



Commission Agenda Report

Planning Commission
Meeting
02-03-20

**Item
5.A.**

To: Chair Jennings and Members of the Planning Commission

Prepared by: Jessica Thompson, Associate Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: January 23, 2020 Meeting date: February 3, 2020

Subject: Coastal Development Permit No. 19-083 – An application for construction of a 12,320-square foot Temporary Skate Park and associated development

Location: 24250 Pacific Coast Highway, not within the appealable coastal zone

APNs: 4458-018-906 and 4458-018-907

Owner: City of Malibu

RECOMMENDED ACTION: Consider Addendum No. 2 to the Crummer Site Subdivision Final Environmental Impact Report (EIR) and adopt Planning Commission Resolution No. 20-15 (Attachment 1) approving Coastal Development Permit (CDP) No. 19-083 to allow for the installation of a 12,320-square foot above-ground temporary skate park, including construction of various skating equipment, fencing, and benches (elements) to be placed on a portion of a new 24,176-square foot asphalt lot, along with a drop-off/pick-up area including two ADA parking spaces, plus a dirt parking lot with 40 spaces and a cross-walk over Winter Mesa Drive and associated development, located on Lot 7 of the Crummer/Case property in the Planned Development (PD) and Public Open Space (OS) zoning districts located at 24250 Pacific Coast Highway (City of Malibu).

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

Project Overview

For many years, the City residents enjoyed use of a temporary skate park, known as Papa Jack's, located at the northwest corner of Civic Center Way and Cross Creek Road. In 2010, the property owner removed the skate park in anticipation of a future development project on the site. Since that time, the City has sought to find a location for a new temporary skate park while it explored options for construction of a permanent skate park.

In 2014, the City Council approved the Crummer Site Subdivision Project, located adjacent to Malibu Bluffs Park. The project included five lots for residential home construction, a lot for infrastructure and supporting facilities, and a lot designated for recreational uses to be dedicated to the City. This lot, known as Lot 7, has been transferred to the City. In 2019, City Council directed staff to develop a temporary skate park on Lot 7, and to begin the process of designing and obtaining approvals for a permanent skate park. Council's direction was to design the temporary skate so that the permanent skate park could be begin construction on Lot 7 while the temporary facility is in place. However, environmental review and entitlements for the permanent facility would be processed before any construction.

Construction of the residential development in the Crummer Site project has begun. The developer has since renamed the project The Case Project.

Lot 7 is 75,250 square feet located between the existing Bluffs Park ballfields and the entrance to the Case Project. The west part of Lot 7 will be paved with asphalt. Approximately 12,320 square feet will be used for the above-ground temporary skate park, with various transition and street-style elements, such as a mini-bowl, ramps, and fun box. The elements will be constructed from wood, concrete, and SkateLite surface.¹ The rest of the asphalt area will be used as designated Drop Off/Pick Up Area including road striping, a central planter, walking lanes, and ADA parking. The project also includes a crosswalk on Winter Mesa Drive which is the southwest corner of the property, allowing for safe pedestrian access from the rest of Bluffs Park. Parking for the temporary skate park will be located on the northern area of the unpaved part of Lot 7 to the east. Project Plans are included as Attachment 2. A memorandum describing the project is included as Attachment 7.

It is anticipated that user groups consisting of youth and adult skateboarders, and bicycle and inline-skate participants with skill levels ranging from beginner to professional will utilize the proposed park. The proposed hours of operation will be from 8:00 a.m. to sunset or 7:00 p.m. (whichever is earlier), seven days a week.

The project has been reviewed and approved for LCP conformance by all applicable City departments and agencies. All the required findings can be made to approve the project.

¹ SkateLite is a durable paper-composite material designed to provide a smooth, durable skate surface for the elements.

Background

The Crummer Site Subdivision was approved by the City Council on February 24, 2014. Project approvals included CDP No. 07-144 and Vesting Tentative Map No. 07-033 to subdivide one lot into 7 lots, a Local Coastal Program Amendment (LCPA) No. 12-001 to correct an inconsistency between a LCP Land Use Policy (LUP) Policy and the zoning designation and incorporate the Planned Development zoning standards into the LCP and a corollary Zoning Text Amendment to update the MMC. The project included single-family residences on Lots 1 through 5; a private street, gatehouse, onsite wastewater treatment system (OWTS) package plant and open space area on Lot 6; and seepage pits and a recreational use on Lot 7. On May 18, 2014, the Planning Commission approved CDPs on Lots 1 through 5 for the residences contingent upon approval of the LCPA by the California Coastal Commission (CCC). In 2015, the CCC approved the LCPA with modifications which were later accepted by the City of Malibu and finally certified.

The Final EIR for the Crummer Site Subdivision (SCH No. 2008091155) was certified by the City Council concurrently with the associated CDP project approvals on February 24, 2014. The EIR studied construction and development of the subdivision, including potential use of Lot 7 as ballfields or a skate park. The Final EIR included a number of mitigation measures to address the potentially significant impacts that were identified (Attachment 7). The EIR determined that with included mitigation measures, the project would not result in any significant environmental impacts.

In 2016, the Planning Commission approved CDP Amendment Nos. 15-008 through 15-012 to amend the previously approved CDPs on Lots 1 through 5 in response to LCPA modifications made by the CCC in 2015. No changes were made to Lots 6 or 7. To update the Final EIR, the Commission considered Addendum No. 1 to the EIR, documenting that the changes would not create any new significant impacts or increase the severity of any impacts that were identified and that no new mitigation measures were available to further reduce impacts.

Environmental Review

A 12,500 square foot skate park use has been studied under CEQA in the Final EIR. The Final EIR determined that with mitigation, the project would have less than significant environmental effects. Nevertheless, Addendum No. 2 to the Final EIR (Attachment 6) has been prepared to further update the EIR and document whether the temporary skate park project would create any new significant impacts or increase the severity of any impacts that were identified, or whether new mitigation measures were available to reduce impacts. Addendum No. 2 confirms that no new impacts would be created and no impacts would be made more severe, and further that there are no additional mitigation measures available. Mitigation Measures from the Final EIR that are applicable to the proposed project have been incorporated into Resolution No. 20-15. Finally, as described in more detail below, the project qualifies for categorical exemptions from CEQA.

Final EIR and Addendum No. 2

In approving the Crummer Subdivision Project, the City Council certified the Final EIR (SCH No. 2008091155) in accordance with CEQA on February 24, 2014. The Final EIR made all the required findings under CEQA and determined that all the impacts associated with the project would be less than significant, or less than significant with mitigation measures.

Pursuant to CEQA Guidelines Section 15164, the City shall prepare an addendum to a previously certified EIR, rather than a subsequent new EIR, if only minor technical changes or additions to the EIR are necessary and certain conditions set forth in the CEQA Guidelines have not occurred as discussed below.

In 2016, an addendum to the Final EIR was prepared to address minor changes in the design and siting of the residential portions of the project as required by the Coastal Commission's modifications to the PD development standards amendment. The addendum updated the Final EIR with detailed information about the changes.²

For the subject application, the City has prepared Addendum No. 2 to the Final EIR. The analysis below explains how the City determined an addendum to be appropriate in this case. Addendum No. 2 contains detailed discussion and supporting documentation supporting the conclusions. Addendum No. 2 is included as Attachment 6.

Under CEQA Guidelines Section 15162, an addendum is appropriate unless:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Staff Analysis: The City has prepared a comprehensive Addendum that considered all the environmental impacts outlined in the Final EIR. No new significant environmental impacts were identified based upon staff's independent review of the technical information submitted as part of the proposed CDP application. Moreover, the Addendum includes a summary of the environmental impacts previously considered in the Final EIR and compares those impacts to any impacts associated with the revised project. No significant impacts were identified and no substantial increase in the previously identified significant effects was identified. The Addendum does not raise important new issues about the significant effects on the environment but rather clarifies, refines, makes minor modifications and updates the information considered in the Final EIR and makes appropriate minor modifications to the mitigation measures contained therein.

²Addendum No. 1 can be found at <https://www.malibucity.org/487/DocumentsResources>

- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects or

Staff Analysis: No substantial changes have occurred with respect to the circumstances under which the approved Crummer Site Subdivision Project and its required mitigation measures will be implemented. In addition, no new significant environmental effects have been identified and no substantial increase in the severity of a previously identified significant impact would occur.

- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR.
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Staff Analysis: The proposed project would not result in any new significant impacts on the environment based upon the analysis and conclusions presented in Addendum No. 2 to the Final EIR. In addition, previously identified potentially significant impacts would not be substantially more severe than shown in the previous EIR. Finally, no new feasible mitigation measures have been identified that would substantially reduce potentially significant impacts identified in the Final EIR.

As discussed above, staff has not identified any of these factors that would make a subsequent EIR necessary for this project.

The Planning Commission must consider Addendum No. 2 with the 2008 Final EIR prior to making its decision on the revised project.

Categorical Exemptions Applicable to the Project

Pursuant to the authority and criteria contained in CEQA, the Planning Director has analyzed the proposed project. The Planning Director found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the

provisions of CEQA pursuant to Section 15303 – New Construction or Conversion of Small Structures, 15304 – Minor Alterations to Land, 15311 – Accessory Structures, and 15332 – Infill Development. In urbanized areas (Malibu is considered an urbanized area for CEQA purposes), 15303 allows for commercial development of up to four buildings totaling 10,000 square feet, or up to three single-family residences, among other things. Furthermore, the proposed temporary skate park involves no permanent or habitable structures, includes minor grading to level the site, includes a small parking lot, and is located on disturbed vacant land with no sensitive resources and served by all public utilities, already zoned for recreational use, and situated between parcels that are already developed. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Surrounding Land Uses and Project Setting

The subject parcels, APN Nos. 4458-018-906 and 4458-018-907, are vacant. The parcels total approximately 1.74 acres in area and are located between Pacific Coast Highway and Winter Mesa Drive (Figure 1). Currently a portion of the property is being utilized for construction staging for the Case Project; however, this area does not interfere with any part of the temporary skate park project.

The site topography consists of a slight descending grade from north to south, increasing from west to east. This gentle slope descends from approximately 207 to 194.7 feet above sea level in the eastern portion of the property. Site photographs are included as Attachment 4.

Figure 1 – Aerial Map



Source: City GIS 2019

The project site does not contain mapped trails on or adjacent to it according to the LCP Park Lands Map. Additionally, the property is not located in a designated Environmentally Sensitive Habitat Area (ESHA) or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. The property is zoned PD. Malibu Bluffs Park is zoned OS. None of the project area is located in the appealable zone according to the Post-LCP Certification Permit and Jurisdiction Map, so the project is not appealable to the California Coastal Commission. Table 1 provides a summary of the neighboring surrounding land uses and lot sizes.

Table 1 – Surrounding Land Uses				
Direction	Address or APN	Lot Size	Zoning	Land Use
North	24199 Case Court	2.71 acres	PD	Planned Development
North	APN: 4458-018-042	0.21 acre	PD	Planned Development
South	24250 Pacific Coast Hwy (Malibu Bluffs Park)	11.07 acres	POS	Public Open Space
South	APN: 4458-018-040	1.01 acres	PD/POS	Planned Development / Public Open Space
East	24198 Case Court	4.88 acres	PD	Planned Development

*This data was pulled by staff from the Assessor’s website due to previous requests by the Planning Commission. This information is not required by Malibu’s zoning codes and is not pertinent to conformance review.

Table 2 provides a summary of the lot dimensions and lot area of the subject parcel.

Table 2 – Total Property Data	
Lot Depth	+/- 111.75 feet
Lot Width	+/- 464.25 feet
Gross Lot Area	75,407 square feet (1.74 acres)
Area Comprised of 1:1 Slopes	0 square feet
Net Lot Area*	75,407 square feet (1.74 acres)

*Net Lot Area = Gross Lot Area minus the area of access easements and 1 to 1 slopes

Project Description

The proposed scope of work includes:

- a. Placement of a 24,176-square foot asphalt lot;
- b. Construction of a 12,320-square foot temporary skate park on the west portion of the paved area, including installation of skate elements that would be anchored to the ground, but would not include foundations;
- c. New pick-up/drop-off area (including ADA parking) on the east portion of the paved area;
- d. 935 square feet of landscaping;
- e. 905 linear feet of chain link, view permeable fencing (not to exceed six feet in height);
- f. New crosswalk located at the southwest corner of the property across Winter Mesa Drive from Malibu Bluffs Park;

- g. 40 unpaved parking spaces and 2 ADA spaces, east of the pick-up/drop-off area;
and
- h. 600 cubic yards of non-exempt grading.

The temporary skate park elements would be removable once a permanent skate park was constructed. Project renderings are included as Attachment 5.

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the LIP. The LUP contains programs and policies implementing the Coastal Act in Malibu. The LIP contains provisions to carry out the policies of the LUP to which every project requiring a coastal development permit must adhere.

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

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

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Department, City Biologist, City Public Works Department, and City geotechnical staff (Attachment 3 – Department Review Sheets). The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals and policies.

Site Design, Parking and Fencing (LIP Chapter 3)

The proposed project is subject to development and design standards set forth for the PD District under LIP Chapter 3, Section 3.Q.4.c. These are the development standards created especially for the Crummer Subdivision Project. For Lot 7, they address site design (including grading), parking and fencing. Table 3 provides a summary and indicates the project meets those standards.

³ The ESHA, Native Tree Protection, Scenic, Visual and Hillside Resource Protection, Transfer of Development Credits, Shoreline and Bluff Development, Public Access, and Land Division findings are neither applicable nor required for the proposed project.

Table 3 – Zoning Conformance			
Development Requirement	Allowed/Required	Proposed	Comments
PARKING	36	40	Complies
FENCING HEIGHT (ft.)	8 feet	6 feet	Complies
NON-EXEMPT GRADING (cu.yd.)	1,000 cu. yd. per acre	600 cu. yd. total	Complies

As shown in Table 3, the proposed project conforms to the development standards as set forth under LIP Chapter 3. Consistent with the analysis in the Final EIR, the parking for the temporary skate park requires .81 parking spaces per 1,000 square feet of proposed skate park. The proposed temporary skate park is 12,320 square feet and therefore would require ten parking spaces. The project is proposing 42 parking spaces, including two ADA accessible spaces. The project elements within the temporary skate park will not exceed eight feet in height. The proposed project has been determined to be consistent with all applicable LCP codes, standards, goals, and policies.

Grading (LIP Chapter 3)

LIP Section 3.3.Q.4.c. ensures that all new park facilities in Lot 7 shall be limited to not more than 1,000 cubic yards of non-exempt grading per acre. Here, the standards specify that grading required for sports fields and skate parks designed to accommodate commonly accepted facility dimensions shall be exempt from these limitations. The temporary skate park includes 600 cubic yards of non-exempt grading for the construction and placement of the asphalt lot. The associated grading is considered non-exempt because it is not under a structure and will slightly alter the property’s topography to flatten it. The proposed project complies with LCP grading requirements.

Table 4 – LCP Grading Conformance						
	Exempt*			Non-Exempt	Remedial	Total
	R&R**	Understructure	Safety***			
Cut	0	0	0	600	0	600
Fill	0	0	0	0	0	0
Total	0	0	0	600	0	600
Import	0	0	0	0	0	0
Export	0	0	0	0	0	0

All grading quantities indicated are in cubic yards (c.y.)

* Exempt grading includes all R&R, understructure and safety grading, plus grading listed in LIP Section 3.3.Q.4.c.

** R&R= Removal and Re-compaction

***Safety grading is the incremental grading required for fire department access (such as turnouts, hammerheads and turnarounds and any other increases in driveway width above 15 feet required by the Los Angeles County Fire Department).

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. A Phase I Archaeological Survey was prepared by Robert J. Wlodarski of Historical, Environmental, Archaeological, Research Team (H.E.A.R.T), Inc. for the Crummer Site Subdivision Project, including the subject property, in July 2007. No indication of prehistoric or historic archaeological resources was discovered in the project area. H.E.A.R.T determined that any proposed improvements should have no adverse impacts to known cultural resources. An updated Phase 1 Archaeological Survey was submitted in June 2013 and concluded that any proposed modification to the project area will have no adverse impact on known cultural resources.

Although the project site does not contain any geologic features or known paleontologic resources, portions of the Crummer site are underlain by older Quaternary alluvial sediments and Monterey Formation deposits which have produced paleontological remains (fossils) on other sites. Thus, the 2013 EIR included Mitigation Measures 4-1 and 4-2 requiring that a qualified archeologist and Native American monitor of Chumash descent be present to monitor all ground disturbing activities and coordinate the disposition of any resources.

Installation of asphalt surfacing and the temporary skate park and drop-off/pick-up area on Lot 7 will require approximately 600 cubic yards of grading to level the site for the proposed uses. This amount of grading is considered minimal and is not expected to expose archaeological or paleontological resources. Nonetheless, because there is a small chance that grading activities could uncover resources, Mitigation Measures 4-1 and 4-2 would apply to the proposed project, requiring monitoring during earthmoving activities and the appropriate handling of any resources. A condition of approval is included in Planning Commission Resolution No. 20-15 to include Mitigation Measures 4-1 and 4-2.

Water Quality (LIP Chapter 17)

The City Public Works Department reviewed and approved the proposed project for conformance with LIP Chapter 17 requirements for water quality protection. Standard conditions of approval include the implementation of approved storm water management plans during construction activities and for the life of the project (to manage runoff from the development). With the implementation of these conditions, the proposed project conforms to the water quality protection standards of LIP Chapter 17.

Wastewater Treatment System Standards (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The proposed project does not include a new OWTS. The temporary skate park will be served by the public restrooms located at Malibu Bluffs Park. No seepage pits will be located on Lot 7. The Malibu Bluffs Park property and Case project are connected to the Civic Center Wastewater Treatment Facility.

LIP Findings

A. Coastal Development Permit (LIP Chapter 13)

LIP Section 13.9 requires that the following four findings be made for all coastal development permits.

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

The proposed project is located in the PD and POS zoning districts, which are areas designated for recreation. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Public Works Department, and City geotechnical staff. As discussed herein, based on submitted reports, project plans, visual analysis, and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable development standards.

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

The proposed project is not located between the first public road and the sea. Additionally, the subject property does not contain any mapped trails as depicted on the LCP Park Lands Map, and this finding does not apply.

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

This analysis assesses whether alternatives to the proposed project would significantly lessen adverse impacts to coastal resources. There are no sensitive coastal resources on the site, including scenic or biological resources.

Alternate Project – The Final EIR also considered ballfields on Lot 7. However, construction of ballfields would have similar impacts to the proposed temporary skate park and would not meet the Council’s goal of providing a temporary skating facility.

Proposed Project – A skate park was considered as part of the Final EIR for the Crummer Site Subdivision. The temporary skate park project includes a 24,176-square foot asphalt lot that will accommodate a 12,320-square foot temporary skate park, minor landscaping and various site improvements, which are permitted uses with the zoning designation. The proposed project meets all the development standards for Lot 7 and has been reviewed and conditionally approved by the Planning Department, City Biologist, City Public Works Department, and City geotechnical staff, and meets all applicable development standards and policies of the LCP and MMC. The proposed project, as conditioned, will comply with all applicable requirements of State and local law. The proposed project has been

determined not to result in adverse biological, scenic or visual resource impacts, and is the least environmentally damaging feasible alternative.

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

The subject property is not designated as containing ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, Environmental Review Board review was not required, and this finding does not apply.

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

The subject property is not designated as containing ESHA, or ESHA buffer, as shown on the LCP ESHA and Marine Resources Map. Based on site-specific analysis by the City Biologist, it has been determined that there is no ESHA on the property. On December 23, 2019, the City Biologist approved the project and determined that it is not expected to result in any adverse impacts to significant biological resources. As conditioned, the proposed project will result in less than significant impacts to sensitive resources, and no significant loss of vegetation or wildlife, or encroachments into an ESHA. Therefore, the findings of LIP Section 4.7.6 are not applicable.

C. Native Tree Protection (LIP Chapter 5)

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

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

The Scenic, Visual, and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. The subject property is located along PCH, an LCP-designated scenic road, and is located adjacent to Malibu Bluffs Park. The required findings are made below.

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

An analysis of the project's visual impact was conducted through site inspections, architectural plans and review of the Final EIR and Addendum No. 2. The temporary skate park will have limited visibility from PCH, does not block ocean views, and fits within the recreational context of Bluffs Park. The paved area and skate features will be installed at an elevation lower than PCH and the Case Project, minimizing their visibility. Furthermore, the skate park elements will not exceed eight feet in height. The park will only be open

during daylight hours and does not include outdoor lighting. There is no evidence that the temporary skate park project will result in significant adverse scenic or visual impacts.

