

## CALIFORNIA COASTAL COMMISSION

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January 23, 1987

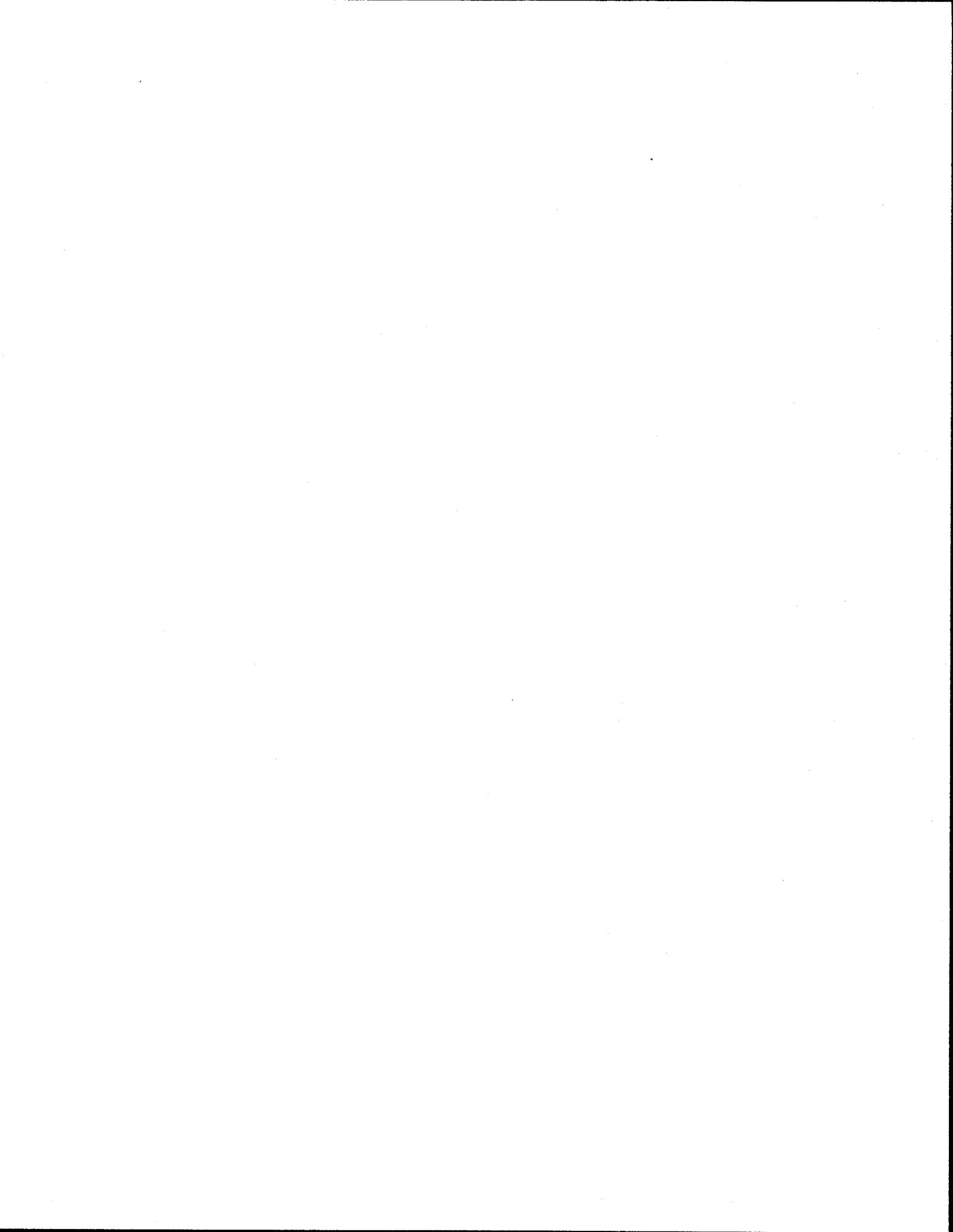
TO: Coastal Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director  
Tom Crandall, South Coast District Director  
Steve Scholl, Asst. Dep. Director for Land Use/Local Assistance

SUBJECT: MALIBU LAND USE PLAN POLICIES AND FINDINGS  
Los Angeles County Local Coastal Program  
(As certified by the Coastal Commission on December 11, 1986  
with findings adopted by the Commission on January 15, 1987)

NOTE: The revised Malibu/Santa Monica Mountains Land Use Plan (LUP) was submitted to the Coastal Commission in October, 1986. After a public hearing on December 11, 1987, the Commission certified the LUP as submitted by the County. On January 15, 1987, the Commission adopted findings in support of its certification of the LUP.

This document contains the Commission's findings for certification of the LUP and the text of the certified Land Use Plan policies. Not included here are certain Land Use Plan background materials and issue discussions which were included in the County's original submittal of December, 1982. Also not included are certain maps and exhibits which constitute a part of the Land Use Plan; these maps and exhibits are available at the Department of Regional Planning, Los Angeles County.



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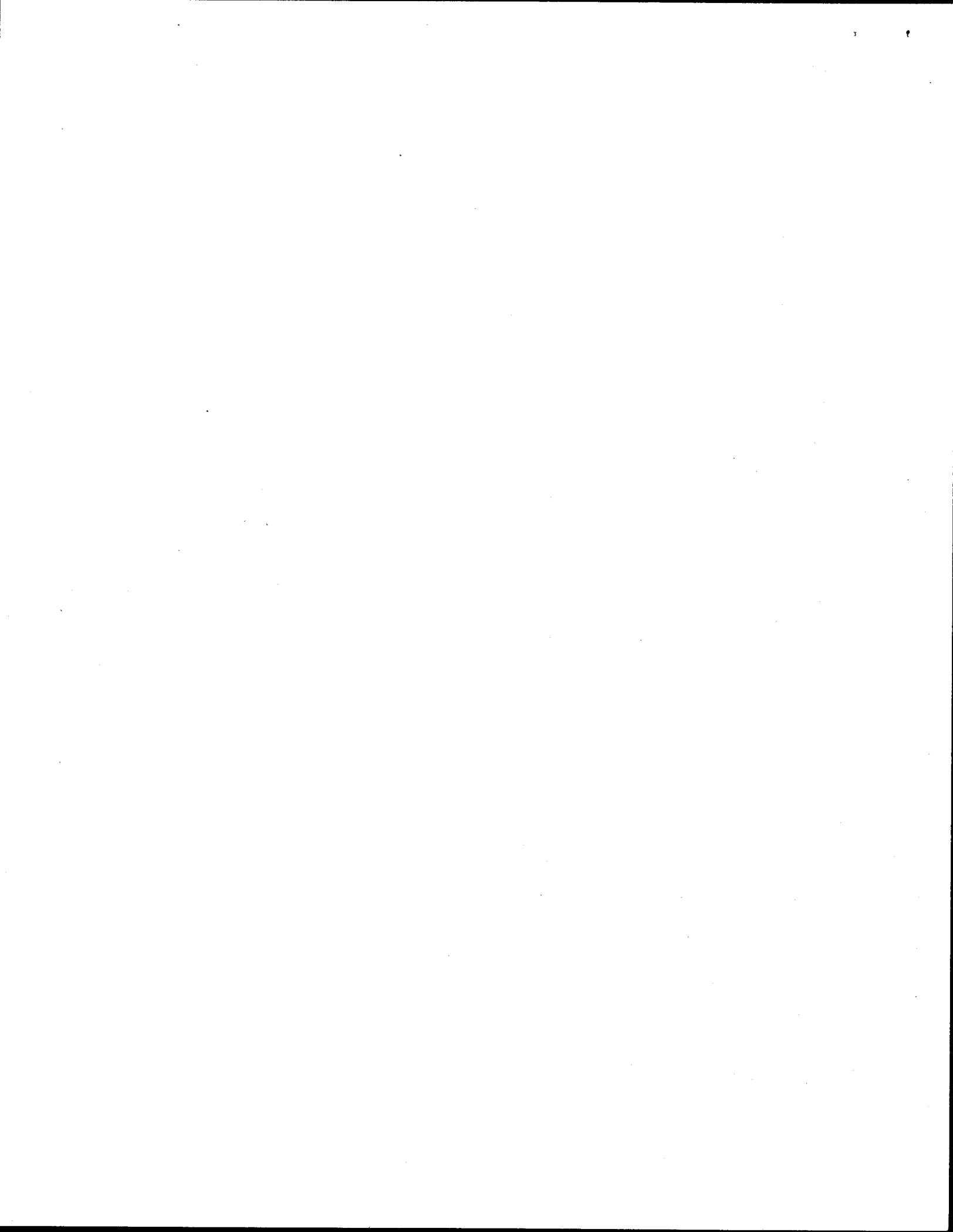
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## I. BACKGROUND.

The Malibu/Santa Monica Mountains Local Coastal Program (LCP) Land Use Plan (LUP) was submitted by Los Angeles County to the Coastal Commission in December, 1982. After a public hearing on March 24, 1983, the Commission found that the Land Use Plan as submitted raised substantial issues under the Coastal Act pursuant to Section 30512(a)(1). The Commission then denied the LUP. The denial was based on LUP policies in the following Coastal Act policy groups: Shoreline Access, Recreation, Development Intensities, Locating New Development, and Protection of Sensitive Habitat Areas.

Beginning in 1984, Coastal Commission staff worked with Los Angeles County staff and interested parties to prepare Suggested Modifications, which, if accepted by the local government, would result in certification of the LCP. Following two public meetings in 1984 and two public hearings on January 10 and June 13, 1985, the Commission adopted Suggested Modifications. Rather than respond to the Suggested Modifications directly, the County then resubmitted the original Malibu Land Use Plan to the Commission on August 22, 1985 in order to allow the Commission to hold yet another hearing on the matter and to consider revisions to the Suggested Modifications. Following a public hearing on November 19, 1985, the Commission denied the Land Use Plan as resubmitted and then approved Suggested Modifications to the Land Use Plan. Revised findings supporting approval with Suggested Modifications were adopted on December 18, 1985.

The Los Angeles County Regional Planning Commission conducted hearings on the LUP and the Suggested Modifications on March 31 and April 10, 1986 and recommended to the Board of Supervisors adoption of most of the modifications. The Board then conducted a public hearing on September 25, followed on October 7, 1986 by approval of the Malibu LUP, incorporating most of the modifications suggested by the Coastal Commission.

The revised LUP was submitted to the Coastal Commission in October, 1986. The Commission conducted a public hearing on December 11, 1986 and then approved the LUP as submitted.

## II. MEASURES TO MAXIMIZE PUBLIC PARTICIPATION.

In preparing the Malibu Land Use Plan, the County held five public workshops to solicit public opinion during June, July, and August of 1982. Each workshop dealt with different Coastal Act issues and was focused on discussion papers for participants to discuss.

The County of Los Angeles held a public meeting to present the draft Malibu LUP to the public on November 1, 1982. The Planning Commission heard the plan on November 5 and 8, 1982 and transmitted it to the Board of Supervisors (without formal action on the plan) on November 24. The Board of Supervisors held a hearing on December 8, 1982 and approved the plan on December 28 for submittal to the Coastal Commission.

The Coastal Commission held a public hearing on the LUP on March 24, 1983, at which time the LUP was denied as submitted. No further action regarding the LUP was taken by the Commission during the remainder of 1983.

Staff was assigned to prepare Suggested Modifications to the LUP in early 1984. A series of staff meetings was held with agencies, groups, and individuals who requested meetings during 1984. A public meeting was held on May 30, 1984 to explain the Suggested Modification preparation process and to receive comments. An additional staff-conducted public meeting was held on December 11 to receive comments on the draft Suggested Modifications which were distributed on November 30. Public hearings on the Modifications were held by the Commission on January 10, 1985, June 13, 1985, and November 19, 1985. Additional public hearings on the revised LUP were conducted by the County on March 31, April 10, and September 25, 1986. The Coastal Commission conducted a public hearing on December 11, 1986 on the revised LUP which was submitted by the County.

Five newsletters were distributed to the Malibu mailing list by the Coastal Commission staff to keep members of the public informed as to progress on the Suggested Modifications. Numerous written comments have been received concerning the Suggested Modifications. All written comments have been reproduced and distributed to the Commissioners. Responses to comments were incorporated into staff-recommended findings prepared for Commission hearings on the LUP, such as the staff reports prepared for hearing on November 19, 1985 and December 11, 1986. Separate responses to comments were also reproduced as Attachment #1 to the staff report prepared for November 19, 1985.

### III. RESOLUTION OF APPROVAL.

On December 11, 1986 the Coastal Commission adopted the following resolution for approval of the Malibu/Santa Monica Mountains Land Use Plan:

#### Resolution: Certification as Submitted

The Commission hereby certifies the Malibu/Santa Monica Mountains Land Use Plan segment of the Los Angeles County Local Coastal Program on the grounds that the Land Use Plan meets the requirements and is in conformity with the provisions of Chapter 3 of the Coastal Act to the extent necessary to meet the basic goals specified in Section 30001.5 of the Coastal Act; the Plan contains a specific access component as required by Section 30500(a); the Plan is consistent with applicable decisions of the Commission that shall guide local government actions pursuant to Section 30625(c); and approval of the Plan meets the requirements of Section 21080.5(d)(2)(i) of the Public Resources Code, as there are no further feasible mitigation measures or feasible alternatives which could substantially lessen significant adverse impacts on the environment.

IV. FINDINGS FOR CERTIFICATION, AS SUBMITTED. (Adopted January 15, 1987)

The Commission hereby finds and declares as follows:

(In the following findings, "revised LUP" refers to the Land Use Plan submitted to the Coastal Commission in October, 1986.)

A. Findings Pursuant to the California Environmental Quality Act.

In reviewing the LUP, the Commission has received hundreds of written communications regarding the LUP in addition to the verbal testimony presented at two public meetings on May 30 and December 11, 1984 and four public hearings on January 10, June 13, and November 19, 1985, and on December 11, 1986. Comments and testimony that have been received have provided the Commission with many alternative approaches to address the severe environmental and infrastructure constraints of development in the Malibu/Santa Monica Mountains area, as well as other issues related to new development. While preparing the several versions of the staff recommendation that have been distributed, the staff has studied various additional alternative methods of reaching Coastal Act goals and objectives. All these alternatives have provided the Commission with a broad array of possible approaches to protecting and enhancing coastal resources and coastal access. The Commission has considered these alternatives before taking action on the LUP.

A detailed description of the alternative policy approaches which the Commission has considered before reaching its decision on the LUP is included in the Commission's findings in regard to several major policy areas of the LUP. For instance, the fundamental problem of cumulative impacts caused by an abundance of existing subdivided lots in separate ownership coupled with major development constraints has stimulated discussion of several alternative policy approaches, including the mixture of techniques to address cumulative impacts submitted by the County as part of the revised LUP and approved by the Coastal Commission, as well as the Transfer of Development Credit (TDC) Program developed by the Coastal Commission and other lot retirement programs suggested by members of the public.

