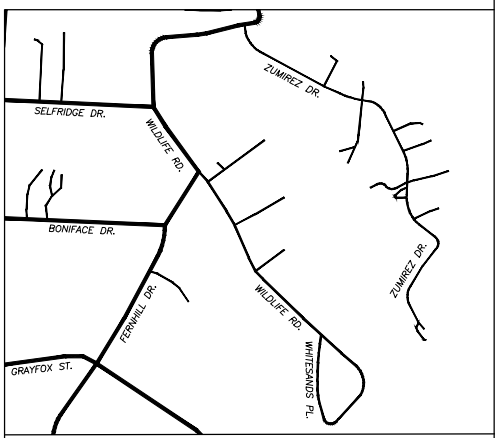
OWNER	DONALD R. LEHMAN AND MARIE CHRISTINE LEHMAN FAMILY REVOCABLE TRUST 28809 BONIFACE DRIVE MALIBU, CA 90265 (310) 866-1645
CIVIL ENGINEER	LC ENGINEERING GROUP, INC. 889 PIERCE COURT SUITE 101 THOUSAND OAKS, CA. 91360 (805) 497-1244 (818) 991-7148
SURVEYOR	MARK DANIELSON, PLS 7882 DANIELSON SURVEYING 25000 AVENUE STANFORD, STE. 141 (661) 904-7039

BENCHMARK:

NO. Y-11386 (L.A. COUNTY PUBLIC WORKS)
(SURVEY SECTION | MALIBU QUAD)
ELEVATION 189.381, 2008 ADJUSTMENT
DATUM: NAVD 1988
DPW BM TAG IN W CB 600MM(2') N/O BCR @ NW COR PACIFIC COAST HWY & CAVALLERI RD

NOTES:

1. ALL SURVEY INFORMATION PROVIDED HEREON IS BASED ON A "TOPOGRAPHY SURVEY" PREPARED BY DANIELSON SURVEYING, DATED JULY 20, 2021.
2. ALL FIRE ACCESS AND PROPOSED GRADING & DRAINAGE IMPROVEMENTS SHOWN ON THIS MAP ARE PROVIDED FOR REFERENCE ONLY. REFER TO THE LATEST VERSIONS OF THE "FIRE ACCESS EXHIBIT" AND "GRADING AND DRAINAGE PLANS" PREPARED BY OUR OFFICE. THESE PLANS ARE NOT CONSIDERED FINAL WITHOUT STAMPS AND SIGNATURES FROM OUR OFFICE, ALONG WITH THE CORRESPONDING APPROVALS FROM THE CITY OF MALIBU AND OTHER AGENCIES HAVING JURISDICTION.
3. WATER IS PROVIDED TO THE SITE BY LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29.



VICINITY MAP

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

LC ENGINEERING GROUP, INC.
CONSULTING ENGINEERS
CIVIL • STRUCTURAL • GEOTECHNICAL
889 Pierce Court, Suite 101, Thousand Oaks, California 91360
818-597-7148 • 805-497-1244 • lcgroup@lcengineer.com

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THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.

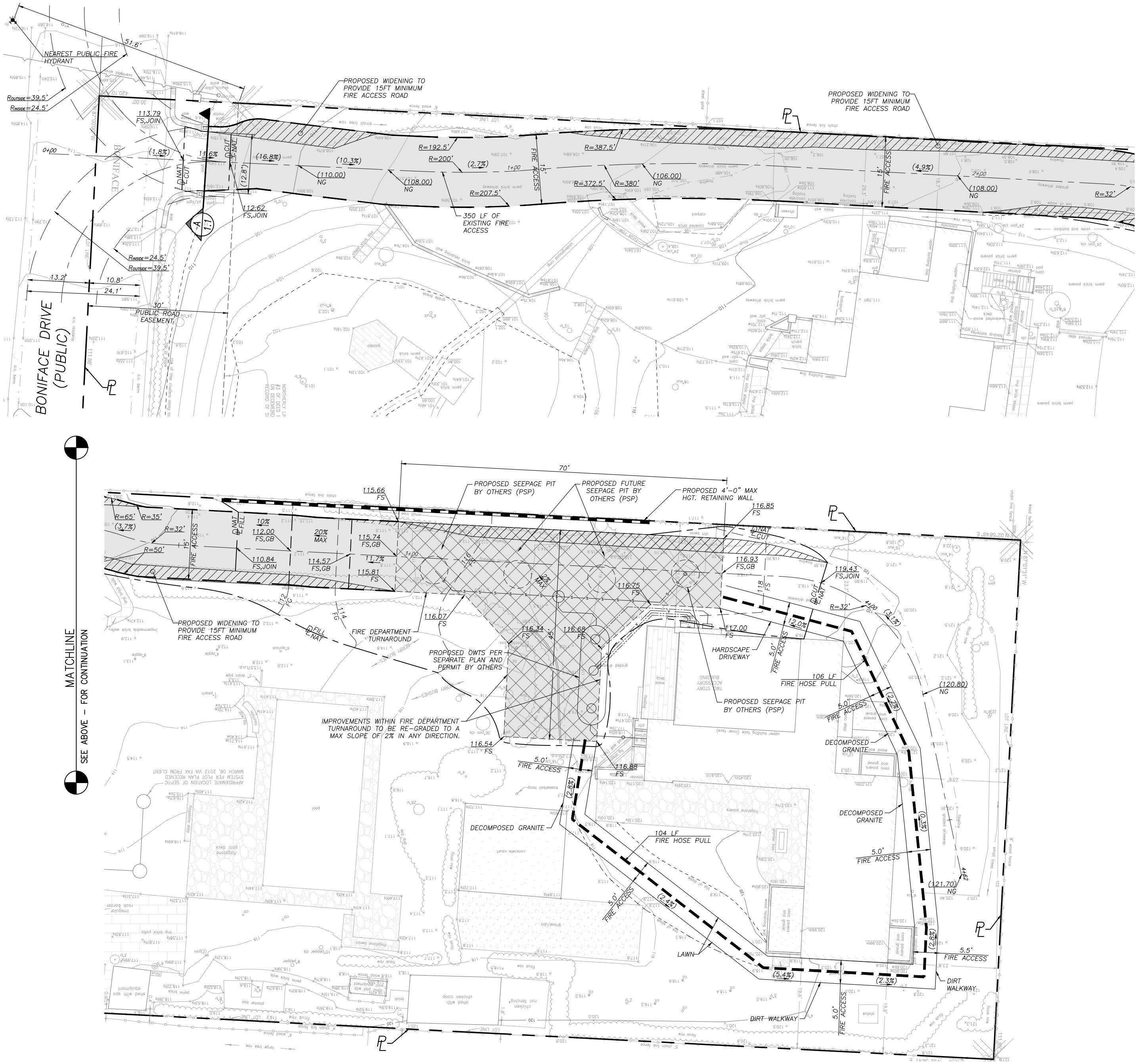
REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

SLOPE BAND ANALYSIS EXHIBIT

DATE:	01/21/25
SCALE:	1"=20'
DRAWN:	NL
JOB NO:	8181
SHEET	SB 1.0

Feb 03, 2025, 5:03pm Elizabeth Prieger
X:\LCE GROUP\CIVIL\PROJECTS\8181 Lehman\CIVIL\DWG\PLOT, ARC EXHIBIT\8181 SB1.dwg



LEGEND

- BOUNDARY OF FIRE ACCESS ROAD IMPROVEMENTS PER 'TYPICAL ROAD SECTION' DETAIL, SHT. FD1.1.
- LIMIT OF FIRE TRUCK TURNAROUND
- PROPOSED ROAD WIDENING
- HOSE PULL
- PROPOSED RETAINING WALL
- EXISTING BUILDING

County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit
CLEARED FOR PUBLIC HEARING
10/16/2025
FLDU2025001548

FIRE DEPARTMENT NOTES:

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

2. WHEN SECURITY GATES ARE PROVIDED, MAINTAIN A MINIMUM ACCESS WIDTH OF 15 FEET. THE SECURITY GATE SHALL BE PROVIDED WITH AN APPROVED MEANS OF EMERGENCY OPERATION, AND SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES AND REPLACED OR REPAIRED WHEN DEFECTIVE. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH REQUIREMENTS OF ASTM F220. GATES SHALL BE OF SWINGING OR SLIDING TYPE. CONSTRUCTION OF GATES SHALL BE OF MATERIALS THAT ALLOW MANUAL OPERATION BY ONE PERSON. FIRE CODE 503.6.

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

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

5. SPACING OF FIRE HYDRANTS SHALL NOT EXCEED THE DISTANCES SPECIFIED IN FIRE CODE C105.2 & C106.

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

7. ALL FIRE HYDRANTS SHALL MEASURE 6" X 4" X 2-1/2", BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD C503, OR APPROVED EQUAL.

8. PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE 903 AND FIRE CODE 903. FIRE SPRINKLER PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION IN ACCORDANCE WITH FIRE CODE 901.2 AND THE TYPE OF SPRINKLER SYSTEM PROVIDED WILL COMPLY WITH EITHER NFPA 13, NFPA 13R, OR NFPA 13

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

10. ALL ROOF COVERINGS SHALL BE CLASS "A" AS SPECIFIED IN BUILDING CODE 1505.1.1 (RESIDENTIAL CODE R327.5 & R902).

11. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R337.5.4 AND BUILDING CODE 705A.4).

12. ACCESSORY AND MISCELLANEOUS STRUCTURES, OTHER THAN BUILDINGS COVERED BY SECTION R337.10 & 701A.3, WHICH POSE A SIGNIFICANT EXTERIOR FIRE EXPOSURE HAZARD TO APPLICABLE BUILDINGS DURING WILDFIRES SHALL BE CONSTRUCTED TO CONFORM TO THE IGNITION RESISTANCE REQUIREMENTS OF THIS SECTION.R337.10 AND BUILDING CODE 710A.

13. CLEARANCE OF BRUSH AND VEGETATION GROWTH SHALL BE MAINTAINED PER FIRE CODE 325.

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

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THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.

REV#	DATE	SUBMITTAL/REVISION

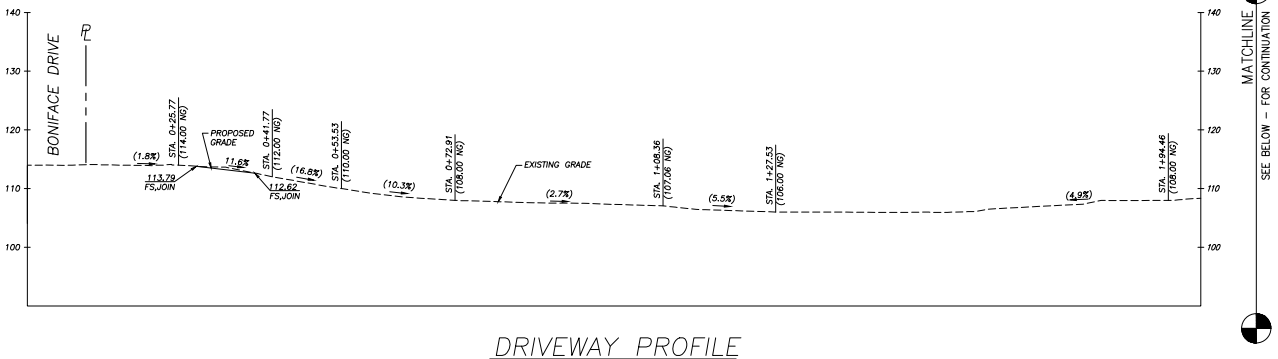
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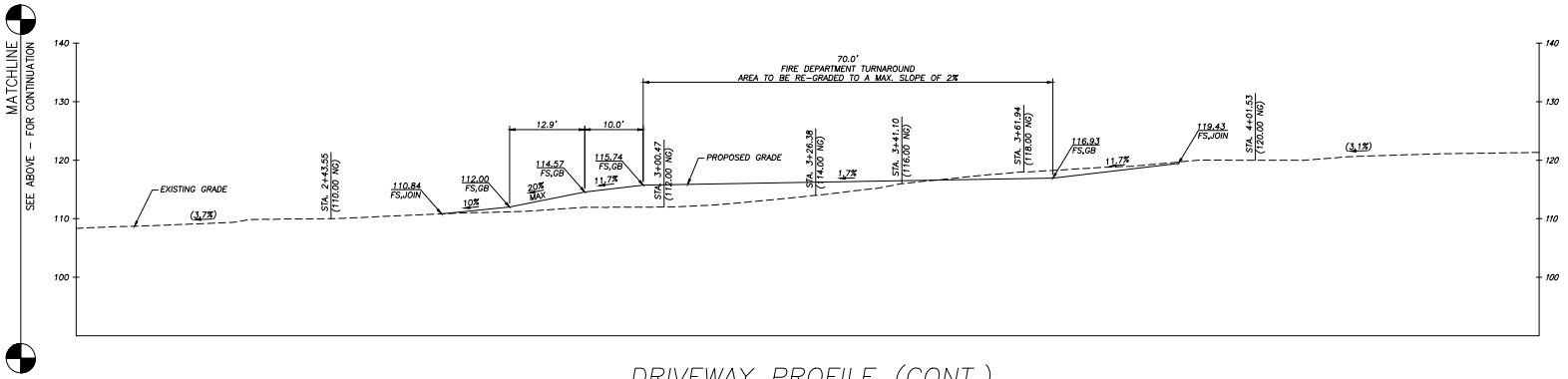
FIRE ACCESS EXHIBIT

DATE:	9/11/2025
SCALE:	1"=10'
DRAWN:	ED
JOB NO:	8181
SHEET	FD 1.0

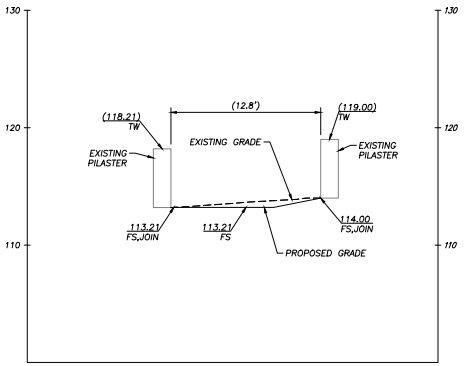
X:\LCE GROUP\Civil\JOBS\8100\8181 Lehman\CIVIL\DWG\DTL AND EXHIBIT\8181 FIRE ACCESS EXHIBIT_2024-01-11.dwg Sep 11, 2025, 5:21pm Patrick Kauffman



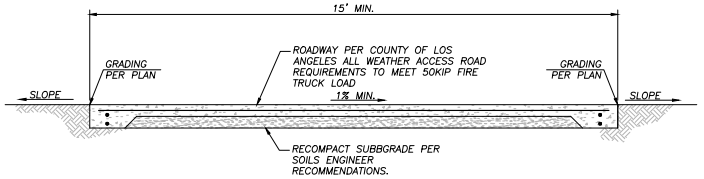
DRIVEWAY PROFILE
1"=10'



DRIVEWAY PROFILE (CONT.)
1"=10'



SECTION A
1"=5'



TYPICAL ROAD SECTION
N.T.S.

County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit
CLEARED FOR PUBLIC HEARING
12/16/2025
FLDU2025001548

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REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

FIRE ACCESS PROFILE

DATE:	9/5/2025
SCALE:	1"=10'
DRAWN:	ED
JOB NO:	8181
SHEET	FD 1.1

Sep 05, 2025, 4:05pm Pablo Kaufman
X:\LCE GROUP\JOBS\8100\8181 Lehman\CIVIL\DWG\FD1 FIRE ACCESS SHEET_2024-01-11.dwg

City of Malibu

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

Sent via Email and U.S. Postal Mail

October 5, 2026

Cindy Martin
Schmitz & Associates
28230 Agoura Rd. Suite 200
Agoura Hills, CA 91301
cmartin@schmitzandassociates.net

RE: SB 9 Written Comments Upon Denial - 28809 Boniface Drive (APN 4466-018-025)
Coastal Development Permit No. 23-010 and Tentative Parcel Map No. 23-001 for an SB 9 Urban Lot Split and Two-Unit Housing Development

Dear Cindy Martin:

On October 5, 2026, the Planning Commission adopted Resolution No. 26-46 denying Coastal Development Permit (CDP) No. 23-010, Tentative Parcel Map (TPM) No. 23-001, the urban lot split application under Government Code section 66411.7, and the two-unit housing development application under Government Code section 65852.21 (Senate Bill (SB) 9) for the above-referenced property. Under Government Code sections 65852.21(h)(2) and 66411.7(b)(1)(C), the City provides the following comments, identifying each deficiency based on the project currently before the City and how that deficiency could be remedied by the project applicant. The items are numbered to correspond to Grounds 1 through 9 of the Planning Commission agenda report. Item 10 identifies an SB 9 eligibility criterion that the applicant has not demonstrated. The findings in Resolution No. 26-46 hold the grounds for denial.

The City of Malibu is entirely within the California coastal zone. Gov. Code sections 65852.21(k) and 66411.7(n) provide that SB 9 does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Public Resources Code Section 30000 et seq.) (Coastal Act). Under Local Implementation Plan (LIP) Section 13.9(A), which implements Coastal Act Section 30604(b) in the City, a CDP may be approved only if the development conforms to the certified Local Coastal Program (LCP).

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A. ITEMS FOUND DEFICIENT OR DEFECTIVE AND REMEDIES

1. Certified Residential Density and Intensity

Land Use Plan (LUP) Chapters 1(D) and 5(C)(1); LUP Policy 5.38; LIP Sections 3.3(A)(1), 3.3(A)(3), 3.6(N)(1), and 15.2(B)(9); Resolution Sections 4.A.1(a) and 4.G.5

Deficiency - The certified LUP designates the subject parcel as RR-1, which limits density to one primary dwelling unit per acre. One primary residence is allowed on the subject parcel whereas the project proposes two. The density standard, as applied to the CDP, precludes both the land division and the residence proposed on Parcel B, regardless of the parcel's division, and LUP Policy 5.38 precludes a land division inconsistent with the maximum density.

Remedy - This deficiency cannot be remedied by revising the map or the plans. The applicant may apply for a second residential unit of up to 900 sf. of living area under LIP Section 3.6(N)(1), accessory to the existing residence and without a land division, which that section provides may be permitted and which may be processed by the City as an administrative CDP if it qualifies under LIP Section 13.13.1(B). A second residential unit application would remain subject to Items 6 and 7 below and to the development standards of the LIP, including Section 3.6(N)(1)(c).

2. Cumulative Effects on Coastal Resources and Public Services

LIP Sections 15.2(B)(7) and 15.2(B)(16); LIP Chapter 7 (Sections 7.1, 7.4, 7.8.3); LUP Policies 5.26, 5.27, and 5.39; Coastal Act Section 30250(a); Resolution Sections 4.E, 4.G.3, and 4.G.7

Deficiency - The division would create an additional parcel in an area the LUP designates for one primary dwelling unit per acre and would enlarge the development entitlement the certified LCP allocates to the land (2,050 sf. more total development square footage (TDSF), from 6,997 sf. to 9,047 sf.; smaller required yards; and two primary dwelling units instead of one). The application includes no transfer of development credit (Resolution Section 4.E; Ground 2).

Remedy - Under the certified LCP, a division can be found consistent with this criterion only where the resulting parcels meet the standards in Items 3 through 5 and the added lot is offset by retirement of one transfer of development credit per new lot under LIP Chapter 7. A transfer of development credit would satisfy LIP Section 15.2(B)(16) only, though Items 3 through 5 would still apply.

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3. **Minimum lot area, width, and depth for new lots in the RR-1 District**
LIP Sections 3.3(A)(3) and 15.2(B)(1)(a); LUP Policy 5.36; Resolution Sections 4.A.1(a) and 4.G.1

Deficiency - Proposed Parcel A would be 25,536 sf. and proposed Parcel B would be 18,100 sf. in size, each below the LIP's minimum one-acre lot size standard. Lot width and depth, measured using the methodology established in Zoning Code Interpretation No. 3, would also be substandard. Parcel A (96.86 ft.) and Parcel B (111.86 ft.) would each be less than the 150 ft. minimum width, and Parcel B (118 ft.) would be less than the 250 ft. minimum depth.

Remedy - The parcel to be divided is 43,636 sf., so no division of it can produce two parcels of one acre, and no configuration of two parcels can meet the width standard. This deficiency cannot be remedied by reconfiguring the map.

4. **Slope density for minimum parcel size**
LIP Sections 15.2(B)(9) and 15.6; LUP Policy 5.38; Resolution Section 4.G.5

Deficiency - The applicant's geotechnical report states that slopes on the subject parcel are no steeper than 10:1 (horizontal ft.: vertical ft.), the lowest band of the LIP Section 15.6.3 slope density table, and the 438 sf. of 1:1 slope deducted for Net Lot Area is approximately one percent of the parcel. At a factor of 1.0, the minimum lot size is 43,560 sf. Both parcels are smaller, and a steeper average slope would only increase the minimum required lot area.

Remedy - This deficiency cannot be remedied by reconfiguring the map, because the parcels are smaller than two times the minimum lot size under any slope factor.

5. **Surrounding parcel size**
LIP Section 15.2(B)(10); LUP Policy 5.35; Resolution Section 4.G.6

Deficiency - A land division may not create parcels smaller than the average size of surrounding parcels. Staff relied on Los Angeles County Assessor data for the 41 parcels within 500 ft. of the property lines, the distance the LCP uses to define a "neighborhood" for other purposes (LIP Section 3.6(L)). The 41 parcels average 44,119 sf. (median 43,617 sf.; 40,352 sf. excluding the three parcels of 85,000 sf. or more). Proposed Parcels A and B are smaller than the average size of the surrounding parcels.

Remedy - This deficiency cannot be remedied by reconfiguring the map, because no division of a 43,636 square foot parcel yields two parcels at or above the surrounding average.

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6. Height of the residence on Parcel B

LIP Section 3.6(E)(1); LUP Policy 6.7; Coastal Act Section 30251; Resolution Section 3, Determination 3, and Sections 4.A.1(b) and 4.B.1

Deficiency - The proposed second residence is 21 ft. 8 in. tall. The certified LCP limits every residence and associated structure on a non-beachfront lot to 18 ft. above natural or finished grade, whichever results in a lower building height (LIP Section 3.6(E)(1)). Site Plan Review No. 12-027, which approved 21 ft. 8 in. for the non-habitable storage building, does not authorize that height for a residence. The plans enlarge the ground floor of the storage building from 832 to 2,000 square feet and remove all of its exterior walls, so the residence is new construction and not a remodel as the LIP Chapter 2 defines that term.