Finding 2. The project, as conditioned, will have no significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

As discussed in Finding 1, the project is not expected to have significant adverse visual impacts.

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

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

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

There are alternatives considered to lessen significant impacts as the project as proposed is not expected to result in any significant visual impacts.

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

The project site was cleared of sensitive biological resources and the project design elevation and the height of skate features will not result in adverse visual impacts. No other siting alternatives are necessary.

E. Transfer of Development Credit (LIP Chapter 7)

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

F. Hazards (LIP Chapter 9)

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

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Public Works Department, and City geotechnical staff. The required findings are made as follows:

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

The proposed temporary skate park which will include minor grading, paving, street improvements and minimal landscaping, none of which will affect the structural integrity of the site. The site is not located in a flood hazard area. The Initial Study prepared in advance of the Final EIR determined that the approved project would not have the potential to impact most of the geology and soils factors addressed under CEQA. However, the Final EIR determined that the approved project had potential impacts related to geology and soils and on Lots 1 through 6; no impacts were identified on Lot 7.

As there are no known geology or soils issues on Lot 7 and no habitable or permanent structures would be constructed onsite, the proposed project would have a less than significant impact related to geotechnical hazards. The project, as conditioned, will incorporate all the conditions required by the City Public Works Department, and City geotechnical staff. As such, the proposed project will not increase the instability of the site or structural integrity from geologic, flood, or any other hazards.

Fire Hazard

The entire City of Malibu is designated as a Very High Fire Hazard Severity Zone, a zone defined by a more destructive behavior of fire and a greater probability of flames and embers threatening buildings. The subject property is currently subject to wildfire hazards. The scope of work proposed as part of this application is not expected to have an adverse impact on wildfire hazards.

The project would include paving, skate park elements, street improvements and minimal landscaping. The project was reviewed by the Los Angeles County Fire Department (LACFD) who determined that a fuel modification plan was not required. The project would not include any above ground habitable structures which could be subject to fire risk. As such, the potential fire risk associated with the proposed project would be low. Nonetheless, the project would increase the use of the site which could generate an incremental increase in calls for fire response. The Final EIR determined that proposed project would be required to adhere to those portions of Mitigation Measures 7-1 through 7-4 applicable to Lot 7 including maintaining access through the site during construction and maintaining access to fire hydrants.

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

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

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

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

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

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Public Works Department, and City geotechnical staff. The proposed project does not impact site stability or structural integrity. As discussed throughout this report, the proposed structures are temporary and do not have foundations. As previously discussed in Finding 3 of Section A and Finding 1 of Section F, there are no environmentally superior feasible alternatives.

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

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

I. Shoreline and Bluff Development (LIP Chapter 10)

The project site is not located on or along the shoreline, a coastal bluff, or bluff top fronting the shoreline. Therefore, the findings of LIP Chapter 10 are not applicable.

J. Public Access (LIP Chapter 12)

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

- A. New development on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts as appropriate for or containing a historically used or suitable public access trail or pathway.
- B. New development between the nearest public roadway and the sea.
- C. New development on any site where there is substantial evidence of a public right of access to or along the sea or public tidelands, a blufftop trail or an inland trail acquired through use or a public right of access through legislative authorization.
- D. New development on any site where a trail, bluff top access or other recreational access is necessary to mitigate impacts of the development on public access where there is no feasible, less environmentally damaging, project alternative that would avoid impacts to public access.

As described herein, the property is not located between the first public road and the sea, no trails are identified on the LCP Park Lands Map on or adjacent to the property. The proposed project does not meet any of the criteria above. The requirement for public access in LIP Section 12.4 does not apply and further findings are not required.

K. Land Division (LIP Chapter 15)

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

Pursuant to the authority and criteria contained in CEQA, the Planning Director has analyzed the proposed project. The final EIR was prepared and certified in accordance with CEQA to examine the potential environmental effects of the original project (Final EIR for the Crummer Subdivision). The City Council Certified the Final EIR on February 24, 2014, making the required findings under CEQA. An Addendum to the Certified Final EIR has been prepared in accordance with CEQA Guidelines Section 15164 to address the proposed temporary skate park project. The Addendum must be considered by the Planning Commission with the subject application for Coastal Development Permit No. 19-083.

CORRESPONDENCE: To date, staff has not received correspondence regarding this application.

PUBLIC NOTICE: On January 9, 2020, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and on January 2, 2020, a notice was mailed to all property owners and occupants within a 1,000-foot radius of the subject property (Attachment 8).

SUMMARY: The required findings can be made that the proposed project complies with the LCP and MMC. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project, subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 20-15. The proposed project has been reviewed and conditionally approved for conformance with the LCP by Planning Department staff and appropriate City and County departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 20-15
2. Project Plans
3. Department Review Sheets
4. Site Photographs
5. Project Renderings
6. Addendum No. 2 to the Final Environmental Impact Report for Crummer Site Subdivision, including Appendix A – Crummer Subdivision Mitigation Measures
7. Crummer/Case Property Proposed Use – Temporary Skate Park and Asphalt Lot Memorandum dated December 17, 2019
8. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 20-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU CONSIDERING ADDENDUM NO. 2 TO THE CRUMMER SITE SUBDIVISION PROJECT FINAL ENVIRONMENTAL IMPACT REPORT AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 19-083 TO ALLOW FOR THE INSTALLATION OF A 12,320-SQUARE FOOT ABOVE-GROUND TEMPORARY SKATE PARK, INCLUDING CONSTRUCTION OF VARIOUS SKATING EQUIPMENT, FENCING, AND BENCHES (ELEMENTS) TO BE PLACED ON A PORTION OF A NEW 24,176-SQUARE FOOT ASPHALT LOT, ALONG WITH A DROP-OFF/PICK-UP AREA INCLUDING TWO ADA PARKING SPACES, PLUS A DIRT PARKING LOT WITH 40 SPACES AND A CROSS-WALK OVER WINTER MESA DRIVE AND ASSOCIATED DEVELOPMENT, LOCATED ON LOT 7 OF THE CRUMMER/CASE PROPERTY IN THE PLANNED DEVELOPMENT AND PUBLIC OPEN SPACE ZONING DISTRICTS LOCATED AT 24250 PACIFIC COAST HIGHWAY (CITY OF MALIBU)

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

SECTION 1. Recitals.

A. On November 26, 2019, an application for a Coastal Development Permit (CDP) No. 19-083 to allow for a new temporary skate park, with minor landscaping, and associated required parking was submitted to the Planning Department by the City Public Works Department. The application was routed to the City Biologist, City geotechnical staff and City Public Works Department for review.

B. On December 18, 2019, a Notice of CDP was posted on the subject property.

C. On January 2, 2020, the application was deemed complete.

D. On January 9, 2020, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 1,000-foot radius of the subject properties.

E. On February 3, 2020, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has exercised its independent judgment and analyzed the proposed project. The Planning Commission finds that the proposed project was adequately studied in the Crummer Site Subdivision Project Final EIR, which was certified by the City of Malibu on February 24, 2014 (SCH No. 2008091155), that it will result in less than significant impacts with mitigation, and that no further evaluation under CEQA is required.

In addition, the Planning Commission finds that the proposed project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Sections 15303 – New Construction, 15304 – Minor Alterations to Land, 15311 – Accessory Structures, and 15332 – Infill Development. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Nevertheless, the Commission also evaluated the proposed application and determined the temporary skate park will not create any new significant impacts or increase the severity of impacts as compared to those that were identified; and that none of the conditions described in CEQA Guidelines Sections 15162 have occurred. The proposed project would not cause new significant impacts not identified in the certified Final EIR or result in a substantial increase in the severity of previously identified significant impacts. No substantial changes have occurred with respect to the circumstances under which the approved project is undertaken which would require major revisions of the Final EIR due to the involvement of new significant environmental effects or an increase in severity of identified effects. There is no new information that shows that the proposed project would cause new significant environmental impacts that were not already analyzed in the certified Final EIR. Therefore, pursuant to CEQA Guidelines Section 15164, an addendum to the Final EIR (Addendum No. 2) was prepared and no supplemental environmental review is required beyond this Addendum. The certified Final EIR, Addendum No. 2 and Categorical Exemptions were considered prior to approval of the project. Together they are determined to adequately satisfy all the requirements of CEQA.

SECTION 3. Coastal Development Permit Findings.

Based on substantial evidence contained within the record and pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Sections 13.7(b) and 13.9, the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves CDP No. 19-083 to allow for the installation of a 12,320-square foot above-ground temporary skate park, including construction of various skating equipment, fencing, and benches (elements) to be placed on a portion of a new 24,176-square foot asphalt lot, along with a drop-off/pick-up area including two ADA parking spaces, plus a dirt parking lot with 40 spaces and a cross-walk over Winter Mesa Drive and associated development, located on Lot 7 of the Crummer/Case property in the Planned Development (PD) and Public Open Space (OS) zoning districts located at 24250 Pacific Coast Highway (City of Malibu).

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

A. General Coastal Development Permit (LIP Chapter 13)

1. The proposed project is located in the PD and POS zoning districts, areas designated for recreational uses. The proposed project has been reviewed for conformance with the LCP and Malibu Municipal Code (MMC) by the Planning Department, City Biologist, City Public Works Department, and City geotechnical staff. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable PD/POS development standards.

2. Evidence in the record demonstrates that as conditioned, the project will not result in adverse biological or visual impacts and involves minimal grading to level the site. The site has already been disturbed and graded in accordance with the approved Crummer Subdivision site improvements CDP. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment as no significant effects are expected. The proposed project is the least environmentally damaging environmental feasible alternative.

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

1. The proposed project will not have significant adverse scenic or visual impacts. An analysis of the project's visual impact was conducted through site inspections, architectural plans and review of the Certified Final EIR for the Crummer Subdivision and Addendum No. 2 to the Final EIR. The temporary skate park will not have visual impacts as the development will be placed at a lower elevation than PCH and the nearby residences, will have skate features that are no higher than eight feet and will have limited visibility from public viewing areas.

2. The project has been designed to avoid any adverse or scenic impacts. The project proposes temporary skate elements situated at a lower elevation than the nearby residential structures, minor low-level landscaping and does not propose any outdoor lighting, minimizing visual impacts. Therefore, the proposed development will not result in significant adverse scenic visual impacts.

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

4. As discussed herein, the project, as designed and conditioned, is not expected to adversely affect scenic and visual resources and therefore, no feasible alternatives would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

5. As discussed in Findings 1 and 2, the project, as proposed and conditioned, will result in less than significant impacts on scenic and visual resources. The location proposed for the temporary skate park would result in a less than significant visual impact to public views and will not impact sensitive resources.

F. Hazards (LIP Chapter 9)

1. Like the entire City of Malibu, the project is located within an extreme fire hazard zone. The proposed temporary skate park will include minor landscape and grading, neither of which will affect the structural integrity of the site. No permanent or habitable structures are proposed. The project, as conditioned, will incorporate the conditions required by the City Public Works Department, and City geotechnical staff. As such, the proposed project will not increase the instability of the site or structural integrity from geologic, flood, or any other hazards.

2. The project, as designed, conditioned, and approved by the City geotechnical staff and the City Public Works Department, does not have any significant adverse impacts on the site stability or structural integrity from geologic or fire hazards due to the project design. The project meets City requirements and standards.

3. The project, as conditioned, is the least environmentally damaging alternative, in that the temporary skate park complies with the requirements of both the MMC and LCP, and no environmentally superior alternatives have been identified.

4. The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by City geotechnical staff, and City Public Works Department. These specialists determined that the proposed project does not adversely impact site stability or structural integrity. There are no feasible alternatives to the proposed development that would result in less site disturbance.

5. As discussed herein, the proposed project, as designed and conditioned, will not have adverse impacts on sensitive coastal resources, as none are present on Lot 7.

SECTION 5. Planning Commission Approval.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 19-083, subject to the following conditions, including the Mitigation Measures (MM) from the Crummer Subdivision Project Final EIR (certified by City Council Resolution No. 14-11) that are applicable to the project, as noted below.

SECTION 6. Conditions of Approval.

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

2. Approval of this application is to allow for the project described herein. The scope of work approved includes:
 - a. Placement of a 24,176-square foot asphalt lot;
 - b. Construction of a 12,320-square foot temporary skate park on the west portion of the paved area, including installation of skate elements that would be anchored to the ground, but would not include foundations;
 - c. New pick-up/drop-off area (including ADA parking) on the east portion of the paved area;
 - d. 935 square feet of landscaping;
 - e. 905 linear feet of chain link, view permeable fencing (not to exceed six feet in height);
 - f. New crosswalk located at the southwest corner of the property across Winter Mesa Drive from Malibu Bluffs Park;
 - g. 40 unpaved parking spaces and 2 ADA spaces, east of the pick-up/drop-off area; and
 - h. 600 cubic yards of non-exempt grading
3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, signed by Public Works Engineering staff on January 22, 2020. In the event the project plans conflict with any condition of approval, the condition shall take precedence.
4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 days of this decision and/or prior to issuance of any development permits.
5. The applicant shall submit three (3) complete sets of plans to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.
6. This resolution, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the February 3, 2020, Planning Commission agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check.
7. This CDP shall expire if the project has not commenced within three (3) years after issuance of the permit. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.
8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

9. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Biologist, City geotechnical staff, and City Public Works Department, as applicable. Notwithstanding this review, all required permits shall be secured.
10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. Revised plans reflecting the minor changes and additional fees shall be required.
11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals have been exhausted.

Cultural Resources

12. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.
13. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.
14. *Mitigation Measure 4-1:* For adequate coverage and the protection of potentially significant buried resources, a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738-39) shall be retained by the applicant to monitor all ground-disturbing activities, including but not limited to all grading, excavation, and site preparation. The project archaeologist shall have the authority to halt any activities adversely impacting potentially significant resources. Any significant archaeological resources found shall be preserved as determined necessary by the project archaeologist and offered to the South Central Coastal Information Center at California State University, Fullerton or repository willing to accept the resource. Any resulting reports shall also be forwarded to the South Central Coastal Information Center at California State University, Fullerton.

Should paleontological soils be uncovered during grading, a paleontological monitor shall also be retained by the applicant, upon the archaeological monitor's request, to oversee ground-disturbing activities, including but not limited to all grading, excavation, and site preparation. The paleontological monitor shall have the authority to halt any activities adversely impacting potentially significant resources. Should fossil-bearing formations be uncovered, the monitor shall professionally collect any specimens without impeding

development. Any paleontological artifacts recovered shall be preserved, as determined necessary by the project paleontologist, and offered to an accredited and permanent scientific institution for the benefit of current and future generations. This mitigation measure shall also apply to trenching for utilities, geological testing, and any other ground-disturbing activities associated with the proposed project.

15. *Mitigation Measure 4-2:* A Native American Monitor of Chumash descent shall be retained to monitor all ground disturbing activities, including but not limited to all grading, excavation, and site preparation. Any artifacts recovered shall be curated at the South Central Coastal Information Center at California State University, Fullerton, the designated repository for Los Angeles, Ventura, and Orange Counties. The extent and duration of the archaeological monitoring program shall be determined in accordance with the proposed grading or demolition plans. If human remains are uncovered, the Los Angeles Coroner, Native American Heritage Commission, local Native American representatives, and archaeological monitor shall determine the nature of further studies, as warranted and in accordance with Public Resources Code 5097.98 and the City's standard conditions of approval. This mitigation measure shall also apply to trenching for utilities, geological testing, and any other ground-disturbing activities associated with the proposed project.

Site-Specific Conditions

16. No outdoor lighting is proposed or approved with this application.

Biology/Landscaping

17. Pursuant to MMC Section 9.22.030 of City of Malibu Ordinance No. 343 (Landscape Water Conservation Ordinance), the proposed project is not subject to the Landscape Water Conservation Ordinance the newly planted area totals less than 2,500 square feet.
18. The submitted landscape plan is limited to a traffic 'island' and is also limited to a single species *Encilia farinose*. If there becomes a reason to add or change species, contact the City Biologist before planting.
19. Invasive plant species, as determined by the City of Malibu, are prohibited.
20. Up-lighting of landscaping is prohibited.

Street Improvements

21. The project proposes to construct street improvements within the City's right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed work within the City's right-of-way.

22. The project proposes to construct a new driveway within the City’s right-of-way. Prior to the Public Works Department approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed driveway. The driveway shall be constructed of either six inches of concrete over four-inch of aggregate base, or 4-inches of asphalt concrete over six-inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

Grading/Drainage/Hydrology (Geology/ Public Works)

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

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

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

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

All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

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

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

Construction

28. Prior to final building inspection, the applicant shall provide the Environmental Sustainability Department with a WRRP Final Summary Report. The Final Summary Report shall designate all materials that were landfilled or recycled, broken down by material types. The Environmental Sustainability Department shall approve the Final Summary Report.
29. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.
30. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires will be rinsed off prior to leaving the property.
31. A construction management plan shall be approved by the Public Works Director to manage construction traffic, including grading truck trips, in order to minimize impacts on traffic and emergency access.
32. *Mitigation Measure 7-1 (applicable portions)*: In addition to compliance with existing requirements and standards of the Los Angeles County Fire Department (LACFD), the project must comply with all applicable requirements detailed in letters dated March 16, 2012, from the LACFD, included in Appendix L of the Draft EIR that are applicable to Lot 7. Where the two letters differ, the more conservative approach shall be taken. The letters include the following requirements, among others:
 - Access shall comply with Section 503 of the Fire Code, which requires all-weather access. All-weather access may require paving.
 - Where driveways extend farther than 150 feet and are of single-access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed, and maintained to ensure their integrity for fire department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
 - Provide water mains, fire hydrants, and fire flows as required by the County of Los Angeles Fire Department for all land shown on map which shall be recorded.

Signs

40. No other new signage is permitted under this application; a sign permit shall be submitted and approved by the Planning Department prior to installation of any new sign.

SECTION 7. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of February 2020.

JEFFREY JENNINGS, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, 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. 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 20-15 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting held on the 3rd day of February 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

KATHLEEN STECKO, Recording Secretary



CITY OF MALIBU

TEMPORARY SKATE PARK PROJECT



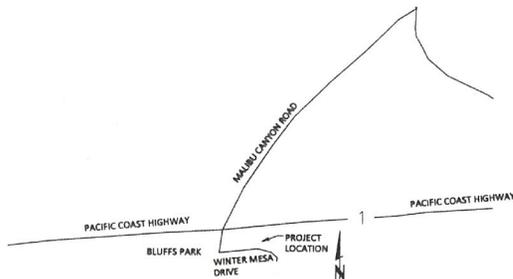
GENERAL NOTES

- ALL WORK SHOWN HEREON SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION," LATEST EDITION, AND ITS SUPPLEMENTS, THE MODIFICATIONS TO THOSE STANDARD SPECIFICATIONS CONTAINED IN THE CONTRACT SPECIFICATIONS.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING 72 HOURS IN ADVANCE OF CONSTRUCTION:
UNDERGROUND SERVICE ALERT (800) 422-4133
CITY OF MALIBU PUBLIC WORKS DEPARTMENT SUPERINTENDENT (310) 456-2489 X 341
- UTILITIES AND FACILITIES ABOVE AND BELOW THE GROUND ARE LOCATED FROM THE BEST AVAILABLE RECORD INFORMATION. THE CONTRACTOR SHALL TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITIES OR FACILITIES SHOWN ON THE PLANS. THE CONTRACTOR SHALL TAKE STEPS TO ASCERTAIN THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES AND FACILITIES PRIOR TO DOING WORK IN ORDER TO AVOID DAMAGE OF SUCH UTILITY OR FACILITY OR INTERFERE WITH THEIR SERVICE.
- SURVEY MONUMENTS, PROPERTY MARKERS, AND THE POINTS SHALL BE PRESERVED AND REFERENCED BEFORE CONSTRUCTION AND REPLACED AFTER CONSTRUCTION PURSUANT TO SECTION 8771 F THE BUSINESS AND PROFESSIONS CODE.
- BENCHMARK DISKS SHALL NOT BE DESTROYED, OR DISTURBED UNTIL A REPLACEMENT WITH A SECOND ORDER, CLASS ONE, GEODETIC ELEVATION HAS BEEN ACCEPTED BY THE CITY ENGINEER.
- THE CONTRACTOR SHALL UTILIZE BEST MANAGEMENT PRACTICES TO CONTROL RUNOFF AND TO PROTECT DRAINAGE AREAS AND FACILITIES.
- TRAFFIC CONTROL AND SAFETY DEVICES/MEASURES SHALL BE INSTALLED BY THE CONTRACTOR PER THE MUTCD, CALIFORNIA SUPPLEMENT AND WORK AREA TRAFFIC CONTROL HANDBOOK (WATCH MANUAL), TO THE SATISFACTION OF THE CITY.
- THE CONTRACTOR SHALL MAINTAIN ADJACENT STREETS IN A NEAT, CLEAN, DUST FREE AND SANITARY CONDITION TO THE SATISFACTION OF THE CITY. THE ADJACENT STREETS SHALL BE KEPT CLEAN OF DEBRIS, WITH DUST AND OTHER NUISANCES BEING CONTROLLED AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY CLEAN UP ON ADJACENT STREETS AFFECTED BY HIS CONSTRUCTION. STOCKPILING OF MATERIALS WITHIN THE PUBLIC RIGHT-OF-WAY IS NOT ALLOWED WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER.
- CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING AND PROTECTING ALL EXISTING SURVEY BENCHMARKS AND MONUMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING, TEMPORARILY RELOCATING, AND RE-INSTALLING SURVEY BENCHMARKS AND MONUMENTS AND SUBMITTING AND RECORDING ALL REQUIRED DOCUMENTS AND SURVEY WORK TO THE FULL AND LEGAL SATISFACTION OF THE COUNTY SURVEYOR PER THE REQUIREMENTS OF THE L.A. COUNTY RECORDER'S OFFICE.
- CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH DEMOLITION/CONSTRUCTION AS SHOWN WHEN IT IS OBVIOUS THAT UNKNOWN CONDITIONS, OBJECTS OR GRADE CHANGES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING THE PREPARATION OF THIS PLAN. SUCH CONDITIONS, OBJECTS OR GRADE CHANGES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER.