Along with alternative policy approaches to the protection of coastal resources, the Commission has considered and adopted various mitigation measures designed to reduce the environmental impacts of new development. For instance, although the LUP allows substantial new commercial development in the Civic Center, in part due to the need to provide visitor-serving commercial facilities, the environmental impact of that development is mitigated through policies which restrict the height and site coverage of new buildings, provide for architectural variation to avoid monotony of design, and encourage the preparation of a Specific Plan which would result in coordinated design throughout the Civic Center (see Policies 138d and 138e).

In another instance, the LUP allows development of existing legally subdivided but poorly sited lots in small-lot subdivisions in the Santa Monica Mountains. At the same time, the environmental effects of such development are mitigated through the Slope-Intensity Formula which encourages combination of very small and/or steep lots in order to reduce environmental impacts.

A third example is that although new development is not prohibited in some 25,000 acres of major watersheds in the Santa Monica Mountains which are designated by the Plan as Significant Watersheds, such development is carefully restricted to resource-dependent uses and low-density residential use. The above examples are only a few of those which incorporate mitigation measures into Land Use Plan policies; other policies in the LUP contain additional mitigation measures which have the goal of balancing competing objectives for limited resources in the coastal zone while carrying out Coastal Act policies.

#### B. Findings Regarding the Introductory Section of the Land Use Plan.

The Commission finds that protection of the unique natural resources of the Malibu/Santa Monica Mountains coastal zone is of paramount importance. The statement of overall goals which begins the plan should reflect that goal. Section 1.2.3 Overall Goals in Preparation of the LCP has been revised accordingly by the County in its resubmittal. As revised by the County, the goal statement reflects the balance of interests which are reflected in the Malibu LUP, including environmental protection, economic growth, public access and recreation, and the constitutional rights of property owners. The sentence in the Introduction to the Land Use Plan which states that "Nothing in this Coastal Plan shall be construed to prevent the construction of a single-family home on an existing lot because of the size of the lot" is not intended to prevent full application of the Slope-Intensity Formula contained in Policy 271 concerning the Land Use Plan Map.

Fundamental goals and standards for review of development have been added by the County to Section 3.0 General Goals and Objectives of the LUP in order to establish the basis on which the entire LUP rests. The guiding policies of the Coastal Act are cited as the guiding policies, in turn, of the Land Use Plan. The policies of Section 30007.5 of the Act regarding resolution of conflicts among policies of the LUP is restated. The possibility of conflicts between the LUP and other county plans is addressed with a statement that the LUP policies shall take precedence. Finally, a basic requirement is established that coastal permits issued by the County must be accompanied by findings which support their approval. The general goals and objectives of the revised LUP include the modifications previously suggested by the Commission and are consistent with the applicable general standards contained in the Coastal Act.

#### C. Findings Regarding Land Use Plan Policies.

##### 1. Access.

The Commission found on November 19, 1985 that the originally submitted LUP did not provide maximum shoreline access consistent with the Coastal Act. The modifications incorporated by the County into the revised LUP are designed to make more explicit the kinds of new development which will be subject to access requirements, the types of access which will be required, and how accessways will actually be improved for public use. Concerning vertical access, the revisions provide for standards of separation of accessways

similar to those provided in the County's originally submitted Land Use Plan, but with revised priorities to emphasize construction of new accessways on beaches where existing access opportunities are poorest. For lateral access, the revisions made by the County provide for reservation of access areas consistent with Commission precedential decisions in which the reservation for access is related to the burden placed on the beach by the new development and to the characteristics of the beach. The revisions also provide for the involvement of beachfront property owners in decisions on management and use of individual beaches and for revenue recovery systems to enhance the County's ability to develop new vertical accessways.

a) Vertical Access.

The basis of the revised LUP's approach to vertical access is to recognize, through different standards of separation for vertical access, the different characteristics of different beaches. The LUP provides for close spacing of accessways (1 per 1000 feet of shoreline) where population density is high and where the distance from the first public road to the beach is short. Greater separation is provided (up to 1 accessway per 2500 feet, approximately) where population density is lower and where physical constraints such as steep bluffs make construction of accessways more difficult and expensive. Furthermore, greater spacing is allowed where rocky beaches and tidepools make unrestricted public access inappropriate for resource protection reasons.

Applying the standards of separation for each beach as described above will result in creation of approximately 50 vertical accessways, in addition to public parks and beaches. The Commission finds that this number of vertical accessways in Malibu, if and only if implementation is assured by the LCP, will provide reasonable access to the public tidelands. Furthermore, the standards will distribute that access in such a way as to avoid overuse of any one area, while recognizing the different characteristics of the beaches in Malibu.

The Commission finds that the LUP, as revised, provides strong assurances that creation of new vertical accessways will actually occur. Revised Policy 51 states precisely when a vertical access condition will be required and when it will not. For projects which involve design flexibility, such as land divisions, non-residential projects, and residential projects on large lots, reservation of an accessway will be required. (The Commission's experience is that residential projects with 75 feet or more feet of frontage have sufficient width to allow for an adequate access corridor without impinging on the reasonable use of the property or the privacy of the property owner.) Even where a residential parcel is narrower than 75 feet but there is a utility or drainage easement crossing the property from the public street to the shoreline, there may be an opportunity to create an accessway, since such easements must be kept open and cannot be occupied by a dwelling. The revised Policy 51 allows for the possibility of requiring access in such cases.

To assure that accessways are wide enough to be usable and to allow maintenance or emergency vehicles to use them where feasible, the minimum width of access easements will be 10 feet. Consistent with Commission practice, the life of irrevocable offers will be 21 years, to allow sufficient time for appropriate agencies to accept the offers.

The revised policies provide that a vertical accessway will be reserved in all such cases where it is feasible, unless to do so would exceed the standard of separation provided in P56. Where an accessway already exists within 1000 feet (or whatever the appropriate standard of separation is), a new access reservation will not be required. This exception to the general rule requiring access will serve to encourage the improvement and opening to public use of access offers which have already been made, since future offers of dedication need not be required on nearby parcels once an accessway within close proximity is in existence. Similarly, where several offers within the standard of separation are required over a period of time, the improvement of any one offer will release the need to improve the others, and they could be abandoned. No offer can be abandoned unless an actual accessway is opened, however, and the revised Policy 55d will prevent the abandonment of already opened accessways.

A second exception to the basic requirement of reserving vertical access is provided in order to protect sensitive marine resources. P51 provides that new vertical accessways will not be required in areas identified by the LUP's Marine Resources Area-Specific policies as being inappropriate for unrestricted public access. Such areas are identified in Policies 111, 112, and 113 and include the beach between Point Dume and the existing area of development at Paradise Cove, the western part of Paradise Cove, and Latigo Point. These areas include rocky areas with tidepool life and beaches where sea lions haul out, both of which are sensitive to increased public use.

This exception to the general requirement of vertical access is appropriate because of the importance placed by the Coastal Act on the protection of sensitive marine resources and because only a limited section of shoreline (from Point Dume to Latigo Point) is affected. Even in this area, the LUP provides for creation of view points atop the bluff which will afford visitor enjoyment of the coast while not adversely affecting tidepools.

As revised by the County, incorporating the modifications previously suggested by the Commission, the vertical access policies of the LUP provide assurance of significant new vertical access opportunities, consistent with Section 30210 of the Coastal Act. Furthermore, in providing for the protection of sensitive marine resources and a reasonable standard of separation between accessways, the policies are consistent with Section 30212.

b) Lateral Access.

The revised lateral access policy (P52) requires reservation of public access easements in connection with the approval of new development through a required offer of dedication, rather than the originally submitted, somewhat vague requirement for deed restrictions or easements. The revised policy allows at least passive recreational use, such as strolling, sunbathing, and picnicking, rather than merely the right to pass and repass as stated in the originally submitted policy. The dimensions of required lateral access areas are clearly stated in the revised policy to apply to the three types of situations where the beach is bordered by either structures, seawalls, or

bluffs. The offered area will apply to the maximum area of beach, consistent with Section 30210, while still providing for a privacy buffer, consistent with Section 30214. The modified policy takes into account the situation where high water may restrict a person's ability to move along the beach to the privacy buffer next to existing structures, in which case access is limited to the right to pass and repass.

The revised lateral access policy which applies to all beaches except Broad Beach is consistent with a major permit decision by the Commission (Janger, #5-83-388A). In that case, which involved a single-family dwelling with a revetment on a beachfront lot in Malibu, the Commission determined that an offer of dedication of a lateral accessway should be required, extending from a fixed inland point seaward to the mean high tide line. The access easement incorporates a 10-foot privacy buffer adjacent to dwellings which is available only for pass and repass when no other beach area is available.

The Commission's findings in the Janger case explain that previous Commission permit decisions had frequently required a 25-foot wide ambulatory easement area. In many cases, this requirement was placed on permits for seawalls which were located beneath dwellings where they had only modest adverse impacts on beach processes and lateral access along the shoreline. The 25-foot ambulatory access easement requirement was superseded by the major storms of 1982 and 1983 which caused a dramatic loss of beaches and by the Commission's subsequent re-evaluation of its overall access requirements. The Commission found that due to the highly variable nature of beaches, to maximize public access it is generally necessary to measure accessways from a fixed inland point, rather than to rely on a more difficult-to-define ambulatory measure.

On one beach in Malibu, Broad Beach, the Commission has consistently required an ambulatory lateral accessway due to the unusual width and stability of the beach. The revised LUP provides for the same access requirement at Broad Beach as the Commission's precedential decisions (including #5-83-783, Borman; #5-83-816, Manings; #5-83-899, Broadbeach Partners; and #5-83-953, Broadbeach Partnership). The requirement at Broad Beach is for a 25-foot wide easement measured inland from the daily high water mark. By definition, this easement includes a strip of dry, sandy beach adjacent to the water's edge. It is recognized that the 25-foot strip will vary in location from day to day, based on tides and wave conditions.

This requirement at Broad Beach is appropriate only because the sandy beach is exceptionally wide, by comparison with other Malibu beaches. On other narrow beaches, lateral access from the mean high tide line to dwellings or revetments, as described above, is necessary to assure passage under common tidal conditions. On the other hand, Broad Beach is so wide that under nearly all conditions, a 25-foot wide strip adjacent to the daily high water line is sufficient to assure public access and use.

The lateral access policy contained in the revised LUP is consistent with the decision of the California Court of Appeal in the case of Greenlaw Grupe, Jr. v. California Coastal Commission. The case stemmed from a requirement by the

Central Coast Regional Commission of an offer of dedication of a lateral accessway in connection with construction of a single-family dwelling on a beachfront parcel in Santa Cruz County. The required offer extends from the mean high tide line to the seawall, covering a major part of the applicant's parcel. The required offer is not contiguous to any existing public beach. The easement is to be used for passive recreational use.

The property owner objected to the condition and filed suit on a variety of grounds, including the claim that the required offer is a violation of due process and an unconstitutional taking of property without compensation.

The Court of Appeal found that the Coastal Commission acted properly in imposing the condition. Among other points, the court found that the lateral access condition "is not only reasonably related to a legitimate governmental purpose, that is, providing access to the shoreline, but is also an intelligent compromise between the interests of the private property owner and the duty of the Regional commission to ensure that access 'shall be provided in new development projects..." Furthermore, the court found that the fact that neighboring parcels are already developed and may not become subject to similar access conditions is not a basis for failing to require access on the subject parcel. The court found that even though the area subject to the required access offer amounts to a large portion of the applicant's parcel, the applicant received approval for a large and valuable home and therefore, the condition does not amount to a taking which would require compensation.

The Court of Appeal decision supports the lateral access policy contained in revised P52. The policy requires reservation of lateral access on a case-by-case basis when new development is subject to coastal permit review. Access is not required to be opened to public use until management of the beach is accepted by an appropriate entity. Reservation of access is necessary, however, to assure that the California Constitution's mandate to provide public access to the tidelands will be carried out.

The revised LUP provides for several means of allowing public use of lateral accessways. First, P52 provides for acceptance of lateral accessways by the County or by appropriate groups or governmental agencies. This provision will help to carry out the provision of P56 which states that public purchase of beach area for recreational purposes on certain beaches is an LUP objective. In fact, many offers of dedication for lateral access have already been made under coastal permits approved by the Coastal Commission, and additional offers can be expected when the County assumes coastal permit jurisdiction. Acceptance of offers will provide a substitute for or supplement to public purchase of beach areas for recreation.

A second means of encouraging legal public use of beach areas is contained in revised P52b. This policy provides for Beach Agreements which would allow beachfront property owners to participate in the development of management agreements regarding public use of the beach. A Beach Agreement could be reached by the property owners and the County, with approval by the Coastal Commission, for the purpose of establishing the conditions of use for the beach, based on the beach's size, potential recreational opportunities, the

existence of vertical accessways in the area, and other factors. The Agreement could define both permitted and prohibited uses and the hours of use. Provisions for supervision and maintenance of the beach could be included. Where possible, offers of lateral access which have already been made would be accepted by the property owners as a group, by the County, or by another entity, but the Agreement could supercede the provisions of any individual offer. That is, conditions of use which were not specified in an offer of lateral access could be stated in the Beach Agreement, as long as such conditions were reasonable and would contribute to overall public use and enjoyment of public tidelands.

The provision for Beach Agreements is consistent with Section 30214 of the Coastal Act which requires that public access policies be implemented in a manner that is sensitive to the circumstances of each beach, including its size and capacity for use, and the proximity of residential uses, while protecting the public's constitutional right of access which is assured by Section 4 of Article X of the California Constitution. The use of an agreement with private organizations, such as property owners' associations, to minimize public management costs is specifically mentioned by Section 30214. As revised by the County, the lateral access policies of the LUP are consistent with the precedential decisions of the Commission and with the public access and public recreation policies of the Coastal Act.

c) Other Access Policies.

The revised LUP includes Policy 51b which is intended to assure protection of the public's right of access to the sea where acquired through historic public use. The policy will ensure that new development will not conflict with prescriptive rights where these have been created through historic public use, unless equivalent replacement public access can be provided in the very near vicinity, consistent with Section 30211

Policy 55c provides for encouragement of transit usage, consistent with Section 30252, by requiring the use of shared parking lots for general office structures which do not serve high priority coastal visitors. Such lots can be served by beach shuttle buses on weekends and holidays when the offices are not in use.