Remedy - Revise the plans so that no portion of the residence, other than the features excepted by LIP Section 3.6(E)(1), exceeds 18 ft. measured as defined in LIP Chapter 2 ("Height, Non-Beachfront Lot"), and show the height calculation on the plans. A height above 18 ft. may be considered only through a Site Plan Review under LIP Sections 3.6(E)(2) and 13.27, a discretionary approval with its own findings, including consistency with the LCP (LIP Section 13.27.5(A)(1)), and only for a structure that can otherwise be approved under the certified LCP (see Item 1).

7. Lawful establishment of the existing development on Parcel B

LIP Sections 13.3(A), 13.3(F), 13.4.1(A), 13.4.1(B)(3), 13.4.2(D), and 13.5; Gov. Code Section 66411.7(i); Resolution Section 4.A.1(c)

Deficiency - The container additions, the conversion of the approved 2012 storage building to a dwelling, and the second onsite wastewater treatment system serving it were undertaken without a coastal development permit or building permits, as documented in the code enforcement record and staff's May 19, 2026 inspection. Development undertaken without a required CDP is not lawfully established and is not a nonconforming zoning condition within the meaning of Gov. Code Section 66411.7(i). Under LIP Section 13.3(F), no improvement, modification, or addition to that development may be approved unless the City also approves a CDP authorizing the existing development, and such a permit may be approved only if the existing and proposed development is consistent with the LCP. The plan set removes all exterior walls of the storage building, and the resulting structure is a replacement structure requiring a CDP under LIP Section 13.4.2(D), and the change from non-habitable storage to a dwelling is a change in the intensity of use that the LCP defines as development.

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Remedy - The CDP application requests approval of improvements made to the structure approved in 2012. LIP Section 13.3(F) allows approval only if the existing and proposed development conforms to the certified LCP, and the existing and proposed development does not. The deficiency may be remedied by (i) removing the unpermitted container additions, residential improvements, and second wastewater system and restoring the structure to the storage building approved in 2012; (ii) demolishing the structure; or (iii) revising the plans so that the existing and proposed development conforms to the certified LCP, including the 18 ft. height standard (Item 6) and the foundation and footprint conditions, and requesting authorization of the existing development under LIP Section 13.3(F) as part of the revised application. Since a second primary residence is not an allowed use on the parcel under the certified LUP (Item 1), revised plans could propose the structure only as a second residential unit under LIP Section 3.6(N)(1).

8. Parking for the residence on Parcel B

LUP Policy 2.25; LIP Section 3.14.3; Coastal Act Section 30252; Resolution Section 4.B.2

Deficiency - The plans provide one unenclosed parking space for the residence on Parcel B. LIP Section 3.14.3 requires a minimum of two spaces for any use or development. The certified LCP standard applies to the CDP under Coastal Act Section 30604(b) and the savings clause described above.

Remedy - Revise the plans to provide at least two parking spaces for the residence on Parcel B in conformance with LIP Section 3.14.3, and show the spaces and their dimensions on the site plan.

9. Fire hazard and the hazard policies of the certified LCP

LIP Sections 15.2(B)(1)(b), 7.1, 9.1, 9.2(A)(7), and 9.4(O); LUP Policies 4.2 and 4.45; Coastal Act Section 30253(a); Resolution Sections 4.F and 4.G.8

Deficiency - The parcel is within a Very High Fire Hazard Severity Zone. The Los Angeles County Fire Department (LACFD) approvals of the fuel modification plan and access establish that the access strip and turnaround comply with fire safety regulations (LIP Sections 15.2(B)(3) and 15.2(B)(4)) and that the fuel modification plan meets the minimum requirements of the Fire Code. These approvals do not establish that the building site on proposed Parcel B, a rear parcel served by a single 15 ft. access strip in a neighborhood where 145 structures were destroyed in the 2018 Woolsey Fire, is safe from extreme fire hazard, and the Planning Commission could not make that finding on the record (Resolution Section 4.F).

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Remedy - This deficiency arises from the creation of a new parcel and cannot be remedied by revising the map or the plans. An application that does not include a land division is not subject to this finding.

10. Documentation of tenant occupancy

Gov. Code Sections 65852.21(a)(3)(C), 66411.7(a)(3)(D)(iv); Resolution Section 3, Determination 2

Deficiency - SB 9 does not allow a two-unit housing development or an urban lot split that would demolish or alter housing occupied by a tenant in the last three years. Based on the February 8, 2023 filing date, the three-year period extends to February 8, 2020. Real-estate listing records show the non-habitable structure was most recently marketed as a furnished rental from December 4, 2018 until the listing was removed on May 1, 2019. In response to staff's inquiry, the applicant stated that the structure has not been occupied by a tenant during that period but did not provide a declaration or other documentation.

Remedy - A new application should include a declaration under penalty of perjury by the property owner stating whether the structure has been occupied by a tenant at any time in the three years preceding the application, including any supporting records for that period. The City will evaluate the criterion on that declaration and the records in the file.

B. FUTURE APPLICATION

Items 1 through 5 and 9 cannot be remedied by revising the map or the plans. Items 1 through 5 apply to the land division and can be addressed by an application that does not include a land division. Item 9 can be addressed by an application that does not include a land division. Item 2 is satisfied as to LIP Section 15.2(B)(16) by a transfer of development credit, as stated in that item. Item 1, as it applies to the residence, can be addressed by an application for a second residential unit of up to 900 sf. of living area under LIP Section 3.6(N)(1), which would remain subject to Items 6 and 7. Items 6 through 8 and 10 can be addressed in a new application, subject to Item 1 as to any second unit. The transfer of development credit requirement described in Item 2 applies to any land division approved under the LCP.

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Recycled Paper

October 5, 2026

Please contact Patrick Achis, AICP, Senior Planner, at pachis@malibucity.org or (310) 456-2489, ext. 247, with any questions regarding this correspondence.

Sincerely,

_____

Yolanda Bundy, MS, PE, CBO, CFCO
Director of Community Development

cc: Planning Commission
Donald R. Lehman and Marie Christine Lehman Trust (Property Owner)

DRAFT

Recycled Paper

SENATE BILL 9 (SB 9): AN OVERVIEW

WHAT IT IS AND HOW IT IMPACTS RESIDENTIAL LAND USE

Technical Assistance for Local Planning HOUSING

ASSOCIATION OF BAY AREA GOVERNMENTS

Senate Bill 9 (SB 9) is a new California State Law taking effect January 1, 2022.



This overview was published in July 2022 – the law has since been amended. SB 9 changes existing limits on how many homes can be built on a lot zoned as single-family. Similar to previous state legislation on Accessory Dwelling Units (ADUs), SB 9 is intended to support the availability of more modestly priced homes by encouraging building of smaller houses on small lots.

WHAT DOES SB 9 DO?

SB 9 MAKES IT EASIER TO:

BUILD UP TO 4 HOMES
ON A PARCEL IN A SINGLE-FAMILY ZONE

&

SUBDIVIDE A LOT INTO TWO
THAT CAN BE SMALLER THAN REQ MIN. SIZE

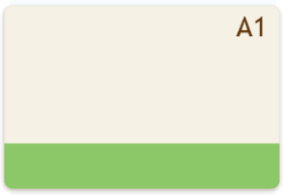
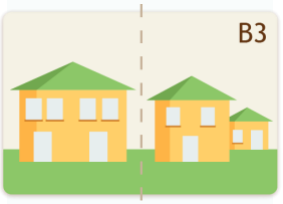
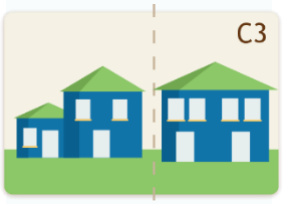
Used together, this allows **4 HOMES** where 1 was primary home was allowed before.

SB 9 makes this easier by waiving public hearings for the two actions.

WHAT CAN I DO ON MY LOT?

Add new homes to existing parcel • Divide existing house into multiple units • Divide parcel and add homes

Illustrations are based on a preliminary analysis of the law. Details are subject to change and are for informational purposes only. See the following page for qualification details and limitations.

	VACANT LOT	LOT WITH SINGLE-FAMILY HOME	LOT WITH NONCONFORMING DUPLEX[1]	LOT WITH SINGLE-FAMILY HOME AND AN ADU
BEFORE	A1  No units	B1  1 PRIMARY UNIT	C1  2 PRIMARY UNITS	D1  1 PRIMARY UNIT + 1 ADU/JADU[2]
ADD UNITS, NO LOT SPLIT	A2  Up to 2 PRIMARY UNITS + Up to 2 ADUs/JADUs[3]	B2  Up to 2 PRIMARY UNITS[4] + Up to 2 ADUs/JADUs[3]	C2  *(No additional units)*[5]	D2  Up to 2 PRIMARY UNITS[4] + 1 ADU/JADU[3]
ADD UNITS AND LOT SPLIT	A3  Up to 4 TOTAL UNITS	B3  Up to 4 TOTAL UNITS	C3  Up to 4 TOTAL UNITS	D3  Up to 4 TOTAL UNITS

If you're NOT splitting a lot:

- SB 9 does not limit the number of ADUs/JADUs (B2, D2) – but other laws might.

If you ARE splitting a lot:

- Jurisdictions ***can*** limit the 2 lots to 4 units total, including any ADUs/JADUs, and may choose not to permit ADUs/JADUs.

SINGLE-UNIT DEVELOPMENTS

SB 9 can be used to develop single units – but projects must comply with all SB 9 requirements.

1 Legally constructed but not currently permitted. Check your local ordinance for nonconforming use policies.
2 Junior Accessory Dwelling Units (JADUs) are small (max. 500ft^2) rentable units within a single-family structure. See your jurisdiction's specifications for more details.
3 The exact number and type of ADUs/JADUs allowed should be confirmed based on project specifics.
4 Added primary unit can be new construction or a split of the existing house.
5 Check local nonconforming use rules for more information about ADUs/JADUs.

THIS DOCUMENT DOES NOT CONSTITUTE LEGAL ADVICE OR OPINIONS REGARDING SPECIFIC FACTS. FOR MORE INFORMATION ABOUT SB 9, PLEASE CONTACT YOUR OWN LEGAL COUNSEL.

ATTACHMENT 4

DOES MY LOT QUALIFY?

REFERENCE ANY QUALIFICATION MATERIALS FROM YOUR JURISDICTION FOR MORE SPECIFICS.

2-UNIT DEVELOPMENTS & LOT SPLITS

- Located in a SINGLE-FAMILY RESIDENTIAL ZONE
- Located in an URBANIZED AREA or URBAN CLUSTER, as defined by the U.S. Census Bureau *(essentially, an area with at least 2,500 people)*[6]
- Not in a state/local HISTORIC DISTRICT / not an HISTORIC LANDMARK

Lots in these areas may not be eligible or may need to meet additional qualifications:[7]

- PRIME FARMLAND or farmland of statewide importance
- WETLANDS
- Identified for CONSERVATION or UNDER CONSERVATION EASEMENT
- HABITAT for protected species
- Within a VERY HIGH FIRE HAZARD SAFETY ZONE
- A HAZARDOUS WASTE SITE
- Within a delineated EARTHQUAKE FAULT ZONE
- Within a 100-YEAR FLOODPLAIN OR FLOODWAY

The project cannot alter or demolish:

- Deed-restricted AFFORDABLE HOUSING
- RENT-CONTROLLED HOUSING
- Housing on parcels with an ELLIS ACT EVICTION in the last 15 yrs.
- Housing OCCUPIED BY A TENANT currently or in the last 3 yrs.



ADDTL. QUALIFICATIONS 2-UNIT DEVELOPMENTS

- Project DOES NOT REMOVE MORE THAN 25% OF EXTERIOR WALLS on a site that has a tenant or has had a tenant in the last 3 yrs. *(even if the rental unit itself isn't altered)*

ADDTL. QUALIFICATIONS LOT SPLITS

- LOT IS SPLIT ROUGHLY IN HALF – smaller lot is at least 40% of the original lot[8]
- Each new lot is AT LEAST 1,200FT^2 [9] *(This means the original lot must be at least 2,400ft^2 for a 50/50 split; 3,000ft^2 if a 60/40 split.)*
- Lot is NOT ADJACENT TO ANOTHER LOT SUBDIVIDED by you (or done in concert with you) using SB 9
- Lot was NOT CREATED BY A PREVIOUS SB 9 SPLIT

ADDITIONAL LIMITATIONS ON SB 9 PROJECTS

CONTACT YOUR LOCAL JURISDICTION FOR ADDITIONAL DETAILS ON SB 9 PROJECT LIMITATIONS.

2-UNIT DEVELOPMENTS & LOT SPLITS

- PARKING: Your jurisdiction cannot require more than one off-street parking space per unit, and cannot require any parking spaces if the parcel is close to transit (as defined in the law)
- NO SHORT-TERM RENTAL: Units created by SB 9 cannot be used for short-term rentals (less than 30 days)
- HOAS: SB 9 does not change rules or restrictions put in place by homeowners' associations.
- LOCAL STANDARDS: Jurisdictions may set zoning, subdivision, and design standards for SB 9 projects, but they must be objective and they cannot preclude two units of at least 800ft^2 on each lot.
- PUBLIC HEALTH AND SAFETY: Your project can be denied if it creates a "specific, adverse impact on public health and safety."[10]

ADDTL. LIMITATIONS 2-UNIT DEVELOPMENTS

- You may be required to do a PERCOLATION TEST if you have on-site wastewater treatment

ADDTL. LIMITATIONS LOT SPLITS

- The project is limited to RESIDENTIAL USES ONLY
- OWNER-OCCUPANCY: Applicant must sign an affidavit saying they intend to live in one of the units for 3+ years after approval
- Your jurisdiction cannot require CORRECTION OF NONCONFORMING ZONING CONDITIONS
- Your jurisdiction may require EASEMENTS FOR PUBLIC SERVICES AND FACILITIES and/or to have access to the public right-of-way



WHAT DOES THE PROCESS LOOK LIKE?



STEP 1 Applicant submits SB 9 application to local jurisdiction.



STEP 2 Local jurisdiction determines whether application is complete within 30 days of submittal.



STEP 3 Once application is complete, local staff reviews the application and determines whether to approve and conditions of approval.

6 Urbanized areas/urban cluster maps are on the U.S. Census Bureau website.
7 As defined in Government Code § 65913.4(a)(6)(B)-(K).
8 Each new lot can be smaller than required minimum lot size.
9 This number may be lowered by local ordinance.
10 Must be determined in writing by a building official, based on inconsistency with objective standards and without feasible mitigation measures.

Site Photographs (May 19, 2026) and Rental Listing Records

28809 Boniface Drive (CDP No. 23-010 and TPM No. 23-001)
Prepared by City of Malibu Planning Division, September 8, 2026

The following site photos were taken by staff during the May 19, 2026, site inspection of the storage building on proposed Parcel B. The photos show the interior finished for residential use, including kitchen cabinets, sink, and refrigerator, with the oven removed; bathrooms with sinks and showers; and sparse furnishing, some of it covered or stored. The Zillow listing record for the property shows the property listed for rent by Douglas Elliman (MLS No. 18412610) on December 4, 2018, and the listing removed on May 1, 2019. The rental listing photographs, also provided, show the structure fully furnished with the same exterior, kitchen, living and dining area, bathrooms, and entry door as the site photos.

Staff Site Photographs, May 19, 2026



Site Photo 1 - Front Exterior Elevation



Site Photo 2 - Front Exterior Elevation (cont.)



Site Photo 3 - Exterior Rear Elevation (Entry Door)



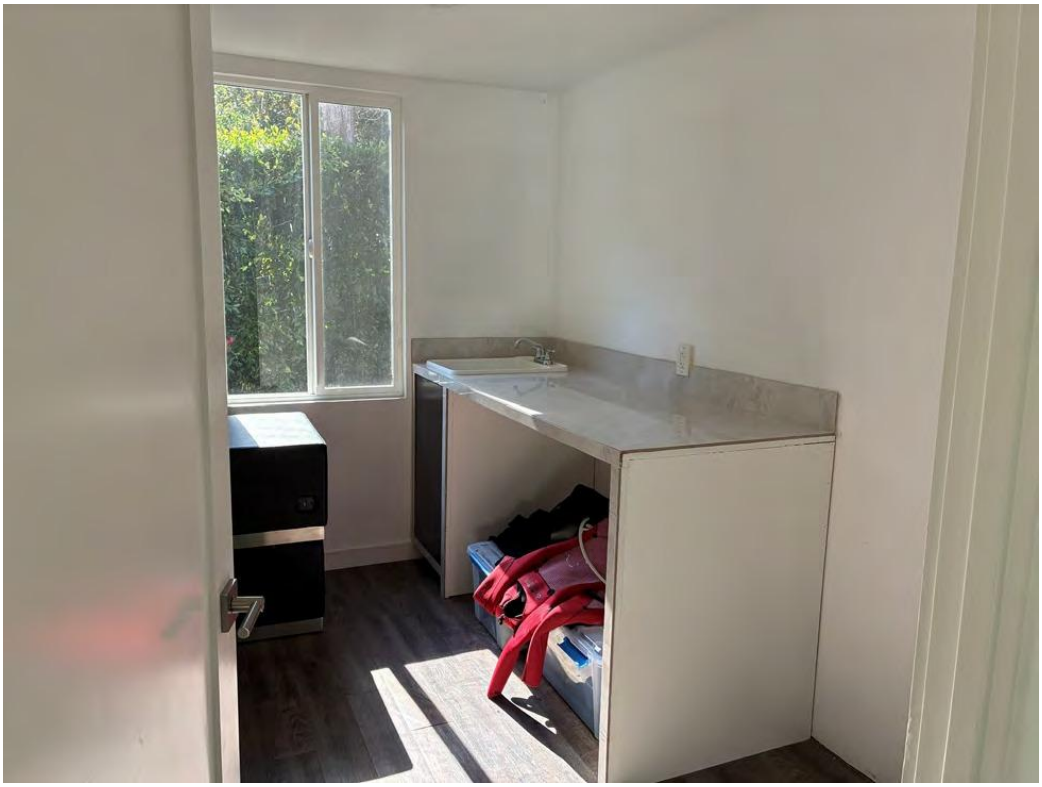
Site Photo 4 - Living Room, Dining Room, and Kitchen



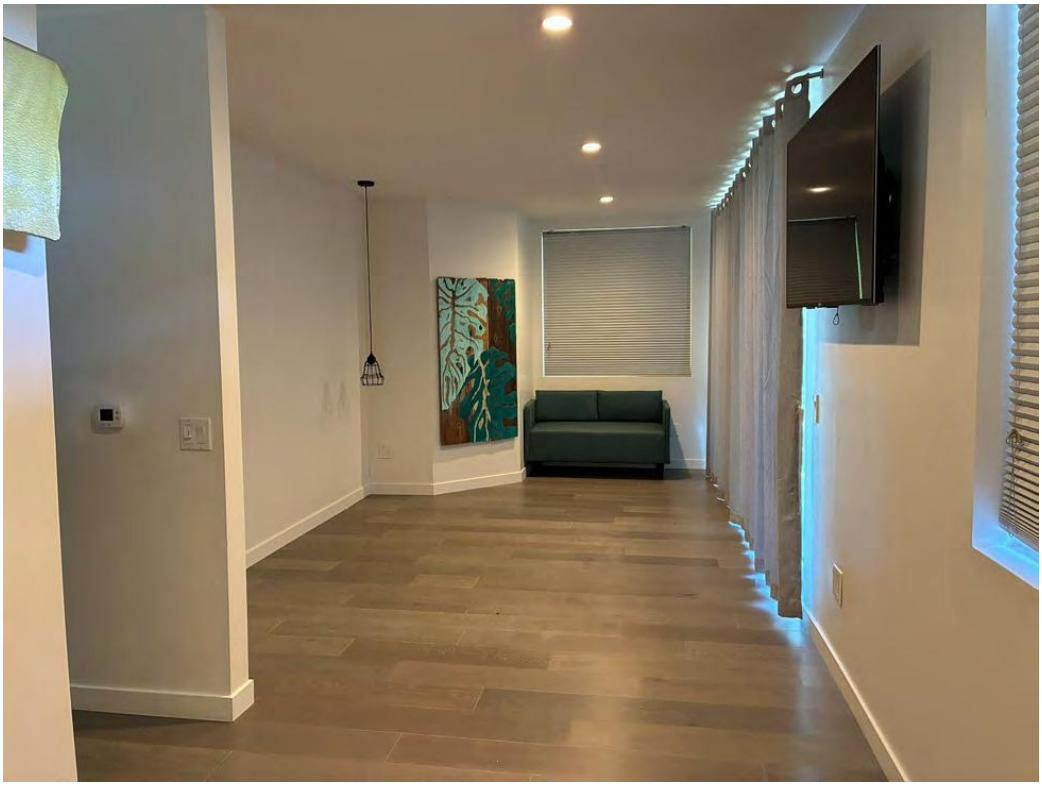
Site Photo 5 - Kitchen (Oven Removed)



Site Photo 6 - Dining Area



Site Photo 7 - Walk-in Closet



Site Photo 8 - Master Bedroom



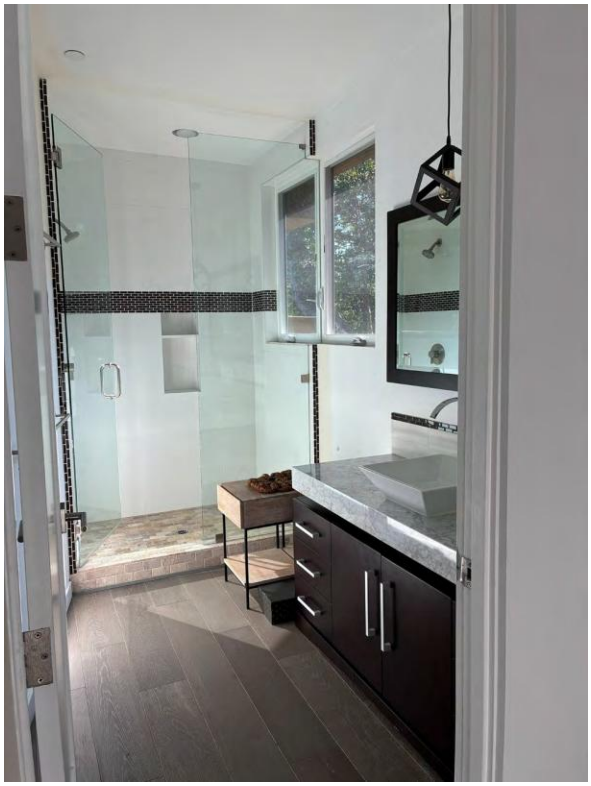
Site Photo 9 - Master Bathroom (Shower Behind)



Site Photo 10 - Family Room



Site Photo 11 - Office



Site Photo 12 - Second Floor Bathroom



Site Photo 13 - First Floor Bathroom (Shower Beyond)

Rental Listing Records

Source: Zillow, 28809 Boniface Dr, Malibu, CA 90265, https://www.zillow.com/homedetails/28809-Boniface-Dr-Malibu-CA-90265/20555751_zpid/, accessed May 21, 2026.