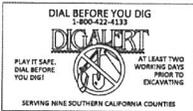
PROJECT INFORMATION

ADDRESS: 24250 PACIFIC COAST HIGHWAY, MALIBU CA
 APN: 4458-018-907 & 4458-018-906
 ZONING DESIGNATION: POS/ PD
 NOTE: NO OUTDOOR LIGHTING
 GROSS AREA: 1.73 AC.
 NET AREA: 1.73 AC.
 PROPOSED TILC: 24,176 SQUARE-FEET

PROJECT DESCRIPTION: 12,320 SQUARE-FOOT ABOVE-GROUND TEMPORARY SKATE PARK INCLUDING VARIOUS TRANSITION AND STREET-STYLE OBSTACLES AND ASSOCIATED PARKING.



BENCHMARK
 COUNTY OF LOS ANGELES BM 110483
 DWP BM TAG IN WEST CATCH BASIN OF MALIBU CANYON ROAD 13 METERS W/O CENTER LINE & 34 METERS N/O CENTER LINE OF PACIFIC COAST HWY (300M S/O CATCH BASIN)
 ELEV. 204.908 FEET ADJUSTMENT (2003) MALIBU QUAD DATUM NAVD 1988



RECOMMENDED BY: *Adam S. Chase* DATE: 1/22/20
 ADAM S. CHASE, P.E.
 ASSIST. PUBLIC WORKS DIR./CITY ENGINEER
 RCE NO. 76403

NO.	REVISION	BY	CHKD.	DATE

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) WET WEATHER EROSION CONTROL (WWECP) GENERAL NOTES:

THE LEGALLY RESPONSIBLE PERSON OF ANY PROPERTY IN WHICH GRADING ACTIVITIES OR OTHER SOIL DISTURBANCE ACTIVITIES ARE PERFORMED, INCLUDING PERMITS, SHALL COMPLY WITH THE LATEST AND APPLICABLE NPDES REQUIREMENTS. EFFECTIVE COMBINATION OF EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMP'S) SHALL BE INSTALLED BEFORE GRADING BEGINS. DURING GRADING ACTIVITIES, ALL BMP'S SHALL BE UPDATED AS NECESSARY TO PREVENT EROSION AND ANY ILLICIT DISCHARGE OF CONSTRUCTION RELATED POLLUTANTS.

- GENERAL CONSTRUCTION PERMIT. PROJECTS THAT CAUSE SOIL DISTURBANCE OF ONE ACRE OR MORE, OR THAT ARE PART OF A COMMON PLAN OF DEVELOPMENT OR SALE THAT CAUSE SOIL DISTURBANCE OF ONE ACRE OR MORE ARE REQUIRED TO OBTAIN COVERAGE UNDER NPDES CALIFORNIA STATEWIDE GENERAL CONSTRUCTION PERMIT NO. CA500002 AS A NUMBER ASSIGNED TO THE PROJECT BY THE STATE WATER RESOURCES CONTROL BOARD. COMPLETED AND SIGNED NOTICE OF INTENT (NOI) AND PROJECT STORMWATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE SUBMITTED AND IMPLEMENTED DURING ALL GRADING ACTIVITIES.
- CITY'S STORM DRAIN SYSTEM. ILLICIT DISCHARGES INTO THE CITY'S STORM DRAIN SYSTEM AS A RESULT OF GRADING, CLEARING, CONSTRUCTION, DEMOLITION, AND OTHER SOIL DISTURBANCE ACTIVITIES ARE PROHIBITED.
- INSPECTIONS. EROSION CONTROL AND PERMANENT STORMWATER TREATMENT BMP'S ARE SUBJECT TO INSPECTIONS AS REQUIRED BY THE PERMIT ORDER NO. RM-2010-0106, AS AMENDED FROM TIME TO TIME. CITY OF MALIBU PLASTIC BAN/DROG ARE BANNED PER MUC CHAPTER 9.30
- SANITARY FACILITIES. PORTABLE SANITARY FACILITIES SHALL BE LOCATED ON RELATIVELY LEVEL GROUND AWAY FROM TRAFFIC AREAS, DRAINAGE COURSES, AND STORM DRAIN INLETS.
- EMERGENCY WORK. A STANDBY CREW FOR EMERGENCY WORK SHALL BE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON (OCTOBER 1ST TO APRIL 15TH). NECESSARY MATERIALS SHALL BE AVAILABLE ON SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF EMERGENCY DEVICES WHEN RAIN IS IMMINENT.

PROJECT BMP'S

THE FOLLOWING BMP'S AS OUTLINED IN, BUT NOT LIMITED TO, THE LATEST EDITION OF THE CASQA CONSTRUCTION BMP ONLINE HANDBOOK MAY APPLY DURING THE CONSTRUCTION OF THIS PROJECT (ADDITIONAL MEASURES MAY BE REQUIRED IF DEEMED APPROPRIATE BY THE PROJECT ENGINEER, QUALIFIED SWPPP DEVELOPER, PRACTITIONER OR THE BUILDING OFFICIAL). CERTAIN BMP'S ARE REQUIRED AS PART OF THE STORMWATER FORMS SW-1, SW-2 AND SW-1R. THE APPLICANT IS RESPONSIBLE FOR ENSURING THAT THE BMP'S LISTED HEREON, ARE IMPLEMENTED AND MAINTAINED AT ALL TIMES DURING THE CONSTRUCTION. THE INSPECTOR OR BUILDING OFFICIAL MAY PERFORM UNANNOUNCED SITE INSPECTIONS TO ENSURE THAT THE PROJECT MAINTAINS THE BMP'S AS LISTED BELOW.

BMP DESCRIPTIONS AND DETAILS CAN BE OBTAINED FROM THE CALIFORNIA STORMWATER HANDBOOKS AT WWW.CASQA.ORG COMPLETE CHECKLIST BELOW FOR APPLICABLE PROJECT BMP'S

EROSION CONTROL		NON-POINT SOURCE MANAGEMENT	
BE1 - BERICIDAL	NE1 - WATER OBSERVATION PRACTICES	WMT - MATERIAL DELIVERY & STORAGE	WML - MATERIAL USE
BE2 - CONSERVATION EXISTING VEGETATION	NE2 - WATER OBSERVATION PRACTICES	WMT - STOCKPILE MANAGEMENT	WML - SPILL PREVENTION & CONTROL
BE3 - HYDRALIC MOUND	NE3 - PAVING & GRADING OPERATIONS	WMT - SOIL PROTECTION & CONTROL	WML - SOIL WASTE MANAGEMENT
BE4 - HYDRONETTING	NE4 - TEMPORARY STRAW COVERS	WMT - WADROCK WASTE MANAGEMENT	WML - CONSTRUCTION SOIL MANAGEMENT
BE5 - POLY-EROSION	NE5 - CLEAR WATER COLLECTION	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - CONCRETE WASTE MANAGEMENT
BE6 - STRAW MOUND	NE6 - EROSION CONTROL/SEDIMENTATION	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE7 - SOD/GRASS & MATS	NE7 - POTABLE WATER TREATMENT	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE8 - WOOD MULCHES	NE8 - VEHICLE & EQUIPMENT WASHING	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE9 - EARTH DIBBS & DRAINAGE SWALES	NE9 - VEHICLE & EQUIPMENT FUELS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE10 - VELOCITY DIBBATION DEVI	NE10 - VEHICLE & EQUIPMENT MAINTENANCE	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE11 - SLOPE DRAPES	NE11 - FUEL OIL/SPILL OPERATIONS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE12 - STRAWBANK STABILIZATION	NE12 - CONCRETE CURING	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE13 - COMPOST BLANKETS	NE13 - CONCRETE FINISHES	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE14 - SOIL PREPARATION/SEEDING	NE14 - CONCRETE FINISHES	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE15 - NON-VEGETATED STABILIZATION	NE15 - MAINTENANCE EQUIPMENT USE	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE16 - STRIPES	NE16 - DEMOLITION ADJACENT TO WATER	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE17 - SEDIMENT BARRIERS	NE17 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE18 - SEDIMENT BARRIERS	NE18 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE19 - SEDIMENT TRAP	NE19 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE20 - CHECK DAM	NE20 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE21 - FIBER ROLLS	NE21 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE22 - GRAVEL BAG BERM	NE22 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE23 - STREET BERMING AND WADROCKS	NE23 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE24 - SANDWASH BARRIER	NE24 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE25 - STRAWBALE BARRIER	NE25 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE26 - STORM DRAIN FLOW PROTECTION	NE26 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE27 - ACTIVE TREATMENT SYSTEMS	NE27 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE28 - TEMPORARY BLY DIBS	NE28 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE29 - CONCRETE FIBER BERM	NE29 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE30 - SOD/PLANT BERM	NE30 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE31 - SOD/PLANT BERM	NE31 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT
BE32 - SOD/PLANT BERM	NE32 - TEMPORARY BATCH PLANTS	WMT - CONSTRUCTION SOIL MANAGEMENT	WML - LIQUID WASTE MANAGEMENT

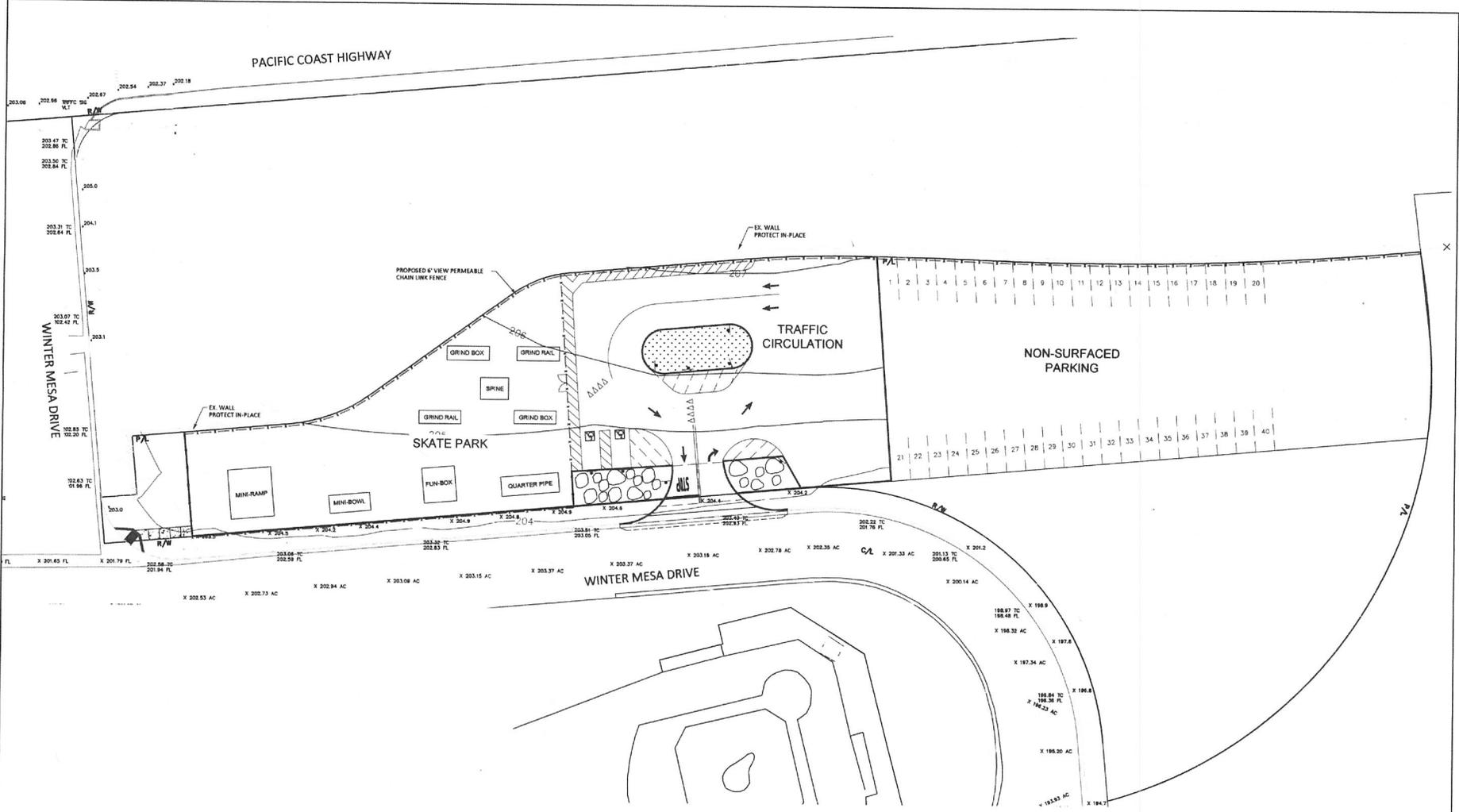
INDEX OF DRAWINGS	
SHEET	DESCRIPTION
1	COVER SHEET
2	SITE PLAN
3	SITE SURVEY
4	LANDSCAPE PLAN

CITY OF MALIBU
 PUBLIC WORKS DEPARTMENT
 TEMPORARY SKATE PARK
 COVER SHEET

DESIGNED BY: _____ DATE: _____
 DRAWN BY: _____ DATE: 10/09/19
 CHECKED BY: _____ DATE: 10/09/19
 AC: _____ SPEC. NO.: 2279

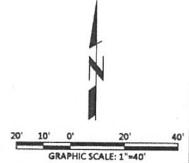
APPROVED BY: _____ DATE: 12.20.20
 ROBERT R. HUBBARD, P.E.
 PUBLIC WORKS DIRECTOR/CITY ENGINEER
 BCE NO. 57943

Sheet 1 of 4



NOTICE TO THE CONTRACTOR
 THE ESTIMATE SUMMARY IS PROVIDED AS A COURTESY AND CONVENIENCE TO THE CONTRACTOR. QUANTITIES SHOWN ARE APPROXIMATE, BASED ON THE DIFFERENCE BETWEEN EXISTING GROUND ELEVATIONS AND ROUGH GRADE ELEVATIONS. QUANTITIES PROVIDED MAKE NO PROVISIONS FOR STRIPPING OR OVEREXCAVATION VARIABLES SUCH AS COMPACTION, SHRINKAGE AND THE CONTRACTOR'S METHOD OF OPERATION. WILL CAUSE THE VOLUME OF DIRT MOVED IN THE FIELD TO DEVIATE FROM THE CALCULATED QUANTITIES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EARTHWORK REQUIREMENTS TO ROUGH GRADE THIS JOB.

DIAL BEFORE YOU DIG
 1-800-422-4131
DIGSAFE
 AT LEAST TWO WEEKS BEFORE FROM TO ENCOURAGING
 SERVING NINE SOUTHERN CALIFORNIA COUNTIES



RECOMMENDED BY: *Adam S. Chase* DATE: *1/22/20*
 ADAM S. CHASE, P.E.
 ASSIST. PUBLIC WORKS DIR./CITY ENGINEER
 RCE NO. 74043

NO.	REVISION	BY	CHKD.	DATE

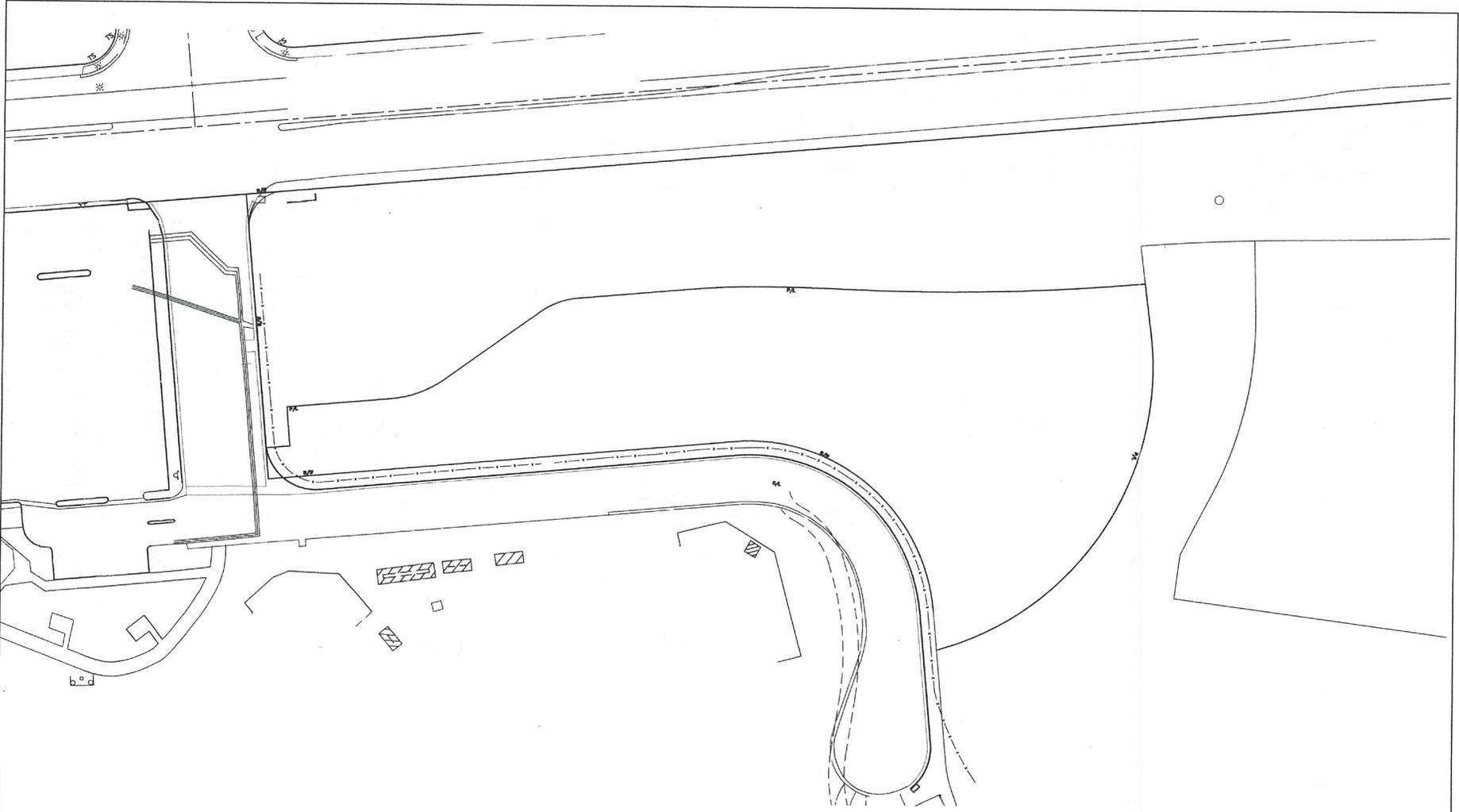
**CITY OF MALIBU
 PUBLIC WORKS DEPARTMENT**

TEMPORARY SKATE PARK

SITE PLAN

DESIGNED BY: JR	DATE: 10/09/19	APPROVED BY: <i>Robert R. Urosnik</i>	DATE: 1.22.2020
DRAWN BY: JR	DATE: 10/09/19	ROBERT R. UROSNIK, P.E. PUBLIC WORKS DIRECTOR/CITY ENGINEER RCE NO. 57943	
CHECKED BY: JR	DATE: 10/09/19	SPEC. NO.: 2079	

Sheet 2 of 4



NOTICE TO THE CONTRACTOR
 THE EARTHWORK SUMMARY IS PROVIDED AS A COURTESY AND CONVENIENCE TO THE CONTRACTOR. QUANTITIES SHOWN ARE APPROXIMATE, BASED ON THE DIFFERENCES BETWEEN EXISTING GROUND ELEVATIONS AND ROUGH GRADE ELEVATIONS. QUANTITIES PROVIDED MAKE NO PROVISIONS FOR STRIPPING OR OVEREXCAVATION. VARIABLES SUCH AS COMPACTION, SHRINKAGE AND THE CONTRACTOR'S METHOD OF OPERATION WILL CAUSE THE VOLUME OF DIRT MOVED IN THE FIELD TO DEVIATE FROM THE CALCULATED QUANTITIES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EARTHWORK REQUIREMENTS TO ROUGH GRADE THIS JOB.

