



Residential Development – Environmental Review

California Environmental Quality Act

The Planning Department is the lead department for environmental review at the City of Malibu and is responsible for ensuring that development applications comply with the California Environmental Quality Act (CEQA), as required. The Planning Department is responsible for coordinating environmental review on behalf of the project applicant / property owner.

CEQA is a state law which was enacted in 1970 for the protection of environmental resources. The basic purposes of CEQA are:

1. To inform the City decision makers and the public about the potential, significant environmental effects of a proposed project;
2. To identify the ways to avoid or reduce environmental damage;
3. To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures;
4. To publicly disclose the reasons for agency approval of projects with significant environmental effects;
5. To promote interagency coordination in the review of projects; and
6. To enhance public participation in the planning process.

However, CEQA exempts certain types of projects from environmental review because they have little potential to create environmental impacts. If the project is determined to be categorically exempt, staff will issue a Notice of Exemption. No further environmental review is required after this point.

The most frequently applied categorical exemptions for residential projects in the City are as follows:

- A. Emergency applications for failing onsite wastewater treatment systems, slope failures, etc.
- B. Existing Facilities: additions to existing residences, minor interior or exterior improvements, demolition of one residence or a small accessory structure, use of a residence as a day care, issuance of a conditional use permit
- C. Replacement or Reconstruction: onsite wastewater treatment systems, with no expansion of capacity
- D. New Construction: one new, single-family residence, one guest house, a four unit or smaller multi-family residence, new accessory structures including garages, carports, patios, swimming pools, fences
- E. Minor Alterations to Land: grading, landscaping, fuel modification for fire protection around a structure
- F. Minor Alterations in Land Use Limitations: minor lot line adjustments, lot mergers, encroachment permits

It is important to note that CEQA provides exceptions to these exemptions if the project has the potential to create significant environmental or cumulative impacts.

Typical residential projects which are not categorically exempt and require further environmental study are:

- A. Development of more than one residence by the same property owner.
- B. The subdivision of one property into two or more parcels.

- C. Projects which are located on sites containing hazardous materials (i.e. a former medical or gas station use), certain environmentally sensitive areas requiring restoration / habitat mitigation, or those which contain severe geological hazards or archaeological / culturally sensitive resources.
- D. Projects that have the potential to create significant population growth.

Please note that the examples provided are for informational purposes only. Specific site conditions may result in projects not being exempt from CEQA. For a complete listing of Categorical Exemptions from CEQA (Article 19) please visit:

http://ceres.ca.gov/ceqa/guidelines/15300-15333_web.pdf