Price history

Date	Event	Price
5/1/2019	Listing removed	$35,000 $12/sqft
Source: Douglas Elliman #18412610 Report		
12/4/2018	Listed for rent	$35,000 +75% $12/sqft
Source: Douglas Elliman #18412610 Report		
9/2/2011	Listing removed	$20,000 $7/sqft
Source: Coldwell Banker Residential Brokerage - Malibu West #11-506001 Report		
5/6/2011	Price change	$20,000 -11.1% $7/sqft
Source: Coldwell Banker Residential Brokerage - Malibu West #11-506001 Report		
4/24/2011	Price change	$22,500 -10% $8/sqft
Source: Coldwell Banker Residential Brokerage - Malibu West #11-506001 Report		

Show more



Listing Photos - 1



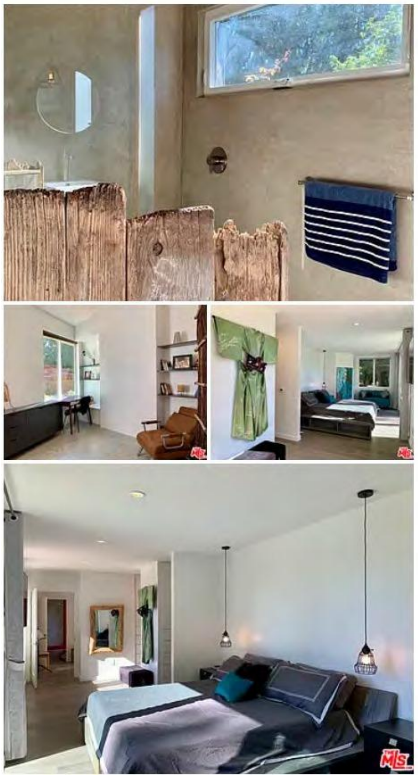
Listing Photos - 2



Listing Photos - 3



Listing Photos - 4



Listing Photos - 5



Listing Photos - 6



Listing Photos - 7



Listing Photos - 8



Listing Photos - 9



Listing Photos - 10

City of Malibu

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

LOS ANGELES COUNTY WATERWORKS DISTRICTS REVIEW
REFERRAL SHEET

FROM: City of Malibu Planning Department **DATE: 02/08/2023**

PROJECT NUMBER:	**CDP 23-010**
JOB ADDRESS:	**28809 BONIFACE DR**
APPLICANT / CONTACT:	**Cindy Martin, Schmitz & Associates, Inc.**
APPLICANT EMAIL:	**cmartin@schmitzandassociates.net**
APPLICANT PHONE #:	**(818) 338-3636**
PLANNER:	**Patrick Achis**
PROJECT DESCRIPTION:	**Lot Split (SB9), New SFR (on newly created lot), New OWTS to serve new SFR**

TO: Malibu Planning Department and/or Applicant

FROM: LACWD No. 29, Malibu

Compliance with the conditions checked below is required prior to Waterworks District approval

The project **DOES NOT** require any system improvements for domestic and/or fire flow conditions ____

The project **DOES NOT** require capital improvement fees and/or participation fees ____

The project **DOES** require a Will Serve Letter ***(Final Waterworks Districts approval)*** X

The project **DOES** require capital improvement fees and/or participation fees X

The project **DOES** require the owner to execute an agreement and participate financially in the design and construction of a future water system to increase local storage and conveyance capacity in the event of an interruption of the primary water supply ____

The project **DOES** require private contract water system improvements for domestic and/or fire flow conditions X

The required fire flow for this project set by the Fire Department is 1,250 gallons per minute at 20 pounds per square inch for a 1 hour duration

Scope of water system improvements required:
Determined at time of water service application.

Note: Los Angeles County Waterworks District No. 29, Malibu approval expires upon the earliest of the following: 1) Two years from the date of this form; 2) Expiration date of the City Planning permit(s), or 3) Date County adopts changes to the county of Los Ange/es Fire Code an makes revisions to appli le ire Department regulations and standards.

Vicki N — 9-4-2026

SIGNATURE **DATE**

Additional requirements/conditions may be imposed upon review of complete architectural plans.
Los Angeles County Waterworks District No. 29, Malibu may be contacted by phone at (310) 317-1389 or at the Waterworks Public Counter 23533 Civic Center Way, Malibu CA 90265; Hours: Monday-Thursday 8:00am – 12:00pm

ATTACHMENT 6

City of Malibu

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

BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu Biologist

FROM: City of Malibu Planning Department **REVISED DATE** 04/22/2025

PROJECT NUMBER:	CDP 23-010
JOB ADDRESS:	28809 BONIFACE DR
APPLICANT / CONTACT:	Cindy Martin, Schmitz & Associates, Inc.
APPLICANT EMAIL:	cmartin@schmitzandassociates.net
PLANNER:	Adam Pisarkiewicz
PROJECT DESCRIPTION:	Lot Split (SB9), New SFR (on newly created lot), New OWTS to serve new SFR
REVISION:	

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

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

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

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

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

Courtney McCammon 5/2/25

Signature Date

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

Contact Information:

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

City of Malibu

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

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email)	Cindy Martin, Schmitz & Associates, Inc. cmartin@schmitzandassociates.net	
Project Address:	**28809 BONIFACE DR** Malibu, CA 90265	
Planning Case No.:	CDP 23-010	
Project Description:	Lot Split (SB9), New SFR (on newly created lot), New OWTS to serve new SFR	
Date of Review:	May 2, 2025	
Reviewer:	Courtney McCammon	Signature: Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email: biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	4/22/25
Site Survey:	4/22/25
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	4/22/25
OWTS Plan:	4/22/25
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	2/20/23 (Incomplete)

REVIEW FINDINGS

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

Recycled Paper

RECOMMENDATIONS:

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

   A. No new landscaping is proposed with this project. Therefore, none is approved. Should the applicant intend to plant any new vegetation with a potential to exceed six feet in height, or change 500/2,500 square feet or more (new residence/existing residence) of the existing landscaping area, a detailed landscape plan shall be submitted for review and approval prior to any planting.

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

   C. All new development including structures, septic systems, or landscaping, shall not encroach on slopes steeper than 4:1.

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

-o0o-

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

cc: Planning Project file
Planning Department

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Staff

FROM: City of Malibu Planning Staff **REVISED DATE** 10/27/2025

PROJECT NUMBER: CDP 23-010

JOB ADDRESS: 28809 BONIFACE DR

APPLICANT / CONTACT: Cindy Martin, Schmitz & Associates, Inc.

APPLICANT EMAIL: cmartin@schmitzandassociates.net

PROJECT DESCRIPTION: Lot Split (SB9), New SFR (on newly created lot), New OWTS to serve new SFR

REVISION:

TO: Malibu Planning Department and/or Applicant

FROM: Malibu Environmental Health Staff

✓ **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)**

Signature 12/1/2025

Signature **Date**

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

Public Counter hours for Environmental Health staff are Tuesdays and Thursdays, 8:00 AM – 12:00 PM.

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Cindy Martin, Schmitz & Associates, Inc. cmartin@schmitzandassociates.net		
Project Address:	**28809 Boniface Drive** Malibu, California 90265		
Planning Case No.:	CDP 23-010		
Project Description:	Lot Split (SB9), New SFR (on newly created lot), New OWTS to serve new SFR		
Date of Review:	December 1, 2025		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Barsocchini & Associates: Plans dated 8-19-2022, 2-11-2025
Grading Plans:	LC Engineering: Plans dated 5-19-2022, 2-3-2025
OWTS Plan:	EPD: OWTS plans dated 11-11-2022, 2-17-2025
OWTS Report:	EPD: OWTS report dated 11-11-2022, 2-17-2025; Percolation Test report dated 11-7-2022
Geology Report:	Gold Coast Geoservices: Geotechnical Report dated 10-6-2022, 5-30-2025
Miscellaneous:	Operating Permit: Active; expires 10-8-2027
Previous Reviews:	3-9-2023, 5-22-2025

REVIEW FINDINGS

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

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

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

Conditions of Planning Conformance Review for Building Plan Check Approval:

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

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

3) **Architectural Plans:**

   - The final architectural plans must show 4 bedrooms and 37 drainage fixture units (DFU), or as otherwise indicated by the OWTS designer in the final design report.

   - Show and label all drainage fixtures on the final floor plans including clothes washers, kitchen sinks, and dishwashers.

4) **Proof of 1.28 Gallon or Less Flushometer Water Closet:** The 2022 California Plumbing Code permits water closets to be computed as 3 DFU if the proposed water closet is categorized as a flushometer tank with a 1.28 gallon per flush or less and is ANSI, IAPMO, IPC, UPC, ASME, CSA, or City of LA approved. Specifications of the flushometer tank shall be submitted.

   - The OWTS Designer must reference water closets to be computed as 3 DFU. Please provide the make and model number of the water closet that is ANSI, IAPMO, IPC, UPC, ASME, CSA, or City of LA approved and incorporate the low flow specification sheet into the final OWTS design report and architectural plan set.

5) **Certified Fixture Unit Worksheet:** A fixture unit worksheet showing all proposed bedrooms and DFU must be completed and certified by the OWTS Designer (EPD).

   - Please incorporate the fixture unit worksheet into the final architectural plan set and final OWTS design report.

   - The fixtures listed on the certified fixture unit worksheet must match the submitted architectural plans.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14) **Storm Water Pollution Prevention Plan (S.W.P.P. Plan):** A S.W.P.P. Plan shall be submitted during the building plan check stage review. The plan must show the proposed OWTS components.

15) **Waterworks District 29 (W.W.D.29) Approval:** WWD29 approval of the OWTS plot plan is required. The final OWTS plot plan must show the water main and meter as applicable.

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

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

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

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

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

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

-o0o-

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

cc: Environmental Health file;
Planning Department

28809 BONIFACE DRIVE (CDP 23-010)
MALIBU, CA 90265

S.F.D.:	4 Bedroom/37 Fixture Units (N)
TREATMENT TANK:	3,634 Gallon MicroSepTec ES12 with UV Disinfection Unit (N)
ACTIVE:	2 - 6' x 27' BI w/8' Cap (N) (projected; B-1 and B-4)
FUTURE:	2 - 6' x 27' BI w/8' Cap (N) (projected; B-2 and B-3)
PERC RATE:	3,209 gpd/6.3 gpsf (proj; B-1)
	4,521 gpd/8.9 gpsf (proj; B-2)
	4,761 gpd/9.4 gpsf (proj; B-3)
	7,681 gpd/15.1 gpsf (proj; B-4)
DESIGNER:	Kevin Poffenbarger, RCE 69089
REFERENCE:	EPD: OWTS report dated 11-11-2022, 2-17-2025; Percolation Test report dated 11-7-2022
	Gold Coast Geoservices: Geotechnical Report dated 10-6-2022, 5-3-2025

NOTES:

1. This conformance review is for a new single-family dwelling and new advanced onsite wastewater treatment system (OWTS). The new OWTS conforms to the requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP).
2. This review relates only to the minimum requirements of the MMC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.
3. This review is valid for one year, or until MMC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

SIGNATURE: ..... DATE: 12/1/2025

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

KEY:
- PROPERTY LINE
- (P) RESIDENCE
- (P) SS PIPES (GRAVITY)
- (P) SS PIPES (AIR)
- (P) SS PIPES (VENT)
- (P) SS PIPES (ELECTRICAL)
- (P) PRESENT SEEPAGE PIT
- (P) FUTURE SEEPAGE PIT
- PERCOLATION TEST BORING (B-X) APPROXIMATE PER GOLD COAST GEOSERVICES, INC.

ABBREVIATIONS:

BI	BELOW INLET
DFU	DRAINAGE FIXTURE UNIT
(E)	EXISTING
FF	FINISHED FLOOR
FG	FINISHED GRADE
FS	FINISHED SURFACE
OWS	ONSITE WASTEWATER SYSTEM
PL	PROPERTY LINE
(P)	PROPOSED
RIS	REDUCTION IN SETBACK

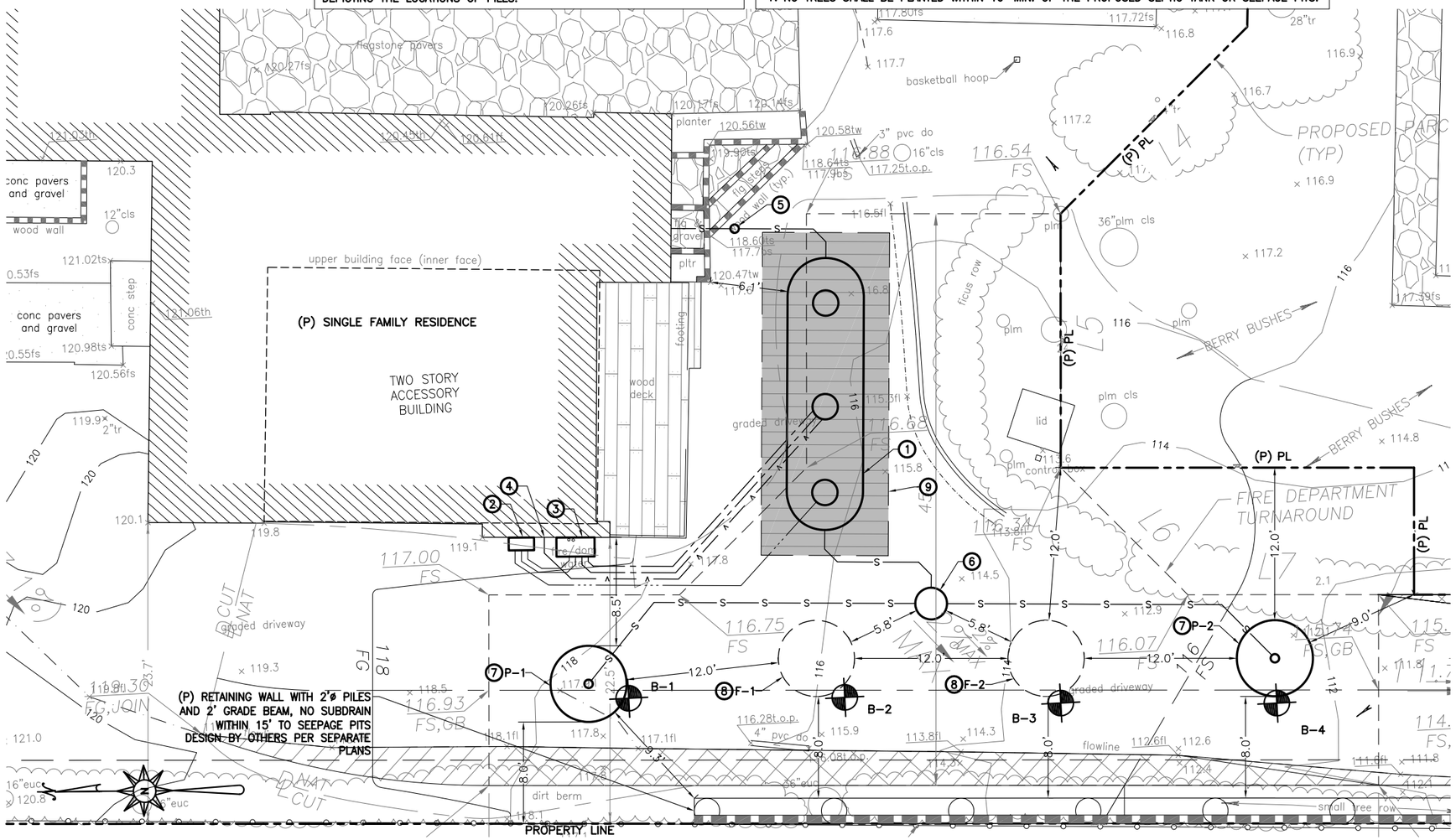
NOTES:
1. FOR ONSITE WASTEWATER SYSTEM OVERALL SITE PLAN REFER TO DETAIL 1, SHEET W0.00.
2. ONSITE WASTEWATER SYSTEM GENERAL NOTES PER DETAIL 3, SHEET W0.00.
3. ONSITE WASTEWATER SYSTEM PROCESS FLOW SCHEMATIC PER DETAIL 2, SHEET W0.00.
4. ONSITE WASTEWATER SYSTEM CALCULATIONS PER DETAIL 6, SHEET W0.00.
5. ONSITE WASTEWATER SYSTEM KEYNOTES PER DETAIL 4, SHEET W0.00.
6. ONSITE WASTEWATER SYSTEM SEEPAGE PIT ELEVATIONS PER DETAIL 5, SHEET W0.00.

PRELIMINARY - NOT FOR CONSTRUCTION

FOUNDATION NOTE:
THE PROJECT GEOTECHNICAL CONSULTANT SHALL PREPARE AN AS-BUILT REPORT DOCUMENTING THE INSTALLATION OF THE PILE FOUNDATION ELEMENTS FOR THE CITY FILE. THE REPORT SHALL INCLUDE TOTAL DEPTHS OF THE PILES, DEPTHS INTO THE RECOMMENDED BEARING MATERIAL, MINIMUM REQUIRED DEPTH IN THE RECOMMENDED BEARING MATERIAL AND A MAP DEPICTING THE LOCATIONS OF PILES.

SOILS NOTE:
THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE AND APPROVE THE INSTALLATION OF THE SEEPAGE PITS AND PROVIDE THE CITY INSPECTOR WITH A FIELD MEMORANDUM(S) DOCUMENTING AND VERIFYING THAT THE SEEPAGE PITS WERE INSTALLED PER THE APPROVED OWTS PLANS.

SPECIAL NOTE:
1. NO TREES SHALL BE PLANTED WITHIN 10' MIN. OF THE PROPOSED SEPTIC TANK OR SEEPAGE PITS.



1 ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN
Scale: 1"=10'

EPD consultants
sustainable water systems & solutions
20722 MAIN STREET
CARSON, CA 90745
Phone (310) 241-6565
Fax (310) 241-6566

REGISTERED PROFESSIONAL ENGINEER
KEVIN L. POFFENBARGER
No. 69089
CIVIL
STATE OF CALIFORNIA

▽ NO.	REVISIONS:	DATE:	BY:
1	NEW PARCEL LINES	12/5/24	MD
2	PC COMMENTS	2/17/25	MD

SHEET TITLE: ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN

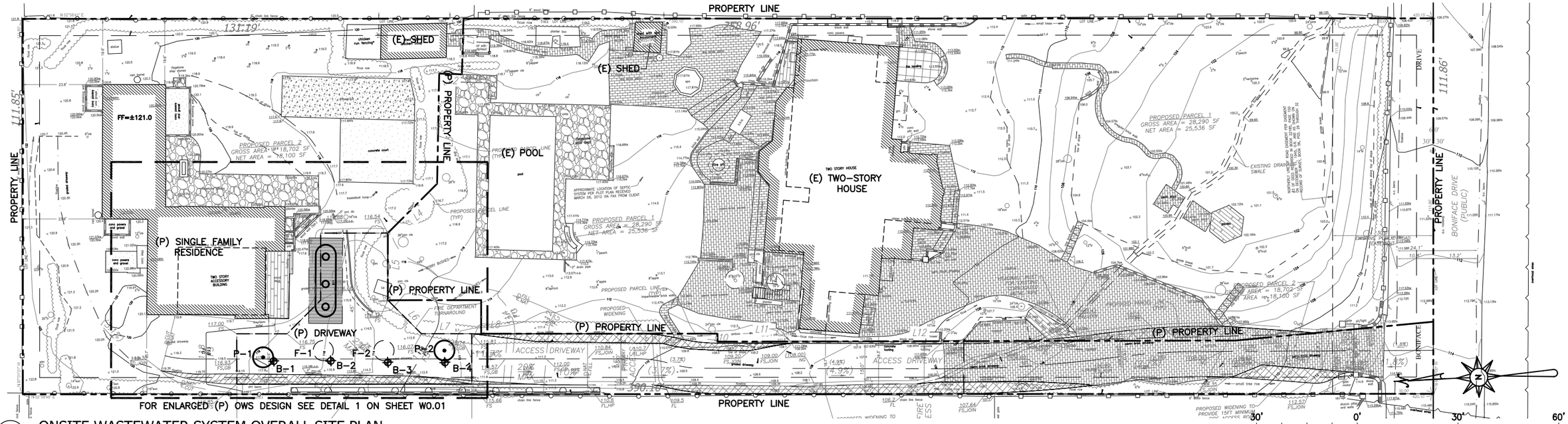
PROJECT: 28809 BONIFACE DRIVE MALIBU, CA 90265

DATE	SCALE	DRAWN BY
11/11/22	AS_SHOWN	AF

PROJECT NO. G828

DRAWING NO. W0.01

SHEET 2 OF 2 SHEETS



1 ONSITE WASTEWATER SYSTEM OVERALL SITE PLAN

Scale: 1"=30'

GRAPHIC SCALE: 1"=30'

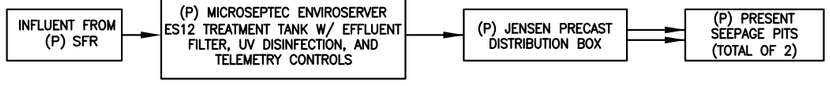
KEY:

- PROPERTY LINE
- EASEMENT
- (E) STRUCTURE
- PERCOLATION TEST BORING (B-X) APPROXIMATE PER GOLD COAST GEOSERVICES, INC.

FOUNDATION NOTE:
THE PROJECT GEOTECHNICAL CONSULTANT SHALL PREPARE AN AS-BUILT REPORT DOCUMENTING THE INSTALLATION OF THE PILE FOUNDATION ELEMENTS FOR THE CITY FILE. THE REPORT SHALL INCLUDE TOTAL DEPTHS OF THE PILES, DEPTHS INTO THE RECOMMENDED BEARING MATERIAL, MINIMUM REQUIRED DEPTH IN THE RECOMMENDED BEARING MATERIAL AND A MAP DEPICTING THE LOCATIONS OF PILES.