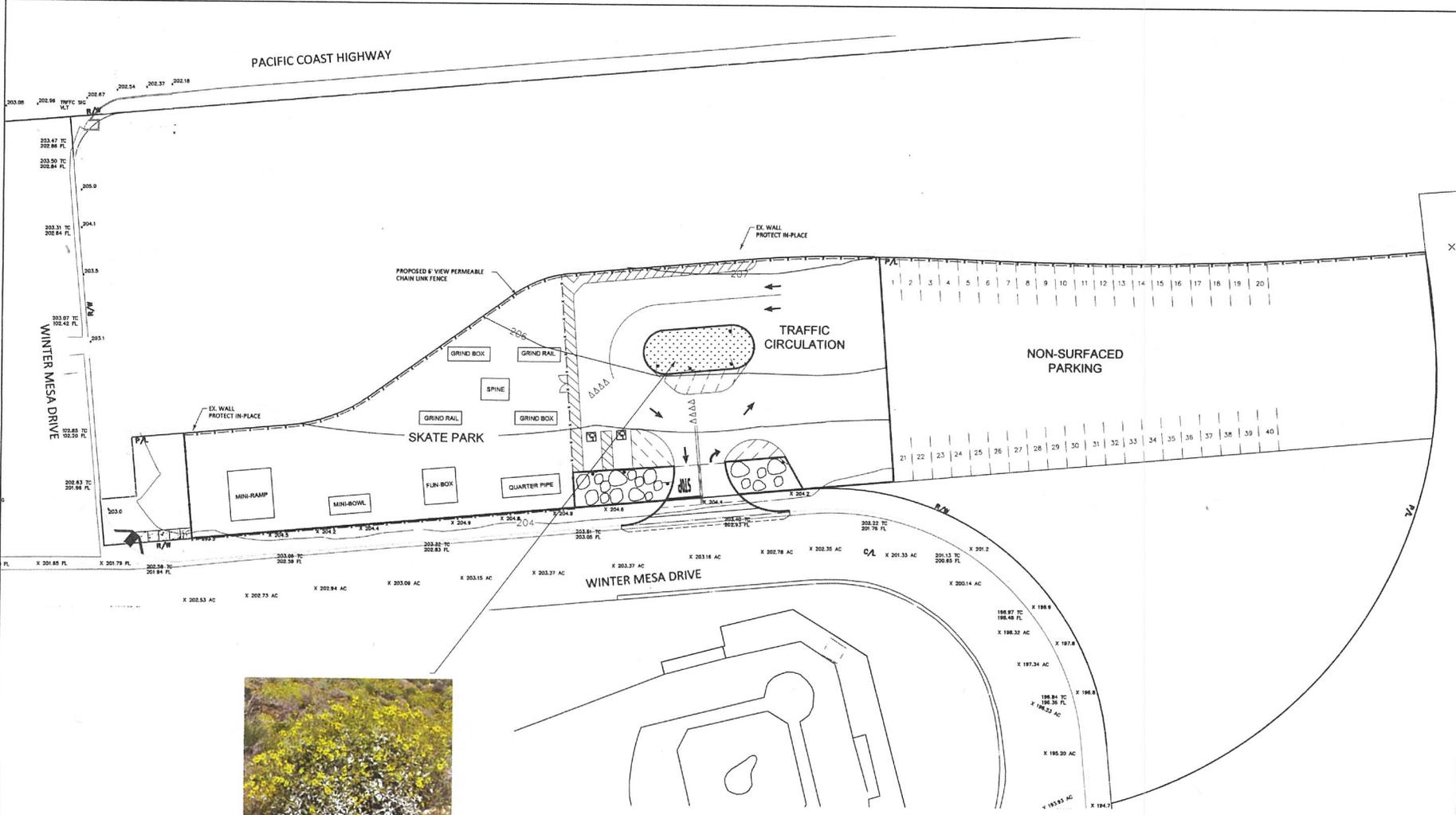
DIAL BEFORE YOU DIG
 1-800-422-4138
DIGSAFE
 PLAY IT SAFE
 DIAL BEFORE
 YOU DIG!
 AT LEAST TWO
 WORKING DAYS
 PRIOR TO
 EXCAVATING
 SERVING NINE SOUTHERN CALIFORNIA COUNTIES



RECOMMENDED BY: *Adam S. Chase* DATE: *1/22/20*
 ADAM S. CHASE, P.E.
 ASSIST. PUBLIC WORKS DIR./CITY ENGINEER
 RCE NO. 74043

NO.	REVISION	BY	CHKD.	DATE

CITY OF MALIBU PUBLIC WORKS DEPARTMENT			
TEMPORARY SKATE PARK			
SITE SURVEY			
DESIGNED BY: JR	DATE	APPROVED BY: <i>[Signature]</i>	DATE <i>1/22/2020</i>
DRAWN BY: JR	DATE 10/09/19	ROBERT R. DUBOCH, P.E. PUBLIC WORKS DIRECTOR/CITY ENGINEER RCE NO. 57943	
CHECKED BY: JC	DATE 10/09/19	SPEC. NO. 2079	
SCALE: 1"=30'		Sheet <u>3</u> of <u>4</u>	



ENCELIA FARINOSA



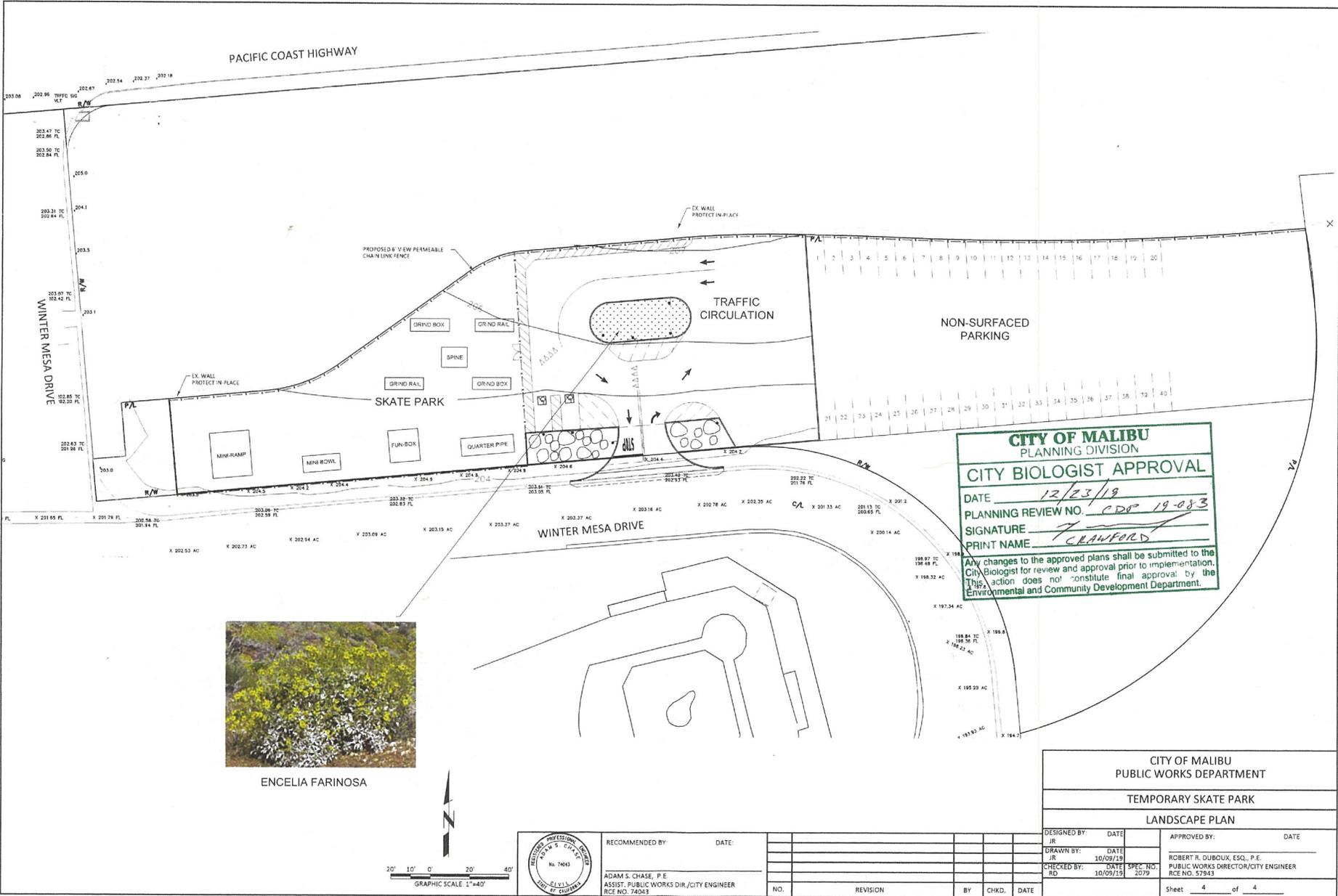
GRAPHIC SCALE: 1"=40'



RECOMMENDED BY: *Adam S. Chase* DATE: *11/22/20*
 ADAM S. CHASE, P.E.
 ASSIST. PUBLIC WORKS DIR./CITY ENGINEER
 RCE NO. 74043

NO.	REVISION	BY	CHKD.	DATE

CITY OF MALIBU PUBLIC WORKS DEPARTMENT			
TEMPORARY SKATE PARK			
LANDSCAPE PLAN			
DESIGNED BY: JR	DATE	APPROVED BY: <i>Robert R. Durbin</i>	DATE 1.22.2020
DRAWN BY: JR	DATE 10/09/19	ROBERT R. DURBIN, P.E. PUBLIC WORKS DIRECTOR/CITY ENGINEER RCE NO. 57843	
CHECKED BY: JC	DATE 10/09/19	SPEC. NO. 2079	
Sheet 4 of 4			



ENCELIA FARINOSA



GRAPHIC SCALE 1"=40'



RECOMMENDED BY: ADAM S. CHASE, P.E.
 ASSIST. PUBLIC WORKS DIR./CITY ENGINEER
 RCE NO. 74043

NO.	REVISION	BY	CHKD.	DATE

DESIGNED BY:	DATE:	APPROVED BY:	DATE:
JR	10/09/19	ROBERT R. DUBOUX, ESQ., P.E.	
CHECKED BY:	DATE:	SPEC. NO.:	
RD	10/09/19	2079	

Sheet 4 of 4

CITY OF MALIBU
 PLANNING DIVISION
CITY BIOLOGIST APPROVAL
 DATE: 12/23/19
 PLANNING REVIEW NO. CDP 19-083
 SIGNATURE: [Signature]
 PRINT NAME: CRAWFORD
 Any changes to the approved plans shall be submitted to the City Biologist for review and approval prior to implementation. This action does not constitute final approval by the Environmental and Community Development Department.

CITY OF MALIBU
 PUBLIC WORKS DEPARTMENT
 TEMPORARY SKATE PARK
 LANDSCAPE PLAN



City of Malibu

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

GEOTECHNICAL REVIEW REFERRAL SHEET

RECEIVED
DEC 10 2019
PLANNING DEPT.

TO: City of Malibu Geotechnical Staf
FROM: City of Malibu Planning Department

DATE: 11/26/2019

PROJECT NUMBER: CDP 19-083
JOB ADDRESS: 24250 PACIFIC COAST HWY
APPLICANT / CONTACT: Jesse Bobbett, City of Malibu
APPLICANT ADDRESS: 23825 Stuart Ranch Road
Malibu, CA 90265
APPLICANT PHONE #: (310)456-2489
APPLICANT FAX #:
APPLICANT EMAIL: jbobbett@malibucity.org
PROJECT DESCRIPTION: New temporary skate park and associated parking

TO: Malibu Planning Divison and/or Applicant
FROM: City Geotechnical Staff

The project is feasible and CAN proceed through the Planning process.

The project CANNOT proceed through the planning process until geotechnical feasibility is determined. Depending upon the nature of the project, this may require engineering geologic and/or geotechnical engineering (soils) reports which evaluate the site conditions, factor of safety, and potential geologic hazards.


SIGNATURE

12/19/19
DATE

Determination of geotechnical feasibility for planning should not be construed as approval of building and/or grading plans which need to be submitted for Building Department approval. At that time, those plans may require approval by City Geotechnical Staff. Additional requirements/conditions may be imposed at the time building and/or grading plans are submitted for review, including geotechnical reports

City Geotechnical Staff may be contacted on Tuesday and Thursday between 8:00 am and 11:00 am or by calling (310) 456-2489, extension 306 or 307.



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW REFERRAL SHEET

RECEIVED
DEC 10 2019
PLANNING DEPT.

TO: Public Works Department
FROM: City of Malibu Planning Department

DATE: 11/26/2019

PROJECT NUMBER: CDP 19-083
JOB ADDRESS: 24250 PACIFIC COAST HWY
APPLICANT / CONTACT: Jesse Bobbett, City of Malibu
APPLICANT ADDRESS: 23825 Stuart Ranch Road
Malibu, CA 90265
APPLICANT PHONE #: (310)456-2489
APPLICANT FAX #:
APPLICANT EMAIL: jbobbett@malibucity.org
PROJECT DESCRIPTION: New temporary skate park and associated parking

TO: Malibu Planning Department and/or Applicant
FROM: Public Works Department

The following items described on the attached memorandum shall be addressed and resubmitted.

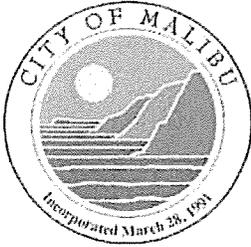
The project was reviewed and found to be in conformance with the City's Public Works and LCP policies and CAN proceed through the Planning process.

SIGNATURE

Neil Benjamin

DATE

12/30/19



City of Malibu

MEMORANDUM

To: Planning Department

From: Public Works Department
Nicole Benyamin, Assist. Civil Engineer NB

Date: December 30, 2019

Re: Proposed Conditions of Approval for 24250 Pacific Coast Highway CDP 19-083

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

STREET IMPROVEMENTS

1. This project proposes to construct improvements within the City's right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed work within the City's right-of-way.
2. This project proposes to construct a new driveway within the City's right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed driveway. The driveway shall be constructed of either 6-inches of concrete over 4-inch of aggregate base, or 4-inches of asphalt concrete over 6-inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

GRADING AND DRAINAGE

3. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development LIP Section 17.3.1 that:
 - Is located within or adjacent to ESHA, or
 - Includes grading on slopes greater than 4:1



- Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4:1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources
- ✓ 4. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's LIP Section 8.3. **A note shall be placed on the project that addresses this condition.**
 5. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMP's shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMP's and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

STORMWATER

- ✓ 6. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

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

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



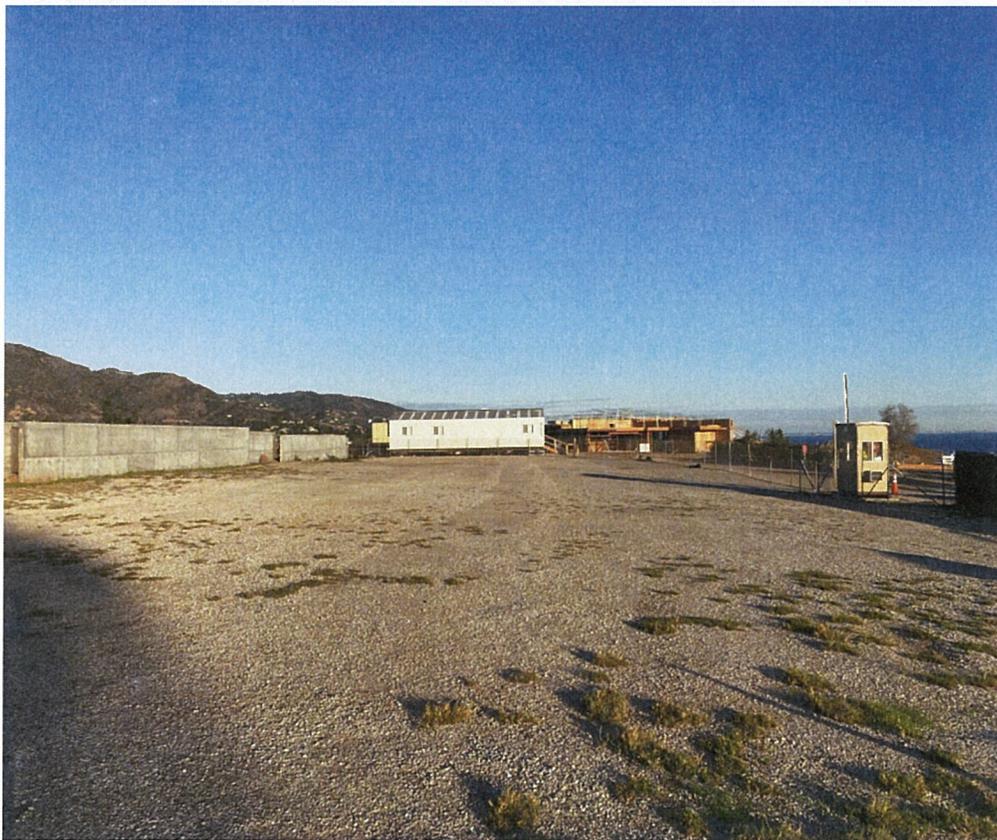
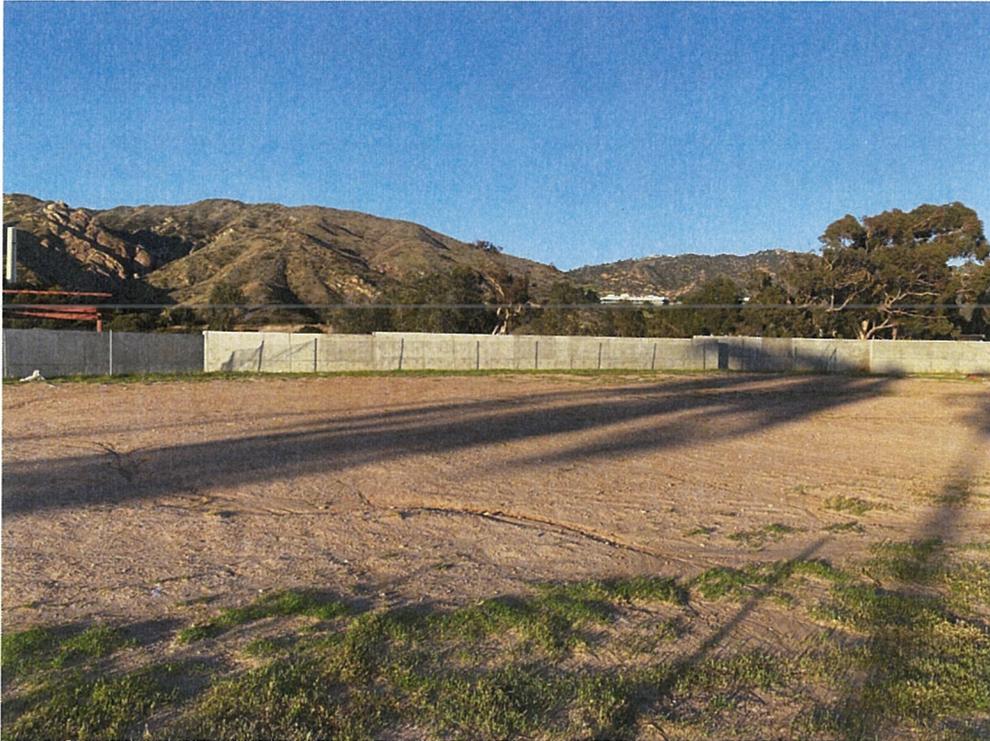
for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

MISCELLANEOUS

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



Site Photographs









**Addendum No. 2 to the
Crummer Site Subdivision
Final Environmental Impact Report
*SCH No. 2008091155***

**Temporary Skate Park Project
*Coastal Development Permit (CDP No. 19-083)***

Prepared by:

**City of Malibu
23825 Stuart Ranch Road
Malibu, California 90265**

January 2020

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I. Introduction

This document is Addendum No. 2 to the 2013 Final Environmental Impact Report (EIR) for the Crummer Site Subdivision (State Clearinghouse No. 2008091155), which was certified by the Malibu City Council in February 2014. The residential development of the Crummer Site Subdivision has since been renamed the Case Project by the current developer. The EIR not only studied the proposed five homes, but also included a study for uses on Lot 7. The two potential site uses studied were a 12,500 square-foot skate park or ball fields, with related parking to serve the selected use and Malibu Bluffs Park. The EIR determined that with included mitigation measures, the project would not result in any significant environmental impacts.