The revised policies provide at least two ways for Los Angeles County to finance all or part of new vertical accessways. First, P54 has been revised to provide better assurance of success. This policy provides for a fund to be created to help finance the construction and maintenance of new vertical accessways. A specific source of revenue is identified: a one-time fee to be assessed on new non-visitor-serving commercial and general office uses located on the coastal terrace in Malibu. Uses subject to the fee will be those other than motels, hotels, restaurants and similar uses which are intended primarily for patronage by visitors. General commercial and office uses are appropriately assessed this fee because such uses are not coastal-dependent nor visitor-serving, although they contribute to traffic congestion and sewage disposal needs. A modest one-time fee, based on the size of such enterprises, will allow such uses to contribute in a reasonable way to the important goal of assuring coastal access. The details of the fee and its application will be established by the implementation component of the LCP.

A second means of revenue recovery is included in P17b. This policy encourages the provision of commercial recreation and visitor-serving facilities on non-beach areas of public land where such uses would generate revenues for the County to use in creating new accessways, as well as provide visitor-serving facilities not widely available on private land. The policy suggests in particular two such visitor-serving uses which may be considered. (Additional discussion of policies regarding visitor-serving facilities is provided below under 2. Recreation. b) New Visitor-Serving Facilities.)

## 2. Recreation.

In reviewing the originally submitted LUP, the Commission concluded that the Plan did not give visitor-serving recreational facilities adequate priority over other land uses, the Plan allowed conversion of public beaches to commercial uses, and the Plan relied on voluntary rather than mandatory implementation of the recognized trail network in the Santa Monica Mountains. Changes have been made in the Recreation and Visitor-Serving Facilities section and the Trails and Bikeway section of the LUP in order to address these deficiencies. Related changes to the Land Use Plan map, described below under 11. New Development, will have the effect of increasing sites available for visitor-serving commercial recreational uses, consistent with Section 30222 of the Coastal Act.

### a) Development on Beaches.

Two changes have been made in the revised LUP to ensure that beaches will not be converted to other uses in conflict with the high priority established by the Coastal Act and Coastal Commission precedents for the use of sandy recreational beaches. First, Policy 16b will allow construction on public beaches of only small, necessary facilities such as lifeguard stations, restrooms, seawalls which are required to protect existing structures, and concession stands. The policy will allow construction of more substantial facilities, such as parking lots or restaurants, only if no net loss in sandy beach area were to result. Thus existing, aging public or private facilities located on or adjacent to the beach could be replaced with modern structures serving the same purpose, or new facilities could be built on the sand if a comparable area of sandy beach were restored through removal of existing paving.

Significant changes have been made to P17 regarding construction of commercial facilities, whether near the beach or elsewhere. The revised policy makes clear that commercial recreation facilities are encouraged at suitable locations where public access and necessary infrastructure are available, but not at the expense of the loss of existing non-commercial recreational uses. Taken together with revised Policy 16b, this revised policy clarifies the high priority of sandy recreational beaches and other existing recreational areas, while encouraging new commercial recreation facilities under clearly defined circumstances.

Although adequate parking is very important in maximizing public use of beaches, development of small recreational facilities may occur on existing paved parking areas, under revised Policy 17, if this is the only feasible means of providing space for needed commercial recreational facilities. Facilities which are important to expand the public's use and enjoyment of the beach can be accommodated in this way without committing existing sand area to paving. Because of the need to maintain adequate area for parking, the Commission expects such projects to be of very modest size and to be located where alternative access could be improved, for instance, through improvement of transit facilities. Along the same line, the multiple use of existing parking lots should also be explored, such as the possibility of using existing day-use parking lots for overnight recreational vehicle use in the off-season or at low-demand times. (See b) New Visitor-Serving Facilities below.)

b) New Visitor-Serving Facilities.

The revised Policy 17 makes explicit the appropriate locations for new commercial recreation and visitor-serving facilities on private or public land, consistent with the Commission's findings supporting denial of the LUP as originally submitted. These areas include the Malibu Civic Center and the intersection of Malibu Canyon Road and Mulholland Highway, areas where land suitable for limited commercial recreation use exists. Changes to the Land Use Policy map have been made in order to assure the potential for such uses at these locations.

Policy 17b would potentially allow development of commercial recreation and visitor-serving facilities on non-sandy areas of public parklands, to serve two purposes. Such facilities could generate public revenue which would help support provision of beach accessways, as discussed above under 1. Access. Secondly, such facilities could complement those which are or will be available on private land. For instance, private lands designated as Land Use Category #17 are suitable for development of hotels and restaurants. Several sites such as at Malibu Civic Center are designated for such uses, thus providing significant opportunities for overnight lodging and dining facilities.

Two publicly owned sites for potential RV park developments are identified in P17b. These include an undeveloped blufftop site at Nicholas Canyon County Park and a portion of the existing day-use parking lot at Zuma Beach. These projects have been tentatively identified by the County Department of Beaches and Harbors as potential projects, but they would be subject, of course, to usual County and coastal permit review processes, including environmental review, before they could be constructed. Provision of low-cost overnight accommodations in recreational vehicle parks or campgrounds on public land would complement such facilities on private land as well as the availability of higher-priced hotel accommodations on private land, consistent with Section 30213.

To protect existing sandy beach recreation areas and existing parking lots used for access to recreation areas, P17b specifies that development of new visitor-serving facilities must be on non-sandy areas (including already paved areas of the beach). Furthermore, the availability of existing parking areas for day users must be taken into account when alternative uses of existing paving are proposed, as explained in P17 and P17b.

The LUP, as revised, accomplishes the necessary goals of the Coastal Act with respect to visitor-serving facilities without the limitations on hotel rooms and other policies suggested here. The revised policies provide for overnight visitor accommodations at several locations, including space for several medium-to-large hotels at the Civic Center. Height and Floor-Area Ratio (FAR) limits (at the Civic Center) are established to protect community character and scenic qualities of the coast. The height and FAR limits at the Civic Center may be increased above the basic level, allowing larger hotels, if a Specific Plan is prepared which would serve to improve urban design qualities of the area.

Sites are designated by the revised LUP for both hotel and motel (Category #17) and less intensive recreational vehicle parks or campgrounds (#16). Potential low-intensity visitor-serving sites are indicated for locations near the beach on County-owned land and in the mountains at Mulholland Highway/Las Virgenes Road, among other sites, thus providing for a variety of recreational experiences in Malibu. Campgrounds or recreational parks will provide accommodations at lower cost than new hotels, and thus address the requirement of the Coastal Act to provide for lower-cost recreational opportunities.

A limited number of sites are designated for visitor-serving facilities. This fact, taken with the height and bulk criteria contained in the revised LUP, ensures that new development will be compatible with the existing community.

#### c) General Policies.

A new policy has been added to the General Policies of the Recreation and Visitor-Serving Facilities section, consistent with the Commission's 1985 suggested modifications, in order to address Section 30212.5 of the Coastal Act. This policy encourages wide distribution of public recreational facilities, including parking, throughout the Malibu/Santa Monica Mountains coastal zone (P2b). This policy is particularly important in the Malibu area where extremely heavy recreational demand is experienced, particularly on the area's beaches. Providing a wide variety of recreational facilities throughout the entire Malibu/Santa Monica Mountains area coastal zone is essential to avoid overcrowding or overuse of any one area.

To ensure the required priority for visitor-serving commercial uses over other uses, two policies have been added to the revised LUP. One policy (P18c) restates the priority requirement of Section 30222 for visitor-serving commercial facilities on suitable sites over private residential, general industrial, or general commercial development. A second policy (P18b) restates the general policy of Section 30213 requiring the protection,

expansion, and where feasible, the provision of new lower cost recreational and visitor-serving facilities, with emphasis on public recreation facilities. Although the emphasis of this policy is on public recreation facilities, it also provides necessary protection and encouragement for commercial facilities which serve visitors.

d) Trails

Revisions to the LUP have been made by the County to ensure that the recognized trail network in the Santa Monica Mountains will be implemented. Policy 44 requires that mapped trail corridors recognized by the LUP will be implemented in connection with all new development, rather than only where land divisions are proposed, as required by the originally submitted LUP. The definition of "new development" is stated to be the one contained in the Coastal Act, which will allow for replacement of existing structures, small additions, and repairs without the requirement of a trail dedication. In all other instances, where a trail alignment passes over a parcel proposed for development, a trail dedication will be required.

Trail alignments which would be the subject of dedication will include those that are mapped in Figure 3 of the LUP and those along which the Commission has previously required trail dedications. The policy provides for flexibility in siting trails in order to protect the privacy of property owners, particularly on small parcels. The policy also prohibits actions which would make the trail unsafe or unusable. The revised trails policies are consistent with the requirement of Section 30210 to maximize public access and recreational opportunities and with past Commission decisions, which have required trail dedications in all new developments affected by trail corridors (such as #5-83-461, Wipranik; #5-83-663A, Whittaker; #5-83-766, Goodstein and Watson; #5-84-91, Hershey and #5-83-156, Ralston).

3. Environmentally Sensitive Habitat Areas.

In its findings regarding the Malibu LUP, the Commission has consistently emphasized the tremendous importance placed by the Coastal Act on protecting sensitive environmental resources. The Commission has found that the coastal canyons in the Santa Monica Mountains require protection against significant disruption of habitat values, including not only the riparian corridors located in the bottoms of the canyons, but also the chaparral and coastal sage biotic communities found on the canyon slopes.

The revised LUP which has been submitted includes many of the suggested modifications adopted by the Commission on November 19, 1985 regarding protection of environmental resources. The revised LUP establishes several categories of areas characterized by environmental resources, including Environmentally Sensitive Habitat Areas (ESHAs), Disturbed Sensitive Resource Areas, Significant Watersheds, the Cold Creek Resource Management Area, and Significant Oak Woodlands and Savannahs. The first category, that of ESHAs, focuses on major riparian corridors, along with two small wetlands, certain shoreline rocky areas, and offshore marine resources. The Commission has previously found that these resources do indeed meet the Coastal Act definition of ESHAs.

The other categories of environmental resources designated by the LUP have been revised in several respects since the LUP was originally submitted in 1982, based in part on additional study devoted to the subject since that time. Staff of the California Department of Fish and Game, Los Angeles County Regional Planning Department, the Coastal Commission, and the County's biological consultant have reviewed the categories of environmental resources contained in the original LUP as well as the designation of specific areas on the Sensitive Environmental Resources Map (Figure 6 in the LUP document). One result of the additional study was a set of revisions to the mapped environmentally sensitive areas, as indicated on ATTACHMENT #3 as well as on larger scale maps which are available for inspection at the Department of Regional Planning. (Discrepancies exist between the boundaries of the Significant Watersheds as shown on the Land Use Plan map and on the Sensitive Environmental Resources map; where these exist, the Sensitive Environmental Resource map should govern and the Land Use Plan map should be corrected accordingly - see ATTACHMENT #2 Map Changes.) The second result is a series of revisions to the text of the LUP.

The revisions to the Sensitive Environmental Resources Map which have been made are as follows:

a) Addition of Environmentally Sensitive Habitat Areas (ESHAs).

Certain oak woodlands have been designated as ESHAs rather than Significant Oak Woodlands, which are subject to lesser protection under the LUP. Some oak woodlands were not designated originally by the County's LUP as ESHAs due to their proximity to existing highways and/or residential development. Yet many of these oak woodlands are undisturbed by development and still function as significant wildlife habitat. The oak woodlands which have been added to the ESHA designation are those which, regardless of the nearness of roads or houses, are not themselves developed for residential or commercial use and which are contiguous with riparian vegetation or other habitat areas, thus providing a logical extension of such areas. These additional oak woodlands are scattered throughout the Santa Monica Mountains coastal zone, from Topanga Canyon to Nicholas Canyon.

In addition to the oak woodlands added to the ESHA classification, there are a few areas of riparian vegetation not dominated by oaks which have been added to the ESHA classification. These areas include a portion of Upper Cold Creek Canyon and Ramirez Canyon.

b) Addition of Significant Watersheds.

The revised LUP designates Trancas Canyon as a Significant Watershed. The County's original LUP did not designate Trancas as a Significant Watershed based on the existence of residential development and roads within the upper end of the canyon and on the apparently greater ratio of grassland to chaparral within Trancas as compared to neighboring canyons, such as Zuma Canyon. The designation of the central portion of the canyon as a Significant Watershed is based on the facts that the bulk of the canyon remains

undeveloped and that variation in vegetational type among canyons reflects the recency of fire, rather than differing inherent wildlife values. The natural succession of ecological communities following fire within the coastal canyons of Malibu includes both grass and chaparral communities. The change in designation brings Trancas into conformity with the other major canyons in Malibu, all of which are designated as Significant Watersheds.

c) New Designation of Wildlife Corridors.

Corridors connecting the canyons containing Significant Watersheds are protected by the revised LUP. The LUP as originally prepared left gaps between Arroyo Sequit, Zuma and Solstice Canyons. Designation of wildlife links between these canyons along with added restrictions on development such as fences within the connectors will provide corridors for wide-ranging mammals to forage through large, uninterrupted areas of the mountains and for all manner of terrestrial creatures to move freely during fire episodes. The Wildlife Corridors, together with the additional designation of Trancas Canyon as a Significant Watershed, will provide a protected wildlife area running nearly the entire length of the Santa Monica Mountains coastal zone.

In addition to revisions to the Sensitive Environmental Resources map which the County has made, revisions have been accomplished to many of the policies governing development in environmental resource areas. Policy revisions include the following:

d) Policies Affecting Designation of Resources.

P57 and P59 have been amended in the revised LUP to reflect the additional designation of environmental areas discussed above. Additional language has been added to P61 to clarify that any future revision to the maps designating environmental areas will constitute an LCP amendment and will be subject to Coastal Commission review.

e) Policies Affecting ESHAs and Areas Adjacent to ESHAs.

As revised, P68 provides that development in ESHAs shall be limited to uses dependent on the resource, consistent with Section 30240(a) of the Coastal Act. The revised policy states that residential use is not considered to be resource-dependent.

TABLE 1 in the revised LUP states that only resource-dependent uses are permitted within ESHAs. Hiking and equestrian use are considered to be resource-dependent, since many of the recreational trails contained in the LUP's Hiking and Equestrian Trails map (Figure 3 of the LUP) follow stream courses and, in some cases, fall within riparian corridors designated as ESHAs. Revised P32 requires that trails within ESHAs be off-limits to motorized vehicles and otherwise be constructed to protect fish and wildlife values. Other activities which may need to occur to protect the resource or to allow recreational use are specifically allowed within ESHAs, including controlled burns and roads necessary to provide access to recreational areas.

Finally, although houses are clearly prohibited within ESHAs, a revision has been made to P78 to address a small number of lots in the Topanga area which are separated from existing roads by streams. The revised policy will allow driveways across the stream where the house site itself is located outside the ESHA. Such crossings will be subject to requirements that bridges be used, with columns outside the stream course, if possible, and that other measures be taken to minimize adverse impacts. This revision was prompted by the likelihood that, due to extensive grading required, access by a land route would be more environmentally damaging than a simple bridge.

The policies of Table 1 restricting filling of streams within ESHAs have been broadened to restrict alteration of streams, consistent with Section 30236, since adverse impacts might result from various activities other than filling.