SOILS NOTE:
THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE AND APPROVE THE INSTALLATION OF THE SEEPAGE PITS AND PROVIDE THE CITY INSPECTOR WITH A FIELD MEMORANDUM(S) DOCUMENTING AND VERIFYING THAT THE SEEPAGE PITS WERE INSTALLED PER THE APPROVED OWTS PLANS.

PRELIMINARY - NOT FOR CONSTRUCTION



2 ONSITE WASTEWATER SYSTEM PROCESS FLOW SCHEMATIC

Scale: N.T.S.

1. THIS PLAN ACCURATE FOR ONSITE WASTEWATER SYSTEM (OWS) DESIGN ONLY.
2. TOPOGRAPHY PER TENTATIVE PARCEL MAP, PREPARED BY LC ENGINEERING GROUP INC., DATED FEBRUARY 3, 2025. GRADING AND DRAINAGE PLANS PREPARED BY LC ENGINEERING GROUP, DATED FEBRUARY 3, 2025. GEOLOGIC BORINGS (B-X) APPROXIMATE PER SUPPORTING GEOLOGY REPORT, PREPARED BY GOLD COAST GEOSERVICES, INC., DATED OCTOBER 6, 2022. ELEVATIONS ARE APPROXIMATE PER REFERENCED PLANS.
3. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.

3 ONSITE WASTEWATER SYSTEM GENERAL NOTES

Scale: N.T.S.

	SEEPAGE PIT #	PERC.TEST BORING PIT #	EXISTING GRADE (FT)	CAP DEPTH FROM EG (FT)	PROPOSED GRADE (FG) (FT)	CAP DEPTH FROM FG (FT)	PROPOSED CAP ELEVATION (FT)	15-FT HORIZONTAL DOWNHILL ELEV. (FT)	BELOW INLET (BI) DEPTH (FT)	BOTTOM OF PIT ELEVATION (FT)	GROUNDWATER ELEVATION (FT)	GROUNDWATER SEPARATION (FT)
PRESENT SEEPAGE PITS	P-1	B-1	117.50	8.00	116.87	7.37	109.50	116.00	27.00	82.50	67.00	15.50
	P-2	B-4	112.00	8.00	115.87	11.87	104.00	111.00	27.00	77.00	67.00	10.00
FUTURE SEEPAGE PITS	F-1	B-2	116.00	8.00	116.50	8.50	108.00	114.00	27.00	81.00	67.00	14.00
	F-2	B-3	114.00	8.00	116.25	10.25	106.00	112.00	27.00	79.00	67.00	12.00

5 ONSITE WASTEWATER SYSTEM SEEPAGE PIT ELEVATIONS

Scale: N.T.S.

1. (P) MICROSEPTEC ENVIROSERVER ES12-GRAV/SOL/UV TREATMENT TANK HOUSED IN A 3,634-GALLON FIBERGLASS REINFORCED PLASTIC (FRP) TANK PROVIDED BY THE MFR, W/ EFFLUENT FILTER, UV DISINFECTION, TELEMETRY CONTROLS, AND THREE (3) 24"ø FRP LIDS/RISERS TO GRADE SPECIFIED GAS AND WATER TIGHT AND VENTED TO THE ROOF PER MPC.
2. (P) MICROSEPTEC TELEMETRY CONTROL PANEL. REQUIRES POWER TO PANEL AND DEDICATED IP ADDRESS, INTERNET CONNECTIONS TO BE VERIFIED BY THE MFR. LICENSED ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES.
3. (P) MICROSEPTEC HIBLOW HP-120LL AIR COMPRESSORS (TYP. OF 2) IN ABOVE GROUND ENCLOSURES PER MFR.
4. (P) ENVIROSERVER ES12 AIR VENT W/ 3"ø SCH 40 PVC AIR VENT LINE TO ROOF PER MPC.
5. (P) GRAVITY CLEANOUT TO GRADE.
6. (P) JENSEN PRECAST MODEL D-30 DISTRIBUTION BOX INSTALLED WITH ONE (1) 30"ø TRAFFIC RATED WATERTIGHT LID, RISER AND MANHOLE TO GRADE OR APPROVED EQUAL. NUMBER OF OUTLETS PER PLAN.
7. (P) PRESENT 2 X 6'ø X 27' BI SEEPAGE PITS W/ 8' CAP DEPTHS FROM EG @ BORINGS B-1 AND B-4. CONSTRUCT WITH 8"ø ACCESS PORTS IN TRAFFIC RATED ENCLOSURES TO GRADE.
8. (P) FUTURE 2 X 6'ø X 27' BI SEEPAGE PITS W/ 8' CAP DEPTHS FROM EG @ BORINGS B-2 AND B-3.
9. (P) H-20 TRAFFIC RATED SLAB WITH THREE (3) 30"ø H-20 TRAFFIC RATED RISERS & MANHOLE COVERS TO GRADE, UNDER SEPARATE PERMIT, FOR MICROSEPTEC ES12 TANK.

4 ONSITE WASTEWATER SYSTEM KEYNOTES

Scale: N.T.S.

TOTAL BEDROOMS: 4
TOTAL DRAINAGE FIXTURE UNITS: 37

SINGLE-FAMILY RESIDENCE: 4 BEDROOMS
1 BEDROOM @ 300 GPD/BED = 300 GPD
3 BEDROOMS @ 150 GPD/BED = 450 GPD

PEAK DESIGN DAILY FLOWRATE: 750 GPD
AVERAGE DESIGN DAILY FLOWRATE: 400 GPD
STRENGTH OF SEPTIC TANK EFFLUENT: 200mg/L OR LESS

MIN SEPTIC TANK CAPACITY: 1,500-GAL (BASED UPON BEDROOM COUNT ONLY)

MIN SEPTIC TANK CAPACITY: 2,000-GAL (BASED UPON DFU COUNT ONLY)

MIN SEEPAGE PIT CAPACITY (PRESENT AND FUTURE): 7,500-GAL

EFFLUENT DISPERSAL:
PERC RATE PRESENT: B-1 = 6.3 GPD/SF (3,209 GPD/6'ø PIT)
B-4 = 15.1 GPD/SF (7,681 GPD/6'ø PIT)
TOTAL = 10,890 GPD

PERC RATE FUTURE: B-2 = 8.9 GPD/SF (4,521 GPD/6'ø PIT)
B-3 = 9.4 GPD/SF (4,761 GPD/6'ø PIT)
TOTAL = 9,282 GPD

(EPD CONSULTANTS, INC. 11/7/22 PERCOLATION TEST REPORT)
PRESENT SEEPAGE PITS: (6'ø X 27' BI PIT W/ 8' CAP DEPTH FROM EG @ B-1)
(6'ø X 27' BI PIT W/ 8' CAP DEPTH FROM EG @ B-4)

FUTURE SEEPAGE PITS: (6'ø X 27' BI PIT W/ 8' CAP DEPTH FROM EG @ B-2)
(6'ø X 27' BI PIT W/ 8' CAP DEPTH FROM EG @ B-3)

PEAK DESIGN DISPERSAL LOADING RATE: 0.74 GPD/SF
AVERAGE DESIGN DISPERSAL LOADING RATE: 0.39 GPD/SF

6 ONSITE WASTEWATER SYSTEM CALCULATIONS

Scale: N.T.S.

EPD consultants
sustainable water systems & solutions
20722 MAIN STREET
CARSON, CA 90745
Phone (310) 241-6565
Fax (310) 241-6566

REGISTERED PROFESSIONAL ENGINEER KEVIN L. POFFENBARGER No. 89089 CIVIL STATE OF CALIFORNIA

▽NO.	REVISIONS:	DATE:	BY:
1	NEW PARCEL LINES	12/5/24	MD
2	PC COMMENTS	2/17/25	MD

ADDRESS:
APN 4466-018-025
28809 BONIFACE DRIVE
MALIBU, CA 90265

SHEET TITLE:
ONSITE WASTEWATER SYSTEM (OWS) OVERALL SITE PLAN

PROJECT:
28809 BONIFACE DRIVE

DATE	SCALE	DRAWN BY
11/11/22	AS_SHOWN	AF

PROJECT NO.
G828

DRAWING NO.
W0.00

SHEET 1 OF 2 SHEETS

City of Malibu

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	November 13, 2025	**Review Log #:**	**5025**
Site Address:	28809 Boniface Drive		
Lot/Tract/PM #:	TPM No. 84368	**Planning #:**	**CDP 23-010**
Applicant/Contact:	Cindy Martin, cmartin@schmitzandassociates.com	**BPC/GPC #:**	**P3**
Contact Phone #:	818-338-3636	**Planner:**	**Adam Pisarkiewicz**
Project Type:	Lot split; New two-story single-family residence, new Onsite Wastewater Treatment System (OWTS) on newly created lot		

Submittal Information

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

Gold Coast Geoservices, Inc. (Hogrefe, CEG 1516): **5-30-2025**
Gold Coast Geoservices, Inc. (Hogrefe, CEG 1516; Vardeh, RCE 56992): 11-15-2024, 10-6-2022
EPD Consultants (Poffenbarger, RCE 69089): 2-17-2025, 11-11-2022, 11-7-2022

3rd Coastal Development Permit Submittal for Geology
Architectural plans prepared by Barsocchini & Associates Designs dated February 11, 2025.
Civil plans prepared by LC Engineering Group, Inc. dated February 3, 2025.
OWTS plans prepared by EPD Consultants dated February 17, 2025.
Fire Access Exhibit prepared by LC Engineering Group, Inc. dated May 19, 2022.
Total Grading Yardage Verification Certificate prepared by Leonard I. Liston III dated August 3, 2022.

Previous Reviews: 6-10-2025, 2-28-2023; Ref: Environmental Health Review Sheet dated 5-22-2025

Review Findings

Coastal Development Permit Review

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

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

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal.

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

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

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

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

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

Remarks:

The referenced response geotechnical report, architectural plans, civil plans, OWTS design report, and OWTS plans were reviewed by the City's consultants from a geotechnical perspective. Based on the submitted information, the proposed development includes splitting the lot into two parcels, converting the existing 998 square foot storage building and constructing additions to the storage building to create a new 2,548 square foot two-story single-family residence, decks, and flatwork on the newly created lot.

Grading consists of 157 yards of cut and 91 yards of fill for safety; 13 yards of cut and 42 yards of fill non-exempt; and 37 yards of export.

A new OWTS will be installed on the property that consists of a 3,634-gallon Enviroserver MicroSepTec ES12 treatment tank system with UV disinfection and two present 6'diameter x 27' BI seepage pits with 8' caps (B-1 and B-4), and futures consisting of two 6'diameter x 27' BI seepage pits with 8' caps (B-2 and B-3). The peak design daily flowrate is 750 gpd and the average design daily flowrate is 400 gpd. The peak design dispersal loading rate is 0.74 gpd/sf and the average design dispersal loading rate is 0.39 gpd/sf. The existing OWTS components on the property will be properly abandoned.

Building Plan-Check Stage Review Comments:

1. Indicate the bearing material and depth for all foundation types on the foundation plans in accordance with recommendations by the Project Geotechnical Consultant.
2. Please show the name, address, and phone number for the Project Geotechnical Consultant on the cover sheet of the plans.
3. Please provide reduced setback letters from the OWTS, geotechnical and structural consultants for any reduced setbacks between the OWTS components and foundations, as applicable.
4. If piles will be used, then include the following note on the foundation plans, as appropriate: "*The Project Geotechnical Consultant shall prepare an as-built report documenting the installation of the pile foundation elements for the City's files. The report shall include total depths of the piles, depth into the recommended bearing material, minimum required depth into the recommended bearing material, and a map depicting the locations of the piles.*"
5. Please include a note on the OWTS plans stating, "*The Project Engineering Geologist shall observe and approve the installation of the proposed seepage pits and provide the City inspector with a field memorandum(s) documenting and verifying that the seepage pits were installed per the approved OWTS plans*."

6. 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, a dry density and optimum moisture maximum curve(s), a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, and the expansion index of the materials used for foundation embedment. 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.
7. One set of final electronic OWTS plans incorporating the Project Geotechnical and Environmental Health Specialists' recommendations and items in this review sheet must be **reviewed and e-stamped and e-signed by the Project Engineering Geologist**. The City's geotechnical consultants will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet**.**
8. One set of electronic grading and residence plans **(APPROVED BY BUILDING AND SAFETY)** incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and e-stamped and e-signed by the Project Engineering Geologist and Project Civil/Geotechnical Engineer**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet. Please direct questions regarding this review sheet to City Geotechnical staff listed below.

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

Engineering Geology Review by: 11-13-2025

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: 11-13-2025

Matthew Janousek, G.E. #3005, Exp. 12-31-26 Date
Geotechnical Engineering Reviewer (805-370-8710)
Email: mjanousek@malibucity.org

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

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

City of Malibu

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

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

Grading Plans (as Applicable)

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

Retaining Walls (As Applicable)

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

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department **REVISED DATE** 06/15/2026

PROJECT NUMBER:	CDP 23-010
JOB ADDRESS:	28809 BONIFACE DR
APPLICANT / CONTACT:	Cindy Martin, Schmitz & Associates, Inc.
APPLICANT EMAIL:	cmartin@schmitzandassociates.net
PROJECT DESCRIPTION:	Lot Split (SB9), New SFR (on newly created lot), New OWTS to serve new SFR
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 $_____

SIGNATURE

06/22/2026
DATE

FORM 195
Rev. 02/22

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Fire Prevention Engineering
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4125 Fax (323) 890-4129

Information on Fire Flow Availability for Building Permit

For One and Two Family Dwellings, Townhomes, and Accessory Dwelling Unit's

INSTRUCTIONS:

Complete parts I, II (A), & II (B)

Verifying fire flow, fire hydrant location and fire hydrant size.

PROJECT INFORMATION
(To be Completed by Applicant)

PART I

Building Address: 28809 Boniface Dr

City or Area: Malibu APN 4466-018-025

Nearest Cross Street: Fernhill Drive

Distance of Nearest Cross Street: 135'.

Property Owner: Donald R. Lehman and Marie Christine Lehman, Trustees of the Donald R. Lehman and Marie Christine Lehman Family Revocable Trust Dated February 06, 2017 Telephone: ( ) 818-338-3636

Address: 28809 Boniface Dr

City: Malibu Zip Code 90265

Occupancy (Use of Building): Sprinklered: Yes ☐ No ☐

Type of Construction: Conversion of Existing Structure

Square Footage: 2,548 sq.ft. Number of Stories: 2

Applicant's Signature 2/6/2024 Date

PART II (A) **INFORMATION ON FIRE FLOW AVAILABILITY**
(Part II A and II B to be completed by Water Purveyor)

The distance from the fire hydrant to the property line is 140' feet via vehicular access. The fire flow services will be rendered from a 12" inch diameter water main. The hydrant is located on Boniface

350 (Feet) West (Direction) of Fernhill Drive (Nearest Cross - Street)

Static PSI 82 Residual PSI 36 Orifice size 2.5", 4" Pitot N/A

Fire Flow at 20 PSI 1250 for one-hour duration ☐ Flow Test Date / Time N/A

☒ Hydraulic model

Domestic Meter Size 1"

PART II (B)

LA County Waterworks District
Water Purveyor

Signature

(310) 456-6621 ext. 238 3/6/2024
Phone Number Date

William Johnson, Senior Civil Engineer
Title

PART III **Conditions for Approval by the Building Department**
(To be Completed by Building Department)

The building permit may be issued for new or additions to detached one and two family dwellings, townhomes, and accessory dwelling units when the above information is completed and shows that the following minimum requirements are met and is not located in a Fire Hazard Severity Zone.

- The water system is capable of delivering at least 1000 GPM at 20 PSI for one-hour if non-sprinklered
- The water system is capable of delivering at least 500 GPM at 20 PSI for one-half hour if sprinklered.
- The total area of the entire structure is less than 3,600 square feet.
- No portion of the lot frontage to the public fire hydrant shall exceed 450 feet via vehicular access.
- All portions of a new single family, two-family or townhome construction must be within 150 feet of a vehicular access roadway that is a minimum of 20 feet wide clear to sky, paved with concrete or asphalt and does not exceed 15% grade.
- A new detached ADU that is fire sprinklered, the 150-foot distance to all portions of the structure can be extended to 300 feet of a vehicular access roadway that is a minimum of 20 feet wide clear to sky, paved with concrete or asphalt and does not exceed 15% grade.

APPROVED BY DATE OFFICE

This Information is Considered Valid for Twenty-Four Months

When the project does not meet all of the above requirements for approval by the **Building Department,** the project must be sent to the **Fire Prevention Division** for approval before a Building Permit can be issued by the **Building Department**.

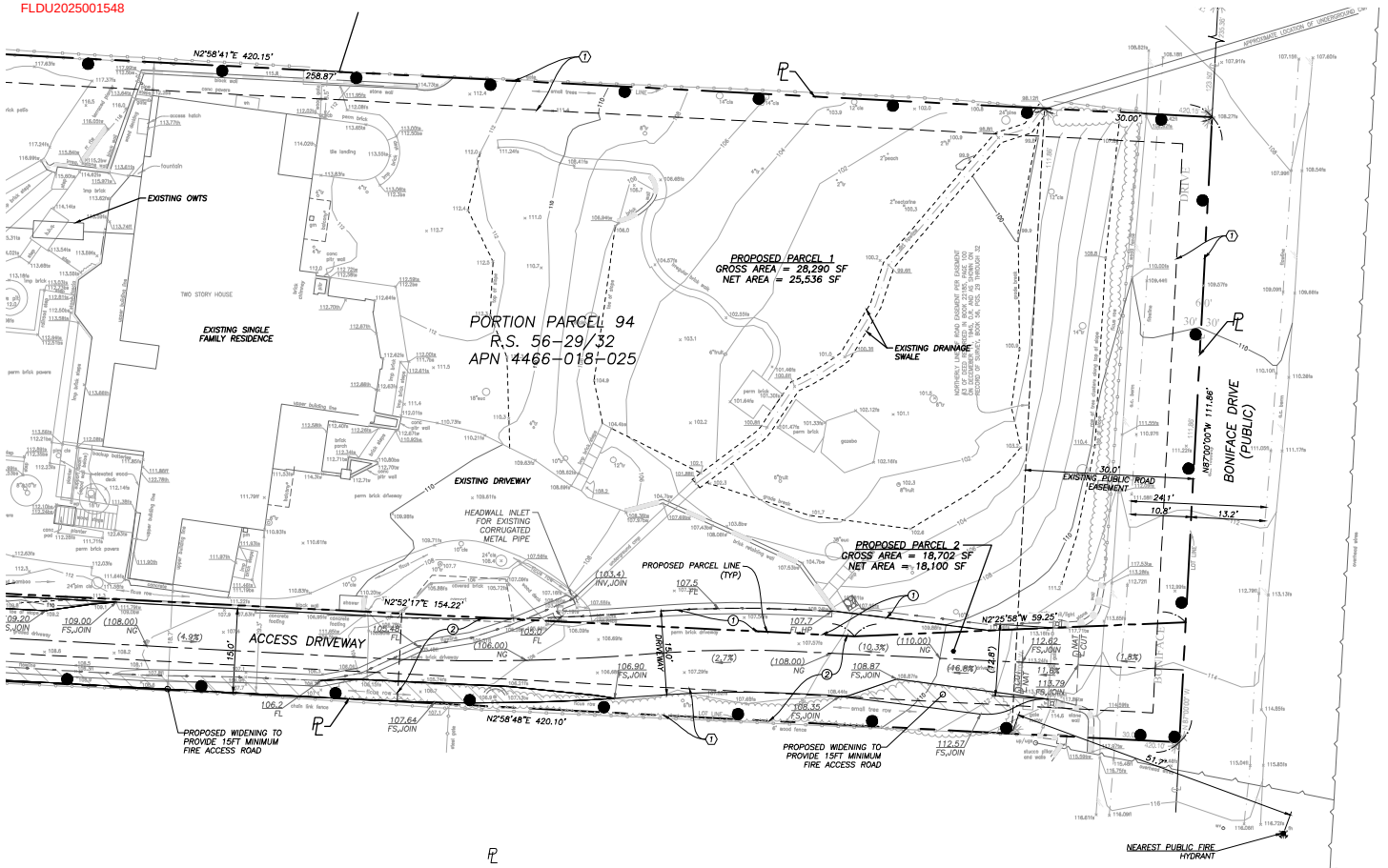
28809 Boniface Drive

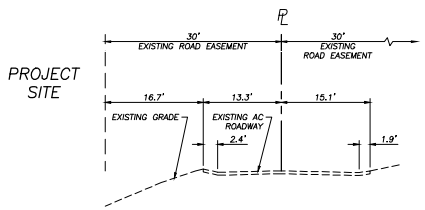
County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit

CLEARED FOR PUBLIC HEARING

10/16/2025
FLDU2025001548

MINOR LAND DIVISION
TENTATIVE PARCEL MAP NO. 84368
IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES





BONIFACE DRIVE STREET SECTION
1"=10'

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

LEGEND:

- PROPERTY BOUNDARY
- STREET CENTERLINE
- PROPOSED ACCESS ROAD WIDENING
- EXISTING BUILDING FOOTPRINT
- PROPOSED RETAINING WALL
- PROPOSED CONTOURS (FOR REFERENCE ONLY)
- EXISTING CONTOURS
- PROPOSED FIRE DEPARTMENT TURNAROUND (FOR REFERENCE ONLY)
- PROPOSED ON-SITE WASTEWATER TREATMENT SYSTEM (BY OTHERS)

EXISTING EASEMENT LEGEND:

(1) 5' WIDE EASEMENT FOR POLE LINES, POWER LINE, CABLES, CONDUITS, SEWERS AND POLES PER BOOK 24224, PAGE 351, O.R.

PROPOSED EASEMENT LEGEND:

(1) PROPOSED ACCESS IN FAVOR OF PARCEL 2

(2) PROPOSED FIRE LANE AND ACCESS IN FAVOR OF PARCEL 1

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.40'	N87°01'11.50"W
L3	6.75'	N5°00'52.42"E
L2	10.00'	S87°01'11.50"E

NOTES:

1. ALL SURVEY INFORMATION PROVIDED HEREON IS BASED ON A "TOPOGRAPHY SURVEY" PREPARED BY DANIELSON SURVEYING, DATED JULY 20, 2021.
2. ALL FIRE ACCESS AND PROPOSED GRADING & DRAINAGE IMPROVEMENTS SHOWN ON THIS MAP ARE PROVIDED FOR REFERENCE ONLY. REFER TO THE LATEST VERSIONS OF THE "FIRE ACCESS EXHIBIT" AND "GRADING AND DRAINAGE PLANS" PREPARED BY OUR OFFICE. THESE PLANS ARE NOT CONSIDERED FINAL WITHOUT STAMPS AND SIGNATURES FROM OUR OFFICE, ALONG WITH THE CORRESPONDING APPROVALS FROM THE CITY OF MALIBU AND OTHER AGENCIES HAVING JURISDICTION.
3. ALL EXISTING STRUCTURES ARE PROPOSED TO REMAIN.
4. FINAL MONUMENTS WILL BE SET PRIOR TO FILING WITH THE COUNTY RECORDER OF THE FINAL MAP.
5. ALL EXISTING TREES ARE PROPOSED TO REMAIN, EXCEPT THOSE WHICH MUST BE REMOVED TO SATISFY FIRE DEPARTMENT ACCESS REQUIREMENTS.
6. WATER IS PROVIDED TO THE SITE BY LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29.