This Addendum addresses potential environmental impacts associated with Coastal Development Permit (CDP) No. 19-083 for a temporary skate park project and related improvements. The purpose of Addendum No. 2 is to determine whether project modifications would result in any new significant environmental impacts that were not identified in the Certified Final EIR or whether the previously identified potentially significant impacts would be substantially more severe under the alternatives.

The *Proposed Project* includes the construction of a temporary skate park and drop-off/pick-up area on Lot 7 which was previously planned for recreational uses and related parking. The temporary skate park would be located on the western portion of Lot 7 and the drop-off/pick-up area would be located in the central portion of the site. A permanent skate park is also anticipated to eventually be constructed on this site, but at this time, a designer has not been finalized and no detailed plans are available. It is anticipated that the temporary skate park would be open to the public for approximately 24-30 months while a permanent skate park is designed and constructed on the eastern portion of the lot. Following construction of the permanent facility, the temporary skate park would be converted to a parking lot and the drop-off/pick up area would remain, or may be slightly reconfigured within Lot 7. Once a detailed project design for the permanent skate park has been prepared, appropriate CEQA review will be completed for the permanent facility.

This Addendum has been prepared in accordance with relevant provisions of the California Environmental Quality Act (CEQA) of 1970 (as amended) and the *CEQA Guidelines*. According to Section 15164 of the *CEQA Guidelines*, an Addendum to a previously certified EIR or Negative Declaration is the appropriate environmental document in instances when “only minor technical changes or additions are necessary” and when the new information does not require major revisions to the previous EIR, involve new or substantially increased significant environmental effects, or when mitigation measures previously determined to be infeasible are available, or new mitigation is identified which would substantially reduce one or more significant effects of the project. This Addendum describes the *Proposed Project* and compares its impacts to those identified in the Final EIR for the Crummer Site Subdivision (*Approved Project*).

II. Background and Project Description

A. Project Site

The regional location of the project site is illustrated on Figure 1. The subdivision includes 24 acres of land that was previously addressed as 24120 Pacific Coast Highway (PCH) and is located on the south side of PCH east of Winter Mesa Drive (Figure 2), adjacent to Malibu Bluffs Park. The property was subdivided into seven lots with the approval of the Crummer Site Subdivision in 2014 and construction of the proposed homes, now known as the Case Project, has commenced.

Lots 1 through 5 allow for one single-family residence per lot, all of which are currently under construction. Lot 6 allows for a guard house, private access road, gates, fencing, visitor parking, landscaping, guard house parking, community utilities, informational and directional signage, private open space, lighting, and wastewater treatment facilities serving uses within Lots 1 through 6.

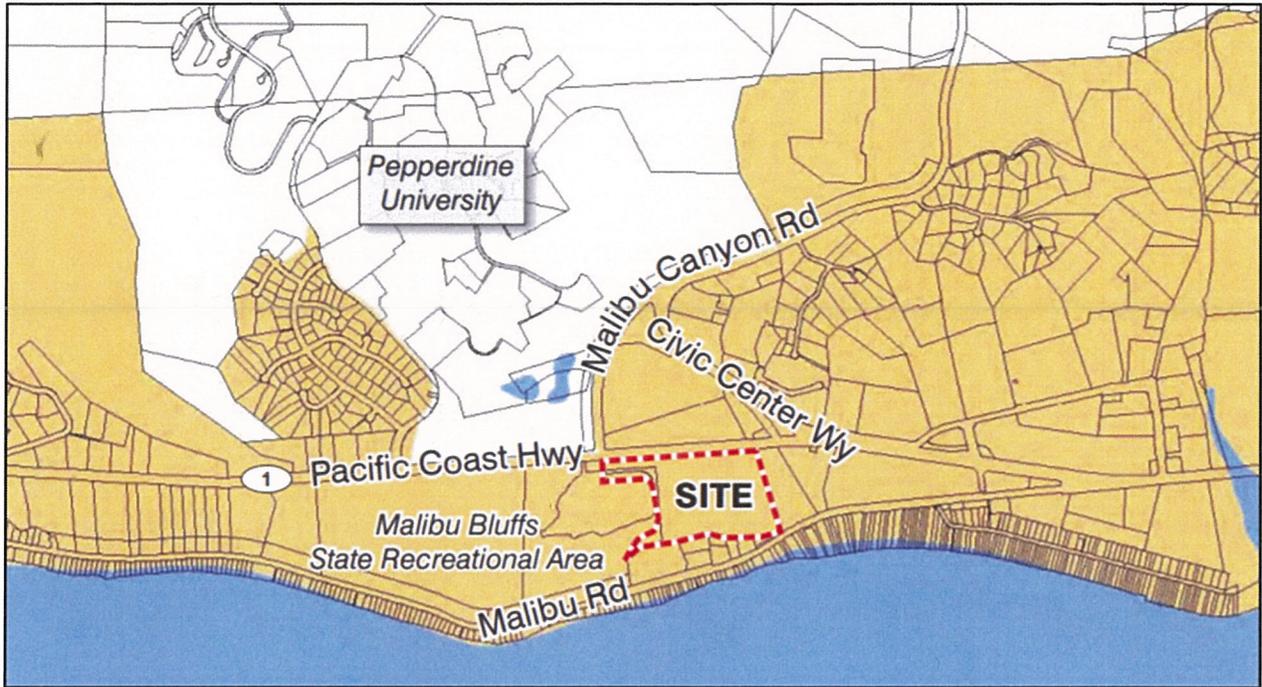
The parcel under consideration in this Addendum is Lot 7 of the *Approved Project* which includes Assessor Parcel Numbers 4458-018-906 and 4458-018-907 totaling 1.74 acres of land located southeast of the intersection of PCH and Winter Mesa Drive (Figure 3). According to the *Approved Project* plans and supporting documents, Lot 7 allows for parks and public open space, excluding community centers. These uses may include active and passive public recreational facilities, such as ball fields, skate parks, picnic areas, playgrounds, walkways, restrooms, scoreboard, sport court fencing, parking lots, and reasonably similar uses as determined by the Planning Director. Similar to the proposed project, the EIR studied a 12,500 square foot skate park and related parking as a potential use for Lot 7. The EIR determined that with the included mitigation measures, the project would not result in any significant environmental impacts.

Surrounding land uses include PCH and vacant land to the north, five single-family homes under construction within the Case Project to the east, Malibu Road and single-family homes fronting the Pacific Ocean to the south and state park land and Malibu Bluffs Park to the west/southwest.

Lot 7 is relatively flat and ranges from approximately 195 feet above mean sea level (MSL) at the southeastern corner of the site to 207 feet above MSL at the northern boundary of the site. The entire site has been graded and the southeast portion of the site is currently being used for construction staging and parking associated with development of the Case Project until July 18, 2020. This area is not involved with the temporary skate park project. Figure 4 and Figure 5 include current representative photographs of the project site.

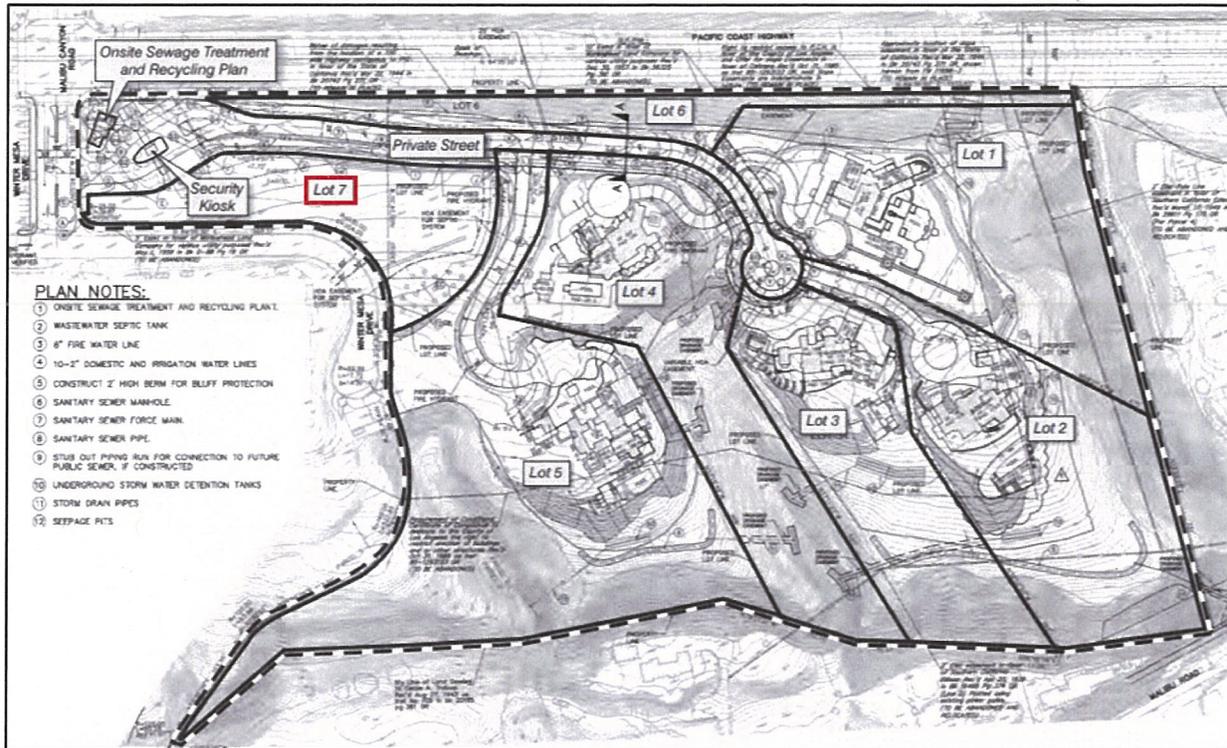
The project site is designated Planned Development (PD) by the Malibu General Plan, the Local Coastal Program (LCP), and the Zoning Ordinance. The property is within the Coastal Zone but outside the Appealable Jurisdiction as depicted on the City of Malibu Post-LCP Certification Permit and Appeal Jurisdiction Map. According to the LCP Environmentally Sensitive Habitat Area (ESHA) Overlay Map, the project site is not designated as ESHA; however, ESHA is located immediately to the southwest of the subject property on state park land.

Figure 1 – Crummer Site (Case Project) Subdivision Regional Project Location



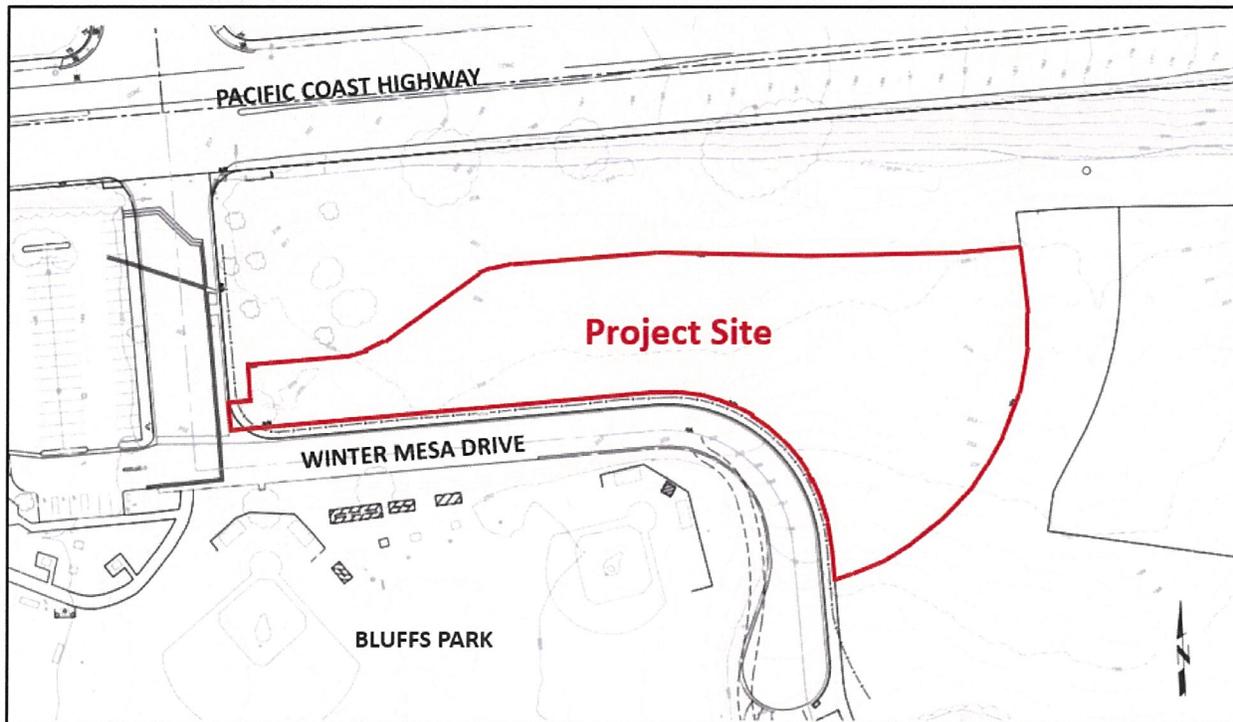
Source: Final EIR for Crummer Site Subdivision, The Planning Center/DC&E, 2013

Figure 2 – Crummer Site (Case Project) Subdivision Project



Source: Final EIR for Crummer Site Subdivision, The Planning Center/DC&E, 2013

Figure 3 – Project Site – Lot 7 Within Crummer Subdivision (Case Project)



Source: City of Malibu Public Works Department, 2019

Figure 4 – Photo of the Project Site Looking West to East

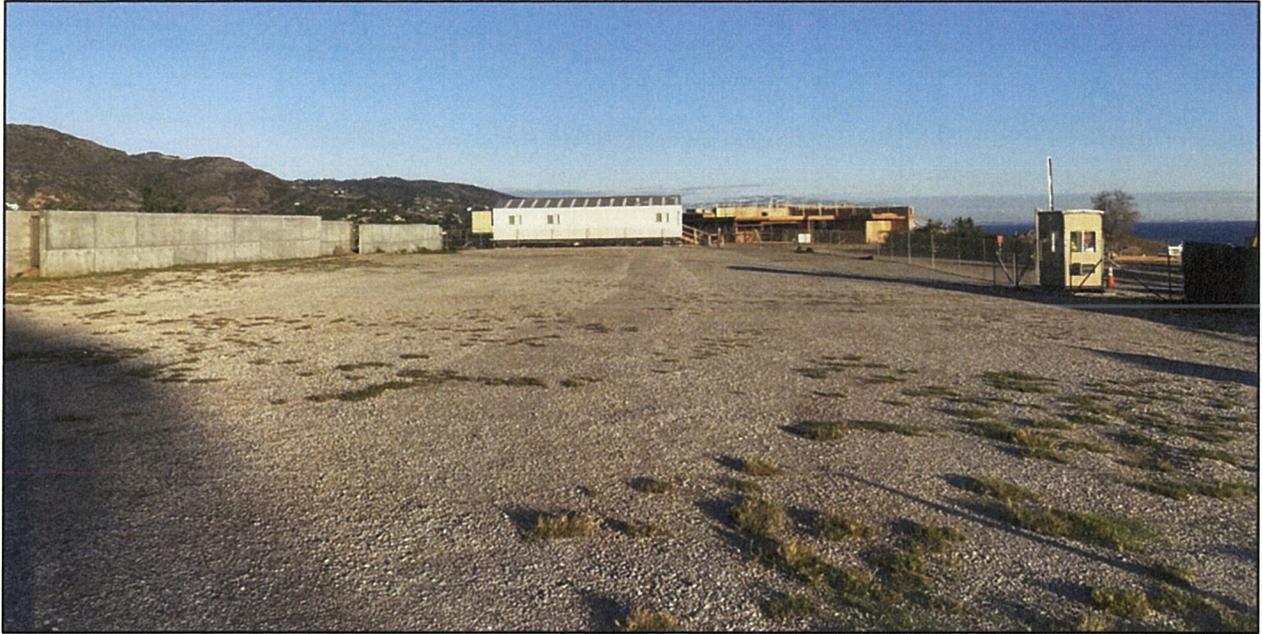
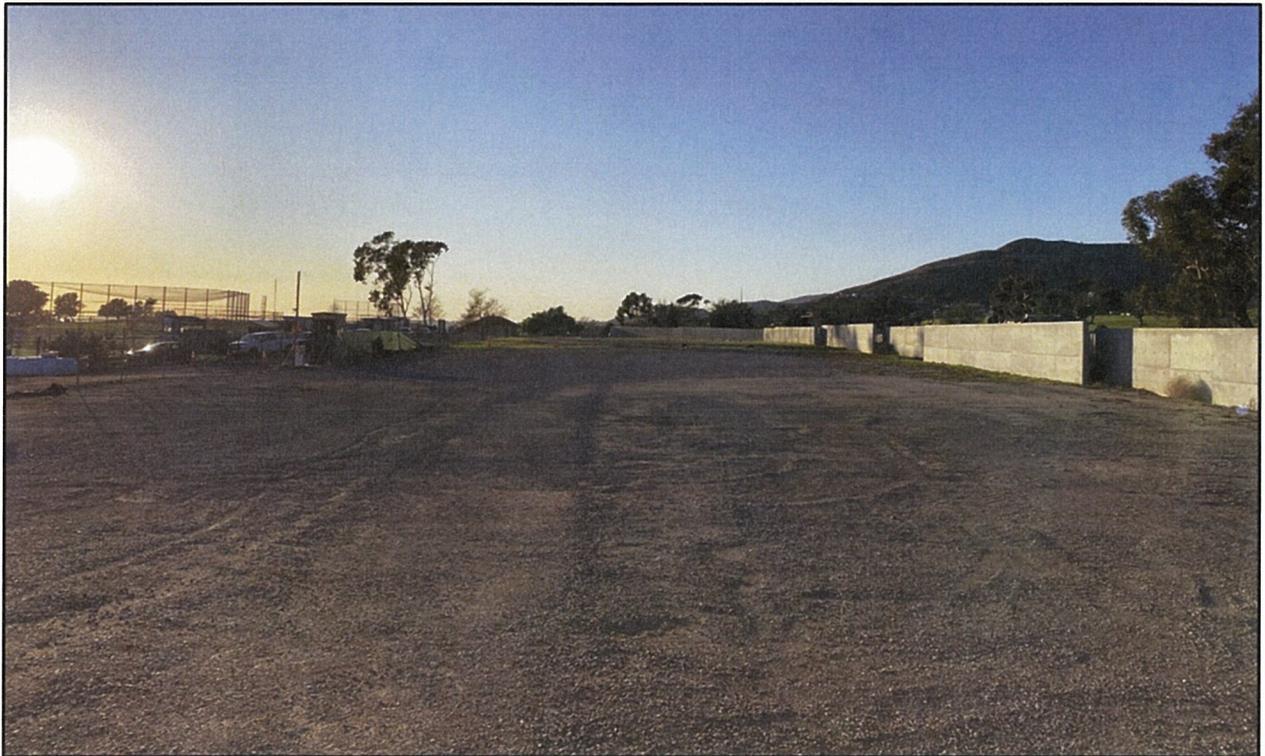


Figure 5 – Photo of the Project Site Looking East to West



B. Background

The Crummer Site Subdivision was approved by the City Council on February 24, 2014. Project approvals included Coastal Development Permit (CDP) No. 07-144 and Vesting Tentative Map No. 07-033 to subdivide one lot into 7 lots, and a Local Coastal Program Amendment (LCPA) No. 12-0001 to correct an inconsistency between a LCP Land Use Policy (LUP) Policy and the zoning designation and incorporate the Planned Development District standards in the LCP (and corollary amendments in the MMC). These amendments included provisions for a recreational use, including a skate park, on Lot 7. The project included single-family residences on Lots 1 through 5; a private street, gatehouse, onsite wastewater treatment system (OWTS) package plant and open space on Lot 6; and seepage pits and a recreational use on Lot 7. On May 18, 2014, the Planning Commission approved CDPs on Lots 1 through 5 for single-family residences contingent upon approval of the LCPA by the California Coastal Commission (CCC). On August 12, 2015, the CCC approved the LCPA with modifications which were later accepted by the City of Malibu in September 2015. The LCPA was certified on November 4, 2015.