Finally, a revision has been made with the goal of enhancing protection of areas adjacent to ESHAs and recreation areas from incompatible development, consistent with Section 30240(b) of the Coastal Act. The setback for residential and other development adjacent to ESHAs contained in TABLE 1 has been increased from 50 feet to 100 feet, in order to address this goal.

f) Policies Affecting Significant Watersheds.

The LUP as originally submitted required preparation of Specific Plans for the Significant Watersheds, to be prepared before extensive development took place. The revised LUP does not include the requirement for Specific Plans, but instead includes new Policy 65 which requires review by an Environmental Review Board of both the individual and the cumulative impacts of proposed developments within the Significant Watersheds.

Policy 65 includes criteria to be applied to the review of development proposals, such as minimizing vegetation clearance and encouraging clustering of development. In addition to the criteria contained in Policy 65, the revised LUP contains other policies regarding stream protection and erosion control and related concerns (e.g., P76 through P96) which have the effect of minimizing environmental impacts of development both within and outside Significant Watersheds. Furthermore, the revised LUP provides for a low density of development of one unit per 20 acres within the Significant Watersheds (although existing non-conforming parcels of less than 20 acres may be developed, if other plan policies are met). The Commission finds that these constraints on development within the Significant Watersheds adequately address the need to preserve the watersheds as natural functioning habitat systems.

g) Policies Affecting Malibu-Cold Creek Resource Management Area.

The revised LUP includes changes in TABLE 1 affecting the Cold Creek area in order to minimize non-essential vegetation clearance and construction. Because equestrian use is particularly common now in this area, it is specifically included as a permitted use, along with hiking.

h) Policies Affecting Significant Oak Woodlands.

Changes to Table 1 have been made to reduce removal of oak trees and impacts on oak trees associated with development. In conjunction with the expanded designation of oak woodlands as ESHAs where only resource-dependent uses are allowed, significant added protection is afforded to oak woodlands by the County's revisions.

i) Policies Affecting Wildlife Corridors.

Additional changes to TABLE 1 have been made to recognize the designation of Wildlife Corridors. This designation was suggested originally by the Department of Fish and Game for the purpose of linking the Significant Watersheds into an unbroken chain of resource protection areas extending nearly the length of the Malibu/Santa Monica Mountains coastal zone.

The Wildlife Corridors are not intended to be off-limits for all development, nor is a change intended to the potential residential density indicated by the Land Use Policy map. Instead, the purpose of the Wildlife Corridor designation is to prevent creation of solid walls of development which would impede passage of wildlife between major canyons. The Santa Monica Mountains are not home to major migratory species, but relatively free passage of wildlife is necessary for wide-ranging animals such as mountain lions and to provide escape routes for all creatures during fire episodes. Allowable uses include resource-dependent uses and residential uses, subject to the approval of the Environmental Review Board. Standards for development are the same as those recommended for Significant Watersheds, with the addition of a prohibition on fences surrounding entire parcels. Corrals or small fenced areas are permissible.

j) Protection of Entire Watersheds.

The revised LUP includes within the Significant Watersheds the canyons which were previously designated by the County as Significant Ecological Areas (SEAs) and which were found by the Coastal Commission to constitute Environmentally Sensitive Habitat Areas (ESHAs) for purposes of interpreting Coastal Act policies. Although the revised LUP takes a different approach than some past permit decisions of the Coastal Commission by potentially allowing residential development within the SEAs and the remainder of the Significant Watersheds, the goal of the revised LUP remains the same: to protect watersheds as viable units.

In some past decisions, the Commission has, in fact, moved towards the more flexible approach contained in this LUP. For instance, the Commission approved a single-family dwelling on a parcel wholly within the Cold Creek SEA where the parcel was unusually large (38 acres) and extensive mitigation measures were taken to reduce vegetation removal and other impacts of development (#5-82-778, Strote). Other projects involving parcels partially within designated SEAs were approved with conditions to ensure permanent protection of significant vegetation through creation of open space easements

on the undeveloped portions of the parcels (#5-81-345, Plechner and #5-82-127, Mangone). As revised, the LUP provides adequate protection against piecemeal development of the watersheds and is consistent with Sections 30240(a) and (b) of the Coastal Act regarding development in and near environmentally sensitive habitat areas.

k) Protection of Streams Not Designated as ESHAs.

In its findings of denial regarding the originally submitted LUP, the Commission found that the LUP would permit alteration of many streams such as small blue-line streams which are not designated as ESHAs, but which are nevertheless shown as blue-line streams on USGS maps. Unrestricted filling or alteration of streams, whether designated as ESHAs or not, would be inconsistent with Section 30236 of the Coastal Act.

The revisions to LUP policies regarding stream protection which the County has made address this concern of the Commission. References in TABLE 1 to filling of streams has been changed to alteration of streams, in order to broaden the scope of the protection policies. Secondly, P76 is clarified to address alteration of all streams shown as blue-line streams (solid or dashed-line). Finally, limitations on stream crossings are expanded and clarified in P78. As revised, the LUP will permit no stream alterations, regardless of a stream's ESHA designation, not otherwise permitted by Section 30236. As revised, the LUP is consistent with Section 30236 and with Commission precedential decisions requiring stream crossings in the least environmentally damaging manner (e.g., #5-83-441, Hartley).

Regarding high erosion areas, including ESHAs and Significant Watersheds, the revisions made by the County to the LUP incorporate the modifications previously suggested by the Commission. Revisions have been made to policies covering highly erosion-prone areas in order to generally minimize grading (P88), to strictly limit earthmoving in the rainy season (P85), and to require preparation of drainage plans and erosion control plans (P89).

Although the revised LUP does not include a specific standard for maximum grading to be allowed in connection with residential development, the Commission itself has sometimes found that varying amounts of grading were consistent with Coastal Act requirements to minimize adverse impacts of new development on environmental resources (e.g. #5-86-73 and #5-85-552). The Commission finds that the general requirements contained in Policy 90 to minimize grading in upland areas of the mountains, coupled with stream and habitat protection policies of the LUP, are sufficient to meet the requirements of the Coastal Act to protect environmental resources.

4. Marine Resources.

The County's revised LUP incorporates the suggested modifications adopted by the Coastal Commission in November, 1985 regarding policies under the heading of Marine Resources. These modifications, affecting Policies 98, 100, 103, and 104, added clarity and specificity to the policies rather than changed the direction or intent of the originally submitted policies. As revised, the policies of the LUP regarding marine resources are consistent with the policies of the Coastal Act.

## 5. Visual Resources.

The Commission found that the LUP as originally submitted in 1982 did not protect the scenic and visual resources of the Malibu/Santa Monica Mountains coastal zone. The revised LUP submitted by the County addresses the Commission's concerns for the alteration of landforms and the establishment of development standards in a manner adequate to assure protection of scenic resources.

Several revisions to development standards have been made by the County. The wording of P125 has been broadened slightly in order to be consistent with Section 30251 which requires protection of the visual quality not only of the immediate shoreline, but also of inland scenic areas in the coastal zone. Minor revisions have been made to P131, P132, P140, and P142 to make these policies clearer and more specific. The language of P130 and P134 has been changed from permissive to mandatory in order to ensure that visual resources will in fact receive adequate consideration when new development is proposed. P139 has been revised to make explicit the regulation of on-site signs to protect visual quality.

The revised LUP includes basic height and design standards for the various areas of the Malibu coastal zone ( P138b through P138f). The height standards will prohibit high-rise construction throughout the Malibu area.

In 1985, the Commission adopted as a part of the suggested modifications a basic height limit of two stories, or 28 feet, with a provision that outside the Civic Center, buildings could reach three stories or 35 feet where consistent with surrounding structures and where views to and along the shoreline would not be affected. The County's revised plan provides simply for a three-story, or 35-foot, height limit. Although this policy is less specific than the suggested modification adopted by the Commission in 1985, when taken in conjunction with Policy 130 which requires that new development in scenic areas shall protect views to and along the ocean, it provides adequate assurance that visual quality will be protected by the LUP, consistent with Section 30251 of the Coastal Act. The Commission expects that the Implementation program portion of the LCP to be prepared by the County will provide additional detail to LCP height limits, in order to carry out the general requirement of Policy 130.

Policy 138e in the revised LUP reflects the suggested modification adopted by the Commission in 1985 regarding possible exceptions to the basic height limit contained in the plan, in order to allow for varied architectural roof treatments and design features. The policy allows exceptions to the basic height limit of up to 15 feet for architectural design features which do not add square footage, floor area, or stories to the building. The Commission emphasizes that this policy should not be interpreted to allow construction of major structural features which exceed the basic height limits in the LUP. For instance, a belltower may exceed the basic height limit if purely ornamental, but if it were to include usable floor space, it would not be allowed by Policy 1138e.

A policy has been included in the revised LUP with the purpose of minimizing monotony of building design. The policy (P138c) provides that structures on the ocean side of PCH will occupy less than the full lineal width of the parcel, in order to prevent a continuous row of buildings from blocking off the sea visually.

To ensure that new development on parcels at the base of the bluff along Pacific Coast Highway is visually compatible with existing development, will not destabilize the bluffs, and will not be overly intense with associated adverse traffic impacts, it is necessary to minimize the creation of flat development pads on sloping terrain. Policy 138f is included in order to minimize cutting into the toe of the slope and to encourage new development that is compatible with natural landforms.

Within the Civic Center, preparation of a Specific Plan is strongly encouraged by the revised LUP. The Specific Plan will serve to maximize harmony of design and consistency of land uses within the Civic Center area and to reduce traffic impacts. The Specific Plan approach has been suggested by a number of commenters, and the Commission recognizes its potential validity in contributing to well-planned development on the vacant land which remains in the Civic center.

The revised LUP assigns to the Civic Center a reasonable mix of land uses, including community-serving general commercial, residential, institutional, and Coastal-Act priority visitor-serving uses. As resubmitted, the revised policies are sufficient to ensure that Coastal Act goals are attained. At the same time, the revised LUP provides the option to the property owners and the County of pursuing a more concentrated planning effort in the Civic Center area, without delaying development in the interim. As resubmitted, the LUP ensures that future development will be visually compatible with its surroundings, consistent with Section 30251.

Application of a Floor-Area Ratio is included in the revised LUP in order to ensure that the bulk of large commercial structures will be low in relation to the size of their sites and that the total amount of commercial floor space in the Civic Center will remain within reasonable levels. There are 165 gross acres of commercially designated land (Categories #13 through 17) within the Civic Center boundaries. Approximately 20% of the gross acreage is devoted to existing or proposed local streets, leaving a net developable acreage of 132 acres. Existing commercial development covers approximately 40 acres, leaving 92 acres of vacant commercially designated property. Ninety-two acres is equal to 4.03 million square feet. A Floor-Area Ratio of .20, as required by Policy 138f, will allow a maximum of 800,000 gross square feet of commercial development in the Civic Center.

In order to encourage the preparation of a Specific Plan, the revised policies allow an increase in the average FAR to .40 along with a maximum height of three stories if such a plan were prepared and approved as an amendment to the LCP. An FAR of .40 would result in a maximum of 1.6 million square feet of commercial space. In order to provide a real incentive to property owners to

participate actively in the preparation of a Specific Plan which would result in high-quality development in the Civic Center, it is appropriate to provide for this significantly higher FAR, but only on the condition that a Specific Plan be prepared. A total of 1.6 million square feet, in any event, is a reasonable amount of commercial space, given the Coastal Act priority of visitor-serving commercial uses and the fact that it is an absolute maximum, which is unlikely to be reached in practice. (See 13.a) Relationship of New Development to Highway Capacity below for additional discussion of limitations on commercial development.)

## 6. Hazards.

The Commission previously found in denying the LUP as originally submitted that the plan permitted substantial new development in areas subject to geologic, fire and other hazards. The revised LUP submitted by the County reflects the suggested modifications which the Commission adopted to reduce hazards. Certain revisions intended to reduce development density in Significant Watersheds are discussed above under Environmentally Sensitive Habitat Areas. These revisions would also have the result of reducing geologic hazard in connection with new development in the major canyons of Malibu which are designated Significant Watersheds. For instance, revised Policy 150 would prohibit grading altogether on hills with a slope over 2:1, except in extremely limited circumstances where driveways or utilities must cross such slopes in order to reach homesites of lesser slope and where no alternative homesites exist on the property. Such an exception to the general rule regarding grading on steep slopes is appropriate only because of the large number of subdivided parcels and the relatively steep slopes found in the Santa Monica Mountains in Los Angeles County.

Revisions to the LUP which have been made by the County in order to protect habitat values, as discussed above, will also have the effect of reducing the number of dwellings subject to fire hazard. The dwellings which are most difficult to protect against fire danger are scattered houses in remote parts of the Santa Monica Mountains. The revised plan will limit such development and attempt to cluster it in such a way that fire protection will be more feasible.

Throughout the coastal zone, the use in landscaping of fire-retardant plant species is encouraged by revised Policy 158. Use of such plants will have the double effect of minimizing erosion and fire risk to surrounding dwellings. Despite the changes made to the LUP, of course, fire remains a possibility wherever structures are built in the Malibu/Santa Monica Mountains area. The revised plan seeks to reduce the risk of fire to an acceptable level, consistent with Section 30253(1).

The Commission expects that the County will aggressively implement P144 which states that information shall be provided concerning hazards and appropriate means of minimizing the harmful effects of natural disasters upon persons and property. Such information should include the fact that in time of fire or other disaster, public agencies may be unable to provide protection due to the large area and hazardous nature of the Malibu coastal zone. Public agencies

may also be unable to sustain the costs of hazard damage, which may be very substantial.

In 1985, the Commission adopted suggested modifications to the stringline policies of the LUP regarding new development on oceanfront parcels. The revised LUP does not incorporate the Commission's suggested modifications, but it does contain an adequate alternative means of assuring that new development on beachfront parcels will be consistent with Coastal Act policies and Coastal Commission precedential decisions (e.g., Appeal #161-78, New West; #5-83-669, Ferguson). The revised LUP includes Policy 153 which requires a setback for new development from wave hazard areas and the use of stringlines for determining the appropriate beach setback for development that constitutes infilling. Use of the stringline approach assures that new development will not encroach on sandy areas that may be subject to public rights of access where acquired through historic use, consistent with Section 30211 of the Coastal Act, will protect oceanfront land suitable for recreational use, consistent with Section 30221, and will minimize risks to life and property where ocean waves and storms present a significant hazard, consistent with Section 30253.

The revised LUP includes Policy 165 which will minimize the use of stairs on bluff faces that may be subject to wave damage (and where construction of staircases may exacerbate bluff instability). Furthermore, Policy 273b will prevent creation of new beachfront parcels subject to wave damage by requiring that beachfront land divisions create only building sites free from potential wave hazard. As revised, the policies of the LUP are consistent with Section 30253 regarding hazards.