LC ENGINEERING GROUP, INC.
CONSULTING ENGINEERS
CIVIL • STRUCTURAL • GEOTECHNICAL
897 Ventu Park Road, Suite 100, Thousand Oaks, California 91320
818-997-7148 • 805-497-7334 • lcengineering@sbcglobal.net

FOR PLAN CHECK ONLY
THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.

REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

TENTATIVE PARCEL MAP

DATE:	2/3/2025
SCALE:	1"=10'
DRAWN:	ED
JOB NO:	8181
SHEET	

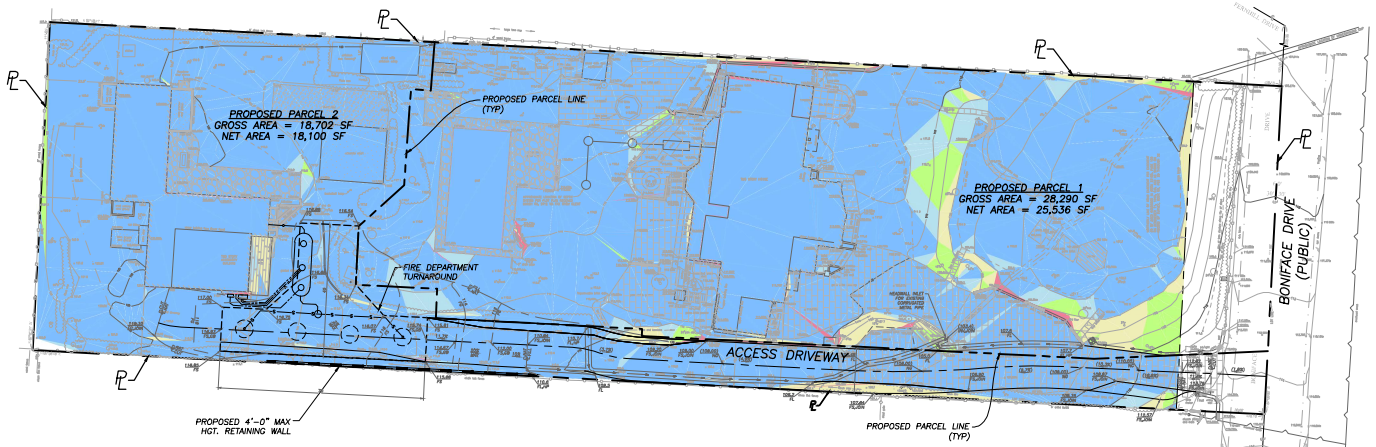
TPM1.1

Fri, 02, 2025, 3:58pm Elizabeth Dwyer
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County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit

CLEARED FOR PUBLIC HEARING

10/16/2025
FLDU2025001548



PROPOSED PARCEL DATA:

PARCEL	PARCEL AREA (GROSS)	PARCEL AREA (NET*)	% OF TOTAL**
1	28,290 SF	25,536 SF	58.5%
2	18,702 SF	18,100 SF	41.5%
TOTAL	46,992 SF	43,636 SF	100%

*NET AREA IS GROSS AREA LESS PUBLIC ACCESS EASEMENT
**% OF TOTAL IS BASED ON NET AREA

PROPOSED PARCEL 1 SLOPE TABLE:

MINIMUM SLOPE	MAXIMUM SLOPE	COLOR	AREA (SF)
0	4:1		22,318 SF
4:1	3:1		1,082 SF
3:1	2.5:1		844 SF
2.5:1	1:1		949 SF
1:1	VERTICAL		343 SF
		VERTICAL	25,536 SF

PROPOSED PARCEL 2 SLOPE TABLE:

MINIMUM SLOPE	MAXIMUM SLOPE	COLOR	AREA (SF)
0	4:1		17,114 SF
4:1	3:1		356 SF
3:1	2.5:1		126 SF
2.5:1	1:1		409 SF
1:1	VERTICAL		95 SF
		VERTICAL	18,100 SF

MAXIMUM ALLOWABLE SQUARE FOOTAGE (PARCEL 1)
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)
PURSUANT TO MALIBU MUNICIPAL CODE SECTION 17.40.040(13)

UP TO 0.5 AC.	21,780 x 0.177 = 3,855 + 1,000 =	4,855 S.F.
0.5 AC. TO 1 AC.	25,193 – 21,780 = 3,413 x 0.10 =	341 S.F.
	TOTAL:	5,196 S.F.

NOTE: USE LOT AREA MINUS ALL SLOPES GREATER THAN OR EQUAL TO 1:1

MAXIMUM ALLOWABLE SQUARE FOOTAGE (PARCEL 2)
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)
PURSUANT TO MALIBU MUNICIPAL CODE SECTION 17.40.040(13)

UP TO 0.5 AC.	18,005 x 0.177 = 3,855 + 1,000 =	3,187 S.F.
	TOTAL:	3,187 S.F.

NOTE: USE LOT AREA MINUS ALL SLOPES GREATER THAN OR EQUAL TO 1:1

PROJECT INFORMATION:

OWNER	DONALD R. LEHMAN AND MARIE CHRISTINE LEHMAN FAMILY REVOCABLE TRUST 28809 BONIFACE DRIVE MALIBU, CA 90265 (310) 866–1645
CIVIL ENGINEER	LC ENGINEERING GROUP, INC. 889 PIERCE COURT SUITE 101 THOUSAND OAKS, CA. 91360 (805) 497–1244 (818) 991–7148
SURVEYOR	MARK DANIELSON, PLS 7882 DANIELSON SURVEYING 25000 AVENUE STANFORD, STE. 141 (661) 904–7039

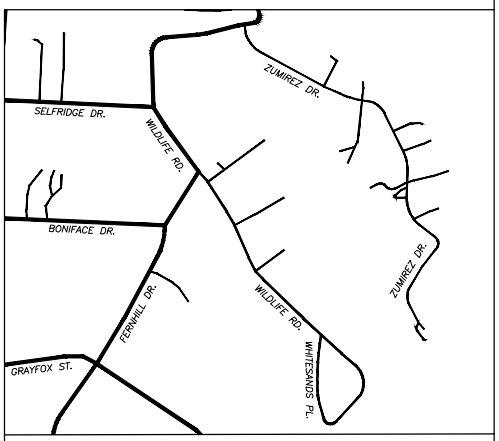
BENCHMARK:

NO. Y–11386 (L.A. COUNTY PUBLIC WORKS)
(SURVEY SECTION | MALIBU QUAD)
ELEVATION 189.381, 2008 ADJUSTMENT
DATUM: NAVD 1988
DPW BM TAG IN W CB 600MM(2') N/O BCR @ NW COR PACIFIC COAST HWY & CAVALLERI RD

NOTES:

1. ALL SURVEY INFORMATION PROVIDED HEREON IS BASED ON A 'TOPOGRAPHY SURVEY' PREPARED BY DANIELSON SURVEYING, DATED JULY 20, 2021.
2. ALL FIRE ACCESS AND PROPOSED GRADING & DRAINAGE IMPROVEMENTS SHOWN ON THIS MAP ARE PROVIDED FOR REFERENCE ONLY. REFER TO THE LATEST VERSIONS OF THE 'FIRE ACCESS EXHIBIT' AND 'GRADING AND DRAINAGE PLANS' PREPARED BY OUR OFFICE. THESE PLANS ARE NOT CONSIDERED FINAL WITHOUT STAMPS AND SIGNATURES FROM OUR OFFICE, ALONG WITH THE CORRESPONDING APPROVALS FROM THE CITY OF MALIBU AND OTHER AGENCIES HAVING JURISDICTION.
3. WATER IS PROVIDED TO THE SITE BY LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29.

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



VICINITY MAP

LC ENGINEERING GROUP, INC.
CONSULTING ENGINEERS
CIVIL • STRUCTURAL • GEOTECHNICAL
889 Pierce Court, Suite 101, Thousand Oaks, California 91360
818-597-7148 • 805-497-1244 • lcgroup@lcengineer.com

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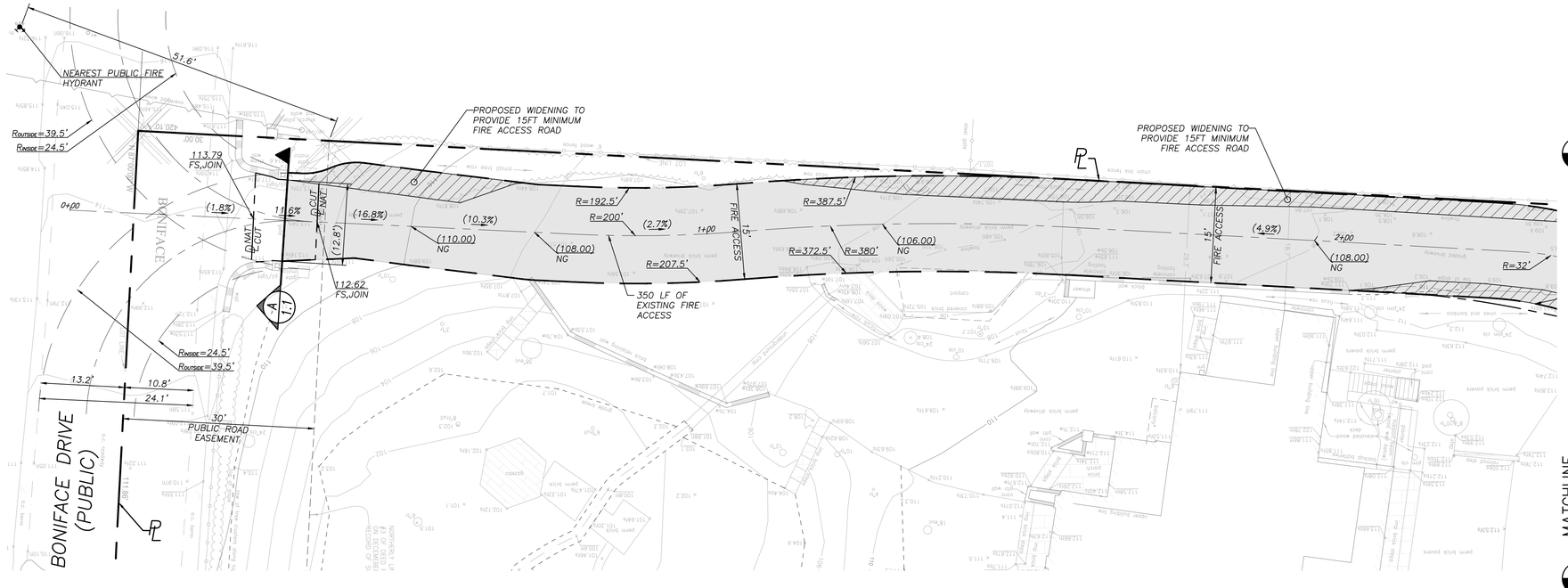
REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

SLOPE BAND ANALYSIS EXHIBIT

DATE:	01/21/25
SCALE:	1"=20'
DRAWN:	NL
JOB NO:	8181
SHEET	SB 1.0

Feb 03, 2025, 5:03pm Elizabeth Dwyer
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LEGEND

- BOUNDARY OF FIRE ACCESS ROAD IMPROVEMENTS PER 'TYPICAL ROAD SECTION' DETAIL, SHT. FD1.1.
- LIMIT OF FIRE TRUCK TURNAROUND
- PROPOSED ROAD WIDENING
- HOSE PULL
- PROPOSED RETAINING WALL
- EXISTING BUILDING

County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit

CLEARED FOR PUBLIC HEARING

10/16/2025

FLDU2025001548

FIRE DEPARTMENT NOTES:

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

2. WHEN SECURITY GATES ARE PROVIDED, MAINTAIN A MINIMUM ACCESS WIDTH OF 15 FEET. THE SECURITY GATE SHALL BE PROVIDED WITH AN APPROVED MEANS OF EMERGENCY OPERATION, AND SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES AND REPLACED OR REPAIRED WHEN DEFECTIVE. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH REQUIREMENTS OF ASTM F220. GATES SHALL BE OF SWINGING OR SLIDING TYPE. CONSTRUCTION OF GATES SHALL BE OF MATERIALS THAT ALLOW MANUAL OPERATION BY ONE PERSON. FIRE CODE 503.6.

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

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

5. SPACING OF FIRE HYDRANTS SHALL NOT EXCEED THE DISTANCES SPECIFIED IN FIRE CODE C105.2 & C106.

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

7. ALL FIRE HYDRANTS SHALL MEASURE 6" X 4" X 2-1/2", BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD C503, OR APPROVED EQUAL.

8. PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE 903 AND FIRE CODE 903. FIRE SPRINKLER PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION IN ACCORDANCE WITH FIRE CODE 901.2 AND THE TYPE OF SPRINKLER SYSTEM PROVIDED WILL COMPLY WITH EITHER NFPA 13, NFPA 13R, OR NFPA 13

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

10. ALL ROOF COVERINGS SHALL BE CLASS "A" AS SPECIFIED IN BUILDING CODE 1505.1.1 (RESIDENTIAL CODE R327.5 & R902).

11. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R337.5.4 AND BUILDING CODE 705A.4).

12. ACCESSORY AND MISCELLANEOUS STRUCTURES, OTHER THAN BUILDINGS COVERED BY SECTION R337.10 & 701A.3, WHICH POSE A SIGNIFICANT EXTERIOR FIRE EXPOSURE HAZARD TO APPLICABLE BUILDINGS DURING WILDFIRES SHALL BE CONSTRUCTED TO CONFORM TO THE IGNITION RESISTANCE REQUIREMENTS OF THIS SECTION.R337.10 AND BUILDING CODE 710A.

13. CLEARANCE OF BRUSH AND VEGETATION GROWTH SHALL BE MAINTAINED PER FIRE CODE 325.

SCALE: 1"=10'

10' 5' 0' 10' 20'

LC ENGINEERING GROUP, INC.
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889 Pierce Court, Suite 101, Thousand Oaks, California 91360
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REV#	DATE	SUBMITTAL/REVISION

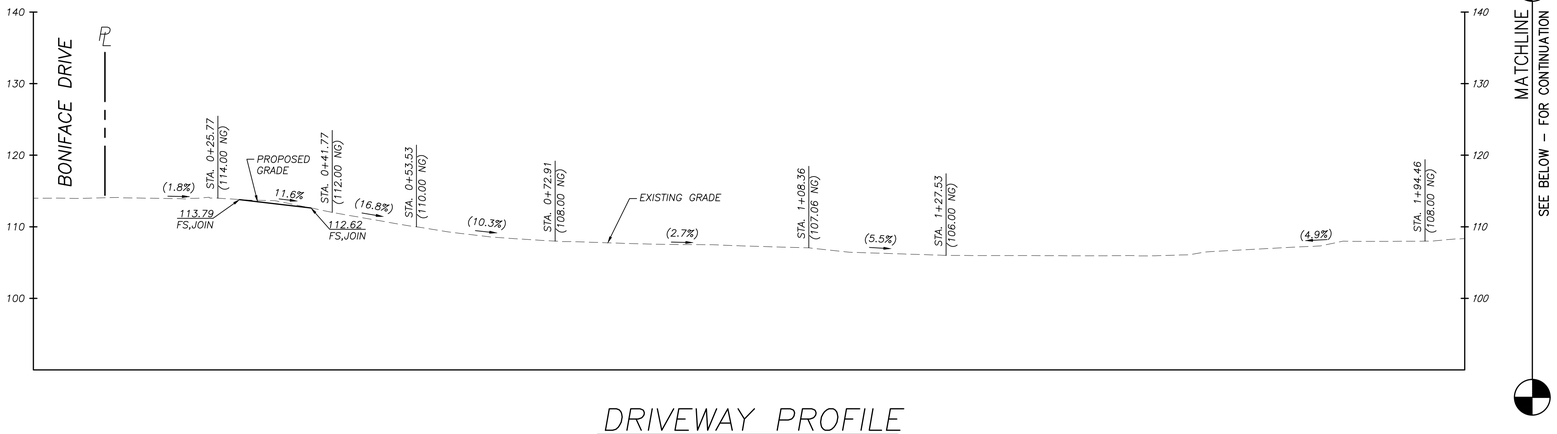
LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

FIRE ACCESS EXHIBIT

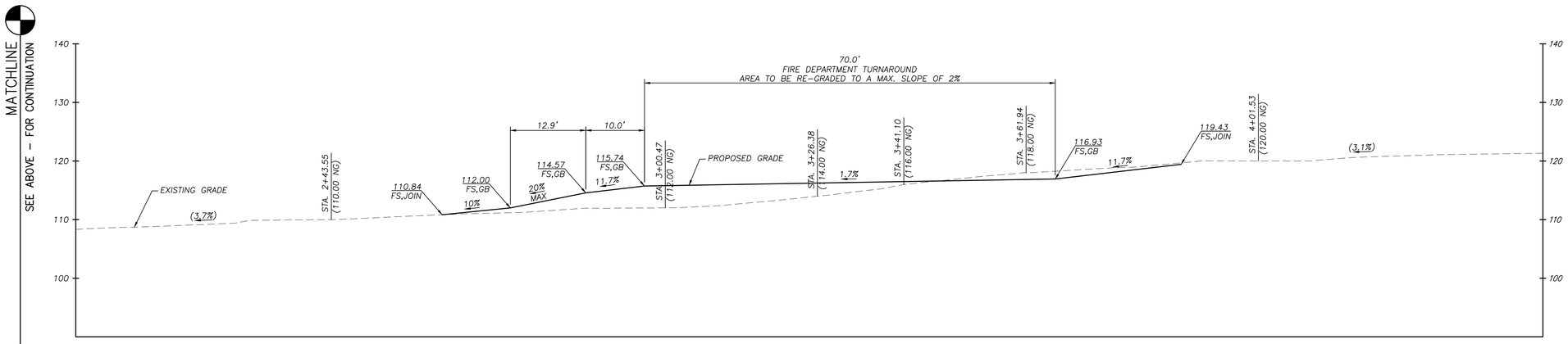
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JOB NO:	8181
SHEET	

FD 1.0

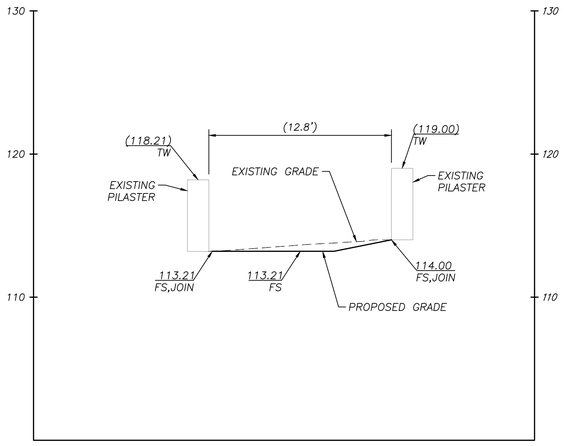
Sep 11, 2025, 5:21pm Patrick Kaufmann
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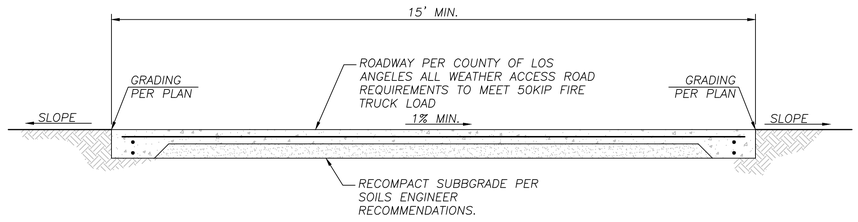
DRIVEWAY PROFILE
1"=10'



DRIVEWAY PROFILE (CONT.)
1"=10'



SECTION A
1"=5'



TYPICAL ROAD SECTION
N.T.S.

County of Los Angeles
Fire Department
Fire Prevention Division
Land Development Unit
CLEARED FOR PUBLIC HEARING
10/16/2025
FLDU2025001548

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REV#	DATE	SUBMITTAL/REVISION

LEHMAN RESIDENCE
28809 BONIFACE DRIVE
MALIBU, CA 90265

FIRE ACCESS PROFILE

DATE:	9/5/2025
SCALE:	1"=10'
DRAWN:	ED
JOB NO:	8181
SHEET	

FD 1.1

X:\LCE GROUP\Civil\JOBS\8100\8181 Lehman\CIVIL\DWG\DTL AND EXHIBIT\8181 FIRE ACCESS EXHIBIT_2024-01-11.dwg Sep 05, 2025, 4:35pm Patrick Kaufmon

ANTHONY C. MARRONE
FIRE CHIEF
FORESTER & FIRE WARDEN

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

COUNTY OF LOS ANGELES FIRE DEPARTMENT

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

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

September 12, 2024

Dear Applicant:

FUEL MODIFICATION PLAN – 28809 BONIFACE DRIVE, CITY OF MALIBU
PARCEL #4466-018-025 FM PROJECT #5374 – FFFM #202400070

The Final Fuel Modification Plan has been reviewed and approved. Occupancy is subject to onsite inspection and approval of required fuel modification. Inspections are to be performed by Forestry Division personnel.

Questions regarding this response should be directed to the Fuel Modification Unit. Office hours are Monday through Thursday, from 8:00 a.m. to 4:00 p.m. Plan checkers are available 8:00 a.m. to 10:00 a.m. and by appointment. The Fuel Modification Unit may best be reached by email using our office email (forestryfuelmodification@fire.lacounty.gov).