The Final EIR for the Crummer Site Subdivision (SCH No. 2008091155) was certified by the City Council concurrently with project approvals on February 24, 2014. The EIR included a number of mitigation measures needed to reduce the identified potentially significant effects (Attachment A). The EIR determined that with mitigation, the project would not result in any significant environmental impacts.

In 2016, the Planning Commission approved CDP Amendment Nos. 15-008 through 15-012 to amend the previously-approved CDPs for the homes on Lots 1 through 5 in response to LCPA modifications made by the CCC in 2015. No changes were made to Lots 6 or 7. The approval included consideration of Addendum No. 1 to the Final EIR documenting that the changes would not create any new significant impacts or increase the severity of any impacts and that no new mitigation measures were available to further reduce impacts.

As of January 2020, the Crummer Site Subdivision (renamed Case Project project by the developer) is actively under construction with foundation work and framing for each of the residences.

Approved Lot 7 Development Overview

As outlined above, the *Approved Project* included seepage pits and a recreational use that would serve as an expansion of Bluffs Park on Lot 7. The seepage pits would have been located in the southeastern corner of the site adjacent to Winter Mesa Drive; however, the Case Project and Malibu Bluffs Park have been connected to the Civic Center Wastewater Treatment Plant, so seepage pits are no longer needed for wastewater disposal. The recreational use, parking and related improvements were to be located on the remainder of Lot 7. Lot 7 has been dedicated to the City per the terms of project approval together with a voluntary \$1 million developer donation for park improvements. The park improvements were not fully designed at the time and were not a part of the *Approved Project* entitlements. However, active recreation, passive recreation and an expanded parking lot were all identified as possible uses. Since the City anticipated that a baseball field or skate park with related parking and improvements would be the likely uses on Lot 7, those uses were analyzed in concept in the EIR. Figures 6 and 7 from the Final EIR illustrate conceptual layouts for both options on Lot 7.

C. Proposed Project

The *Proposed Project* involves the placement of asphalt surfacing on the western and central portions of Lot 7, installation of a temporary skate park in the western portion of the site and construction of a drop-off/pick up area in the central portion of the site. The eastern portion of the lot will remain unpaved and will serve as a parking lot for the temporary skate park. It is anticipated that the temporary skate park would remain in place for approximately 24 to 30 months until a permanent skate park is designed and constructed in the eastern portion of the site after which the temporary skate park would be converted to a parking lot and the drop-off/pick-up area would be retained. The precise layout and capacity of the permanent parking lot will be determined during the design phase of the permanent skate park.

As shown on Figure 8, the temporary skate park would be developed on the western 12,320-square feet of Lot 7 similar to the design previously studied by the EIR. The proposed skating surface is no larger than the skating area previously contemplated by the EIR. Following rough grading to level the site, asphalt would be laid and various transition and street-style skatepark obstacles (elements) would be installed on the surface. Elements would include features such as a mini-bowl, ramps and a fun box and would be constructed from wood with a concrete and SkateLite skate surface. SkateLite is a durable paper-composite material designed to provide a smooth, durable skate surface for the elements. Other smaller elements such as grind rails would be made of steel. While the elements would be anchored to the ground, there would be no permanent foundations. The skate park would be built at and below the elevation of existing residential structures surrounding the property to minimize visual and acoustic impacts.

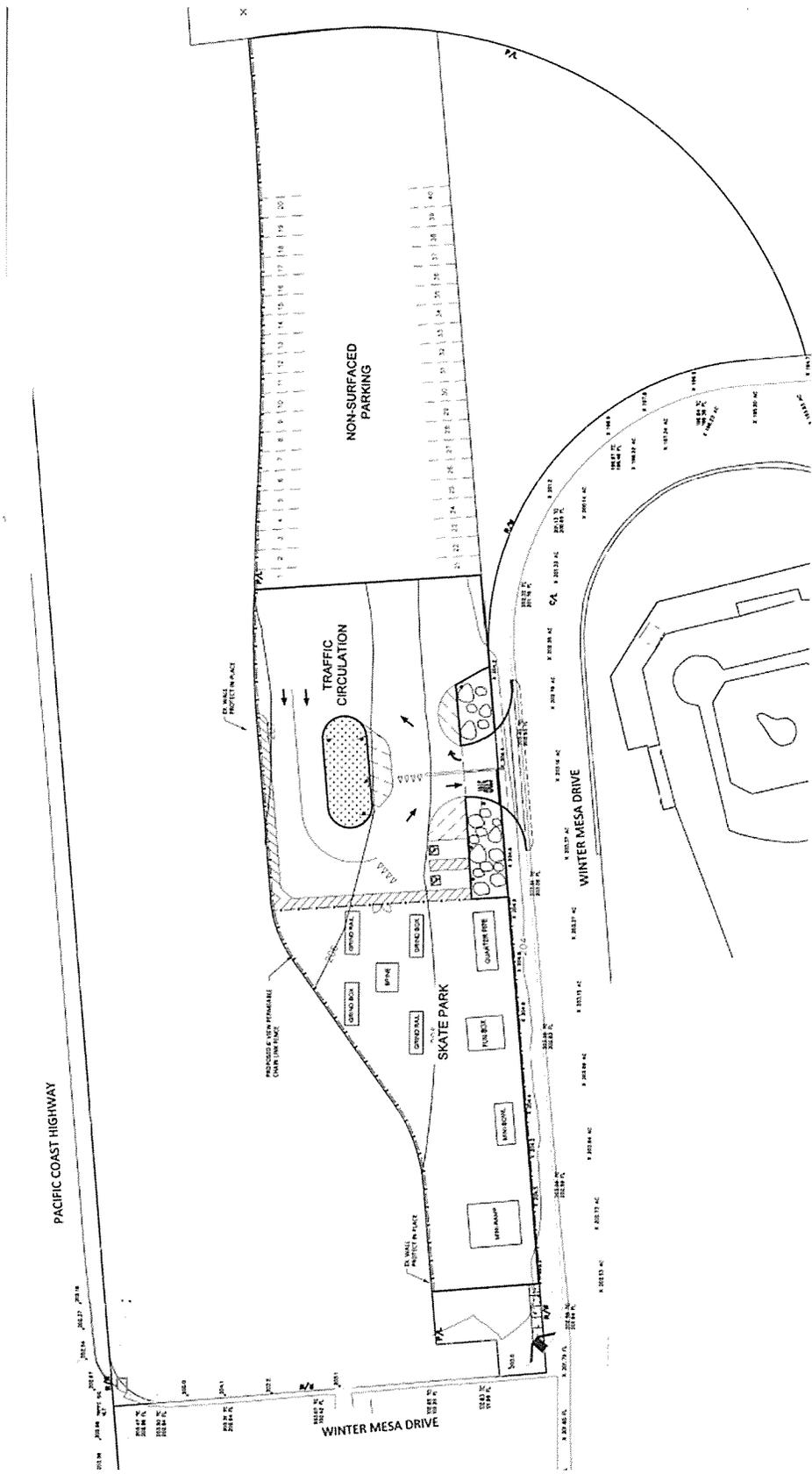
The drop-off/pick-up area would include asphalt surfacing with a two-way driveway and center island. A crosswalk across Winter Mesa Drive would be constructed to facilitate safe pedestrian travel from Bluffs Park to the temporary skate park. Vehicles would enter the area through the driveway off of Winter Mesa Drive and continue around the center island to drop off and pick up passengers. From there, vehicles would either exit the site through the driveway, or continue to park on the dirt lot in the eastern portion of the site, where 40 spaces would be provided. The center island in the drop-off/pick-up area would be landscaped with Brittlebrush (*Encelia Farinosa*) a native, drought-tolerant perennial shrub. No irrigation would be installed and watering, if needed, would be accomplished by hand. Rock features would be installed on either side of the driveway along Winter Mesa Drive to define the driveway and two ADA parking spaces would be installed. It is anticipated that the improvements on the central portion of the site would be permanent and would remain in place following construction of the permanent skate park.

Grading associated with development of the temporary skate park and drop-off/pick-up area would include approximately 600 cubic yards of cut material to be removed from the site to create a level pad for both the skate park and associated parking. Associated improvements on the project site would include benches; a six-foot-tall, view permeable chain link fence; and trash receptacles. No lighting would be installed as part of the project. No plumbing fixtures are proposed.

Anticipated user groups for the temporary skatepark would include youth and adult skateboard, bicycle and inline-skate participants with skill levels ranging from beginner to professional. The hours of operation would be from 8:00 a.m. to Sunset or 7:00 p.m. (whichever is earlier), seven days a week.

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Figure 8 – Temporary Skate Park Project Site Plan



Source: City of Malibu Public Works Department, 2020

The six foot tall chain link fencing would surround the temporary skate park and be installed along the existing concrete wall on the north side of the property. The chain link fencing would allow the City to prevent unauthorized access outside of the hours of operation. The temporary skate park would be classified as an unsupervised skate park. Community Services Department staff would not be on-site at all times during the hours of operation although staff from the nearby Michael Landon Center would visit the temporary skate park six to eight times per day to monitor activities. The skate park is projected to attract 30 people per day on weekdays and 60 on weekends. In addition, the Community Services Department anticipates hosting one class quarterly, one summer camp annually, and one skate event annually.

Proposed Project - Required Approvals/Certifications

The *Proposed Project* requires the following City of Malibu approvals/certifications:

1. Consideration of Addendum No. 2 to the Final EIR for Crummer Site Subdivision
2. Approval of Coastal Development Permit (CDP) No. 19-083 for the temporary skate park

III. Crummer Site Subdivision CEQA Process/EIR

The City of Malibu prepared the Final EIR for the Crummer Site Subdivision (SCH No. 2008091155) in accordance with the requirements of CEQA and the CEQA Guidelines. A Notice of Preparation (NOP) was filed with the California Office of Planning and Research and was distributed to involved public agencies and interested parties for a 30-day public review period on May 10, 2012. In addition, the Draft EIR was circulated for a 45-day public review period from April 3, 2013 to May 20, 2013. During the public review period, the City received comments from public agencies and private citizens. The comments letters and responses to comments were included in the Final EIR, which was certified by the Malibu City Council on February 24, 2014.

A 2012 Initial Study prepared prior to the preparation of the Final EIR determined that there was no potential that the *Approved Project* would significantly impact the environmental topics outlined in Table 1. Therefore, further studies of these topics were not required in the Final EIR. The rationale for these determinations can be found in Chapter 5.0 – Environmental Analysis, Chapter 8.0 – Impacts Found Not to Be Significant, and Appendix A of the Initial Study – Notice of Preparation of the Final EIR.

Table 1 – *Approved Project* – Topics Found Not Significant by the 2012 Initial Study and not Addressed in the Final EIR

Environmental Factor	Thresholds Found Not Potentially Significant
Agricultural Resources	All
Air Quality	Odors
Cultural Resources	Historic Resources, Potential for Human Remains
Geology and Soils	Fault Rupture, Seismic Shaking, Liquefaction
Hazards and Hazardous Materials	All except Wildland Fires
Hydrology and Water Quality	Flood Hazard, Inundation, Levee or Dam Failure, Seiche, Tsunami, or Mudflow
Land Use and Planning	Physically Divide Community, Habitat Conservation Plan
Mineral Resources	All
Noise	Airports
Population and Housing	All
Public Services	All
Transportation and Traffic	Air Traffic, Emergency Access
Utilities and Service Systems	All

Table 2 below outlines the environmental factors that were evaluated in detail in the Final EIR. The EIR determined that all potential impacts would be less than significant, or less than significant with mitigation. The rationale for these determinations can be found in the Final EIR in Chapter 5.0 - Environmental Analysis and Appendix A to the Final EIR - Notice of Preparation and Initial Study. The mitigation measures contained in the Final EIR are included as Appendix A to this Addendum.

Table 2 – *Approved Project* - Topics Addressed in the Final EIR and Level of Significance

Environmental Factor	Significance Level
Aesthetics	
Scenic Vista	Less than significant (LTS)
Scenic Resources	LTS
Visual Character	LTS
Light and Glare	LTS

Environmental Factor	Significance Level
Air Quality	
Consistency with AQMP	LTS
Violation of Standards	LTS with mitigation
Criteria Pollutant Increase	LTS with mitigation
Sensitive Receptors	LTS
Biological Resources	
Special Status Species	LTS with mitigation
Sensitive Habitat	LTS
Jurisdictional Waters	LTS
Wildlife Movement	LTS
Biological Resource Policies	LTS with mitigation
Habitat Conservation Plan	LTS
Habitat Reduction/Species Elimination/Wildlife Population	LTS
Cultural Resources	
Archaeological	LTS with mitigation
Paleontological	LTS with mitigation
Geology and Soils	
Landslides	LTS with mitigation
Erosion	LTS with mitigation
Unstable Soils	LTS with mitigation
Expansive Soils	LTS with mitigation
Waste Water Disposal System	LTS with mitigation
Greenhouse Gas Emissions	
Greenhouse Gas Emissions	LTS
Consistency with Plan, Policy or Regulation	LTS
Hazards and Hazardous Materials	
Wildland Fires	LTS with mitigation
Hydrology and Water Quality	
Water Quality Standards/Waste Discharge Requirements	LTS
Groundwater Supplies	LTS
Drainage Pattern/Siltation	LTS with mitigation
Drainage Pattern/Flooding	LTS with mitigation
Excess Runoff	LTS with mitigation
Substantially Degrade Water Quality	LTS
Land Use and Planning	
Conflict with Land Use Plan	LTS
Noise	
Noise Levels in Excess of Standards	LTS
Vibration	LTS
Permanent Increase in Noise Levels	LTS
Temporary Increase in Noise Levels	LTS
Recreation	
Increase Use	LTS
Expansion of Existing Facilities	LTS
Transportation and Traffic	
Trip Generation	LTS with mitigation
Conflict with CMP	LTS
Increase in Hazards	LTS
Adopted Policies	LTS
Parking	LTS with mitigation

IV. Environmental Impacts of the *Approved Project and Proposed Project*

This section addresses each of the environmental issues discussed in the Final EIR to determine whether or not the *Proposed Project* has the potential to create new significant impacts or a substantial increase in the significance of a significant impact as compared to what was identified in the Final EIR. Table 3 below contains a summary of impacts comparing the *Approved Project* with the *Proposed Project* and is based on the information and analysis contained in the 2012 Initial Study and the Final EIR for the Crummer Site Subdivision project.

Table 3 – Comparison of Environmental Factors Between the *Approved Project* and *Proposed Project*

Environmental Factor	<i>Approved Project</i>	<i>Proposed Project</i>	Conclusion
Aesthetics			
Scenic Vista	LTS	LTS	No change
Scenic Resources	LTS	LTS	No change
Visual Character	LTS	LTS	No change
Light and Glare	LTS	LTS	No change
Air Quality			
Consistency with AQMP	LTS	LTS	No change
Violation of Standards	LTS/Mitigation	LTS/Mitigation	No change
Criteria Pollutant Increase	LTS/Mitigation	LTS/Mitigation	No change
Sensitive Receptors	LTS	LTS	No change
Objectionable Odors	LTS	LTS	No change
Biological Resources			
Special Status Species	LTS/Mitigation	LTS/Mitigation	No change
Sensitive Habitat	LTS	LTS	No change
Jurisdictional Waters	LTS	LTS	No change
Wildlife Movement	LTS	LTS	No change
Biological Resource Policies	LTS/Mitigation	LTS/Mitigation	No change
Habitat Conservation Plan	LTS	LTS	No change
Habitat Reduction/Species Elimination/Wildlife Population	LTS	LTS	No change
Cultural Resources			
Historic	No Impact (NI)	NI	No change
Archaeological	LTS/Mitigation	LTS/Mitigation	No change
Paleontological	LTS/Mitigation	LTS/Mitigation	No change
Human Remains	LTS	LTS	No change
Geology and Soils			
Fault Rupture	LTS	LTS	No change
Seismic Ground Shaking	LTS	LTS	No change
Liquefaction	LTS	LTS	No change
Landslides	LTS/Mitigation	LTS/Mitigation	No change
Erosion	LTS/Mitigation	LTS/Mitigation	No change
Unstable Soils	LTS/Mitigation	LTS/Mitigation	No change
Expansive Soils	LTS/Mitigation	LTS/Mitigation	No change
Waste Water Disposal System	LTS/Mitigation	LTS/Mitigation	No change

Environmental Factor	Approved Project	Proposed Project	Conclusion
Greenhouse Gas Emissions			
Greenhouse Gas Emissions	LTS	LTS	No change
Consistency with Plan, Policy or Regulation	LTS	LTS	No change
Hazards and Hazardous Materials			
Transport, Use, or Disposal	LTS	LTS	No change
Release into the Environment	LTS	LTS	No change
Within ¼ mile of a School	LTS	LTS	No change
List of Hazardous Materials Sites	LTS	LTS	No change
Within 2 miles of a Public Airport	NI	NI	No change
Within Vicinity of a Private Airstrip	NI	NI	No change
Emergency Response Plan	LTS	LTS	No change
Wildland Fires	LTS/Mitigation	LTS/Mitigation	No change
Hydrology and Water Quality			
Water Quality Standards/Waste Discharge Requirements	LTS	LTS	No change
Groundwater Supplies	LTS	LTS	No change
Drainage Pattern/Siltation	LTS/Mitigation	LTS/Mitigation	No change
Drainage Pattern/Flooding	LTS/Mitigation	LTS/Mitigation	No change
Excess Runoff	LTS/Mitigation	LTS/Mitigation	No change
Substantially Degrade Water Quality	LTS	LTS	No change
100-Year Flood Hazard	NI	NI	No change
Impede or Redirect Flood Flows	NI	NI	No change
Levee or Dam Failure	NI	NI	No change
Seiche, Tsunami, or Mudflow	LTS	LTS	No change
Land Use and Planning			
Physically Divide Community	LTS	LTS	No change
Conflict with Land Use Plan	LTS	LTS	No change
Conflict with Habitat Conservation	LTS	LTS	No change
Noise			
Noise Levels in Excess of Standards	LTS	LTS	No change
Vibration	LTS	LTS	No change
Permanent Increase in Noise Levels	LTS	LTS	No change
Temporary Increase in Noise Levels	LTS	LTS	No change
Airport Land Use Plan	NI	NI	No change
Private airstrip	NI	NI	
Recreation			
Increase Use	LTS	LTS	No change
Expansion of Existing Facilities	LTS	LTS	No change

Environmental Factor	Approved Project	Proposed Project	Conclusion
Transportation and Traffic			
Trip Generation	LTS/Mitigation	LTS/Mitigation	No change
Conflict with CMP	LTS	LTS	No change
Change in Air Traffic	NI	NI	No change
Increase in Hazards	LTS	LTS	No change
Emergency Access	LTS	LTS	No change
Adopted Policies	LTS	LTS	No change
Parking	LTS/Mitigation	LTS/Mitigation	No change

SA = Significant and Unavoidable

LTS/Mitigation = Less than significant with mitigation

NI = No Impact

PSI = Potentially Significant Impact

LTS = Less than significant

Table 3 above outlines that the *Proposed Project* would have the same environmental impacts as the *Approved Project*. The *Proposed Project* would not create any new significant environmental impacts or increase the severity of any impacts identified in the Final EIR. In addition, no new mitigation is available to further reduce impacts.

The following pages provide a discussion of the environmental impacts outlined in the Final EIR, compared with those anticipated by the *Proposed Project*.

A. Aesthetics

Approved Project – Summary of Impacts

The Final EIR determined that the *Approved Project* would not obstruct any scenic views or alter any scenic resources. In addition, the project would not result in any aesthetic conflicts with surrounding areas and would only be visible from limited vantage points. The *Approved Project* would also not introduce a significant source of light and glare and the Final EIR specified that any future recreational use on Lot 7 would not include nighttime lighting while the associated parking lot would include only the minimum required security lighting. Thus, the *Approved Project* was determined to have a less than significant impact regarding visual resources and aesthetics. Nevertheless, in addition to what was studied by the EIR, the California Coastal Commission included additional measures to the PD standards to further minimize visual impacts from the residential homes.