#### 7. Circulation.

Revisions to several circulation policies have been made by the County in order to clarify the intent of the policies and to respond to comments received from the public and other agencies. Revised policies include P184, P186, P195, P197, P200, P204, P206 and P213. P202 and P211 have been deleted as being redundant. Revisions have also been made in response to comments regarding the protection of environmental resources in connection with road improvements. These revisions affect P195, P201, and P207, which require that protection of environmental resources will be ensured when road improvements are made.

To ensure that the steep, narrow part of Malibu Canyon between the intersection of Piuma Road and the coastal terrace is protected against adverse impacts on stream habitat and geologic stability, a revision has been made to P196 to require that Malibu Canyon Road in this area remain a two-lane road. To protect the visual quality of the Mulholland Corridor, a major goal of the National Park Service's plans for the Santa Monica Mountains, as well as to protect environmental resources, a revision has been made to P198 to require that Mullholland Highway remain a two-lane road, although safety improvements will be allowed.

The revised LUP includes Policy 193 which clarifies that improvement of roads such as dirt roads will be permitted only where they provide legal access (i.e., public road frontage or dedicated easement) to parcels which are already developed or which may be developed consistent with other policies of the LUP. This policy is consistent with a Commission permit decision which allowed residential development on a fire road based, in part, on a requirement that the applicant demonstrate that the road provided legal access to the parcel (#5-83-589, Murphy Dunne).

P194 and P210 suggest several methods of improving traffic flow and safety on Pacific Coast Highway. As revised, these policies will not permit removal of on-street parking, as a means of increasing the right-of-way available to traffic, without appropriate mitigation. Such removal would conflict with access policies of the Coastal Act, since the sides of Pacific Coast Highway provide available parking space near coastal access points, such as Topanga State Beach and the Malibu Pier area. Existing off-street parking facilities are inadequate to accommodate even existing recreational demand in the Malibu area, much less future increased demand. To avoid exacerbating the parking shortage, therefore, it is appropriate to ensure that highway capacity improvements do not come at the expense of parking used by visitors. At the same time, the Commission recognizes the importance of highway improvements in assuring continued access to the coast for Coastal Act-priority recreational uses.

The revised Policy 194 will allow replacement of existing on-street parking space to occur in a variety of ways. Recognizing the shortage of available sites near the beach for creation of off-street parking lots, the policy will allow replacement of existing parking with creation of remote lots served by public transit or beach shuttles, as long as these serve beach users who now park along the highway. The revised policies will also encourage expansion of public transit facilities in conjunction with highway improvements, consistent with Section 30252.

Revised Policy 216c establishes parking standards for all types of new development. The LUP as originally submitted contained no parking standards, and standards are necessary to assure that commercial and other types of development can be accommodated without placing a burden on public street parking or other areas used for coastal access and beach parking. The parking standards that have been added to the LUP are the same as those that have been employed by the Commission when reviewing coastal permit applications.

As originally submitted, Policy 216 recognized the relationship between recreational/residential development in the coastal zone and the capacity of Pacific Coast Highway, but did not specify when necessary improvements to the highway must be made. The revised policy clarifies the relationship between continued development and highway improvements by referring to P274, a key policy which is discussed below under 13. Pacific Coast Highway.

## 8. Sewers.

The revised LUP approaches the problem of sewage disposal in several ways, consistent with the Commission's suggested modifications adopted in 1985. First, P217 has been clarified to ensure that wastewater management operations (including sewage disposal) will neither cause nor aggravate public health problems. Secondly, revised Policies 218 and 225 clarify that County codes governing use of individual sewage disposal systems constitute portions of the LCP and that future changes to codes will constitute LCP amendments. This revision is appropriate in order to ensure that restrictions on development in non-sewered areas (currently nearly all of the coastal zone) are not inadvertently erased or lessened without Commission review. Thirdly, the possibility of reducing buildout in small-lot subdivisions based on sewage disposal problems is addressed by revisions to P222 and P229. These policies strengthen the County's ability to institute new measures in such subdivisions, should sewage disposal problems require them.

As revised by the County, Policy 226 establishes the requirement that adequate sewage disposal capacity be available, whether by individual on-site systems or by an area-wide sewer. The policy establishes this general standard, regardless of the present existence or lack of sewers. A similar revision has been made to Policy 228 regarding projects which generate high volumes of wastewater. These revised policies are consistent with Section 30250(a) which requires that development be approved only where facilities are available to support it.

Revisions which have been made by the County to certain other policies in the LUP have an indirect effect on sewage disposal requirements. Among these changes is the inclusion of a Development Allocation System (P274), the purpose of which is to provide time for construction of major highway improvements which require a number of years to plan and build, while allowing new development to proceed at a modest pace. Inclusion of the Development Allocation System will indirectly allow sufficient time to plan and build a regional sewer system before complete buildout under the LUP will occur.

The Director of the County Department of Public Works (formerly the County Engineer-Facilities) has stated that the need for sewers is critical and that a regional sewer system for Malibu is practical and feasible (Report to Board of Supervisors on Malibu Sewers, August 17, 1984). The Board of Supervisors has taken initial steps toward a major sewer system by initiating an assessment district to fund the necessary engineering feasibility studies and environmental and cost analyses of alternatives (September 13, 1984 and April 11, 1985). The Priority I area which has been studied first includes the area along Pacific Coast Highway from Malibu Road east to Topanga, including the Civic Center.

Revised Policies 227, 227B, and 227C maintain the County's stated intent of providing a regional sewer system extending generally from the Civic Center, including Malibu Road, east to Topanga Creek (the boundary of the Malibu Land Use Plan). The revised policies require that the planning for a regional sewer system take into account the potential impact of such an enormous

undertaking on coastal resources and on the community. Due to the potential magnitude of impacts of sewer construction on coastal resources and on the community, it is necessary for the Commission to review the plans for the sewer system. Therefore, P227 as revised establishes that the sewer system plan shall be reviewed as an element of the Implementation Program, which is the appropriate vehicle since the sewer plan will carry out the general policy direction of the LUP to provide a sewer in the major population center of Malibu.

Revised Policy P227B establishes the information needs which must be met in planning a regional system. The information needs include detailed plans of the sewage collection, treatment, and disposal facilities. The structural feasibility of a system needs to be addressed by an engineering geology study which establishes that sewer lines can be placed safely in geologically hazardous areas. Finally, the potential impact of major construction on use of Pacific Coast Highway must be addressed by a traffic plan which demonstrates that effects on commuter and recreational traffic will be minimized, while recognizing that a project of this magnitude is likely to have some level of impact on traffic.

Revised Policy P227c indicates the Commission's expectations for the provision of information regarding a regional sewer. First, the sewer system must be designed according to the level of development provided by the LUP and must not encourage additional growth, either by its availability alone or by the need to generate assessments to support construction of the system. The County must demonstrate that construction can take place in a safe manner without unreasonably interfering with normal traffic flow along Pacific Coast Highway. Finally, the County must demonstrate that standards for water quality in streams and in the ocean will be upheld.

These requirements are necessitated by various sections of the Coastal Act. Section 30250(a) requires that new development, such as residential, commercial and other development allowed by the LUP, be permitted where services are available to support it, including in this case a major sewer system. Consistent with Section 30254, the sewer system must be designed to accommodate needs that are generated by the LUP. Information regarding the assessment district must be provided in order to assure that additional growth will not be induced beyond that allowed by the LUP itself. Sections 30253(1) and (2) require that geologic hazards and road safety during construction be considered, and Section 30231 requires protection of water quality. Finally, Section 30210 and other access policies require that sewer construction along a road as heavily used as is Pacific Coast Highway in Malibu assure that traffic not be unduly impeded. As revised, the LUP policies regarding sewage disposal are consistent with the policies of Chapter 3.

#### 9. Shoreline Structures.

As submitted originally, the LUP contained a policy (P256) directing construction of groins for beach widening at Las Tunas, Topanga, and Corral Beaches and removal of existing groins at Las Tunas. The existing groins at Las Tunas are deteriorated, and removal is probably advisable. However,

proposed construction of new groins there or at beaches where they do not presently exist raises several major Coastal Act issues, including effects on shoreline sand supply and the width of nearby beaches and on public access over newly created areas of sandy beach. Consequently, consistent with the Commission's 1985 suggested modifications, the revised LUP deletes the requirement for construction of new groins.

Policy 256 has been revised by the County to make construction of groins permissible if all policies of the LUP are satisfied, including those concerning shoreline sand supply and public access. Such policies are necessary for the plan to be consistent with Coastal Act policies requiring mitigation of adverse impacts on shoreline sand supply (Sec. 30235) and provision of public access in connection with most new development (Sec. 30212). Application of Coastal Act policies to individual groin projects will occur through the coastal permit process. The Commission recognizes that due to their location, groins are likely to fall within the Coastal Commission's continuing coastal permit jurisdiction area. As revised, P256 is consistent with the policies of Chapter 3 of the Coastal Act.

#### 10. Industrial Development.

The Commission's findings of denial regarding the LUP as submitted originally concluded that the plan failed to provide necessary standards for location of industrial and energy developments, including oil exploration. The revised Policy 259 provides more specific guidance concerning the appropriate location and mitigation measures for energy-related facilities, including oil exploration and development.

First, the revised policy establishes that energy facilities are not necessarily coastal dependent, consistent with the Commission's findings in a key case (Ross Petroleum, Permit #5-84-58). If determined to be non-coastal-dependent, industrial facilities may be located only if fully consistent with the LCP.

Whether or not such facilities are determined to be coastal-dependent, revised P259 requires thorough environmental analysis which indicates that all potential adverse impacts of the project can be mitigated, that the project represents the least environmentally damaging alternative, that the project will not create adverse impacts on particularly sensitive areas such as Environmentally Sensitive Habitat Areas, geologic and fire hazard areas, and recreational areas, and that the project is fully consistent with the LCP. Revised Policy 259B states that due to their particular sensitivity, ESHAs, Significant Watersheds, Significant Oak Woodlands, beaches, and areas of high geologic or fire hazard will be off-limits to industrial uses, including oil exploration and production.

As revised, the industrial development policies provide strict limitations on the circumstances under which such land uses can be approved. These strict limits are necessitated by the importance of the Malibu coastal zone as a visitor destination, by the sensitive wildlife habitats, geologically unstable

areas, and fire danger areas which cover much of the zone, and by the risks to such areas which are posed by industrial developments. As revised, the policies are consistent with Sections 30240(a), 30253(1) and (2), the public recreation and access policies, and other policies of Chapter 3.

#### 11. New Development.

P271 describes the Land Use Plan Map and the various land use categories which are indicated on it. Revisions to the originally submitted LUP have been made to both the Land Use Plan Map and to related policies.

##### a) Revisions to the Land Use Plan Map.

Changes to the originally submitted Land Use Plan Map have been made as follows (sectional maps showing changes are attached as Attachment #10; full-size maps showing the changes are on file at the Los Angeles County Department of Regional Planning):

- o Additions to National Park Service holdings have been indicated on the map by designation as Category 18 - Parks. These are additions made since the County's Land Use Plan was drawn up several years ago. Federal acquisitions lie mostly in Zuma and Trancas Canyons. The Commission recognizes that future changes to the Land Use Plan Map may be required to reflect additional land acquisitions by public agencies.

- o Approximately 675 acres have been redesignated from general commercial or residential use to visitor-serving use, either Category #16 - Low-Intensity Visitor-Serving Commercial Recreation or #17 - Recreation-Serving Commercial. The first category is intended for large parcels with low-intensity uses such as campgrounds; the second is intended for higher-intensity uses such as restaurants or hotels. Changes to the Land Use Map to expand these categories affect the following sites:

- Property at the corner of Mulholland Highway and Las Virgenes Road. This is a fine, level site at an appropriate location for visitor-serving uses, as identified by the Commission's previous findings of denial regarding the originally-submitted LUP.

- A site in Latigo Canyon currently in low-intensity visitor-serving use, which the owner wishes to continue on the property.

- Several sites at the Malibu Civic Center. This area is the commercial hub of the Malibu coastal zone, and is indicated for the construction of a sewer system. Several sites are indicated as Category 17 to allow possible development of restaurants or hotels.

- o Reductions in residential density have been made at various locations on the coastal terrace near Point Dume and in the Cold Creek/Malibu Canyon area. These changes were suggested in part, by landform constraints, and, in part, by approvals by the County since the LUP was prepared in 1982 of residential projects at densities lower than provided by the originally submitted LUP.

The property on the slopes of the Topanga Canyon mouth is very steep, and it is accordingly designated by the LUP for the lowest density residential category provided by the LUP (Category M2, or one unit per 20 acres). More level land within the canyon mouth, on the other hand, is proposed by the County's revised LUP for multiple uses, with emphasis on visitor-serving and highway-oriented commercial uses, such as hotels and motels, restaurants and other convenience uses to serve visitors to Topanga State Beach. Local and regional business uses and multiple residential uses are also permitted. Because of constraints on development of the site, including flood hazard protection, habitat protection, and traffic concerns, the policy requires preparation of a specific plan for the area which will address those constraints, as well as define the mixture of uses that will be allowed. The requirement for a Specific Plan is an appropriate means of addressing the site's development constraints while allowing the County necessary design flexibility. The Commission will have the opportunity to ensure that the details of the Specific Plan are consistent with the Coastal Act when the plan is submitted for the Commission's review and approval.

b) Technical Revisions to LUP Policies.

The following technical changes have been made by the County in the revised LUP:

- o The description of residential and other land uses has been revised to indicate which uses are principal permitted uses and which are conditional uses. This clarification is appropriate, since coastal permits for non-principal permitted uses will be appealable to the Coastal Commission when the County assumes coastal permit jurisdiction under the certified LCP.
- o The description of the resource protection and management overlay has been amended to be consistent with Policies 57 through 75.
- o A policy has been added explaining that all developments subject to a coastal permit are subject to findings by the County that projects are consistent with the LCP.
- o A definition of existing developed areas (the coastal terrace) and all other areas (rural villages, Significant Watersheds, and other mountain areas) has been added to clarify the meaning of other policies which refer to such areas (such as P219 and P220).
- o The revised LUP includes Policies 273b through 273d which require that all parcels created through land divisions must contain a building site which could be developed consistent with all other Land Use Plan policies. These policies are particularly important in regard to beachfront parcels and parcels adjacent to or partially within designated Environmentally Sensitive Habitat Areas, where new parcels meeting the minimum size standards of the LUP map but failing wave hazard or setback policies of the LUP might otherwise be created.

