

Zoning Text Amendment No. 12-001

The existing language in the Malibu Municipal Code is shown in straight type. The language proposed by the City of Malibu in this amendment to be ~~deleted~~ is shown in ~~strikethrough~~. The language proposed by the City of Malibu in this amendment to be inserted is shown underlined.

Section 17.20.010 is hereby amended to read as follows:

The PD district is ~~intended to provide for a mix of residential and recreational development of the Crummer Trust property located east of Malibu Bluffs State Park and south of Pacific Coast Highway~~ a specially tailored zoning district which establishes zoning regulations and sets specific development standards for a planned development. The PD district is intended as a unique zoning tool to encourage innovation in development concepts, land use mixes, and site design.

Title 17 (Zoning) is hereby amended by adding Chapter 17.39 to the Malibu Municipal Code as follows:

Chapter 17.39

MALIBU COAST ESTATE PLANNED DEVELOPMENT (PD) DISTRICT

17.39.010 Purpose.

17.39.020 Permitted uses.

17.39.030 Conditionally permitted uses.

17.39.040 Lot development criteria.

17.39.041 Property development and design standards

17.39.042 Permit required

17.39.010 Purpose.

The Malibu Coast Estate PD District is intended to provide a mix of residential and recreational development consisting of five single-family residences and 1.74 acres of recreational area located east of Malibu Bluffs Park and south of Pacific Coast Highway. The Malibu Coast Estate PD consists of the land designated as Assessor Parcel Numbers APNs 4458-018-019, 4458-018-002, and 4458-018-018.

17.39.020. Permitted uses.

Lot numbers are as identified on the Malibu Coast Estate PD Vesting Tract Map. The following uses and structures are permitted:

A. Lot Nos. 1-5:

1. One single-family residence per lot.
2. Accessory uses (second residential units or guest units pursuant to [Government Code](#) Section 65852.2, garages, swimming pools, spas, pool houses, cabanas, water features, gazebos, storage sheds, private non-illuminated sports courts, noncommercial greenhouses, gated driveways, workshops, gyms, home studio,

home offices, and similar uses as determined by the Planning Director or Planning Commission pursuant to Malibu Municipal Code Section 17.04.050.

3. Domestic animals, kept as pets.
4. Landscaping.

B. Lot No. 6:

1. Uses and structures maintained by either the owners of Lots 1-5 or the Homeowners' Association formed to serve the residential development within the Malibu Coast Estate PD, including a guard house, private access roads, gates (including entry gates), fencing, visitor parking, landscaping, guardhouse parking, community utilities, informational and directional signage, private open space, lighting and an onsite wastewater treatment plant.

C. Lot No. 7:

1. Parks and public open space, excluding community centers.
2. Active and passive public recreational facilities, such as ball fields, skate parks, picnic areas, playgrounds, walkways, restrooms, scoreboard, sport court fencing, parking lots, and similar uses as determined by the Planning Director or Planning Commission pursuant to Malibu Municipal Code Section 17.04.050.
3. Onsite wastewater treatment system.

17.39.040. Lot development criteria.

All new lots created in the Malibu Coast Estate PD District shall comply with the following criteria:

A. Lots No. 1-5:

- a. Minimum lot area: 113,600 square feet (2.60 acres)
- b. Minimum lot width: 115 feet
- c. Minimum lot depth: 480 feet

B. Lot No. 6:

- a. Minimum lot area: 125,700 square feet (2.88 acres)
- b. Minimum lot width: 625 feet
- c. Minimum lot depth: 100 feet

C. Lot No. 7:

- a. Minimum lot area: 75,640 square feet (1.74 acres)
- b. Minimum lot width: 460 feet
- c. Minimum lot depth: 100 feet

17.39.041. Property development and design standards.

The following development standards shall replace the development and design standards (Section 17.40.040 and Section 17.40.080) for the Malibu Coast Estate PD District. All requirements of the zoning ordinance, including but not limited to Section 17.40.030, that are

not inconsistent with the criteria listed below shall remain in effect for those parcels in the Malibu Coast Estate PD District.

A. Lot Nos. 1-5.

a. Structure Size

- i. The total development square footage on each of Lot Nos. 1-5 shall not exceed eleven thousand one hundred seventy-two (11,172) square feet per lot.
- ii. Structures Greater Than Eighteen (18) Feet in Height. Notwithstanding any other provision of this chapter, the total development square footage for a structure greater than eighteen (18) feet in height shall not be greater than permitted for single-story construction. The second floor area plus the area of vaulted ceilings above eighteen (18) feet in height shall not exceed two-thirds the first floor area.
- iii. The square footage of a basement shall be included in the calculation of total development square footage (TDSF), consistent with the following formula: The initial one-thousand (1,000) square feet of a basement shall not count toward TDSF; additional area in excess of one-thousand (1,000) square feet shall be included in the calculation of TDSF at the rate of one (1) square foot of TDSF for every two (2) square feet of proposed basement square footage. A basement is that portion of a building or an area enclosed by walls located below finished grade and beneath or partially beneath the first floor footprint above, where the vertical distance from finished grade to the bottom of the finished floor above is no more than three vertical feet at all points around the perimeter of all exterior walls, except that up to two openings into light wells or subterranean courtyards for ingress and egress purposes with a maximum continuous width of 25 feet per opening shall be permitted.
- iv. Covered light wells and subterranean courtyards shall not be included in TDSF.
- v. Combinations of Basements, Cellars and/or Subterranean Garages. If any combination of basements, cellars, and/or subterranean garages is proposed, the initial one-thousand (1,000) square feet of the combined area shall not count toward TDSF. Any additional area in excess of one-thousand (1,000) square feet shall be included in the calculation of TDSF at ratio of one square foot for every two square feet proposed.
- vi. Covered areas, such as covered patios, eaves, and awnings that project up to six feet from the exterior wall of the structure shall not count toward TDSF; if the covered areas project more than six feet, the entire covered area (including the area within the six foot projection) shall be included in TDSF.

b. Setbacks

- i. Front yard setbacks shall be at least twenty (20) percent of the total depth of the lot, or sixty-five (65) feet, whichever is less.
- ii. Side yard setbacks shall be cumulatively at least twenty-five (25) percent of the total width of the lot but, in no event, shall a single side yard setback be less than ten (10) percent of the width of the lot.