Proposed Project – Summary of Impacts

The *Proposed Project* would install a temporary skate park and drop-off/pick-up area on a portion of the site while the permanent skate park is designed and constructed. Thus, the project is consistent with the skate park use evaluated in the Final EIR which identified that the project would have a less than significant impact on visual resources and aesthetics. The temporary skate park elements would be built at and below elevation of the existing residential structures surrounding the property to minimize their visibility. The park would be open only during daylight hours and no lighting would be installed which could be a source of light and glare. Thus, like the *Approved Project*, the *Proposed Project* would have a less than significant impact on visual resources and aesthetics.

B. Air Quality

Approved Project – Summary of Impacts

The Final EIR determined that because the *Proposed Project* was consistent with the Malibu General Plan land use designations, it was consistent with the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP) which relies on general plans for its land use and emissions forecasts. Furthermore, vehicle trips generated by long-term operation of the project would not generate emissions in excess of SCAQMD's regional threshold criteria or expose sensitive receptors to carbon monoxide hotspots or substantial concentrations of pollutants. However, construction activities associated with grading and heavy-duty vehicles and equipment would exceed the SCAQMD regional construction threshold for nitrogen oxides (NO_x) which is a precursor to both the formation of ozone (O₃) and particulate matter (PM₁₀ and PM_{2.5}). Thus, the *Approved Project* would have a potentially significant air quality impact related to construction emissions. However, the Final EIR included Mitigation Measure 2-1 that required measures such as the use of newer trucks and equipment and a limitation on idling to reduce construction exhaust emissions during grading and construction. With the incorporation of Mitigation Measure 2-1, the Final EIR determined that construction emissions would be less than significant.

Proposed Project – Summary of Impacts

As previously identified, implementation of a temporary skate park and drop-off/pick-up area would be consistent with the *Approved Project* which anticipated a skate park or other recreational use on Lot 7. Like the *Approved Project*, the *Proposed Project* would be consistent with the Malibu General Plan and the AQMP. Vehicle trips generated by operation of the site would be the same as those anticipated by the *Proposed Project* and thus vehicular emissions would be the same. Construction activities associated with leveling the site, laying of asphalt and construction of the temporary skate park and drop-off/pick-up area would be limited in scale and duration but would generate emissions. Thus, like the *Approved Project*, the *Proposed Project* would include Mitigation Measure 2-1 which includes requirements to limit construction emissions emanating from the site and a less than significant air quality impact would result.

C. Biological Resources

Approved Project – Summary of Impacts

According to the Final EIR, Lot 7 and most of the overall Crummer project site contained disturbed non-native grassland including a substantial component of non-native Mediterranean grasses as well as a variety of forbs. The EIR stated: "Essentially all of the species within this land cover are considered weeds and are nonnative." No sensitive habitat, jurisdictional waters, designated ESHA or wildlife corridors exist on Lot 7 or the broader site and the project was designed to stay a minimum of 100 feet away from designated ESHA offsite to the southwest. Other portions of the site (i.e., outside of Lot 7) contained mixed sage scrub, coastal sage chaparral scrub, and mature trees which could provide foraging and breeding habitat for a number of small mammals, and five black walnut trees on the eastern boundary of the site which are protected by the Malibu's Native Tree Protection Ordinance. In addition, the EIR identified that other non-native trees on the project site could provide seasonal nesting habitat for native birds. The Final EIR included Mitigation Measures 3-1 through 3-3 to reduce impacts to biological resources. Of these, only portions of Mitigation Measures 3-1b and 3-1c would apply to Lot 7. These

measures call for the prohibition of certain invasive ornamental plants and the irrigation of any seeded areas. With the incorporation of mitigation, the Final EIR determined that the *Approved Project* would have a less than significant impact on biological resources.

Proposed Project – Summary of Impacts

The *Proposed Project* involves the installation of a temporary skate park and related facilities on Lot 7. The site has been graded and does not contain any native or sensitive plant or wildlife species and development of the site would not impact any of these resources. Mitigation Measure 3-1(b) prohibiting the use of certain ornamental plants would be met as the project would include only one small landscaped area within the center island of the drop-off/pick-up area which would be landscaped with Brittlebrush (*Encelia Farinosa*), a non-invasive native species. In addition, Mitigation Measure 3-1(c) requiring irrigation of seeded areas would not apply because the *Proposed Project* would not include any seeded areas. Thus, the *Proposed Project* would have a less than significant impact on biological resources, and none of the mitigation measures are applicable to the project, as conditioned.

D. Cultural Resources

Approved Project – Summary of Impacts

The Malibu area was historically occupied by the Chumash Indians although there are no archeological resources known to exist on the Crummer site. However, due to the possible historic occupation, grading and site preparation activities could encounter archeological resources. Likewise, although the project site does not contain any geologic features or known paleontologic resources, portions of the Crummer site are underlain by older Quaternary alluvial sediments and Monterey Formation deposits which have produced paleontological remains (fossils) on other sites. Thus, the Final EIR included Mitigation Measures 4-1 and 4-2 requiring that a qualified archeologist and Native American monitor of Chumash descent be present to monitor all ground disturbing activities and coordinate the disposition of any resources. In addition, should grading occur within Quaternary alluvial sediments or Monterey Formation deposits, a paleontological monitor shall be present to monitor earthmoving capabilities and direct the handling and disposition of any resources identified. With the incorporation of Mitigation Measures 4-1 and 4-2, the Final EIR determined that impacts to archaeological and paleontological resources would be less than significant.

Proposed Project – Summary of Impacts

As outlined above, no archaeological or paleontological resources are known to exist on Lot 7 or the overall Crummer site. Installation of asphalt surfacing, a temporary skate park and drop-off/pick-up area on Lot 7 will require approximately 600 cubic yards of grading to level the site for the proposed uses. This amount of grading is considered minimal and is not expected to expose archaeological or paleontological resources. Nonetheless, because there is a small chance that grading activities could uncover resources, Mitigation Measures 4-1 and 4-2 would apply to the *Proposed Project* requiring monitoring during earthmoving activities and the appropriate handling of any resources. With the incorporation of Mitigation Measures 4-1 and 4-2, impacts to archaeological and paleontological resources would be less than significant.

E. Geology and Soils

Approved Project – Summary of Impacts

The 2012 Initial Study prepared in advance of the Final EIR determined that the *Approved Project* would not have the potential to impact most of the geology and soils factors addressed under CEQA. However, the Final EIR determined that the *Approved Project* had potential impacts related to geology and soils and on Lots 1 through 6; no impacts were identified on Lot 7. Impacts included potential slope instability and soil erosion on sloping areas and the potential for the OWTS on Lot 6 to contaminate groundwater and contribute to slope instability. Mitigation Measures 5-4, 5-5 and 5-6 requiring geotechnical setbacks, City approvals and conformance with geotechnical recommendations were included which would mitigate impacts below significance.

Proposed Project – Summary of Impacts

The Final EIR did not identify any potential impacts related to geology and soils on Lot 7. The *Proposed Project* includes 600 cubic yards of cut to level the site. Improvements would include the laying of asphalt and the installation of a temporary skate park and drop-off/pick-up area, but no habitable or permanent structures would be developed on Lot 7. As there are no known geology or soils issues on Lot 7 and no habitable or permanent structures would be constructed onsite, the *Proposed Project* would have a less than significant impact related to geology and soils and Mitigation Measures 5-4, 5-5 and 5-6 would not apply.

F. Greenhouse Gas Emissions

Approved Project – Summary of Impacts

The earth's atmosphere is a collection of atmospheric gases, known as greenhouse gases (GHGs) that trap a sufficient amount of solar energy to keep the global average temperature in a suitable range. These gases, mainly water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃) and chlorofluorocarbons (CFCs) all act as effective global insulators, reflecting back to earth visible light and infrared radiation. Human activities such as producing electricity and driving vehicles have contributed to the elevated concentration of these gases in the atmosphere. This, in turn, is causing the earth's temperature to rise. A warmer earth may lead to changes in rainfall patterns, much smaller polar ice caps, a rise in sea level, and a wide range of impacts on plants, wildlife, and humans.

The Final EIR determined that the residential and recreational uses included in the *Approved Project* would generate direct and indirect GHG emissions during construction and operation. GHGs would be generated by construction equipment, vehicles, energy consumption, water and wastewater generation, and waste disposal sources. However, these sources would generate a nominal amount of GHG emissions and would not exceed SCAQMD's screening threshold of 3,000 metric tons per year. In addition, since the *Approved Project* was consistent with the General Plan, it would not conflict with plans adopted for the purpose of reducing greenhouse gas emissions. Thus, the Final EIR determined that the *Approved Project* would have a less than significant impact related to GHG emissions.

Proposed Project – Summary of Impacts

The *Proposed Project* involves the development of a temporary skate park and related facilities consistent with what was contemplated as part of the EIR. The use as anticipated by the *Approved Project*

would be consistent with the General Plan and would not conflict with plans adopted for the purpose of reducing GHG emissions. Like the *Approved Project*, the *Proposed Project* would generate a nominal amount of GHG emissions during construction and operation. However, emissions from the project would not exceed SCAQMD's screening thresholds. In addition, the skate park use would generate the same number of vehicle trips as those analyzed for the skate park under the *Approved Project* and thus the same vehicular GHG emissions. The size of the proposed skate park and the skate park studied as part of the EIR are similar. Thus, like the *Approved Project*, the *Proposed Project* would have a less than significant impact related to GHG emissions.

G. Hazards and Hazardous Materials

Approved Project – Summary of Impacts

The Final EIR identified that the entire City of Malibu is in a very high fire hazard severity zone (VHFHSZ) and that the *Approved Project* would place residences and recreational uses in a setting that could be impacted by wildland fires. The *Approved Project* included standard fire prevention measures, as well as the requirement for a fire protection plan which evaluates the project's vulnerability to fires and identifies fire prevention measures. However, even with these measures, the Final EIR identified that the *Approved Project* would have a potentially significant impact regarding fire risk to residences and future recreational uses.

The Final EIR also evaluated the *Approved Project's* impact on the response capability of Los Angeles County Fire Department (LACFD) fire stations. The *Approved Project* would generate a minimal increase in fire service demand due to the small number of new structures and people living in or using the area. However, this incremental increase in demand, when coupled with other projects in the area, could have a cumulatively significant impact on fire response services.

In order to mitigate the identified impacts to fire risk and fire response services, the Final EIR included Mitigation Measures 7-1, 7-2, 7-3 and 7-4 which are outlined in Appendix A. The Mitigation Measures primarily relate to fire protection measures around the five single-family residential structures on Lots 1 through 5 including providing clear spaces around buildings, adequate turnaround spaces, fire equipment access, adequate fire flow and a financial contribution for fire protection facilities. Other measures related to maintaining access to fire hydrants as well as maintaining access throughout the site during construction. With the incorporation of Mitigation Measures 7-1 through 7-4, the Final EIR determined that impacts related to wildfire and fire response services would be less than significant.

Proposed Project – Summary of Impacts

As previously identified, the *Proposed Project* would include the development of a temporary skate park and related facilities on Lot 7 of the Crummer Site Subdivision project site. The project would include paving, above-ground skate park elements, street improvements and minimal landscaping. The potential fire risk associated with the *Proposed Project* would be low. Nonetheless, the project would increase the use of the site which could generate an incremental increase in calls for fire response. The *Proposed Project* would be required to adhere to those portions of Mitigation Measure 7-1 applicable to Lot 7 including maintaining access through the site during construction and maintaining access to fire hydrants. The other mitigation measures are not applicable. With the incorporation of the applicable measures from 7-1, impacts related to wildfire and fire response services would be less than significant.

H. Hydrology and Water Quality

Approved Project – Summary of Impacts

The project site does not lie within a 100-year flood zone. As such, the Final EIR determined that the *Approved Project* would have no impacts related to 100-year flood hazards or levee/dam failure and would not impede or redirect flood flows. Regarding water quality, during construction and operation, development projects have the potential to degrade water quality through sheet erosion of exposed soils and subsequent deposition of particles and pollutants in drainage areas. However, standard conditions approval require preparation of a Stormwater Pollution Prevention Plan (SWPPP) and the incorporation of best management practices (BMPs) such as the use of gravel bags, stormwater basins and waste management practices to minimize stormwater pollution. Thus, the Final EIR determined that the *Approved Project* would have a less than significant impact regarding water quality.

The Final EIR also determined that the *Approved Project* would generate increased runoff from urban surfaces which could increase the intensity of flooding and erosion and have a potentially significant impact. However, detention tanks will be installed on each residential lot and beneath the private street to ensure that peak flows during storm events will not exceed predevelopment peak flows. Mitigation Measure 8-1 requires that the tanks be installed and maintained to acceptable standards, and that BMPs be incorporated to minimize stormwater pollution. With the incorporation of Mitigation Measure 8-1, the Final EIR determined that the *Approved Project* would have a less than significant impact.

Proposed Project – Summary of Impacts

During construction of the temporary skate park and drop-off/pick-up area, BMPs including sandbags and silt fencing would be installed to reduce and filter runoff from the site and minimize stormwater pollution. The project does not include any plumbing fixtures or irrigation. During operation, the project would not include the use of any potable or non-potable water and thus would not contribute to runoff, erosion or flooding. Thus, the *Proposed Project* would have a less than significant impact related to hydrology and water quality.

I. Land Use and Planning

Approved Project – Summary of Impacts

The Final EIR determined that the *Approved Project*, including recreational uses on Lot 7, were consistent with the Planned Development (PD) designation of the Malibu General Plan, Zoning Ordinance and Local Coastal Program (LCP). In addition, the project was determined to be consistent with applicable goals and policies of the General Plan, and the development regulations of the Zoning Ordinance. Thus, the Final EIR determined that the *Approved Project* would have a less than significant impact related to land use and planning.

Proposed Project – Summary of Impacts

The *Proposed Project* is consistent with the *Approved Project* in that it includes a temporary skate park on Lot 7. Both the CDP for the subdivision and the EIR identified Lot 7 as a prospective skate park or other recreational use. In addition, the project is consistent with the Malibu General Plan, Zoning Ordinance and LCP's PD designation, as well as General Plan policies and Zoning Ordinance development

regulations. As such, the *Proposed Project* would have a less than significant impact related to land use and planning.

J. Noise

Approved Project – Summary of Impacts

The Final EIR examined whether construction and operation of the *Approved Project* would have a significant noise and/or vibration impact at sensitive receptors on and off-site. The EIR identified that noise would be generated during construction of the Crummer Site Subdivision by vehicles and equipment. However, construction noise and vibration would not exceed acceptable City standards and would have a less than significant impact. During long term operation of the site, noise would be generated primarily by vehicles accessing the site, as well as by mechanical equipment, the OWTS and recreational uses. The EIR included an analysis of both a baseball field on Lot 7 as well as a skate park up to 12,500 square feet in size which would be open only during daylight hours. The Final EIR concluded that long term operation of the *Approved Project*, including either a baseball field or skate park, would not cause noise levels to exceed acceptable thresholds. Thus, the Final EIR concluded that the *Approved Project* would have a less than significant impact related to noise.

Proposed Project – Summary of Impacts

The *Proposed Project* would include a 12,320-square-foot temporary skate park that would be operational for approximately 24 to 30 months while a permanent facility is designed and constructed. The temporary facility would be similar to the conceptual skate park evaluated in the Final EIR in that it would be of similar size (12,320 vs. 12,500 square feet) and would be open only during daylight hours. Thus, the determination made in the Final EIR that a skate park on Lot 7 would have a less than significant impact related to noise would also apply to the *Proposed Project*.

K. Transportation and Traffic

Approved Project – Summary of Impacts

The Final EIR examined the impact of the Crummer Site Subdivision on existing and future traffic volumes and levels of service and examined whether the project would create unsafe traffic conditions or interfere with emergency access and operations. The EIR included an analysis of both the baseball field and 12,500-square-foot skate park on Lot 7. In addition, the EIR examined whether the *Approved Project* would have adequate parking under both the baseball field and skate park options.

The Final EIR concluded that the baseball field option could have potentially significant impacts on both traffic and parking due to a large number of vehicles projected to travel to Bluffs Park for baseball games and other events. The Final EIR included Mitigation Measure 11-1 requiring improvements to the Malibu Canyon Road/PCH intersection which have been implemented by the developer. In addition, Mitigation Measure 11-2 for the baseball field option required preparation of a parking management plan to ensure there would be adequate parking during baseball and other events.

For the skate park option, the Final EIR concluded the project would have a less than significant impact on traffic and parking. With a peak use of 20 persons at any given time, there would be a limited number of vehicles traveling to the site which would not affect roadway or intersection conditions. Likewise, the skate park option was determined to have a maximum parking need of 10 vehicles based on an

assumption of two persons per vehicle which could be more than accommodated by the proposed parking lot. Thus, the Final EIR determined that the *Approved Project* with the skate park option would have a less than significant impact and no mitigation was required for this option.

Proposed Project – Summary of Impacts

The *Proposed Project* would construct a temporary skate park on Lot 7 with the same size and operational parameters as the skate park examined in the Final EIR. It is anticipated that the temporary skate park would remain in place for approximately 24-30 months until a new permanent skate park is operational at which time it would be converted to a parking lot. The *Proposed Project* would have the same effect on traffic as the *Approved Project* with the skate park option which was determined to be less than significant by the Final EIR.

During operation of the temporary skate park, two handicapped parking spaces would be available in the drop-off/pick-up area as well as 40 unstriped parking spaces in the eastern portion of the site adjacent to the planned permanent skate park. This amount of parking would exceed the 10 spaces anticipated to be needed for the *Proposed Project* and a less than significant parking impact would result. With respect to short-term construction traffic, the City's Public Works Department does not expect the amount of truck traffic associated with construction activities to have an impact on the local and surrounding road system. A standard project condition for a construction management plan will ensure traffic impacts are minimized and less than significant.

L. Recreation

Approved Project – Summary of Impacts

The Final EIR identified that, based on an average household size of 2.87 people, the addition of five single family homes with the *Approved Project* could increase the population of the City by 15 people. The EIR determined that the minor increase in population would not cause a significant strain on recreational facilities in the City of Malibu. Nonetheless, the project also included the dedication of the 1.74-acre Lot 7 to the City of Malibu for the future expansion of Bluffs Park. The type of use of Lot 7 was not precisely determined at the time; however, the EIR examined the use of the site as a baseball field or a skate park with ancillary uses such as parking, public seating and picnic tables. The EIR determined that the development of such uses on the site would not adversely impact the environment and would in fact benefit the City by providing additional park land, active recreation space, and vehicle parking.

Proposed Project – Summary of Impacts

The *Proposed Project* would develop a temporary skate park, drop-off/pick-up area and parking areas. The temporary skate park would be in place for approximately 24-30 months while a permanent skate park is developed and would then be converted to a parking lot. The project is consistent with the *Approved Project* which anticipated a skate park and related facilities on the subject site. The project would not adversely impact the environment and would benefit the City by providing additional park land, active recreation space and parking. Thus, like the *Approved Project*, the *Proposed Project* would have a less than significant impact related to recreation.

V. Conclusion

The *Proposed Project* would not create any new significant impacts or increase the severity of any impacts as compared to those identified in the Final EIR. In addition, no new information of substantial importance was identified that would substantially reduce one or more significant effects of the project and no new mitigation measures were identified that would further reduce impacts identified in the Final EIR. Therefore, in accordance with CEQA Guidelines Section 15164 and Section 15162, an addendum is the appropriate environmental document under CEQA for the *Proposed Project*.

VI. References

City of Malibu. Addendum (No. 1) to the Crummer Site Subdivision Final Environmental Impact Report. May 2016.

City of Malibu. General Plan. November 1995.

City of Malibu. Local Coastal Program Land Use Plan and Local Implementation Plan. September 13, 2002.

City of Malibu, Zoning Ordinance.

The Planning Center/DC&E. Final Environmental Impact Report for Crummer Site Subdivision. December 2013.