Policy 273 in the originally submitted LUP restated the requirements of Section 30250(a) of the Coastal Act regarding land divisions outside existing developed areas (that is, such land divisions should be permitted only where 50% of the usable parcels in the area have been developed and where the created parcels would be no smaller than the average size of surrounding parcels). In place of this policy, the revised LUP includes a requirement that development shall conform to Chapter 3 of the Coastal Act, as amended. Section 30250(a) is found in Chapter 3 of the Coastal Act, and thus the more general requirement of consistency with Chapter 3 that is contained in the revised LUP includes consistency with the rural land division criteria of Section 30250(a).

c) Deletion of Variances.

Among the major revisions made by the County to the originally submitted LUP is the deletion of the "density variances" for rural areas. Deletion of the variances for locations outside existing developed areas leaves in place the underlying density provided by the Land Use Map, thus providing a specific density standard and a lower potential overall residential build-out than would have been the case under the originally submitted LUP.

d) Second Units.

Revisions have been made by the County to the portion of Policy 271 which describes residential uses, in order to place an upper limit on the size of allowable second units located on the same parcel with a principal dwelling unit. State law (SB1160) provides for small second units to be allowed in single-family neighborhoods for elderly housing. The revised policy is consistent with the intent of that law to provide elders the opportunity to share single-family lots with family members or others. The policy is also consistent with Commission permit decisions in Malibu which have restricted construction of second units, whether for elderly use, guesthouses, or other purposes, to no more than 750 gross square feet (#5-84-452, Scarpellino). The restriction on size of such units is necessary given the traffic and infrastructure constraints which exist in Malibu along with the large number of existing vacant residential lots.

Given the small size of allowable second units and the fact that they are likely to be occupied by one person, or at the most two persons, such units will have less impact on limited highway capacity than ordinary single-family residences. Recognizing this difference, a second unit on a single-family lot will be counted as one-half a unit for purposes of the Development Allocation System described below in Section 12.f) Buildout and Phasing of Development.

e) Malibu Civic Center.

The revised Land Use Plan provides that the Civic Center will serve as the principal community center in the Malibu coastal zone and will encompass a variety of uses including general and visitor-serving commercial, office, governmental, and residential uses. Commenters have proposed that a Specific

Plan be prepared for the Civic Center area in order to maximize architectural consistency and the efficiency of internal circulation and to meet other planning goals. Preparation of a Specific Plan would indeed be useful, and is strongly encouraged by the revised plan, but submittal of a Specific Plan with the LUP is not essential to achieve certification of the Land Use Plan.

As revised, the Land Use Plan map designates sites within the Civic Center for all essential uses, including expanded areas for visitor-serving uses. Policy 138d provides general height and design standards for development in the area. These revisions are sufficient to address Coastal Act policies regarding priority land uses and protection of visual quality. At the same time, the Commission recognizes that a Specific Plan for the Civic Center may help to achieve important community planning goals, (see the additional discussion above under Section 5. Visual Resources.) and the Commission would welcome the review of such a plan during the implementation phase of LCP preparation or at a later time.

f) Pepperdine University.

In the section describing the Malibu Civic Center-Pepperdine University Center, the originally-submitted LUP stated that the development of additional facilities allowing a maximum student population of 5,000 full-time equivalents (FTE) would be permitted at Pepperdine. This number of students would represent a 100% increase above the level allowed by the University's current county use permit.

The University has prepared a draft Long-Range Development Plan (LRDP) which provides for future campus expansion up to the 5,000 FTE level. The Commission is concerned not only with the level of students to be served under the Long-Range Plan, but also with associated increases such as square footage of new buildings (expected to be up over 200%) and new highway trips generated (up 100%). The impact of all such factors on the community and on coastal resources must be assessed in order to determine the consistency of University growth with the Coastal Act. Impacts on coastal resources would include impacts of sewage effluent on water quality, impacts of major construction on natural landforms and scenic beauty, and impacts of University-related traffic on the community's use of area roads and on the ability of visitors to use recreational sites. Pepperdine is very much a part of the Malibu community, and its impacts on coastal resources and access need to be assessed on the same footing as other developments in Malibu.

To address new development at Pepperdine University, modifications to Policy 271 were suggested by the Commission in 1985. The County's revised LUP incorporates these suggested modifications. Policy 271, as revised, allows development within the existing graded campus of facilities designed to serve up to 3,000 FTE (an increase of 20% above the 2,500 FTE now allowed) and 300,000 square feet of new building area (an increase of 30% over what now exists). This level of development represents a modest increase in potential impacts on coastal resources which can be successfully mitigated through specific measures included in the LUP, as described below. Policy 271 recognizes that a Long-Range Development Plan for Pepperdine University may be

submitted to the Coastal Commission to provide for an ultimate level of campus development other than 3,000 FTE and 300,000 square feet of new buildings. Such a plan will be reviewed by the Commission, if submitted, and may be approved, if the additional grading, sewer service impacts, visual impacts, and traffic impacts are fully mitigated. In the absence of an approved LRDP, the policy for new development at Pepperdine University is as described here.

Because one of the Commission's primary concerns regarding additional campus development is the creation of additional traffic on area roads, the revised policy addresses in particular the types of new development which will not create additional traffic. Expansion of campus facilities which merely improve services to the existing level of students, rather than serve additional students, will not create significant traffic impacts. If confined to the existing graded campus, such development will not require significant landform alterations, another concern of the Commission's. Therefore, the revised policy allows development within the graded campus without regard to the 300,000 square foot limitation if it can be demonstrated that such development is designed to serve only the existing numbers of students, staff, and faculty. The "existing number of students" refers to the number of full-time equivalent (FTE) students enrolled at the time of the permit application (but not exceeding 3,000 FTE). As the permit applicant, the University would be responsible for providing appropriate information on the use of proposed structures to enable the coastal-permit issuing agency to conclude that additional traffic would not result from the project.

Policy 271, as revised, will result in assurance of adequate wastewater treatment if facilities need to be expanded. The policy will also permanently assure open space over the most environmentally sensitive areas of the campus (which are designated as a Significant Ecological Area by Los Angeles County, as previously mapped and approved by the Coastal Commission in connection with Coastal Permit #5-82-825). In addition, the policy requires provision of a route for the regional Coastal Slope and Mesa Peak Trails across the campus and University support for a Transportation Committee dedicated to minimizing the impact of additional development at Pepperdine University on Civic Center traffic volumes.

Finally, to offset directly the University's impacts on the ability of recreationists to reach Malibu beaches, the University will participate in creation of at least five vertical accessways to the public tidelands, where offers of dedication have been made and the lack of physical improvements is the only impediment to public use. The University's role will be limited to construction of such accessways; acceptance of easements and maintenance will be the responsibility of other entities such as the County Department of Beaches and Harbors which already operates eleven vertical accessways in Malibu. Selection of vertical accessways to be improved should emphasize those where only short stairs or other improvements would be needed and should be consistent with the priorities for creation of new accessways as established by the revised access policies of the LUP. Compliance with such mitigation measures will assure that new development at Pepperdine will address a variety of cumulative impacts raised by that development.

The detailed mitigation measures described above assure that new development at Pepperdine University will be consistent with the Coastal Act. Assurance of adequate sewage disposal is necessary to protect the quality of coastal waters, as required by Section 30231. Provision of permanent open space and trails is necessary to assure that recreational opportunities are maximized and habitat and scenic values are protected, consistent with Section 30210, 30240(a), and 30251. Traffic mitigation measures and accessway improvement participation are necessary to assure that public access to the coast is maintained. Finally, the limitation on the amount of new development is necessary to help assure that the impacts described above will be modest in scope and can be successfully mitigated. As revised, the LUP policy regarding expansion of Pepperdine University is consistent with the policies of Chapter 3 of the Coastal Act.

g) Trancas.

The provision for a major commercial center at Trancas which was included in the originally submitted LUP has been deleted in the revised LUP. Although the Commission has found that visitor-serving recreational facilities should be given high priority in the Land Use Plan, the Trancas area was not an appropriate candidate, based on the lack of policies encouraging construction of a sewer in that area. P221 calls for provision of a sewer to serve beachfront development and adjoining areas from Civic Center east to Topanga Creek, but the policy does not call for a sewer extension west of Civic Center to Trancas. Development of major commercial facilities such as hotels or restaurants would be constrained without a sewer system. Therefore, the revised LUP emphasizes placement of new visitor-serving facilities in areas within potential reach of a sewer or in rural areas where densities are sufficiently low to allow on-site sewage disposal.

12. Buildout.

a) Cumulative Impact Mitigation.

Section 30250(a) of the Coastal Act requires that new development outside existing developed areas be located where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. An essential element of the Commission's decisions on individual coastal permit applications from the Malibu/Santa Monica Mountains area has been the problem of cumulative impacts of new development in an area where there are thousands of existing undeveloped parcels and where additional parcels are likely to be created. To address cumulative impacts in the context of individual coastal permit applications, the Commission created the Transfer of Development Credit (TDC) Program.

The revised LUP does not include the TDC Program, but it includes instead other planning policies which will adequately address the cumulative impact problem. For instance, the County has indicated that many of the existing undeveloped parcels in the Santa Monica Mountains are not likely to be developed and that the pace of development in the small-lot subdivisions (the major category of existing undeveloped parcels) has been very slow in recent

years. Furthermore, the revised LUP includes an overall residential development cap of 6,582 additional units, of which no more than 1,200 can be in the small-lot subdivisions. (The figure of 6,582 units was derived from an estimate of potential development that might occur under the LUP, as calculated by Coastal Commission staff.)

The revised LUP also includes five specific techniques for mitigating cumulative impacts of potential development of existing non-conforming lots (including lots in small-lot subdivisions and lots of less than 20 acres within the designated Significant Watersheds). These techniques include: public agency acquisition, offering tax delinquent lots to adjacent owners, lot consolidation where ownerships are contiguous, redevelopment, and lot exchange for surplus governmental properties. The availability of these techniques will allow the County to reduce the numbers of parcels which may ultimately be developed. By doing so, the County will be using direct governmental action to address the problem of non-conforming lots. These techniques, coupled with the overall cap on residential development and the cap on development in the small-lot subdivisions, provide assurance that the cumulative impact of new development will be adequately addressed by the County under its LUP. The Commission finds, therefore, that the revised LUP is consistent with Section 30250(a) of the Coastal Act.

b) Slope-Intensity Formula.

To assure that the size of hillside structures in small-lot subdivisions will be related to the suitability of the sites for development, a slope-intensity formula is included in the revised LUP. This formula is nearly identical to that developed by the Commission and applied to coastal permit applications for houses in small-lot subdivisions. The formula provides a minimum gross structural area of 500 square feet for lots on the steepest slopes (over 50%), with a larger structural area for gentler slopes. Larger building sites would also result in a larger allowable gross structural area, through merger of adjoining lots or retirement from development of non-adjoining lots in the same vicinity.

The formula provides an incentive to combine lots into appropriately sized building sites and/or to retire additional small lots from development. Consequently, the formula complements the various alternative techniques contained in the LUP (P272) for mitigating the cumulative impacts of development of non-conforming parcels.

One aspect of the Slope-Intensity Formula proposed by the County differs from that used by the Commission. The Commission's permit decisions have provided that the allowable gross structural area includes garages, but not semi-open carports. The effect of the distinction has been to encourage homeowners to build only carports initially and later to enclose them as garages. To avoid this unintended result, the County's revised formula does not include in the allowable gross structural area either garages or carports designed for the storage of autos.

c) Buildout and Phasing of Development.

The Commission found in denying the LUP as originally submitted that the plan would have allowed significant intensification of development in Malibu. The LUP as originally submitted stated that the grand total of new residential units above and beyond the number of existing units could reach 12,091, assuming buildout of small lot subdivisions and development of 795 units on the Pepperdine campus. The Commission found that the potential buildout allowed by the submitted LUP was unacceptable, given the severe constraints on development presented by roads, sewage disposal, and geologic hazards.

The revised LUP includes several major restraints on additional development. First, the revised LUP includes a slope-intensity formula for development in the small-lot subdivisions. Development in these subdivisions, or rural villages, will be reduced by approximately two-thirds, based on use of this formula, which in steep areas encourages merger of several lots in order to create an adequate-sized dwelling. Further restraints on buildout are contained in the array of techniques within Policy 272 for mitigating the cumulative impacts of development of non-conforming parcels, such as public acquisition and redevelopment.

Additional restraints on development are provided by changes to the Land Use Plan Map which have been made since the LUP was originally submitted. The changes in land use category of certain parcels as shown on Attachment #10 will have the effect of reducing potential buildout by 500 units in the mountains, exclusive of the rural villages, and by up to 1,300 units on the coastal terrace (see Attachment 7). Not shown on Attachment #7, however, are the potential for residential development serving additional students at Pepperdine University and residential development at the mouth of Topanga Canyon. A separate Long Range Development Plan for the University and a Specific Plan for the Topanga Canyon mouth are required by the revised LUP prior to such development taking place. Since those plans have not been prepared at this time, the overall level of development which may ultimately occur under the LUP cannot be determined from the Land Use Plan Map alone.

Although the LUP contains this uncertainty, it also contains an overall cap on residential development of 6,582 units in the entire planning area (P272). This cap will apply to potential development at Pepperdine University and at the Topanga Canyon mouth, as well as to development in other areas. Consequently, the Commission can find that the revised LUP provides adequate certainty regarding the ultimate level of development which may occur.

With the overall cap on residential development contained in Policy 272 and the other plan measures which will constrain buildout, total ultimate development will be no more than 6,582 units and may be less. The counting of residential units for purposes of implementing this cap must commence upon certification of the Land Use Plan, which took place on December 11, 1986, in order to be consistent with the estimates of current and potential future residential development which the Commission considered when the LUP was certified at that time.

One additional restraint on new development, the phasing program contained in P274, should be mentioned at this point, although it is directed primarily at improving highway capacity, as discussed below under 13.a) Relationship of New Development to Highway Capacity. This phasing program also serves the broader goal of maintaining an orderly progression of development without a rapid escalation in development once the LUP is completed and adopted. Policy 274 includes a cap of 2,110 residential units which may be approved before highway improvements are made. The specific highway improvements which appear to be most crucial to increasing capacity are the provision of an additional lane on Pacific Coast Highway between Malibu Canyon Road and the McClure Tunnel which would be available at least during the peak travel period in the peak direction and construction of major intersection improvements such as flyovers at key intersections. As described below, P274 provides that if necessary improvements to the highway are not made or cannot be made, the ultimate level of additional development could not exceed 2,110 residential units. The Commission has every expectation, nevertheless, that necessary highway improvements can and will be made, since such improvements will be necessary in the long run to assure continued access to the coast.

### 13. Pacific Coast Highway.

#### a) Relationship of New Development to Highway Capacity.

The revised LUP recognizes the limitations of Pacific Coast Highway to serve additional development. The reductions in potential development discussed above under 11.c) Deletion of Variances, 12.a) Cumulative Impact Mitigation, and other sections serve to assure that new development will not exceed the ability of roads, particularly Pacific Coast Highway, to serve it.

