



City of Malibu

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ONSITE WASTEWATER TREATMENT SYSTEM REDUCTION IN SETBACK POLICY

This Policy applies to projects where a reduction in the required setback, as listed in Malibu Municipal Code Chapter 15.42, has been requested by the applicant. All proposed reductions in setbacks from the onsite wastewater treatment system (OWTS) to structures and/or other features listed in Malibu Municipal Code Chapter 15.42, must be supported by letters from project consultants as applicable.

All proposed reductions in setbacks from the onsite wastewater treatment system to structures or other features less than those shown in MMC Chapter 15.42 must be supported by letters from the project consultants. The wastewater plans and the construction plans must be specifically referenced in all certification letters. The construction plans for all structures and/or buildings with reduced setback must be approved by City of Malibu Building Safety prior to Environmental Health final approval. The architectural and/or structural plans submitted for Building Safety plan check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. All plans must show the location of onsite wastewater treatment system components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

1. Structures – All proposed reductions in setback from the onsite wastewater treatment system to structures (i.e., setbacks less than those shown in Malibu Municipal Code, Chapter 15.42) must be supported by a letter from the project Structural Engineer and a letter from the project Soils Engineer (i.e., a Geotechnical Engineer or Civil Engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the onsite wastewater treatment system, and will not adversely affect the structural integrity of the structures for which the setback is reduced.
2. Buildings – All proposed reductions in setback from the onsite wastewater treatment system to buildings (i.e., setbacks less than those shown in Malibu Municipal Code, Chapter 15.42) also must be supported by a letter from the project Architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California licensed architect, then the required Architect's certification may be supplied by an Engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setback to the wastewater system; in this case the Engineer must include in the letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback(s), then the Architect (or Engineer) must provide associated construction documents for review and approval during Building Plan Check.