APPENDIX A

Mitigation Monitoring and Reporting Program

Mitigation Monitoring Report

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature and Date of Compliance Required)
5.2 AIR QUALITY				
2-1 The construction contractor shall implement the following measures to reduce construction exhaust emissions during grading and construction activities: <ul style="list-style-type: none"> ▪ The construction contractor shall ensure that all construction equipment is properly serviced and maintained to the manufacturer's standards to reduce operational emissions. ▪ The construction contractor shall limit nonessential idling of construction equipment to no more than five consecutive minutes. ▪ Where feasible, use haul trucks with engines that are 2010 or newer for soil import and export activities. ▪ The construction contractor shall limit soil hauling activities associated with the site grading phase to a maximum of 38 trucks per day (76 one-way soil haul trips per day for haul trips). ▪ The construction contractor shall use USEPA-rated Tier 3 construction engines for equipment rated at 50 horsepower or greater for general site grading activities. Tier 3 engines between 90 and 750 horsepower are available for 2006 to 2008 model years. ▪ A list of construction equipment by type and model year shall be maintained by the construction contractor onsite. <p>These requirements shall be noted on all construction management plans and verified by the City of Malibu during site grading activities.</p>	Construction Contractor	Prior to issuance of grading permits		
5.3 BIOLOGICAL RESOURCES				
3-1 (a) A focused survey for Braunton's milk-vetch shall occur prior to the issuance of a grading permit. The focused survey shall occur within on-site suitable habitat (i.e., mixed sage scrub and coastal sage chaparral scrub) that may be disturbed as a result of the proposed project implementation, during the typical blooming period (February through July). This survey shall be conducted in accordance with the methodologies used for performing focused plant surveys per the CDFG's 2000 <i>Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Plant Communities (Guidelines)</i> , and the CNPS's 2001 <i>Botanical Survey Guidelines of the California Native Plant Society</i> . In the event that Braunton's milkvetch are discovered during focused preconstruction surveys, a translocation plan shall be developed by a biologist familiar with the ecology of the species and the plan would be approved by the U.S. Fish and Wildlife Service prior to issuance of grading permit.	Project Applicant	Prior to issuance of grading permits	City Biologist	

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Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	
<p>(b) Certain ornamental plants are known to escape from planted areas and invade into native plant communities. In order to protect established native plant communities located in the vicinity, the plants listed in Table 14 of the Biological Resource Study prepared by Impact Sciences, Inc., in 2008 for the proposed project shall not be planted within the project site. This list shall also be distributed to new homeowners and included within any covenants, conditions, and restrictions. The landscaping plans within common areas of the project shall be reviewed by a qualified botanist who shall recommend appropriate provisions to prevent other invasive plant species from colonizing remaining onsite or adjacent natural areas. These provisions may include the following: (a) review and screening of proposed plant palette and planting plans to identify and avoid the use of invasive species; (b) weed removal during the initial planting of landscaped areas; and (c) monitoring for and removal of weeds and other invasive plant species as part of ongoing landscape maintenance activities. The frequency and method of monitoring for invasive species shall be determined by a qualified botanist. In addition, the homeowner's association shall provide homeowners with the list entitled "City of Malibu Non-Native Invasive Plants Prohibited in Landscape Plans" which is maintained by the City of Malibu and can be found on the City's website.</p> <p>(c) Seeded areas shall be irrigated with temporary overhead irrigation until plants have established as determined by a qualified biologist.</p>				
<p>3-2 The City of Malibu Native Tree Protection Ordinance requires that mitigation and maintenance measures be developed to preserve the six Southern California black walnut trees located on the project site. The Protected Tree Report released in June 2008 by Impact Sciences, Inc., includes suggested mitigation measures. The proposed project shall comply with all mitigation measures contained in the 2008 Protected Tree Report. These measures include the installation of protective fencing around the black walnut trees for the duration of construction and limits on grading activities which can be performed near the protected trees, among others. The mitigation measures included in the Protected Tree Report also require maintenance and monitoring of the trees. The report requires that many of the mitigation measures be approved by a City-approved arborist. After the completion of construction, a monitoring report would be required. Should the monitoring report determine that any protected trees were impacted, counter-measures, including the planting of replacement trees, would be required.</p>	Construction Contractor	Prior to issuance to of grading permits	City Biologist	

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Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature and Date of Compliance Required)
<p>3-3 (a) To avoid impacts to native nesting birds, the applicant and/or its contractors shall retain a qualified biologist (with selection to be reviewed by the City) to conduct nest surveys in potential nesting habitat within the project site prior to construction or site preparation activities. Specifically, within 30 days of ground disturbance activities associated with construction or grading, a qualified biologist shall conduct weekly surveys to determine if active nests of bird species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone or within a distance determined by CDFG or the City of Malibu biologist. Because many birds known to use the project area (including Anna's hummingbird, Cooper's hawk, and loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both during the typical nesting/breeding season (mid-March through September) and in January and February. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground disturbance activities are delayed, additional pre-construction surveys will be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbance activities. Surveys shall include examination of trees, shrubs, and the ground within grassland for nesting birds, as several bird species known to occur in the area are shrub or ground nesters, including (but not limited to) California horned lark, kill deer, and mourning dove.</p> <p>(b) If active nests are found, clearing and construction activities within a buffer distance determined by CDFG or the City of Malibu biologist, shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting during the same year. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts to these nests will occur. The results of the survey, and any avoidance measures taken, shall be submitted to the City of Malibu within 30 days of completion of the pre-construction surveys and construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.</p>	Construction Contractor	Prior to issuance to of grading permits	City Biologist	

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1. Executive Summary

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Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	
5.4 CULTURAL RESOURCES				
<p>4-1 For adequate coverage and the protection of potentially significant buried resources, a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738-39) shall be retained by the applicant to monitor all ground-disturbing activities, including but not limited to all grading, excavation, and site preparation. The project archaeologist shall have the authority to halt any activities adversely impacting potentially significant resources. Any significant archaeological resources found shall be preserved as determined necessary by the project archaeologist and offered to the South Central Coastal Information Center at California State University, Fullerton or repository willing to accept the resource. Any resulting reports shall also be forwarded to the South Central Coastal Information Center at California State University, Fullerton.</p> <p>Should paleontological soils be uncovered during grading, a paleontological monitor shall also be retained by the applicant, upon the archaeological monitor's request, to oversee ground-disturbing activities, including but not limited to all grading, excavation, and site preparation. The paleontological monitor shall have the authority to halt any activities adversely impacting potentially significant resources. Should fossil-bearing formations be uncovered, the monitor shall professionally collect any specimens without impeding development. Any paleontological artifacts recovered shall be preserved, as determined necessary by the project paleontologist, and offered to an accredited and permanent scientific institution for the benefit of current and future generations. This mitigation measure shall also apply to trenching for utilities, geological testing, and any other ground-disturbing activities associated with the proposed project.</p>	Project Applicant	Prior to issuance to of grading permits	City Planning Department	
<p>4-2 A Native American Monitor of Chumash descent shall be retained to monitor all ground-disturbing activities, including but not limited to all grading, excavation, and site preparation. Any artifacts recovered shall be curated at the South Central Coastal Information Center at California State University, Fullerton, the designated repository for Los Angeles, Ventura, and Orange Counties. The extent and duration of the archaeological monitoring program shall be determined in accordance with the proposed grading or demolition plans. If human remains are uncovered, the Los Angeles Coroner, Native American Heritage Commission, local Native American representatives, and archaeological monitor shall determine the nature of further studies, as warranted and in accordance with Public Resources Code 5097.98 and the City's standard conditions of approval. This mitigation measure shall also apply to trenching for</p>				

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Mitigation Monitoring Report				
Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature and Date of Compliance Required)
utilities, geological testing, and any other ground-disturbing activities associated with the proposed project.				
5.5 GEOLOGY AND SOILS				
5-1 The proposed project shall be constructed in accordance with the geotechnical engineering recommendations as presented in the Leighton and Associates, Inc., Feasibility-Level Grading Plan Review, Proposed Malibu Bluffs Development: 5-Lot Subdivision, "The Crummer Site", APN 4458-018-019, 24200 Pacific Coast Highway, City of Malibu, California, as well as any subsequent documents, including responses to City comments. These recommendations address site preparation, excavation, fill placement and compaction, foundation design, and site drainage, among other topics.	Project Applicant	Prior to issuance to of grading permits	City Geologist	
5-2 (a) The planned community's covenants, conditions, and restrictions (CC&Rs) shall include protocols for proper maintenance of the slopes and prompt restoration following heavy precipitation events and/or fires. (b) Excavating and cutting into the slopes or removal of slope failure debris by the tenants or one or more future property owners without prior approval from a geotechnical engineer shall be prohibited by the covenants, conditions and restrictions for the proposed development. This information shall also be recorded against the title of each residential property. The services of such a geotechnical engineer shall become necessary should a slope excavation be a desired, planned activity proposed by one or more property owners, or in response to unforeseen slope failure, such as sloughing in the aftermath of heavy rain.				
5-4 (a) The proposed onsite wastewater treatment system shall be installed in accordance with the geotechnical engineering recommendations as presented in the Geotechnical Evaluation of Proposed Onsite Wastewater Treatment System, Proposed Residential Development "Crummer Site", 24200 Pacific Coast Highway, APN 4458-018-019, City of Malibu, California, as well as any subsequent documents, including responses to City comments. These recommendations address site preparation, excavation, fill placement and compaction, foundation design, and site drainage, among other topics.	Project Applicant	Prior to issuance to of grading permits	City Environmental Health Administrator	

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Mitigation Monitoring Report

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature and Date of Compliance Required)
<p>(b) The Applicant shall obtain final construction plan approval for the proposed onsite wastewater treatment systems from the City Environmental Health Administrator. The final design must be engineered to meet the effluent limits specified in waste discharge requirements, and requirements of the Regional Water Quality Control Board and the United States Environmental Protection Agency.</p> <p>(c) The proposed onsite wastewater treatment system shall not be installed within the structural setback zone as presented in the Leighton and Associates, Inc., Feasibility-Level Grading Plan Review, Proposed Malibu Bluffs Development: 5-Lot Subdivision, "The Crummer Site", APN 4458-018-019, 24200 Pacific Coast Highway, City of Malibu, California.</p>				

5.7 HAZARDS AND HAZARDOUS MATERIALS

<p>7-1 In addition to compliance with existing requirements and standards of the Los Angeles County Fire Department (LACFD), the proposed project must comply with all requirements detailed in letters dated March 16, 2012, from the LACFD, included in Appendix L of the Draft EIR. Where the two letters differ, the more conservative approach shall be taken. The letters include the following requirements, among others:</p> <ul style="list-style-type: none"> ▪ For Lot 1 and 5 the circular turnaround shall remain clear and unobstructed. No plantings, fountains, or other features shall be allowed; ▪ For Lot 2 the circular turnaround drive aisle shall be maintained at a minimum 20 feet in width with 32 feet on centerline turning radius. If landscaping or other features are to be located in the center, they must not encroach into the drive aisle. ▪ Provide evidence from a certified civil engineer that the "bridge" feature on Lot 5 shall support the minimum weight capacity of 75,000 pounds to accommodate fire apparatus. Once the "bridge" is installed, provide recertification prior to occupancy from a certified civil engineer that the "bridge" will support a minimum of 75,000 pounds. The width of 15 feet shall be maintained clear and unobstructed for the "bridge" portion of the fire department access. ▪ Emergency access for firefighter pedestrian use shall be extended to all exterior walls of all proposed structures within the subdivision. Additional walking access shall be reviewed and approved by Fire Prevention Engineering prior to building permit issuance. ▪ Department access shall be extended to within 150 feet distance of any exterior portion of all structures. ▪ Access shall comply with Section 503 of the Fire Code, which requires all-weather access. 	Project Applicant	Prior to issuance to of grading permits	City Public Works Department and Los Angeles County Fire Department (LACFD)	
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Mitigation Monitoring and Reporting Program

Mitigation Monitoring Report				
Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature and Date of Compliance Required)
<p>All-weather access may require paving.</p> <ul style="list-style-type: none"> ▪ Where driveways extend farther than 150 feet and are of single-access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed, and maintained to ensure their integrity for fire department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length. ▪ Private driveways shall be indicated on the final map as "Private Driveway and Fire Lane," with the widths clearly depicted, and shall be maintained in accordance with the Fire Code. All required fire hydrants shall be installed, tested, and accepted prior to construction. ▪ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction. ▪ Prior to occupancy, provide street signs and building access numbers as approved by the Fire Department or City. ▪ Provide water mains, fire hydrants, and fire flows as required by the County of Los Angeles Fire Department for all land shown on map which shall be recorded. ▪ The required fire flow for public fire hydrants at this location is 1,375 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. Hydrant(s) flowing simultaneously may be used to achieve the required fire flow. ▪ Three private fire hydrants shall be installed onsite. The required fire flow for private onsite hydrants is 1,375 gallons per minute at 20 psi. ▪ The required fire hydrants shall be installed, tested, and accepted or bonded for prior to Final Map approval. ▪ Vehicular access must be provided and maintained serviceable throughout construction; ▪ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process. ▪ Per the County of Los Angeles Water Works 29, the Fire Flow Availability form dated March 30, 2012, indicates adequate flow from the existing public fire hydrant on Winter Mesa Drive. All required fire hydrants shall measure 6 inches x 4 inches x 2-1/2 inches, brass or bronze, conforming to current AWWA standard C503 or approved equal and meet the required fire flow requirements (1,375 gallons per minute at 20 psi). <p>7-2 The proposed project shall comply with all recommendations contained in the fire protection plan and in the fuel modification plan prepared for the proposed project. Compliance with the fire protection plan and fuel modification plan would reduce the vulnerability of the proposed</p>				Resolution No. 14-11 Page 74 of 76

Mitigation Monitoring and Reporting Program

Mitigation Monitoring Report				
Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature and Date of Compliance Required)
5.11 TRANSPORTATION/TRAFFIC				
11-1 Prior to obtaining the last Building Permit for the recreational facilities, the City Public Works Department shall construct the following improvements at the intersection of Malibu Canyon Road/PCH if a ballfield is proposed on Lot 7: <ul style="list-style-type: none"> ▪ Re-stripe the existing southbound through plus left-turn lane on Malibu Canyon Road (at its intersection with Pacific Coast Highway) to a through plus left- and right-turn lane. ▪ Either modify the existing traffic signal to remove the right-turn overlap phase to a standard right-turn-on-red (RTOR) permissive phase resulting in LOS E at 0.928 V/C OR; ▪ Keep right turn overlap phase for existing #2 (outside) dedicated right-turn lane on Malibu Canyon Road (at its intersection with Pacific Coast Highway) resulting in LOS E at 0.902 V/C. 	City Public Works Department	Prior to recordation of final map	City Public Works Department	
11-2 Prior to obtaining the last Building Permit for the recreational facilities, the City Parks and Recreation Department shall prepare and implement a Parking Management Plan that demonstrates that adequate onsite and/or offsite parking shall be provided during special events and/or other times when it is anticipated that Malibu Bluffs Park would operate at over-capacity conditions relative to parking demand. The Parking Management Plan shall preclude the use of the proposed baseball field when Malibu Bluffs Park would operate at over-capacity conditions relative to parking demand. In addition, the Parking Management Plan will require the City Parks and Recreation Department to schedule baseball games with at least a half-hour to 45 minute interval between games so that the parking demand of two consecutive games would not overlap. To accommodate this longer interval between games, less than 10 games per day would be permitted	Project Applicant	Prior to issuance of building permits	City Parks and Recreation Department	

Resolution No. 14-11
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City of Malibu

MEMORANDUM

To: Bonnie Blue, Planning Director

From: Jesse Bobbett, Community Services Director

CC: Rob Duboux, Public Works Director
Jorge, Rubalcava, Associate Civil Engineer
Richard Mollica, Assistant Planning Director
Jessica Thompson, Associate Planner

Date: December 11, 2019

Re: Crummer/Case Property Proposed Use –Temporary Skate Park and Asphalt Lot

RECEIVED
DEC 17 2019
PLANNING DEPT.

Project Description: The City would construct a 24,176-square foot asphalt lot on the west and middle portions of the 75,000-square foot Crummer/Case Property adjacent to Malibu Bluffs Park. The west portion of the asphalt lot would accommodate a 12,320-square-foot above-ground Temporary Skate Park, including various transition and street-style obstacles (Elements). The middle portion of the asphalt lot would be used as a Drop Off/Pick Up Area with walking lanes and handicap parking (Attachment 1).

The Temporary Skate Park would be constructed and open to the public during the design and construction of a Permanent Skate Park on the east portion of the Crummer/Case Property. The Permanent Skate Park would take 24-30 months to complete, with an anticipated completion date of June 2022.

Once completed, the asphalt lot would become the parking area for the permanent skate facility.

Construction Materials: Asphalt, wood, steel, poured-in-place concrete, and SkateLite (or substantially similar surface).

The base for the Temporary Skate Park and Drop-Off/Pick-Up Area would be constructed of asphalt.

The Temporary Skate Park Elements such as the mini-bowl, ramps, and fun box would be constructed from wood, with a concrete and SkateLite skate surface. SkateLite is a durable paper-composite material designed to provide a smooth, durable

skate surface for the Elements. Other smaller elements such as the grind rails will be made from steel.

Use and Hours of Operation: The anticipated user groups would include youth and adult skateboard, bicycle, and inline-skate participants with skill levels ranging from beginner to professional.

The hours of operation would be 8:00 a.m. to Sunset or 7:00 p.m. (whichever is earlier), seven days a week, excluding holidays.

Features/Layout: The Temporary Skate Park would be built at and below the existing structures surrounding the property to reduce visual and acoustic impacts. The features of the Temporary Skate Park would include ramps, bowls, ledges, rails, and handrails.

Associated Improvements: The asphalt lot and Temporary Skate Park would be constructed with supporting site improvements including benches, six foot tall, view permeable chain link fencing, trash receptacles, and minor landscaping. The chain link fencing would surround the Temporary Skate Park and the existing concrete wall on the north side of the property. The chain link fencing would allow the City to prevent unauthorized access outside of the hours of operation and provide a barrier between the Crummer/Case Property and the concrete wall.

Employees: The Temporary Skate Park would be classified as an unsupervised skate park. Community Services Department staff would not be on-site at all times during the hour of operations. Staff from the nearby Michael Landon Center visit the Temporary Skate Park six to eight times daily to monitor activity.

Anticipated Capacity: Peak Use (weekday afternoons and weekends) attendance would typically range from 15-50 active users. Non-Peak Use (weekday mornings) attendance would typically range from 1-20 active users.

Maximum Capacity: The maximum capacity of the Temporary Skate Park would be 50 active users and 20 non-active users.

City Programs: The Community Services Department would host one class quarterly with up to 25 participants, one summer camp annually with up to 30 participants, and one skate event annually with up to 50 participants.

ATTACHMENTS:

1. Proposed Project Layout



City Of Malibu
 23825 Stuart Ranch Road
 Malibu, CA 90265
 Phone (310) 456-2489
 www.malibucity.org

**PLANNING DEPARTMENT
 NOTICE OF PUBLIC HEARING**



NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, February 3, 2020, at 6:30 p.m.** in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.

COASTAL DEVELOPMENT PERMIT NO. 19-083 AND CONDITIONAL USE PERMIT NO. 19-010 - An application for a new 24,176 square foot paved area at Malibu Bluffs Park, to be located on Lot 7 of the Case Project (formerly known as the Crummer Project), consisting of a 12,320 square foot temporary skate park, with minor landscaping, and a parking area for approximately 40 cars, including a conditional use permit to allow for the associated required parking development. The project is designed consistent with the project evaluated in the Final Environmental Impact Report (EIR) for the Crummer Site Subdivision.

LOCATION / APNs: 24250 Pacific Coast Hwy / 4458-018-907 and 4458-018-906
ZONING: Public Open Space (OS) and Planning Development (PD)
APPLICANT / OWNER(S): City of Malibu / City of Malibu
APPEALABLE TO: City Council
ENVIRONMENTAL REVIEW: Addendum to the Certified Final EIR for Crummer Site Subdivision (SCH No. 2008091155) CEQA Guidelines Section 15164 November 26, 2019
APPLICATION FILED: Jessica Thompson, Associate Planner, jthompson@malibucity.org
CASE PLANNER: (310) 456-2489, ext. 280

The final EIR was prepared and certified in accordance with CEQA to examine the potential environmental effects of the original project (Final EIR for the Crummer Subdivision). The City Council Certified the Final EIR on February 24, 2014, making the required findings under CEQA. An Addendum to the Certified Final EIR has been prepared in accordance with CEQA Guidelines Section 15164 to address the proposed temporary skate park project. The Addendum must be considered by the Planning Commission with the subject application for Coastal Development Permit No. 19-083.

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center: <http://www.malibucity.org/agendacenter>. Related documents are available for review at City Hall during regular business hours. You will have an opportunity to testify at the public hearing; written comments which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing.

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 245.

BONNIE BLUE, Planning Director

Date: January 9, 2020