Policy 274 in the revised LUP includes specific requirements to reach the same goal. The policy sets an interim cap on residential development and requires additional study of the highway to verify that specific improvements are feasible. The cap and the specific highway improvements specified in the LUP shall be subject to revision based on the results of the study.

The California Department of Transportation (Caltrans) is responsible for maintaining Pacific Coast Highway. The Department produces data on existing and projected future numbers of autos using the highway, what the characteristics of that traffic (such as hours and direction of travel) will be, and what levels of service (such as speed and type of flow) will result from estimated traffic levels. These factors together may be taken as a measure of highway capacity.

In preliminary analysis, Caltrans has estimated that existing levels of service on Pacific Coast Highway can be maintained while development in the service area of the road continues to grow, as long as certain improvements to the highway are made. For instance, Caltrans has estimated that average daily traffic (ADT) on the portion of Pacific Coast Highway between Topanga Canyon Boulevard and Malibu Canyon Road in peak summer months will grow by 33% (from 46,000 to 61,200) by the year 2000. This increase would result in a deterioration in average speed from 40 to under 30 mph and a decline in level

of service from Level D to Level F (the lowest level categorized by Caltrans), unless major improvements are made. Such improvements include provision of an additional highway lane, usable at least in peak periods in the peak direction, and/or construction of major intersection improvements such as flyovers at selected intersections. Caltrans proposes to make such necessary improvements within the existing highway right-of-way, or, if added right-of-way is required, to take it from the ocean side of Pacific Coast Highway, in order to avoid exacerbating slope stability problems on the inland side of the roadway.

The Commission finds that the capacity of Pacific Coast Highway is a major determinant of the level of development which may be allowed in Malibu consistent with the Coastal Act. The existing highway operates at poor levels of service which frustrate the ability of residents and visitors to use it. Major new development can be allowed only if major improvements to the highway are made.

Caltrans has identified the addition of a peak hour lane as a major improvement which has the potential for expanding the capacity of Pacific Coast Highway. Therefore, P274 requires that an additional lane be made available, at least during the peak travel period in the peak direction. To avoid creating bottlenecks elsewhere, the extra lane must be available all the way from Malibu to the end of the Santa Monica Freeway in Santa Monica (that is, through the McClure Tunnel).

To allow time for these improvements to be designed, funded, and constructed, without calling a moratorium on all development in the meantime, P274 allows development to proceed under the LUP up to a specific level. An interim cap is established on new residential development which is a major generator of trips in Malibu. (Pepperdine University, which is also a major generator of trips, is addressed separately by the revised LUP, but non-student residential development on the campus is subject to this cap along with residential development elsewhere.) The interim cap is set at the level of 2,110 residential units. By the time this limit is reached, the necessary improvements to the highway should have been made.

The figure of 2,110 units is derived from a draft version of the County's LUP. Counting of residential units for purposes of this cap and for the others contained in Policy 272 must commence upon certification of the LUP, which took place on December 11, 1986.

The interim cap on residential development contained in P274 represents a significant amount of new development compared to what exists currently, while remaining significantly lower than the ultimate buildout allowed under the LUP. The cap represents a reasonable approach, therefore, to allowing new development to proceed while at the same time emphasizing the necessity of expanding the capacity of Pacific Coast Highway.

At this time, additional highway lanes and other improvements, such as major intersection improvements, have been suggested by Caltrans as concepts only. The feasibility of such improvements must be assessed before plans to construct them can be made definite. The policy requires accordingly that additional study shall occur of the service levels which would be likely to result from such improvements in combination with continuing development under the cap described above. The Commission will review the results of the study and make necessary adjustments to the cap on residential development and to the requirement for highway improvements, if the study demonstrates that such adjustments are appropriate. As revised, the LUP assures that new development, including Coastal Act priority uses, will be capable of being served by Pacific Coast Highway and other roadways.

The Commission has considered the possibility of imposing an interim development cap on commercial development as well as on residential development, as proposed by members of the public. Arguments advanced in favor of doing so include that some commercial uses generate significant levels of traffic and that imposing a cap would encourage developers to mitigate their traffic impacts through project design or operational measures in order to avoid being subject to the cap.

On the other hand, the Commission has considered the fact that limits on commercial development might have an effect opposite to that intended by encouraging premature commercial development by developers trying to get in under the cap. Furthermore, a commercial cap which exempted non-traffic-generating uses would be difficult to implement and might require applicants for even very small projects such as convenience stores to produce costly and time-consuming traffic studies. More important yet is that under the Coastal Act, visitor-serving commercial uses are required to receive higher priority on suitable lands than general commercial or residential uses. Imposition of a cap on commercial development might have the unwanted effect of restricting opportunities for commercial recreation, contrary to the mandates of the Coastal Act. By far the most land in the Malibu coastal zone is designated for residential use, and the Commission finds therefore and for the reasons discussed above that a cap on residential development alone is the most appropriate and workable mechanism to link the pace of new development to construction of needed highway improvements. Policy 274 contains an interim cap on residential development alone, consistent with this conclusion.

In its action on the Big Sur Land Use Plan (Monterey County), the Commission approved suggested modifications which have the effect of limiting residential buildout to a specific number of units (800) unless improvements to Highway One are made. The limitation on residential buildout in Big Sur is for the purpose of assuring that visitor-serving uses can be served by the highway. Because of its high potential buildout and location within a growing metropolitan area, Malibu is also appropriate for limitations on the amount of development, until such time as necessary highway improvements are made. Such improvements are major in scope and will probably require a lengthy lead time for planning and analysis. The revisions which have been made to the Malibu LUP allow sufficient time for such improvements to be made.

b) Pacific Coast Highway in Neighboring Jurisdictions.

Greater volumes of traffic are handled on the portions of Pacific Coast Highway to the east of Malibu within the cities of Los Angeles and Santa Monica than on the portion within Malibu itself. For instance, more than twice as much traffic uses Pacific Coast Highway at the California Street Incline in Santa Monica than at Malibu Civic Center. Caltrans projects increasing levels of traffic demand in the area to the east of Malibu with associated declines in the levels of service, unless highway improvements are made. Caltrans states that key improvements to Pacific Coast Highway are necessary both within and to the east of Malibu. Of particular importance is the McClure Tunnel in Santa Monica which measures only four lanes wide and acts as a major limitation on the provision of additional lanes to Pacific Coast Highway upcoast, unless the tunnel is widened. Due to its location near Santa Monica's downtown, widening or replacement of the McClure Tunnel would be an expensive and difficult task.

An LCP for Santa Monica has not yet been certified. Similarly, an LCP for the portion of Los Angeles City between Santa Monica and Malibu has not been certified. Due to continued growth in the Ventura Corridor which produces Z traffic and continued growth in the west Los Angeles and Santa Monica areas, improvements to Pacific Coast Highway within the jurisdictions of the cities of Los Angeles and Santa Monica will be necessary in the future in order to maintain existing levels of service. Highway improvements in those jurisdictions should be addressed by the cities' Local Coastal Programs. In particular, policies for the construction of an additional lane on Pacific Coast Highway must be included in such LCPs in order to make its construction viable in Malibu itself. To ensure that development in Malibu does not by itself lead to deterioration of levels of service on Pacific Coast Highway in other communities, phasing of development within Malibu and other revisions to the LUP to reduce total potential buildout have been made, as discussed above. These revisions, taken together, adequately address the need to assure adequate highway service in neighboring communities.

It is the Commission's role to look beyond local issues and to address regional or statewide planning concerns. The ability of Pacific Coast Highway to serve both coastal visitors and residents is such a concern. The Commission recognizes that implementation of some highway improvements may be outside the ability of local governments which are responsible for preparation of Local Coastal Programs. At the same time, if necessary highway improvements are not made, the Commission cannot find that adequate facilities are available to serve new development, including Coastal Act-priority uses. The Commission strongly encourages the provision of necessary highway improvements, regardless of agency responsibilities.

## V. MALIBU LAND USE PLAN POLICIES.

[Introductory Sections 1.1, 1.2.1, and 1.2.2 were not a part of previous staff reports prepared for the Coastal Commission. These sections are a part of the originally submitted Malibu Land Use Plan, however, and are reproduced below for the convenience of the public.]

### 1.1 DESCRIPTION OF THE MALIBU COASTAL ZONE: THE PHYSICAL AND CULTURAL SETTING

The Malibu Coastal Zone in Los Angeles County extends approximately 27 miles from the Ventura County line on the west to the Los Angeles city limits on the east (see Figure 1). Inland, the Malibu Coastal Zone boundary extends approximately 5 miles to include the coastal slopes of the Santa Monica Mountains.

The shoreline along the Malibu Coastal Zone contains sand and rocky coastal beaches. The inland portion of the Malibu Coastal Zone generally contains the major canyon system (i.e., watersheds) that intersect the mountain range. The canyons constitute the natural drainage areas that run down from the mountain peaks and interior valleys toward the Pacific. The exception to this is the Malibu Creek watershed which extends inland beyond five miles to the Simi Hills and drains approximately 67,000 acres of watershed into the Malibu Lagoon. The lagoon, its watershed, and the canyon systems form a major wildlife network important to sustaining many of the scenic and natural resource values of the region.

The marine environment from Malibu Point westward to the Ventura-Los Angeles County line is in a relatively undisturbed state. Kelp beds are found in this area, providing habitat for many species of sea life. The marine environment from Malibu Point eastward to Topanga has suffered some biological degradation; kelp beds have disappeared, but reef and rock zones still provide habitat for many species of fish.

Broad sandy beaches at Leo Carrillo, Zuma, Westward and Surfrider beaches provide sun bathing and swimming opportunities for the public. Access to these beaches and the entire Malibu coast is provided by the Pacific Coast Highway and a limited number of cross-mountain roads. The capacity of the Pacific Coast Highway is exceeded regularly on summer weekends as coastal visitors and residents attempt to reach the beach or enjoy a drive along the coast.

Land use patterns vary considerably throughout the region. Both commercial and residential development flank the Pacific Coast Highway from Topanga to Point Dume. The Malibu Civic Center area, located at the mouth of Malibu Canyon, and Point Dume Plaza are the major commercial areas. The balance of the region is generally made up of residentially zoned lots in small clusters of about 10,000 square feet to large parcels of 40 acres and more.

### 1.2.1 THE COASTAL ACT

In October 1972, the United States Congress passed Title 16 U.S.C. 1451-1464, which established a federal coastal zone management policy and created a federal coastal zone. By that legislation, the Congress declared a national interest in the effective management, beneficial use, protection and development of the coastal zone in order to balance the nation's natural, environmental and aesthetic resource needs with commercial-economic growth. The Congress found and declared that it was a national policy "to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone giving full consideration to ecological, cultural, historic and aesthetic values as well as to the need for economic development (16 U.S.C. 1452b). As a result of that federal enactment, coastal states were provided a policy and source of funding for the implementation of federal goals.

The California Coastal Zone Conservation Act of 1972 (Proposition 20) was a temporary measure passed by the voters of the state as a ballot initiative. It set up temporary coastal commissions with permit authority and a directive to prepare a comprehensive coastal plan. The coastal commissions under Proposition 20 lacked the authority to implement the Coastal Plan but were required to submit the Plan to the legislature for "adoption and implementation."

The California Coastal Act of 1976 is the permanent enacting law approved by the State Legislature. The Coastal Act has a different set of policies, a different boundary line, and a different permit procedure than Proposition 20. Further, it directs the transfer of most of the authority to local governments through adoption and certification of "local coastal programs."

The Coastal Act declares that "to achieve maximum responsiveness to local conditions, accountability, and public accessibility, it is necessary to rely heavily on local government and local land use planning procedures and enforcement" in carrying out the state's coastal objectives and policies (Section 30004). To this end, the Act directs each local government lying wholly or partly within the coastal zone to provide a local coastal program (LCP) for its portion of the coastal zone.

An LCP consists of "a local government's land use plans, zoning ordinances, zoning district maps, and implementing actions which, when taken together, meet the requirements of, and implement the provisions and policies of [the Coastal Act] at the local level." (Section 30108.6) The land use plan, the heart of the LCP, is defined as:

The relevant portions of a local government's general plan, or local coastal element, which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and, where necessary, a listing of implementing actions. (Section 30108.5)

The LCP zoning ordinance and district maps must conform with and be adequate to carry out the LCP land use plan.

Upon approval by Los Angeles County of the Malibu LCP land use plan and zoning ordinance, they will be submitted to the California Coastal Commission for review and certification. After certification of the land use plan and zoning components of the Malibu LCP, the review authority for new development within the coastal zone, which is now vested in the Coastal Commission prior to certification, will be returned to the County of Los Angeles. The County, in issuing coastal development permits after certification, must make the finding that the development is in conformity with the approved Malibu LCP. Any amendments to a certified LCP will have to be approved by the California Coastal Commission.

The legislature specifically mandated that "the precise contents of the local coastal program shall be determined by the local government, consistent with Section 30,501, in full consultation with the Commission and with full public participation." [Section 30500(c)] This submittal reflects the land use plan section of that local coastal program requirement.

The legislature further recognized that various conflicts may occur between one or more policies of the Coastal Act of 1976 (Section 30007.5). The Coastal Act of 1976 delineates a series of policies addressed to Environmental protections, standards for new development, and concern for protection of private property rights. The legislature expressed a concern to protect the natural and scenic resources, and prevent deterioration and destruction of the ecological balance of the coastal zone. Yet at the same time, the legislature was concerned that further balanced development occur for the economic well-being of the community.

Finally, the legislature specifically prohibited both local government and the Coastal Commission from acts inconsistent with constitutional private property rights.

"The legislature hereby finds and declares that this division is not intended and shall not be construed as authorizing...[government] to exercise their power to grant or deny a permit in a manner which will take or damage private property for public use, without payment of just compensation therefor. This section is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States" (Section 30010).

After the Malibu LCP has been certified by the Coastal Commission, the County of Los Angeles assumes responsibility for administering coastal development permits for the Malibu Coastal Zone, except for developments proposed on submerged lands, tide lands, and public trust lands. Permit authority under Chapter 7 of the Coastal Act will then rest with the County of Los Angeles, and development within the Malibu Coastal Zone, including special district, state, and most federal actions, is to be allowed only if found to be in conformity with the certified LCP.

Pursuant to Section 30603 of the Coastal Act, only certain kinds of developments can be appealed to the California Coastal Commission after a local government's LCP has been certified. These include:

- (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
- (2) Developments approved by the local government not included within paragraph (1) above located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.
- (3) Developments approved by the local government not included within paragraph (1) or (2) above that are located in a sensitive coastal resource area.\*
- (4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 of the Coastal Act (commencing with Section 30500).
- (5) Any development which constitutes a major public works project or a major energy facility.

The California Coastal Commission is also required to review periodically the progress of local governments in carrying out the Coastal Act and certified LCPs. This review is to occur at least once every five years.

