# City of Malibu

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

## DETERMINATION OF COMMENCED CONSTRUCTION

The City of Malibu will not accept incomplete applications.

**Staff use only**

Determination of Commenced Construction No. _____

Pursuant to LIP Chapter 13.21, *"Unless the permit states otherwise, a Coastal Development Permit shall expire two years from its date of approval if the development has not commenced during that time."* The Community Development Director must review evidence, provided by the applicant, to make a determination if the project has commenced.

### To submit a Community Development Director Commencement Determination Request:

This Community Development Director project commencement determination request must be timely received by the Planning Division either in person, mail addressed to City of Malibu, Attn: Planning Division, 23825 Stuart Ranch Road, Malibu, CA 90265, or email to mplanning@malibucity.org.

The request letter must be received **PRIOR** to the expiration date listed on the City's final action such as the Notice of Decision or Planning Commission resolution.

**Project No.:** _____

**Site Address:** _____

***ALL of the following must be timely filed to complete a commencement determination request.***

1. **Community Development Director Commencement Determination Checklist** _____

   This form with property owner's signature

2. **Commencement Request Letter/Evidence** _____

   A letter and/or visual demonstrations setting forth due cause for the Community Development Director to grant the project commencement.

3. **Project Commencement Review Fee ($2,090)** _____
   * 3.9% Transaction Fee will apply
   * 2.9% +$0.30 for online transactions

4. **Property Owner's /Occupant's Information** _____

   Has the property owner or commercial occupant changed since the Planning Commission/ Community

   Development Director granted the approval or last extension? ☐ YES ☐ NO

   If **YES**, Change of Property Owner/Occupant Fee applicable.

Property Owner's mailing Address: _____

_____

Property Owner's telephone: _____

Property Owner's email address: _____

Occupant's mailing Address: _____

_____

Occupant's telephone: _____

Occupant's email address: _____

5. **Applicant's Information** _____

Has the applicant representing the owner changed since the Planning Commission's / Community Development Director's approval or since the issuance of the approval or last extension? ☐ YES ☐ NO

If **YES**, fill out the Authorization to Submit Project section of this form.

Applicant's mailing address: _____

_____

Applicant's telephone: _____

Applicant's email address: _____

## Indemnification Clause

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.

| PROPERTY OWNER SIGNATURE | PROPERTY OWNER NAME (PRINT) | DATE |
|---|---|---|

**AUTHORIZATION TO SUBMIT A PROJECT**

_____(print name) is authorized by me/us as the owner(s) of the property located at _____, to submit an application to and obtain permits from the City of Malibu Planning Division and to act on my/our behalf of the process that applicant. This authorization will be valid until revoked by me/us in writing.

This form must be notarized if not witnessed by City of Malibu staff.

**Witnessed by:**

**Dated: _____** _____

Witness Signature (Staff)

_____

Print Name

**I hereby certify that the Community Development Director Commencement Determination submittal contains all of the above items. I understand that if any of the items are missing or subsequently deficient, the commencement request shall be deemed to have been withdrawn and the project approval will expire. I acknowledge that the City strongly encourages me to immediately calendar the expiration date of this permit, that it is my responsibility to monitor its status and that the City has no ability to provide relief when a permit has expired.**

_____

Property Owner's Signature

_____ _____

Print Property Owner's Name Date