Very truly yours,

WILLIAM ROMO, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

WR:lp

Enclosures

City of Malibu

PLANNING DEPARTMENT

23825 Stuart Ranch Rd. ♦ Malibu, California ♦ 90265-4816
(310) 456-2489 ♦ fax (310) 456-7650
www.malibucity.org

NOTICE OF DECISION

Administrative Plan Review No. 12-020
Site Plan Review Nos. 12-027 and 12-042
Code Violation No. 12-006
Coastal Development Permit Exemption No. 12-054
Categorical Exemption No. 12-099
28809 Boniface Drive
APN 4466-018-025

NOTICE IS HEREBY GIVEN that the City of Malibu has APPROVED an application by Marie Lehman, applicant and property owner, for approval of new swimming pool, detached storage building, and other proposed accessory development at an existing single-family residence, as described more fully below, located at 28809 Boniface Drive. The parcel is zoned Rural Residential-1 acre (RR-1) and is regulated by the non-beachfront residential development standards within the Malibu Municipal Code (M.M.C.). The approval is for the following:

1. Administrative Plan Review (APR) No. 12-020 for conformance to the City's property development and design standards;
2. Site Plan Review (SPR) No. 12-027 for construction over 18 feet in height, up to a maximum of 24 feet with a flat roof (21 feet, 8 inches proposed); and
3. SPR No. 12-042 for a 20 percent reduction in the rear yard setback (46 feet, 8 inches proposed).

Proposed Project

The scope of work addresses Code Violation (CV) No. 12-006 for construction without benefit of permits pertaining to the swimming pool excavation and pouring of a concrete slab, as well as the additional new accessory development. The slab (noted on the survey as "building under construction") is located in the northeast corner of the property and appears to have been built in preparation for a new pool house; however, it is located within the required rear yard setback and is now proposed to be incorporated into the new 950 square foot impermeable patio. Instead of a pool house, the scope of work includes a storage building limited to non-habitable use as allowed by the Los Angeles County Fire Department (LACFD).

The project consists of the following (Attachment 1):

- +/- 796 square foot swimming pool located at the rear of the residence, north of the existing terrace;
- 670 square feet of impermeable pool decking;

ATTACHMENT 7

- Pool equipment located in the east side yard with minimum three foot setback to property line and solid screening at least 42 inches but no more than 6 feet high;
- Detached 998 square foot non-habitable storage building (including mezzanine) with a flat roof 21 feet, 8 inches in height, located in the northwest portion of the property;
- 950 square foot impermeable patio, east of the storage building; and
- Extension of the second floor roof of the main residence front entry (maximum height of 20 feet, 4 inches) to create a new 334 square foot porch, steps and 148 square foot covered drive area.

No new trellis, landscaping, modifications to the existing onsite wastewater treatment system or plumbing fixtures are included in the approval. The only grading proposed is exempt excavation yardage associated with the swimming pool that the applicant states has already been removed from the site.

Project Background

CV No. 12-006

- Stop Work Order: Issued December 21, 2011 for foundation slab construction and swimming pool excavation without benefit of permits.
- Notice of Violation: Letter sent January 5, 2012

Subject APR Application

- Application Date: April 16, 2012
- Completeness Determination: November 7, 2012
- Notice of Application: November 8, 2012
- Site Plan Review Period: November 8, 2012 to November 29, 2012

California Environmental Quality Act

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposal as described above. The Planning Director has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment, and therefore, shall be exempt from the provisions of CEQA. Accordingly, a categorical exemption has been prepared pursuant to CEQA Guidelines Section 15303(e) – New Construction. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

Coastal Development Permit Exemption

Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.4 provides a coastal development permit exemption for certain projects which do not involve a risk of adverse environmental impact. The proposed project is consistent with LIP Section 13.4.1 - Improvements to an Existing Single-family Residence. The proposed development is not listed among the classes of development in LIP Section 13.4.1(B) for which an exemption does not apply.

Conformance Analysis

The project was reviewed by the City Planning Department, City Biologist, City Geologist, City Environmental Health Administrator, City Public Works Department and the LACFD. The project, as proposed and conditioned, is consistent with all applicable development standards, City goals, and policies. The following analysis describes how this determination was made. Correspondence from the referring agencies is attached (Attachment 2).

Zoning (M.M.C. Title 17)

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

Table 1 – Property Data	
Lot Depth	390 feet
Lot Width	112 feet
Gross Lot Area	46,992 square feet (1.08 acres)
Net Lot Area*	43,636 square feet (1.00 acres)

*Net lot area equals gross lot area minus the area of public and private street easements and 1:1 slopes.

M.M.C. Title 17 requires conformance to non-beachfront residential development standards. The existing residence is nonconforming as to side yard setbacks (west = 15 feet, east = 6 feet). The setbacks in Table 2 are for the proposed development. As proposed, the project meets the property development and design standards set forth in M.M.C. Chapter 17.40.

Table 2 – M.M.C. Zoning Conformance			
Development Requirement	**Required/Allowed**	**Proposed**	**Comments**
SETBACKS			
Front Yard	65 feet	116 feet	Complies
Rear Yard	58 feet, 6 inches	46 feet, 8 inches	*SPR No. 12-042*
Side Yard (west)	16 feet, 10 inches	23 feet, 7 inches	Complies
Side Yard (east)	11 feet, 2 inches	37 feet	Complies
PARKING	2 enclosed 2 unenclosed	2 enclosed 3 unenclosed	Complies
HEIGHT	18 feet	21 feet, 8 inches	*SPR No. 12-027*
TWO THIRDS RULE (storage)	555 square feet	555 square feet	Complies
IMPERMEABLE COVERAGE	13,090 square feet	9,558 square feet	Complies
CONSTRUCTION ON SLOPES	3 to 1 and flatter	Flatter than 3 to 1	Complies
TOTAL DEV SQ FT (TDSF)	7,037 square feet	5,809 square feet	Complies
NON-EXEMPT GRADING	1,000 cubic yards	0 cubic yards	Complies

Cultural Resources Preservation (M.M.C. Chapter 17.54)

M.M.C. Chapter 17.54 requires certain procedures be followed to determine potential impacts on archaeological resources. An Initial Evaluation Report was prepared for the project site by Brandon Lewis and found no evidence of cultural or historical resources on the property. The report was reviewed by Planning staff on April 25, 2012. Staff determined no impacts to archaeological resources are anticipated to occur from the proposed project.

Administrative Plan Review Conformance

Pursuant to M.M.C. Chapter 17.62, the proposed development has been reviewed for conformance with the property development and design standards of the M.M.C. Chapter 17.40.

The Planning Director has determined that the proposed project, as conditioned, conforms to the property development and design standards of the M.M.C. and is consistent be consistent with all applicable City goals and policies. The proposed project has also been reviewed by the City Biologist and City Environmental Health Administrator and has been determined to be consistent with all applicable City goals and policies.

Site Plan Review Findings **[M.M.C. Section 17.62.040(D)] – SPR No. 12-027**

Pursuant to M.M.C. Section 17.62.040(D), the City is required to make eight specific findings in the consideration and approval of an SPR for construction in excess of the City's base 18 feet in height up to 28 feet. The Planning Director hereby makes the required findings for SPR No. 12-027 for the storage building height up to 21 feet, 8 inches and the second floor roof extension at the front entry at 20 feet, 4 inches as indicated below:

1. *The project is compatible with other development in the adjacent area in relation to size, bulk and height.*

   The proposed project is compatible with other development in the adjacent area in that the neighborhood is residentially developed with two-story residences and accessory structures of similar height, size, and design. The original design for the storage building called for a height of 26 feet, 6 inches. Story poles depicting the siting and 26.5 foot height of the storage building were installed in September 2012, and photographed by staff on October 1, 2012. The adjacent property owners to the west at 28825 Boniface Drive expressed concern over the height. The applicant then reduced the height as shown in the current flat roof design with a height of 21 feet, 8 inches. On October 19, 2012, the neighbors indicated by phone to staff that they are satisfied with the design as proposed, and no correspondence was submitted after the Notice of Application was sent. The second floor roof extension over the porch will be 20 feet, 4 inches high, which is well below the 25 foot high existing roof height. The residence will continue to have a similar appearance from the street and nearby residences after construction.

2. *The project will not have a significant adverse impact on natural resources and makes suitable provisions for the preservation of natural hydrology, native plan materials, wooded areas, visually significant rock outcroppings, rough terrain, coastal bluffs and similar natural features.*

   The proposed project does not impact natural resources as the site does not contain environmentally sensitive habitat area (ESHA), nor does it impact hydrology, native plant materials, native wooded areas, visually significant rock outcroppings, rough terrain, coastal bluffs or similar features. The site is currently developed with a two-story single-family residence and accessory development within the fuel modification zones of other residences.

3. *Remedial Grading (if applicable) exceeding five thousand (5,000) cubic yards is necessary to mitigate a geotechnical hazard as identified in a certified geotechnical report prepared by a California Licensed Geologist and reviewed and approved by the City Geologist. The remedial grading will not result in a significant adverse impact on visual or biological resources.*

There is no remedial grading associated with this project; therefore, this finding does not apply.

4. *The project does not obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys or ravines from the main viewing area of any affected principal residence as defined in M.M.C. Section 17.40.040(A)(17).*

   The proposed project does not increase the height of the existing residence. The new storage building will be located in the rear of the property and partially screened from adjacent residences by existing mature vegetation. Views of the ocean, mountains and canyons are not currently available to surrounding residences. Based on staff's evaluation and on-site analysis, it was determined that the proposed project will have no impacts to primary views of surrounding residences as defined in M.M.C. Section 17.40.040(A)(17).

5. *The project does not affect solar access, as defined by staff.*

   The extension of the second floor roof on the south-facing side of the main residence will have no effect on the solar access of surrounding properties. The storage building is located in the rear of the property such that the only potential for solar access impacts is to the westerly neighbor (28825 Boniface) during early morning hours. After the applicant agreed to reduce the height of the building to 21 feet, 8 inches with a flat roof, the neighbor contacted staff on October 19, 2012 and indicated she no longer had any objection to the project. Therefore, staff determined the project will not affect solar access.

6. *The project is consistent with the City's General Plan, Local Coastal Program, Municipal Code and City standards.*

   The use and development related to this project conforms to the RR-1 zoning district and does not adversely affect neighborhood character or environmental resources; therefore, the project is consistent with the land use goals, policies and objectives of the General Plan, LCP, M.M.C., and City standards.

7. *The proposed project complies with all applicable requirements of state and local law.*

   City of Malibu Environmental Sustainability Department building permits will be required prior to construction of the project. The proposed project will comply with all applicable requirements of state and local law.

8. *A sea wall, bulkhead or other shoreline protective device (if applicable) is necessary to protect an existing structure and/or an existing or new sewage disposal system as identified in a certified coastal engineering report prepared by a California licensed engineer and reviewed and approved by the City's coastal engineer.*

   This finding is not applicable as the project site is inland.

***Site Plan Review Findings* [M.M.C. Section 17.62.040(D)] – SPR No. 12-042**

The Planning Director hereby makes the required findings for SPR No. 12-042 to reduce the rear yard setback by 20 percent to 46 feet, 8 inches for the storage building as follows:

1. *The project is compatible with other development in the adjacent area in relation to size, bulk and height.*

   The proposed project is compatible with other development in the adjacent area in that the neighborhood is residentially developed with two-story residences and accessory structures of similar height, size, and design. Surrounding properties have accessory structures with reduced setbacks from property lines. The new storage building will be set back more than existing accessory structures on properties to the north and east.

2. *The project will not have a significant adverse impact on natural resources and makes suitable provisions for the preservation of natural hydrology, native plan materials, wooded areas, visually significant rock outcroppings, rough terrain, coastal bluffs and similar natural features.*

   As discussed in SPR No. 12-027 Finding 2, the proposed project does not impact natural resources.

3. *Remedial Grading (if applicable) exceeding five thousand (5,000) cubic yards is necessary to mitigate a geotechnical hazard as identified in a certified geotechnical report prepared by a California Licensed Geologist and reviewed and approved by the City Geologist. The remedial grading will not result in a significant adverse impact on visual or biological resources.*

   No remedial grading is proposed; therefore, this finding does not apply.

4. *The project does not obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys or ravines from the main viewing area of any affected principal residence as defined in M.M.C. Section 17.40.040(A)(17).*

   As discussed in SPR No. 12-027 Finding 4, the project does not obstruct scenic views from surrounding residences. The subject property and surrounding neighborhood has extensive mature vegetation and trees. Ocean, mountain and canyon views are not available over the subject property from surrounding residences. Therefore, while the new storage building will be visible from other residences, the reduction in the rear yard setback has no effect on primary views of nearby residences.

5. *The project does not affect solar access, as defined by staff.*

   As discussed in SPR No. 12-027 Finding 5, the proposed project does not affect solar access for neighboring lots.

6. *The project is consistent with the City's General Plan, Local Coastal Program, Municipal Code and City standards.*

   As discussed in SPR No. 12-027 Finding 6, the project is consistent with the land use goals, policies and objectives of the General Plan, LCP, M.M.C., and City standards.

7. *The proposed project complies with all applicable requirements of state and local law.*

   As discussed in SPR No. 12-027 Finding 7, the proposed project will comply with all applicable

requirements of state and local law.

8. *A sea wall, bulkhead or other shoreline protective device (if applicable) is necessary to protect an existing structure and/or an existing or new sewage disposal system as identified in a certified coastal engineering report prepared by a California licensed engineer and reviewed and approved by the City's coastal engineer.*

   This finding is not applicable as the project site is inland.

APPROVAL OF APR NO. 12-020, SPR No. 12-027 and SPR No. 12-042

The Planning Director has **APPROVED** the project subject to the following conditions of approval:

Standard Conditions

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

2. This approval is for:
   a. +/- 796 square foot swimming pool located at the rear of the residence, north of the existing terrace;
   b. 670 square feet of impermeable pool decking;
   c. Pool equipment located in the east side yard with minimum three foot setback to the property line and solid screening at least 42 inches but no more than 6 feet high;
   d. Detached 998 square foot non-habitable storage building (including mezzanine) with a flat roof 21 feet, 8 inches in height, located in the northwest portion of the property;
   e. 950 square foot impermeable patio, east of the storage building; and
   f. Extension of the second floor roof of the main residence front entry (maximum height of 20 feet, 4 inches) to create a new 334 square foot porch, steps and 148 square foot covered drive area.

3. The permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 30 days of this decision or prior to issuance of building permits.

4. The Notice of Decision (including the signed Acceptance of Conditions Affidavit and the Departmental Review Sheets) shall be copied in its entirety and placed directly onto a separate plan sheet(s) to be included in the development plans prior to submitting for a building permit from the City of Malibu Environmental Sustainability Department.

5. The applicant shall submit three complete sets of plans, which include the pages described in Condition No. 4 above, to the Planning Department for consistency review and approval prior to the issuance of building permits.

6. Prior to construction, the applicant shall receive Planning Department approval for compliance with conditions of approval.

7. The Planning Director is authorized to make minor changes to the approved plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.

8. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the plans date-stamped **September 4, 2012** and on file with the Planning Department. In the event the project plans conflict with any condition of approval, the condition shall control.

9. All structures shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Geologist, City Environmental Health Administrator, City Biologist, City Public Works Department, Los Angeles County Water District No. 29 and the LACFD, as applicable. Notwithstanding this review, all required permits shall be secured

10. No Certificate of Occupancy shall be issued, nor any authorization to connect utilities given, until final Planning inspection has determined that the construction complies with the approved plans.

11. The approved APR shall expire three years from the date of approval, December 3, 2012, **(expiring December 3, 2015)**, unless a time extension has been granted, or work has commenced and substantial progress made (as determined by the Building Official) and the work is continuing under a valid building permit. If no building permit is required, the administrative plan review approval shall expire after three years from the date of final planning approval if construction is not completed. The expiration date shall be suspended until an appeal and/or litigation regarding the subject permit is resolved.

12. The Planning Director may grant up to four one-year extensions of the expiration of an administrative plan review approval, if the Planning Director finds that the conditions, including but not limited to changes in the zoning ordinance under which the APR approval was issued, have not significantly changed.

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

14. In the event that potentially important cultural resources are found in the course of geologic testing, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Where, as a result of this evaluation, the Planning Director determines that the project may have an adverse impact on cultural resources, a Phase II Evaluation of cultural resources shall be required pursuant to M.M.C. Section 17.54.040(D)(4)(b).

15. If human bone is discovered, the procedures described in Section 7050.5 of the California

Health and Safety Code shall be followed. These procedures require notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Site Specific Conditions

16. A new or modified onsite wastewater treatment system, trellis or other onsite improvements are NOT authorized under this approval.

17. Any building or demolition permits issued for work commenced or completed without the benefit of required permits are subject to appropriate "Investigation Fees" as required in the Building Code.

18. The proposed storage building shall have exterior siding of brick, wood, stucco, metal, concrete or other similar material. Reflective glossy, polished and/or roll-formed type metal siding is prohibited.

19. When framing is completed, a site survey shall be prepared by a licensed surveyor, civil engineer or architect that states the finished ground level elevation and the highest roof member elevation. The Planning Department shall sign off stating that said document has been received and verified for compliance with this approval.

20. Night lighting from exterior and interior sources shall be minimized. Exterior lighting shall be low intensity and shielded and directed downward and inward so that there is no offsite glare.

21. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational uses, and no lighting for aesthetic purposes or uplighting of landscaping is allowed.

22. No new landscaping is proposed with this project; therefore, none is approved. Should the applicant intend to plant any new vegetation with a potential to exceed six feet in height or change an existing landscaped area over 5,000 square feet in area, a detailed landscape plan and required application materials shall be submitted for review and approval prior to any planting.

Public Works

23. A Drainage Plan shall be approved by the Public Works Department prior to the issuance of grading and/or building permits for the project and shall depict the size of the drainage devices and their applicable outlet structures.

24. Any exported soil from the site shall be taken to the County landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's LCP Local Implementation Plan Section 8.3.

25. A Storm Water Pollution Prevention Plan (SWPPP) shall be approved by the Public Works Department prior to the issuance of building permits for the project. This plan shall include:

a. Designated areas for the storage of construction materials that do not disrupt drainage patterns or subject the material to erosion by site runoff;

b. Designated areas for construction-related portable toilets that provides a separation from storm water runoff and limits the potential for upset;

c. Designated areas for disposal and recycling facilities for solid waste that provides a separation from the site drainage system to prevent the discharge of runoff through the waste; and

d. Specific best management practices (BMPs) to prevent erosion and BMPs for sediment control prior to discharge from the property.

Swimming Pools and Spas

26. On-site noise, including that which emanates from swimming pool and air conditioning equipment, shall be limited as described in Malibu Municipal Code (M.M.C.) Chapter 8.24 (Noise).

27. Pool equipment shall be located at least three feet from the property line.

28. Pool equipment shall be screened from view by a solid wall or fence on all four sides and shall comply with M.M.C. Section 17.40.030(A).

29. Pursuant to the Clean Water Act and the Malibu Water Quality Ordinance, discharge of water from a pool / spa to a street, storm drain, creek, canyon, drainage channel or stream is prohibited. Provide information on the plans regarding the type of sanitation proposed for pool.

    a. Ozonization systems are an acceptable alternative to chlorine. The release of clear water from this system is permitted to either landscaping or a public sewer system (if one serves the project site);

    b. Salt water sanitation is an acceptable alternative to chlorine, but the discharge of salt water is prohibited to both public sewer systems and landscaping; and

    c. Highly chlorinated water from pools or spas shall be discharged to a public sewer system (if one serves the project site) or shall be trucked to a publicly-owned treatment works (POTW) facility for discharge.

30. The swimming pool plans submitted to the Public Works Department for approval shall include a note directing the contractor to install a sign stating "It is illegal to discharge pool, spa, or water feature waters to a street, drainage course, or storm drain per M.M.C. Section 13.04.060(D)(5)" and to place the sign in the filtration and/or pumping equipment area for the property.

Solid Waste

31. The property owner shall contract with a City-approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but not be limited to asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.

Los Angeles County Fire Department

32. The project requires Fire Department plan review and developer fee payment.

City Geologist

33. A geotechnical that includes recommendations for the proposed pool design, accessory structure and patio shall be provided for plan check review.

Construction

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

35. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, will be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code.

Prior to Occupancy

36. Prior to the issuance of the final building inspection, the applicant shall provide the City Environmental Sustainability Department with a Final Waste Reduction and Recycling Summary Report (Summary Report). The Summary Report shall designate all materials that were land filled or recycled, broken down by material types. The Summary Report shall be approved by the Environmental Sustainability Department.

37. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval by the City Environmental Sustainability Department and the issuance of the certificate of occupancy.

38. The property owner shall request a final planning inspection prior to final inspection by the City Environmental Sustainability Department. A certificate of occupancy shall not be issued until the Planning Department has determined that the project complies with the APR.

Review of City Action

Any person aggrieved with the Planning Director's decision on the Administrative Plan Review may file a Request for Review form with the City Clerk no later than **December 13, 2012 at close of business**. Request for Review forms may be found online at www.malibucity.org, in person at City Hall during normal business hours, or by calling (310) 456-2489, extension 374.

Please contact **Bonnie Blue** in the Planning Department at **(310) 456-2489 extension 258** for further information.

Date: December 3, 2012

Prepared By: _____
Bonnie Blue, AICP, LEED AP
Senior Planner

Approved By: _____
Joyce Parker-Bozylinski, AICP
Planning Director

Attachments:
1. Project Plans
2. Department Review Sheets

Feasible Alternatives Report - 28809 Boniface Dr.

The project does not have any significant adverse impacts.

Heights
There is no proposed construction over 18'. There is an existing structure, with a height of 21 feet, 8 inches that was approved pursuant to SPR 12-027. That existing structure is being converted to an SB 9 SFR, without any increase in existing height.

Location
The proposed new SFR will be located within an existing legally entitled shed, that was approved pursuant to SPR 12-027, which clusters development, including building pads. Additional square footage is also proposed to be added to the existing legally entitled structure, rather than elsewhere on the parcel, to also cluster development, including building pads, to maximize open space and minimize site disturbance, erosion, sedimentation and required fuel modification.

Additionally, the entire site is disturbed; there is no open space.

Yard Setbacks
There are no discretionary requests for reduction of certain yard setbacks. The proposed SFR is pursuant SB 9, which is ministerial and not discretionary pursuant to Gov't Code § 65852.21 (a), which states:

> A proposed housing development containing no more than two residential units within a single-family residential zone **shall be considered ministerially, without discretionary review** or a hearing… (emphasis added).

Pursuant to the same statute, § 65852.21((2)(B) (i) and (ii):

> "… no setback shall be required for an existing structure…"

> "… a local agency may require a setback of up to four feet from the side and rear lot lines."

The proposed SFR's front yard setback is based on the existing structure, which is being converted to an SB 9 SFR, so there is no required front yard setback.