- iii. Rear yard setbacks shall be at least fifteen (15) percent of the lot depth.
- iv. Parkland setbacks in Section 3.6(F)(6) of the Malibu Local Implementation Plan (LIP) shall not apply.

c. Structure Height.

- i. Every residence and every other building or structure associated with a residential development (excluding chimneys), including satellite dish antenna, solar panels and rooftop equipment, shall not be higher than twenty-four (24) feet flat roof and twenty-eight (28) feet pitched roof as measured from natural or finished grade, whichever is lower. A pitched roof is a roof with a slope of 3:12 or steeper.
- ii. Mechanical equipment, including screens may not exceed roof height. Roof-mounted mechanical equipment shall be integrated into the roof design and screened.
- iii. In no event shall the maximum number of stories above grade be greater than two. Basements and subterranean garages shall not be considered a story.

d. Grading.

- i. Notwithstanding other provisions of this Code, all grading associated with ingress, egress, including safety access, shall be considered exempt grading.
- ii. Non-exempt grading shall be limited to 2,000 cubic yards per lot.
- iii. Net export shall be limited to 3,500 cubic yards per lot.

e. Impermeable Coverage.

- i. The impermeable coverage requirement in M.M.C. Section 17.40.040(A)(11) shall apply.

f. Parking.

- i. Two enclosed and two unenclosed parking spaces. The minimum size for a residential parking space shall be 18 feet long by 10 feet wide.
- ii. One enclosed or unenclosed parking space for a guest unit or second unit.

g. Colors and Lighting.

- i. Structures shall be limited to colors compatible with the surrounding environment and landscape (earth tones), including shades of green, brown, and gray with no white or light or bright tones. The color palette shall be specified on plans submitted in Building Plan Check and must be approved by the Planning Director prior to issuance of a building permit.
- ii. Lighting must comply with Section 6.5(G) of the Malibu LIP.

h. Permit Required.

- i. All development within the Malibu Coast Estate PD District requires a coastal development permit, unless exempt in Section 13.4.

B. Lot No. 6.

a. Structure Size.

- i. The total development square footage of all structures shall not exceed 280 square feet.

b. Setbacks.

- i. Buildings, not including projections permitted in Section 17.40.030 of the M.M.C. shall maintain a minimum setback of fifty (50) feet from all property lines.
- ii. Parkland setbacks in Section 3.6(F)(6) of the Malibu LIP shall not apply.

c. Structure Height.

- i. Structure height shall not exceed 15 feet, as measured from natural or finished grade, whichever is lower.
- ii. In no event shall the maximum number of stories above grade be greater than one.
- iii. A basement, cellar or subterranean garage shall not be permitted.

d. Grading.

- i. Notwithstanding other provisions of this Code, all grading associated with ingress, egress, including safety access, shall be considered exempt grading.
- ii. Non-exempt grading shall be limited to 1,000 cubic yards.
- iii. Net export shall be limited to 2,500 cubic yards.

e. Impermeable Coverage.

- i. The impermeable coverage requirement in M.M.C Section 17.40.040(A)(11) shall not apply. Up to 44,000 square feet of impermeable coverage shall be permitted.

f. Parking.

- i. The guardhouse shall not have more than two parking spaces to be used for on duty guards and one additional parking space for service parking. Parking within the property boundaries shall not be located on or obstruct fire department access.

g. Colors and Lighting.

- i. Structures shall be limited to colors compatible with the surrounding environment and landscape (earth tones), including shades of green, brown, and gray with no white or light or bright tones. The color palette shall be specified on plans submitted in Building Plan Check and must be approved by the Planning Director prior to issuance of a building permit.
- ii. Lighting must comply with Section 6.5(G) of the Malibu LIP.
- h. Permit Required.
- j. All development within the Malibu Coast Estate PD District requires a coastal development permit, unless exempt in Section 13.4.

C. Lot No. 7

- a. Site Design. Grading, setbacks, and facility siting shall be designed to meet the operational programs of the park as defined in the City of Malibu Parks Master Plan. Notwithstanding any other provision of this chapter, grading in all new parks shall be limited to not more than one thousand (1,000) cubic yards per acre, except that grading required for sports fields and skate parks designed to accommodate commonly accepted facility dimensions shall be exempt from these limitations. The facility shall be designed to minimize noise, lighting impacts and disruption to nearby residents.
- b. Parking. Parking shall be determined by a parking study prepared by a registered traffic engineer and based upon the proposed recreational uses. The Planning Director shall have the authority to determine the appropriateness of studies or other information used in determining the parking to be required. Where appropriate, off-site parking may be provided and may be counted towards satisfying the on-site parking requirement.
- c. Fencing. With the exception of skate park and sport court fencing and backstops, fences and walls shall not exceed eight feet in height. The fencing and backstops design and materials shall take into consideration view and vista areas, site distance, and environmental constraints.
- d. Temporary Uses. Temporary uses shall be in accordance with the temporary use permit process contained within Malibu Municipal Code Chapter 17.68.

17.39.042 Permit Required

All development within the Malibu Coast Estate PD District requires a coastal development permit.