The proposed project does not propose side and rear setbacks less than 4'.

Fuel Modification
The subject property, located on an infill lot, is sited entirely within existing overlapping fuel modification from adjacent neighbors. See Overlapping Fuel Modification exhibit, attached hereto as Exhibit A.

Subdivision
Ministerial - The proposed subdivision is brough pursuant to SB 9, which is ministerial and not discretionary pursuant to Gov't Code § 66411.7 (a) (urban lot split) which states:

> Notwithstanding any other provision of this division and any local law, a local agency **shall ministerially approve**, as set forth in this section, a parcel map for an urban lot split… (emphasis added). Gov't Code § 66411.7 (a)

[Continued on nest page]

Subdivision (Continued)
Lot Size - The application is being submitted pursuant to SB9, Gov't Code § 66411.7 (ministerial approval of a parcel map for an urban lot split).

Pursuant to Gov't Code § 66411.7 (a)(2)(A), the minimum lot size for an SB9 urban lot split is 1,200 sq. ft.

Pursuant to Gov't Code § 66411.7 (b), one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for the subdivision.

The proposed application for 28809 Boniface meets both lot size criteria. As set forth in the table below, both PROPOSED LOT 1 and PROPOSED LOT 2 meets the minimum lot size of 1,200 sq. ft.

PARCEL NO.	NET AREA
PROJECT SITE	43,636 sq.ft.
1	25,928 sq.ft.
2	17,708 sq.ft.

Additionally, the smaller of the two lots, PROPOSED LOT 2, is no smaller than 40% of the net lot area. It is proposed at 40.58% of the net lot area.

[Continued on nest page]

Exhibit A – Overlapping Fuel Modification



March 4, 2025
Via City of Malibu Planning Submittal Online Portal and pisarkiewicz@civicsolutions.com

City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, California 90265-4861
Attention: Adam Pisarkiewicz, Contract Planner

Re: CDP No 23-010 - New SFR, New OWTS and Lot Split (SB9) – 28809 Boniface Dr. – APN 4466-018-025
Response to Planning Department Incomplete Letter of 3/31/2023

Dear Mr. Pisarkiewicz

This correspondence responds to the **Planning Department Incomplete Letter of 3/31/2023**, and addresses each comment, as follows:

1. Senate Bill 9 Provisions:

- **In a separate document, please provide more information on how the proposed project is invoking the use of Senate Bill 9 provisions in relation to the City's LCP requirements and an analysis of any potential effects on coastal resources.**

Applicant's Response: See attached.

2. Architectural Plans & Tentative Map:

- **Please ensure that the lot area calculations displayed on the Architectural Plans and Tentative Map are matching**.

Applicant's Response: The lot area calculations are matching Please see resubmitted Plan Set, A-1.4. See also lot calculations on tentative map.

3. Sheet A-1.1 - Site Plan

- **Please include any dedicated parking spaces for the new SFR and their associated dimensions**.

Applicant's Response: There is one uncovered 10' x 20' parking space located north of the proposed SB 9 SFR. Please see resubmitted Cover Sheet and Proposed Site Plan, Plan Set, Sheet A-1.0 and A-1.1.

[Continued on next page]

Attachment – Senate Bill 9 Provisions

1. Senate Bill 9 Provisions:

• In a separate document, please provide more information on how the proposed project is invoking the use of Senate Bill 9 provisions in relation to the City's LCP requirements and an analysis of any potential effects on coastal resources.

I. The Subject Property Mees the Criteria for an SB9 Single-Family Residence and SB9 Urban Lot Split.

BUILDING YARD SETBACKS - The proposed new single-family residence (SFR) is submitted pursuant SB 9 as codified in Gov't Code § 65852.21 (no more than two residential units within a single-family residential zone). The proposed SB 9 SFR meets yard setback requirements pursuant to the SB 9 statute, § 65852.21((2)(B) (i) and (ii):

"… no setback shall be required for an existing structure…"

"… a local agency may require a setback of up to four feet from the side and rear lot lines."

The proposed SFR's front yard setback is based on the existing structure, which is being converted to an SB 9 SFR, so there is no required front yard setback.

The proposed project does not propose side and rear setbacks less than 4'.

LOT SIZE - The proposed lot split is submitted pursuant to SB9, Gov't Code § 66411.7 (SB 9 urban lot split).

Pursuant to Gov't Code § 66411.7 (a)(2)(A), the minimum lot size for an SB9 urban lot split is 1,200 sq. ft.

Pursuant to Gov't Code § 66411.7 (b), one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for the subdivision.

The proposed application for 28809 Boniface meets both lot size criteria. As set forth in the table below, both PROPOSED LOT 1 and PROPOSED LOT 2 meet the minimum lot size of 1,200 sq. ft.

PROPOSED PARCEL DATA:

PARCEL	PARCEL AREA (GROSS)	PARCEL AREA (NET*)	% OF TOTAL**
1	28,290 SF	25,536 SF	58.5%
2	18,702 SF	18,100 SF	41.5%
TOTAL	46,992 SF	43,636 SF	100%

*NET AREA IS GROSS AREA LESS PUBLIC ACCESS EASEMENT
**% OF TOTAL IS BASED ON NET AREA

Additionally, the smaller of the two lots, PROPOSED LOT 2, is no smaller than 40% of the net lot area. It is proposed at 41.5% of the net lot area.

[Continued on next page]

II. The Proposed SB 9 Project Meets the Coastal Commission's Geographic Eligibility

The Coastal Commission provides mapped areas that meet the basic geographic eligibility requirements of SB 9 in the Coastal Zone.[1] Those areas the meet public SB 9 geographic eligibility in the Coastal Zone are set forth in the Commission's map below, and highlighted in yellow.[2] The subject property, 28809 Boniface Dr., lies within the SB9 geographic eligibility area, as also set forth in the map below:

Coastal Commission SB 9 Map



III. No Potential Adverse Effect on Coastal Resources

The proposed project also meets Coastal Act policies relating to the protection of coastal resources. In the California Coastal Commission SB 9 Guidance Memorandum of 1/21/2022 (CCC Memo), the former Executive Director advised that SB 9 residential development in the coastal zone must be consistent with the Coastal Act "including requirements relating to protection of coastal resources and hazards, such as Coastal Act Sections 30250, 30253, 30235 and 30240 (emphasis added)".[3]

The proposed SB 9 project does not adversely affect coastal resources and specifically meets each of Coastal Act policies referenced in the CCC Memo, including Sections 30250, 30253, 30235 and 30240:

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[1] See https://www.coastal.ca.gov/rflg/, and see https://coastalcomm.maps.arcgis.com/apps/webappviewer/index.html?id=682a1f6f84ac47f0a44bd475019a9e88.

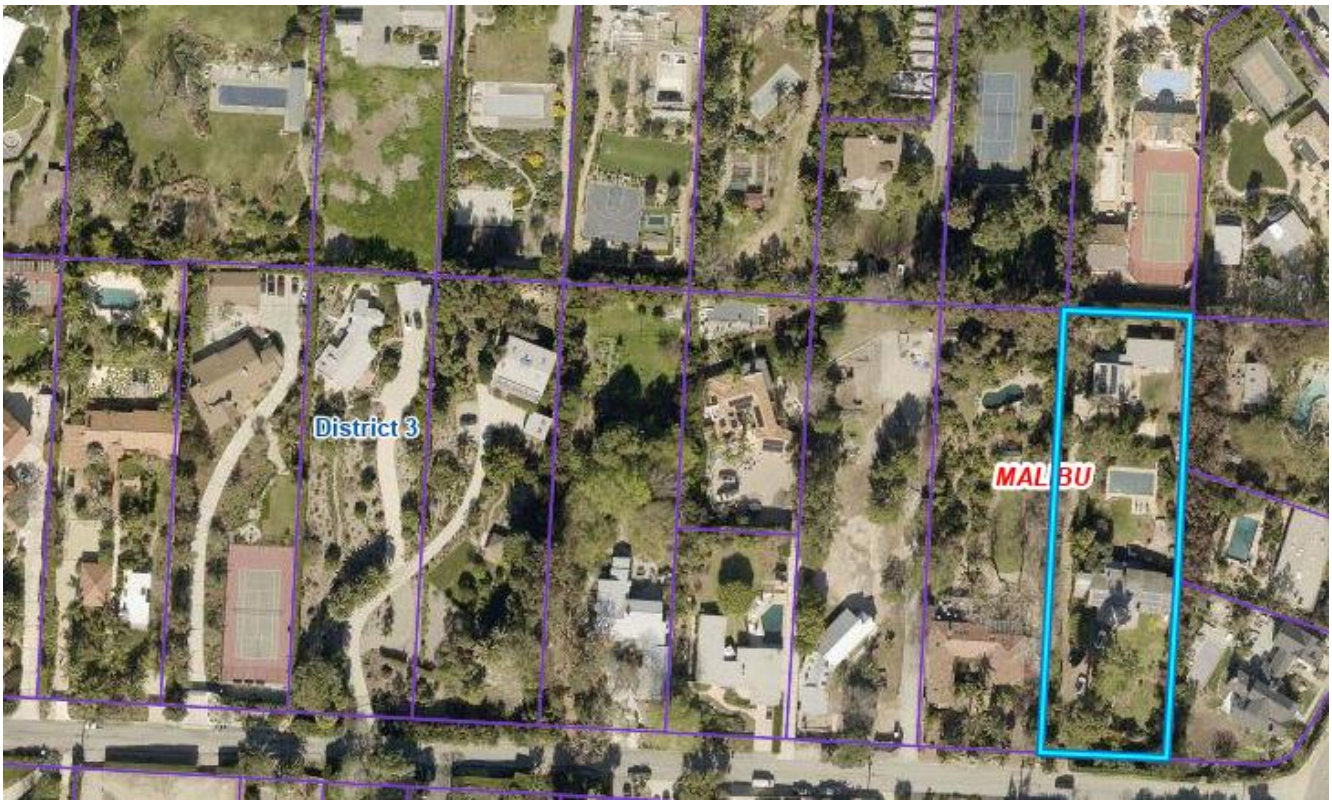
[2] See https://coastalcomm.maps.arcgis.com/apps/webappviewer/index.html?id=682a1f6f84ac47f0a44bd475019a9e88.

[3] CCC memo ay page 2.

Section 30250 Location; existing developed area, states:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it

Applicant's Discussion: The subject property is located within, contiguous and in close proximity to existing developed area. The subject property is located on an infill lot, among a residential area of the Point Dume neighborhood. See below:



The subject property is also sited entirely within existing overlapping fuel modification from adjacent neighbors. See Overlapping Fuel Modification exhibit, attached hereto as Exhibit A.

Section 30253 Minimization of adverse impacts, states:

"New development shall do all of the following:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

(c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.

(d) Minimize energy consumption and vehicle miles traveled. (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses."

Applicant's Discussion

Section 30253 (a) - There are no geologic or flood hazard areas on the subject property.

Although the entire city of Malibu is located within a mapped Very High Fire Hazard Severity Zone (VHFHSZ), Government Code Sections 65852.21 (SB9 Developments) and 66411.7 (SB9 Urban Lot Split) state that the housing development, or parcel being subdivided, must meets all the following requirements, including that the parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4

Section 65913.4 (D) states:

"[t]he development is not located on a site that is any of the following: (D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development) (emphasis added)."

There are applicable fire hazard mitigation measures in place. In Los Angeles County, for instance, Los Angeles County Building Code § 701A.3.1, includes fire hazard mitigation measures.[4] Additionally, CA Residential Code § R337 also has specific state fire mitigation measures.[5]

[4] § 701A.3.1. Application date and where required
New buildings for which an application for a building permit is submitted on or after July 1, 2008, and any additions, alterations, or repairs made to existing buildings for which an application for a building permit is submitted on or after January 1, 2017, located in any Fire Hazard Severity Zone or Wildland Interface Fire Area shall comply with all Sections of this Chapter…

701A.4 Inspection and certification.
Building permit applications and final completion approvals for buildings within the scope and application of this Chapter shall comply with the following: 1. Building permit issuance. The Building Official shall, prior to construction, provide the owner or applicant a certification that the building as proposed to be built complies with all applicable state and local building standards, including those for materials and construction methods for wildfire exposure as described in this Chapter. Issuance of a building permit by the Building Official for the proposed building shall be considered as complying with this Section. 2. Building permit final. The Building Official shall, upon completion of construction, provide the owner or applicant with a copy of the final inspection report that demonstrates the building was constructed in compliance with all applicable state and local building standards, including those for materials and construction methods for wildfire exposure as described in this Chapter. Issuance of a certificate of occupancy by the Building Official for the proposed building shall be considered as complying with this Section.

[5] Section R337 Materials and Construction Methods for Exterior Wildfire Exposure**R337.1.1 Scope**
Section R337 and all subsections apply to building materials, systems and or assemblies used in the exterior design and construction of new buildings located within a Wildland-Urban Interface (WUI) Fire Area as defined in Section R337.2.
R337.1.2 Purpose
The purpose of Section R337 is to establish minimum standards for the protection of life and property by increasing the ability of a building located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface (WUI) Fire Area to resist the intrusion of flame or burning embers projected by a vegetation fire and contributes to a systematic reduction in conflagration losses.

Based on those provisions, any applicable risks from VHFHSZ are mitigated and minimized.

Section 30253 (b) - This section is inapplicable to the subject property. The prosed project is located on relatively flat land, is not on a beach or bluff, not within the first parallel road and the sea, and will not contribute to erosion, geologic instability, or destruction of the site or surrounding area, or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Section 30253 (c) - There are no air pollution issues associated with the subject property or proposed SB 9 project.

Section 30253 (d) - The subject property is located within walking distance, less than one-half mile, to the Metro Bus Line 134 Zumirez/PCH bus stop. Additionally, the proposed project is located within the Point Dume neighborhood, in close proximity to grocery stores, amenities and the beach, thereby reducing energy consumption and vehicle miles traveled.

Section 30253 (e) - The proposed project is located on an infill lot, provides onsite parking and does not hamper access or parking to popular visitor destination points for recreational uses.

Section 30235 Construction altering natural shoreline, states:

> "Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fishkills should be phased out or upgraded where feasible."

Applicant's Discussion: This section is inapplicable. The subject property is not located on the shore.

Section 30240 Environmentally sensitive habitat areas; adjacent developments, states:

> (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Applicant's Discussion: This section is inapplicable. The subject property is not located within or adjacent to an environmentally sensitive habitat area.

Additional Analysis of Potential Effects on Coastal Resources

The CCC Memo further elaborates on impacts to coastal resources and Coastal Act policies, stating:

R337.1.3 Application
New buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface (WUI) Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this section. This shall include all new buildings with residential, commercial, educational, institutional or similar occupancy type use, which shall be referred to in this section a "applicable buildings" (see definition in Section R337.2, as well as new buildings and structures accessory to those applicable buildings

"Approval of the types of lot split and residential development projects contemplated by SB 9 is likely to increase residential density in urban areas, both in terms of the overall number of residential units and in terms of the nature of the built environment itself. In some areas, this increase in density may be able to be accommodated with limited coastal resource impacts. However, in other areas, there may be cases where such projects cause significant adverse impacts to coastal resources such as public access, sensitive habitats, and recreation areas. (*See* Pub. Res. Code § 30250.) For example, approval of new residential development projects and lot splits pursuant to SB 9 would not be consistent with the Coastal Act if the projects are adjacent to environmentally sensitive areas (ESHA) and are not sited and designed to prevent impacts which would significantly degrade those areas, or are incompatible with the continuance of those habitat and recreation areas. (Pub. Res. Code § 30240.) Residential areas in the coastal zone are often intertwined with significant coastal resource areas, such as along the immediate shoreline, between the first public road and the sea, near LCP-designated scenic areas, and near sensitive habitat areas (emphasis added)."[6]

The subject property is not located at or near

- "public access, sensitive habitats, and recreation areas,"
- "ESHA", or
- "along the immediate shoreline, between the first public road and the sea, near LCP-designated scenic areas, and near sensitive habitat areas."

III. Because the Proposed SB 9 Project Complies with the Coastal Act, It Should be Approved.

The CCC Memo states:

"Local governments in the coastal zone are required to comply with both the Coastal Act and, to the extent they do not conflict with Coastal Act requirements, the new SB 9 requirements."[7]

The CCC Memo also states:

"As relevant here, the Coastal Act does not exempt local governments from complying with state and federal law "with respect to providing low- and moderate-income housing, replacement housing, relocation benefits, or any other obligation related to housing imposed by existing law or any other law hereafter enacted." (Pub. Res. Code § 30007.) The Coastal Act also requires the Commission to encourage housing opportunities for low- and moderate-income households (Pub. Res. Code § 30604(f))"[8]

Applicant's Discussion: The proposed project complies with the relevant provisions of the Coastal Act and does not impact coastal resources, as previously discussed. See for instance, §§ Coastal Act Sections 30250, 30253, 30235 and 30240. Accordingly, The City should comply with State SB 9 law and approve the subject project.

IV. The City of Malibu's LCP

Applicant's Discussion: There are no provisions of the City of Malibu LCP addressing SB 9 projects. The Malibu LCP was approved by the Coastal Commission *prior* to the State implementing SB 9.

[6] CCC Memo at Page 4
[7] CCC Memo at page 10.
[8] CCC Memo at page 2

The Savings Clause provision of SB 9 states:

> "Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for a housing development pursuant to this section."[9]

This section states that SB 9 does not supersede the provisions of the Coastal Act. The proposed project does not violate any provisions of the Coastal Act, and there are no substantial impacts to coastal resources.

The purpose of the Coastal Act, as codified in section 30001.5 is to:

- protect coastal resources,
- maximize public access, and
- maximize public recreational opportunities.[10]

Moreover, Section 30007 of the Coastal Act states:

> "Nothing in this division shall exempt local governments from meeting the requirements of state and federal law with respect to providing low- and moderate-income housing, replacement housing, relocation benefits, or any other obligation related to housing imposed by existing law or any law hereafter enacted."

Not only is the proposed SB 9 project consistent with the purpose of the Coastal Act, and consistent with state housing laws, the proposed SB 9 project is in furtherance of the goals of the Coastal Act. The proposed project meets State housing laws, will increase the housing supply, and will provide additional public access and public recreational opportunities due to its Malibu location.

Until there are approved LCP amendments specifically addressing SB 9 projects, such projects should be approved if there are no substantial impacts to coastal resources.

The City of Malibu's current LCP has no provisions addressing SB 9 projects and is completely silent on the subject. Yet, the proposed SB 9 project is consistent with State law as well as the Coastal Act. Thus, the City should confirm that the proposed project does not substantially impact coastal resources and then approve the project.

Similarities to the City's Short Term Rental Policies – Approving the subject SB 9 project because it does not impact coastal resources and is in furtherance of Coastal Act policies. It is illustrative to note that the City policies on short term rentals is a corollary to applying SB 9 and provides related guidance for the City. There are currently no provisions of the LCP which specifically address short-term rentals (STRs); likewise there are no provisions of the LCP which address SB 9. The LCP was approve prior to the effective date of SB 9. Yet, the City is allowing STRs while it works on proposed LCP amendments to regulate STRs. Likewise, the City should approve SB 9 projects that do not substantially impact coastal resources, while it simultaneously works on LCP amendments to regulate SB 9 projects.

[9] Gov't Code §§ 65852.21 66411.7 (b)(3) (o)
[10] Public Resources Code § 30001.5

VI. There are No Provisions of State SB 9 law or of the Coastal Act Which State that Either Law May be Flagrantly Disregarded by a Local Government By the Mere Act of Delaying and Failing to Amend and Update its LCP.

There are no provisions of Gov't Code § 65852.21 (SB 9 Development), Gov't Code § 66411.7 (SB 9 urban lot split), or the Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code), which allow a local government to disregard State law by delaying and failing to amend and update its LCP.

Huntington Beach - The State Attorney General's office, along with the California Department of Housing and Community Development, filed a lawsuit on behalf of the People of the State of California, against the City of Huntington Beach for its blatant refusal to balance the Coastal Act with State Housing laws. Specifically, Huntington Beach refused to process SB 9 (or ADU) applications.[11] As a result of the lawsuit, and as acknowledged by the Attorney General's office, on April 4, 2023, the Huntington Beach City Council reversed course and began processing SB 9 (and ADU) project applications.[12] This was despite the fact that the City of Huntington Beach did not have approved LCP amendments for SB 9 projects; rather, SB 9 projects were currently processed through the zoning code, including reduced yard setbacks, which is also applicable to projects requiring a CDP:

> 237.06 Applicability Notwithstanding any other provision of the Huntington Beach Municipal Code *or Local Coastal Program*, the provisions of this chapter shall apply to SB 9 development projects. Except as expressly provided in SB 9 or in this chapter, all other regulations of the underlying zone of a property developed pursuant to SB 9 shall apply, along with all other applicable regulations from the City of Huntington Beach Municipal Code and Local Coastal Program.
>
> 237.12 C. Setbacks.
>
> 1. Any units constructed pursuant to the provisions of SB 9 shall have a minimum four-foot setback from all side and rear lot lines.
>
> 4. No additional setbacks shall be required if a unit is constructed within the footprint of an existing structure on a lot (emphasis added).

The City of Malibu should follow suit and process SB applications that are consistent with Coastal Act policies, such as the subject proposed project, during the interim while is works on LCP amendments.

VII. The Provisions of the CCC Memo Suggesting the Coastal Cities Do Not have to Comply with State Housing Laws, Until an Approved LCP SB 9 Amendment is in Place, is not Legally Sound and Should be Disregarded.

The CCC does not have authority to disregard the provisions and purpose of the Coastal Act and State law. See for instance*, Jason Riddick, et al. vs City of Malibu, et al*., where the Court disregarded provisions of the California Coastal Commission memorandum related to ADUs, which were not legally sound. In the *Riddick* case, the Court stated:

> "[B]ecause an interpretation is an agency's legal opinion, it commands a commensurably lesser degree of judicial deference. (Id.) For instance, when an agency did not have a longstanding interpretation of a statute and did not adopt a formal regulation interpreting the statute, courts have simply disregarded

[11] *People of California v. City of Huntington Beach* (OCSC,Case No. 30-2023-01312235-CU-WM-CJC)

[12] Attorney General Newsletter, dated April 10,2023, "Attorney General Bonta, Newsom Administration Sue Huntington Beach for Violating State Housing Element Law."

the opinion offered by the agency. (Interinsurance Exchange of Automobile Club v. Superior Court, (2007) 148 Cal.App.4th 1218, 1235-36; State of California ex rel. Nee v. Unumprovident Corp. (2006) 140 Cal.App.4th 442, 451.) Furthermore, an agency does not have the authority to alter or amend a statute or enlarge or impair its scope. (Morris v. Williams (1967) 67 Cal.2d 733, 748.)"[13]

Local governments in the coastal zone are required to comply with both the Coastal Act and State housing laws to the extent they do not conflict with Coastal Act requirements. See Section 30007 of the Coastal Act (Nothing in this division shall exempt local governments from meeting the requirements of state and federal law with respect to providing low- and moderate-income housing …); see also *Kalnel v. City of Los Angeles* (2016) 3 Cal. App. 5th 927, 944 (State housing laws are to be balanced with the Coastal Act).

Based on Section 30007 of the Coastal Act as well as *Jason Riddick, et al. vs City of Malibu, et al*., the CCC does not have authority to disregard the provisions and purpose of the Coastal Act and State law. Accordingly, the subject SB 9 project should be approved.

Conclusion

The proposed project complies with the provisions of State SB 9 law. The proposed project also complies with the provisions of the Coastal Act. The proposed project will not adversely impact coastal resources and is in furtherance of the goals of the Coastal Act. Accordingly, the proposed SB 9 project, including the SB 9 reduced yard setbacks, should be approved.

Sincerely,

Cynthia Martin

Cynthia Martin, JD I Special Projects Manager **I Schmitz & Associates, Inc.**
28230 Agoura Rd. Suite 200 Agoura Hills, CA 91301
Direct Phone: (747) 444-6175
Main Office: (818) 338-3636
Cmartin@schmitzandassociates.net www.schmitzandassociates.com

[13] *Jason Riddick, et al. vs City of Malibu, et al*., Minute Order, dated July 26, 2022.

Exhibit A – Overlapping Fuel Modification



Woolsey Fire Structure Data and Fire Perimeter Map

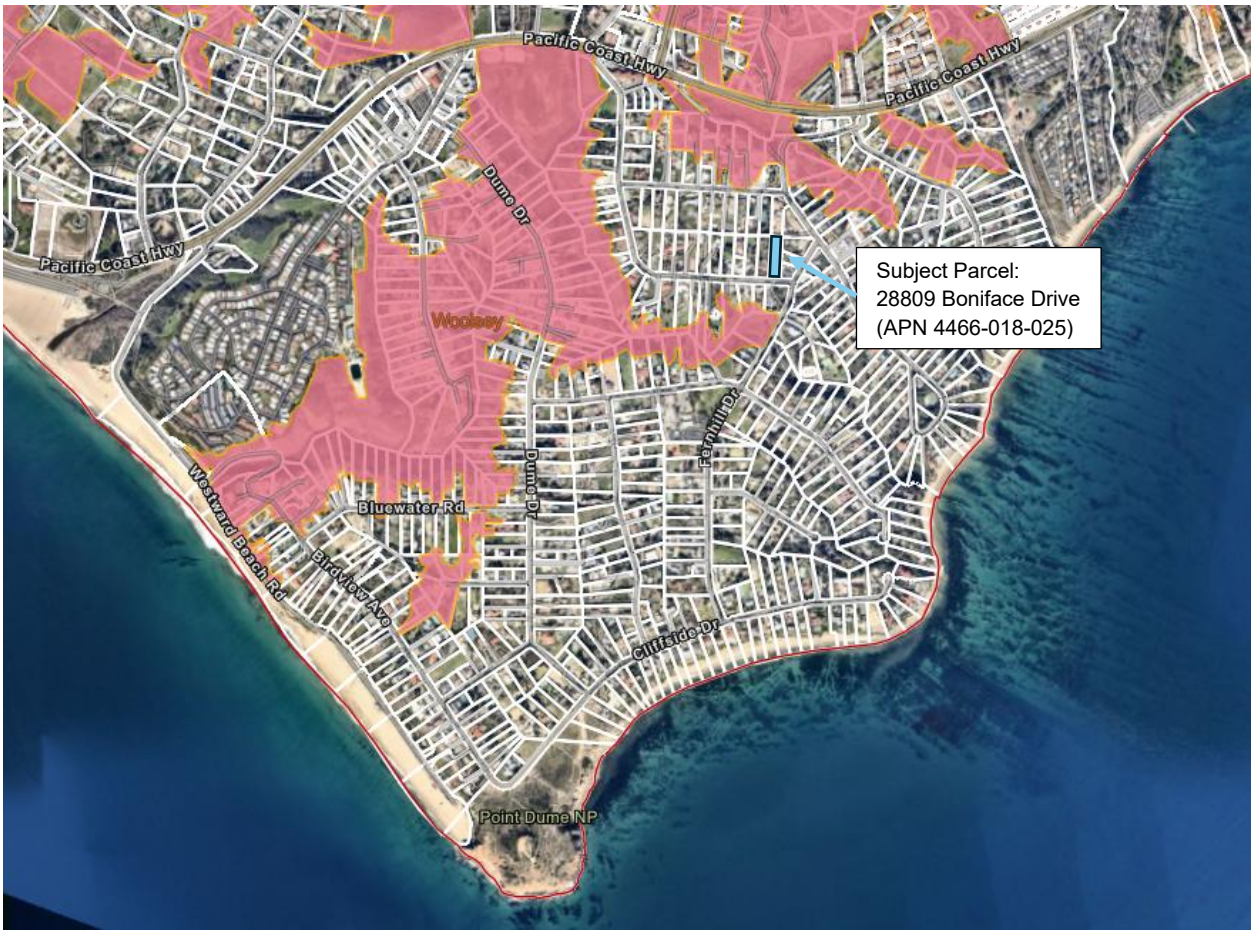
CAL FIRE Damage Inspection Data (2018) - Point Dume Neighborhood

Prepared by City of Malibu Planning Division, September 10, 2026

Damage Inspection Results	Count
Damaged structures inspected by CAL FIRE	**171**
Destroyed (more than 50 percent damage)	145
Residences (single-family residences and mobile homes)	102
Accessory structures (garages, sheds, and other outbuildings)	42
Commercial buildings	1
Major damage (25-50 percent)	2
Minor damage (10-25 percent)	5
Affected (up to 10 percent)	19
Parcels in the Point Dume neighborhood	**866**
Parcels with at least one destroyed structure	105
Parcels with a destroyed residence	92
Boniface Drive	**2**
Residence destroyed (28904 Boniface Drive)	1
Accessory structure with Minor damage (28942 Boniface Drive)	1

Note: CAL FIRE Damage Inspection (DINS) records for the Woolsey Fire (November 8, 2018) within the Point Dume neighborhood south of Pacific Coast Highway (Exhibits 1 through 3), exported from City GIS on September 8, 2026. Only structures found damaged are recorded. CAL FIRE classifies a structure with more than 50 percent damage as “Destroyed.” The final fire perimeter (Exhibit 1) lies approximately 263 feet southwest of the subject parcel.

Exhibit 1 - Woolsey Fire Final Perimeter, Point Dume Neighborhood



Source: CAL FIRE fire perimeter data (Woolsey Fire, 2018); City of Malibu GIS. Shaded area is the burned area within the final perimeter.

Exhibit 2 - CAL FIRE Damage Inspection Records, Point Dume Neighborhood



Legend - CAL FIRE damage classification

Damage	Description	Symbol
>0-10%	Affected	
10-25%	Minor	
25-50%	Major	
50-100%	Destroyed	
Inaccessible	Inaccessible	
No Damage	No Damage	

Source: CAL FIRE Damage Inspection (DINS) data, Woolsey Fire (2018); City of Malibu GIS. Each inspected structure is one symbol.

Exhibit 3 - Damage Inspection Records for Dume Drive, Wandermere Road, Portshead Road, Selfridge Drive, and Boniface Drive



Source: CAL FIRE Damage Inspection (DINS) data, Woolsey Fire (2018); City of Malibu GIS. Symbols as shown in Exhibit 2.

Prepared by Malibu Planning Division, September 8, 2026

Surrounding Parcel Size Analysis - 500 ft. Radius of Subject Parcel				
Raduis Map No.	**APN**	**Site Address**	**Gross Lot Area (SF) - LA County Assessor Data**	**Notes**
1	4466-004-002	6634 WILDLIFE RD	87,846	Above 85,000 SF
2	4466-004-005	6692 WILDLIFE RD	58,836	
3	4466-004-021	6638 WILDLIFE RD	52,457	
4	4466-004-022	6644 WILDLIFE RD	44,757	
5	4466-004-023	6670 WILDLIFE RD	72,516	
6	4466-004-024	6688 WILDLIFE RD	44,822	
7	4466-004-039	6708 WILDLIFE RD	51,560	
8	4466-004-040	6702 WILDLIFE RD	39,202	
9	4466-005-043	6728 WILDLIFE RD	40,425	
10	4466-007-006	6765 WILDLIFE RD	41,510	
11	4466-007-008	6737 WILDLIFE RD	57,651	
12	4466-007-018	6749 WILDLIFE RD	20,637	
13	4466-007-019	NO SITE ADDRESS	27,799	
14	4466-007-020	6750 FERNHILL DR	14,007	
15	4466-007-021	6738 FERNHILL DR	13,504	
16	4466-007-022	6722 FERNHILL DR	28,347	
17	4466-007-027	28786 SEA RANCH WAY	46,663	
18	4466-007-032	NO SITE ADDRESS	32,064	
19	4466-017-006	6825 FERNHILL DR	86,200	Above 85,000 SF
20	4466-017-007	6785 FERNHILL DR	52,622	
21	4466-017-009	28850 BONIFACE DR	71,572	
22	4466-017-010	28872 BONIFACE DR	101,459	Above 85,000 SF
23	4466-017-015	28834 BONIFACE DR	28,607	
24	4466-017-016	28840 BONIFACE DR	38,600	
25	4466-018-001	6655 WILDLIFE RD	46,200	
26	4466-018-002	28818 SELFRIDGE DR	43,268	
27	4466-018-004	28834 SELFRIDGE DR	43,294	
28	4466-018-005	28850 SELFRIDGE DR	43,332	
29	4466-018-006	28860 SELFRIDGE DR	43,948	
30	4466-018-020	28873 BONIFACE DR	44,483	
31	4466-018-021	28859 BONIFACE DR	44,017	
32	4466-018-023	28841 BONIFACE DR	45,205	
33	4466-018-024	28825 BONIFACE DR	43,617	
34	**4466-018-025**	**28809 BONIFACE DR (subject parcel)**	**44,348**	Subject parcel (excluded from calculations)
35	4466-018-027	6715 FERNHILL DR	43,810	
36	4466-018-028	6681 WILDLIFE RD	48,492	
37	4466-018-029	6731 FERNHILL DR	18,548	
38	4466-018-030	6743 FERNHILL DR	18,722	
39	4466-018-031	28855 BONIFACE DR	23,050	
40	4466-018-032	28851 BONIFACE DR	19,608	
41	4466-018-033	28828 SELFRIDGE DR	21,761	
42	4466-018-034	28824 SELFRIDGE DR	22,031	
43	4466-019-017	28837 SELFRIDGE DR	73,808	
44	4466-019-030	28819 SELFRIDGE DR	39,835	

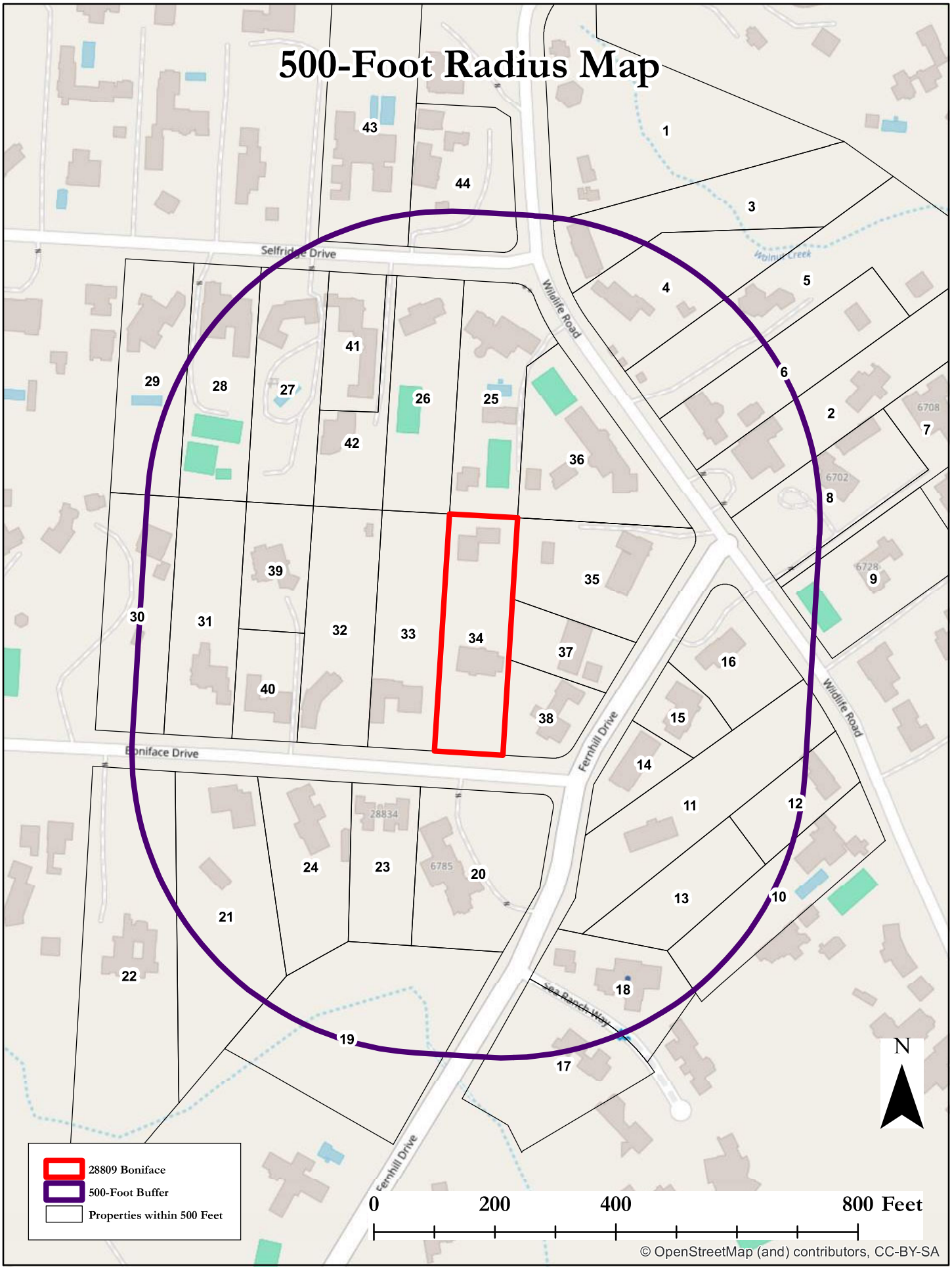
Summary (excludes subject parcel)

Number of surrounding parcels	43
Average lot area (SF)	43,737
Median lot area (SF)	43,617
Parcels above 85,000 SF	3
Average w/o parcels above 85,000 SF	40,130
Median w/o parcels above 85,000 SF	43,313
Subject parcel lot area (SF)	44,348

Source: Los Angeles County Assessor, gross lot area (SF). Parcels within a 500 ft. radius of the subject parcel per applicant's mailing data and radius map.
The 85,000 SF threshold is used to show the effect of large outlier parcels on the average.

ATTACHMENT 11

500-Foot Radius Map



Source: Applicant's public noticing materials (CDP No. 23-010)

Received
9/17/26
Planning Div.

From: Don Maclay
To: Planning Commission
Subject: Lot Splitting on Point Dume
Date: Thursday, September 17, 2026 10:54:58 AM

Lot splitting on Point Dume, apparently being requested by the Lehman's, is a bad idea if you care about Malibu's rural character, property values and what Malibu represents to us as residents.

Allowing it, even one time, sets a bad precedent. Please disapprove the Lehman request.

Don Maclay
Malibu Resident since 1966 - first on Malibu Road & then Point Dume

Received
9/21/26
Planning Div.

From: joe wirht
To: Planning Commission
Subject: Opposition for Permit for Lot Split of 28809 Boniface Drive, Malibu
Date: Monday, September 21, 2026 1:13:40 PM

Dear Planning Commission,

I'm writing to voice my strong opposition to the proposed lot split at 28809 Boniface Drive. I have a couple of major concerns with this project:

- **Septic Systems:** Adding more density and extra septic tanks onto an approximately one-acre lot—which could end up with multiple homes and ADUs—just puts too much unnecessary strain on our local infrastructure and environment here in Point Dume.
- **Setting a Bad Precedent:** Approving this would open the door for similar splits across other lots. We haven't seen a split like this in the neighborhood in over 50 years, and letting it through risks kicking off widespread overdevelopment throughout Malibu. Once a lot split goes through, it's a permanent change we can't take back.

Please protect the character of our neighborhoods and vote against this application.

Thanks for listening,

Joe Wirht
[redacted]

Get Outlook for iOS

Received
9/17/26
Planning Div.

From: Karen Verham
To: Planning Commission
Subject: Proposed Lot Split 28809 Boniface Drive, Malibu
Date: Wednesday, September 16, 2026 9:45:03 PM

We do not approve of the possibility of splitting one-acre properties into two separate residential lots. While their proposal is for a one-acre, if approved it could be applied to other lots, without regard to size. If approved, this one one-acre property would permanently become TWO SEPARATE PROPERTIES, that could be separately owned and developed. This will result in up to four homes, two residents and two ADU's. Where there is now one house there can be four. This will open the door to similar splits of other properties. This is going to result in the possibility of over development throughout Malibu, as it will set a precedent. Many other owners will most likely follow suit, changing the neighborhoods we strive to protect.

Thank you,

Karen Verham
[redacted]

Received
9/17/26
Planning Div.

From: [redacted]
To: Planning Commission
Subject: Don Lehman lot Split on Boniface
Date: Thursday, September 17, 2026 3:48:37 PM

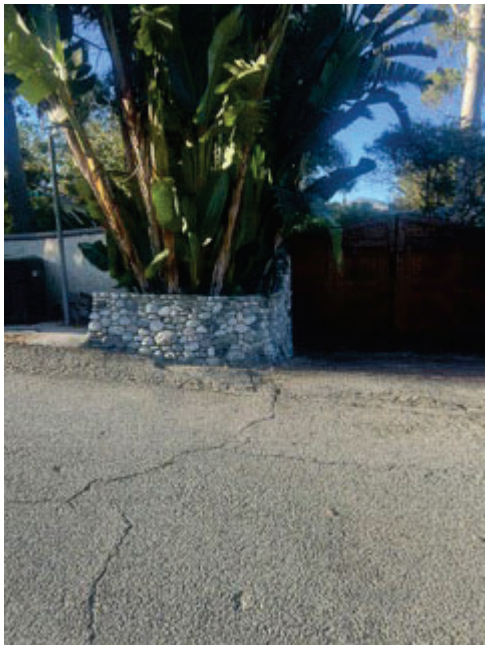
My wife and I strongly oppose the concept of their request for a lot split as we believe the division into 1/2 acre lot sizes was phased out decades ago and this request would now set an extremely poor precedent for the future of Malibu residential density. We voted for city hood with a desire to retain individual septic systems rather than destroy our semi-rural environment and potentially excessive subdivision that could have occurred if we had been forced to connect to the Hyperion Plant in El Segundo.

Robert and Patricia von Sternberg
[redacted]

From: Arnold Bernstein
To: Patrick Achis
Subject: 28809 Boniface dr
Date: Tuesday, September 1, 2026 6:46:38 PM

How on earth can anyone read this?

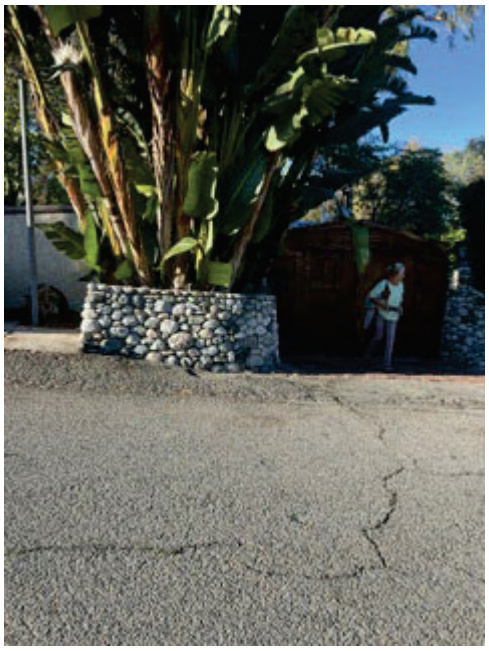




Sent from my iPhone

From: Arnold Bernstein
To: Patrick Achis
Subject: 28809 Boniface Dr.
Date: Thursday, September 3, 2026 7:44:22 PM

Does the city believe that this new positioning of the notice is any better than the one where it is hidden in the bushes?



Sent from my iPhone

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, October 5, 2026, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

COASTAL DEVELOPMENT PERMIT NO. 23-010, TENTATIVE PARCEL MAP NO. 23-001, AND CODE VIOLATION NO. 23-010 - An application for the subdivision of a 43,636 square foot (sf.) parcel into two parcels consisting of Parcel A (25,536 sf.) and Parcel B (18,100 sf.) as an urban lot split and a two-unit housing development pursuant to Senate Bill 9 (SB 9) (Government Code Sections 66411.7 and 65852.21); with development on Parcel A consisting of the removal of all exterior walls of an existing detached, non-habitable, two-story, 998 sf. storage building and construction of a new two-story, 21 foot (ft.) 8 inch (in.) tall, 2,548 sf. single-family residence with one uncovered parking space, one 4 ft. tall, 92 ft. long driveway retaining wall, widening and extension of the existing driveway with a new fire truck turnaround, an advanced onsite wastewater treatment system, grading, decks, landscaping, hardscape, and associated development; Parcel B will remain unchanged, with the existing single-family residence to remain as-is

LOCATION / APN:	**28809 Boniface Dr** / 4466-018-025
ZONING:	Rural Residential, One-Acre (RR-1)
APPLICANT / OWNERS:	Schmitz & Associates, Inc. / Donald R. Lehman and Marie Christine Lehman Trust
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	The Planning Commission will consider the applicable determination under the California Environmental Quality Act concurrently with its action on the application.
APPLICATION FILED:	February 8, 2023
CASE PLANNER:	Patrick Achis, Senior Planner, pachis@malibucity.org / (310) 456-2489, ext. 247

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.

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: September 10, 2026

ATTACHMENT 13