#### 1.2.2 PUBLIC PARTICIPATION AND THE LOCAL COASTAL PLANNING PROCESS

The process of preparing a local coastal program (LCP) generally occurs in three phases. The first phase of the LCP process involves issue identification. In accordance with the Coastal Commission's LCP Regulations, the purpose of Phase I (issue identification) is to:

"(1) determine the policies of the Coastal Act that apply in each jurisdiction; (2) determine the extent to which existing local plans are adequate to meet Coastal Act requirements; and (3) delineate any potential conflicts between existing plans and development proposals and the policies of the Coastal Act."

\*Section 30502 of the Coastal Act requires the Coastal Commission to designate "sensitive coastal resource areas" within the coastal zone. However, in August 1978, the Coastal Commission voted not to designate any "sensitive coastal resource areas" within the entire state. Therefore, no areas exist within the Malibu Coastal Zone in which appeals of local coastal development permit decisions can be made pursuant to #3 above.

The culmination of Phase I of the Malibu LCP preparation process occurred in December 1978, when the California Coastal Commission approved an "Issue Identification/Work Program for the Malibu Area." This work program provides the specific issues to be addressed by the Malibu LCP land use plan and a methodology for addressing these issues.

In the second phase of the LCP process, the coastal planning issues identified in the work program were addressed, and the LCP land use plan, included herein, was prepared. The land use plan, once certified by the Coastal Commission, is the basis upon which zoning is developed during the third phase of the LCP process.

The Coastal Act places great importance on public involvement in carrying out the coastal policies. According to the Act:

"The Legislature...finds and declares that the public has the right to fully participate in decisions affecting coastal planning, conservation, and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation." (Section 30006)

Under the Coastal Act, the responsibility for ensuring meaningful public participation rests both with the Coastal Commission and with local government. Local governments have the main responsibility for involving the public in the local coastal planning. First, the local government will determine "the precise content of each local coastal program...with full public participation." [Section 30500(c)] The Coastal Act also provides that:

"During the preparation, approval, certification, and amendment of any local coastal program, the public...shall be provided maximum opportunities to participate. Prior to submission of a local coastal program for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission." (Section 30503)

During the preparation of the Malibu LCP land use plan, a series of workshops was held at the Malibu Civic Center to inform the public about the LCP process and to solicit comments on specific issues and proposals. The public workshops held, and their specific topics of discussion, were as follows:

| <u>Workshop</u> | <u>Date</u>   | <u>Topics Discussed</u>                       |
|-----------------|---------------|---|
| 1               | June 16, 1982 | Overall LCP process; specific planning issues |
| 2               | July 14, 1982 | Recreation and beach access                   |

- |   |                 |  |
|---|-----------------|--|
| 3 | August 4, 1982  | Public works; diking and dredging; industrial; archaeology; and agriculture                                  |
| 4 | August 18, 1982 | Environmentally sensitive habitat areas, marine resources, visual resources, commercial fishing, and hazards |
| 5 | August 30, 1982 | Alternative land use concepts  |

In addition to the above, a public information meeting will be held, prior to any public hearings, to present the draft LCP land use plan. Extensive public involvement preceded these workshops in the preparation of the Interim Areawide Plan for the Malibu/Santa Monica Mountains, which became the base document for the Malibu LCP.

### 1.2.3 BALANCED APPROACH IN PREPARATION OF LCP

In order to achieve the intent of the Coastal Act of 1976, the overriding goal of this Local Coastal Plan shall be to preserve the unique natural resources and fragile environment of the Malibu/Santa Monica Mountains Coastal Zone for the enjoyment of millions of Los Angeles area residents and visitors, as well as for future generations. Within that overall goal, this land use plan seeks a reasoned balance of various valid public interests: the mandate for environmental protection; the necessity of averting degradation or deterioration of our natural resources; the needs of our entire community for the continued economic growth through wisely-planned commercial and housing development; the needs for public access and recreational opportunities; the constitutional rights of private property ownership.

On that basis, this land use plan is a product of balanced local decisions predicated upon the mandates and directives of the Coastal Act of 1976, the federal Coastal Zone Management Act (16 U.S.C. 1451-1464), the federal Civil Rights Act (42 U.S.C. 1983) and the guarantees of the 5th and 14th Amendments of the United States Constitution and Article 1, Section 19, of the California Constitution.

### 1.2.4 RELATIONSHIP TO OTHER COUNTY PLANS

This Malibu Local Coastal Program land use plan is part of the County of Los Angeles General Plan Coastal Element, along with LCPs for the other coastal planning units of Los Angeles County within the coastal zone (Santa Catalina, Marina del Rey, and Los Alamitos). Together, the four units with their land use plans and implementation programs will comprise the County's entire Local Coastal Program as well as the Coastal Element of the General Plan.

On December 29, 1981, the Los Angeles County Board of Supervisors adopted an "Interim Area Plan for the Malibu/Santa Monica Mountains." This plan included an area much larger than the Malibu Coastal Zone extending several miles inland. Although the Area Plan is "interim" until December 31, 1982, it is suggested that the County extend its effective period until the adoption and certification of the Malibu LCP, at which time it will supersede the Area Plan for the coastal sections.

The Malibu Local Coastal Plan provides a framework for future development and establishes policies in order to guide government in everyday decisions. Furthermore, the LCP is an extension or refinement of the Los Angeles Countywide General Plan and focuses on local issues and concerns.

Nothing in this Coastal Plan shall be construed to prevent the construction of a single-family home on an existing lot because of the size of the lot.

Although the major components of the General Plan and LCP have different roles, they are not mutually exclusive. The LCP serves to provide governmental decision-makers with a local perspective, and with guidelines appropriate to local issues. For example, land use, and recreation and coastal resource protection policies will be more detailed and specific. However, decisions made must reflect the direction set by both the county-wide plan and LCP. Countywide issues not specifically addressed (or elements not included in the LCP) are applicable to the LCP. These issues are found in the County General Plan.

### 3.0 GENERAL GOALS AND OBJECTIVES

The following general policies shall provide the framework for the Land Use Plan:

1. The policies of Chapter 3 of the Coastal Act (PRC Sections 30200 through 30263 shall be the guiding policies of the Land Use Plan).
2. Where policies within the Land Use Plan overlap, the policy which is the most protective of coastal resources shall take precedence. In this context, broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.
3. Where there are conflicts between the policies set forth in the Land Use Plan and those set forth in any element of the County's General Plan, existing ordinances, or other County regional plans, the policies of this Land Use Plan shall take precedence.
4. Prior to the issuance of a coastal development permit, the County shall make the finding that the development reasonably meets the standards set forth in the Land Use Plan.

#### 4.1 RECREATION AND COASTAL ACCESS

##### 4.1.1 RECREATION

#### B. RECREATION AND VISITOR-SERVING FACILITIES

##### a. General Policies.

- P1 Provide recreational opportunities to meet the variety of recreation demands.
- P2 Provide for passive and educational, as well as active, recreational opportunities.
- P2b Provide for the widest feasible distribution of public recreational facilities, including parking facilities, throughout the Malibu/Santa Monica Mountains coastal zone, so as to avoid overcrowding or overuse by the public of any single area.

##### b. Interagency Coordination Policies.

- P3 Cooperate in the efforts of local, state, and federal agencies in providing recreation programs.
- P4 Make use of citizen volunteers to assist in the development, maintenance, and operation of recreational facilities.
- P5 Encourage cooperation between departments to facilitate the multiple use of public rights-of-way consistent with public safety.
- P6 The County of Los Angeles should work with the National Park Service and State Parks to determine the extent of impacts within the County from additional visitation generated by state and national parks.
- P6b Notice of proposed developments located outside existing developed areas shall be provided to the National Park Service for review under the Land Protection Plan.

##### c. Acquisition of Private Lands and Policies

- P7 [Deleted]
- P8 For federal funds which are earmarked for acquisition and not available for development and operations, high priority should be assigned to acquisition of property within Significant Ecological Areas.
- P9 Utilize open space easements and dedications, where appropriate, to facilitate the objectives of a recreational program.

- P10 Encourage the multiple use of public land and easements, where appropriate, such as flood inundation areas, for recreational purposes including trails, consistent with protection of environmentally sensitive habitat areas.
- P11 Encourage the Santa Monica Mountains National Recreation Area to provide a wide variety of outdoor recreation activities and opportunities to metropolitan Los Angeles.
- P12 Create an incentives program that would encourage landowners to make lands available for public recreational uses.
- P13 Accept private land donations which are compatible with the recreation policy.

d. Environmental Compatibility Policies

- P14 Program recreational use to minimize the adverse impact on natural elements.
- P15 Treat each public beach and inland recreational area as unique, not uniformly. Beaches and parks shall be classified and their use regulated according to their ability to withstand adverse impact. Their use and value as a recreational amenity should be defined and quantified. Use of State Beaches and Parks should be guided by a general development plan prepared for the State Parks and Recreation Commission.
- P16 Require that entrance roads, parking facilities, and other necessary developments in recreation areas be designed to maintain environmental and visual compatibility with the surrounding area.
- P16b No development other than that necessary to protect public health, safety, and welfare or to provide small-scale beach-related commercial uses shall be permitted on public beaches. Examples of permitted development shall include lifeguard stations, restrooms, seawalls where necessary to protect existing structures, and small concession stands. New paving for parking lots shall not be permitted on sandy beaches, unless a comparable replacement area of sandy beach is restored through removal of existing paving or structures. Construction of major commercial facilities such as hotels or restaurants shall not be permitted on sandy beaches.

e. Commercial Recreation Policies

- P17 Encourage the development of commercial recreational and visitor-serving facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking, and, when feasible, which are focused at locations where existing low cost recreation uses will be enhanced. Such uses shall

not displace existing recreational uses unless a comparable replacement area is provided. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided or alternative means of improving access to the recreational area are assured, such as improved public transit facilities or services. Among other sites, encourage development of commercial recreational and visitor-serving facilities at two development centers (Malibu Civic Center and Point Dume-Paradise Cove) and at one subcenter (mouth of Topanga Canyon).

P17b Encourage on limited non-sand areas of public park lands the development of commercial recreation and visitor-serving facilities which complement visitor-serving facilities on private land in order to yield lease, concession, and other revenues to offset beach and recreation facility operation and maintenance costs, including those associated with operation of vertical beach accessways.

In particular, the following may be allowed if consistent with all other policies of the LUP:

- 1) A recreational vehicle park may be developed on the bluff at Nicholas Canyon County Park,
- 2) Overnight recreational vehicle use may be established on a portion of the Zuma Beach parking lot, so long as net year-round visitor usage to the beach is increased.

P18 Encourage commercial recreational development which supplies recreational uses not publicly available.

P18b Protect, expand, and, where feasible, provide new lower cost recreation and visitor-serving facilities, especially public recreational facilities. In particular, consider the feasibility of providing lower-cost hostels in conjunction with development of new hotels. Encourage any new or expanded facilities to utilize sensitive design that is well integrated with the surrounding environment and public access.

P18c On land suitable for visitor-serving commercial recreational facilities, provide priority for visitor-serving facilities over private residential, general industrial, or general commercial development.

P19 Ensure that the types and intensities of commercial recreational uses are environmentally compatible with the area and the site.

P20 Locate commercial recreation facilities to efficiently utilize public services, particularly the road system.

- P21 Encourage that recreation-oriented commercial uses serve as support facilities for public recreation areas.
- P22 Site and design recreation-serving commercial uses to minimize traffic hazards and disruption of residential areas.
- P23 Provide that commercial recreation uses may locate near parks and recreation areas where the intensity does not detract from the park experience and the two are mutually supportive.

f. Compatibility of Recreation Uses with Adjacent Development Policies

- P24 Design public recreation facilities to minimize the impact on neighboring communities. Similarly, design new land divisions to minimize impacts of residential use on neighboring recreational land.
- P25 Protect adjacent neighborhood areas, to the extent feasible, from noise, visual and traffic impacts from new recreation areas.

g. Specific Recreational Improvements Policies

- P26 Encourage the development of onshore support facilities for scuba diving, windsurfing, and other water sports at the following potential locations, consistent with P16b:

- Zuma Beach
- Paradise Cove
- Malibu Pier
- Topanga Beach

- P27 Encourage the installation of barbecue pits and/or picnicking facilities at:

- Zuma Beach
- Westward Beach
- Leo Carrillo State Beach

C. TRAILS AND BIKEWAYS

- P28 Encourage implementation of the adopted Bikeways Plan in the Malibu Coastal Zone.
- P29 Upgrade the existing bikeway corridor along Pacific Coast Highway to eliminate the present hazards between motor vehicles and bicycles. At a minimum, it shall be improved to a Class II bikeway, including a separate striped lane. Such shall be accomplished in concert with any improvements of Pacific Coast Highway. Ensure that improvements to Pacific Coast Highway do not adversely affect the use of the highway as a major bicycle route.

- P30 Formalize bike paths in existing roadways as the latter are subject to improvement and potentially hazardous conditions are corrected.
- P31 Initiate a program to provide bike racks, lockers, or other devices for securing bicycles in convenient locations at beach and mountain parks and staging areas.
- P32 Provide a safe trail system throughout the mountain and seashore that can achieve the following:
- o Link major recreational facilities
  - o Link with trail systems of adjacent jurisdictions
  - o Provide recreational corridors between the mountains and the coast
  - o Provide for flexible, site-specific design and routing to minimize impact on adjacent property, communities, and fragile habitats. In particular, ensure that trails located within Environmentally Sensitive Habitat Areas are designed to protect fish and wildlife values.
  - o Provide connections with populated areas
  - o Provide for and be designed to accommodate multiple use (walking, hiking and equestrian) wherever appropriate.
  - o Facilitate linkages to community trail systems
  - o Provide for a diversity of recreational and aesthetic experiences
  - o Reserve certain trails for walking and hiking only.
  - o Prohibit public use of motorized vehicles on hiking/equestrian trails.
- P33 Protect the health and safety of trail users as well as adjacent residents.
- P34 Ensure that trails are used for their intended purpose and that trail use does not infringe upon or violate private property rights.
- P35 Protect property owners from claims of liability of trail users.
- P36 Assure that the trail areas are maintained in good condition and free of litter and debris.
- P37 Design and locate trails and/or adjacent development so that neither intrudes unnecessarily on the environment of the other.

- P38 Assure that adequate mechanism to achieve Policies 34 through 37 are in place for a particular trail prior to the opening of that trail for public use.
- P39 Ensure that the public and landowners shall be notified during the preliminary planning and have the right to participate in the selection of the final alignment of trails.
- P40 The opening of a trail for public use shall occur only after a public and/or private agency has agreed to accept the operation, maintenance and management responsibility. Trails shall coexist with the developing areas within the Santa Monica Mountains and not preclude development.
- P41 In determining which trail segment shall be implemented at a time when development funding is available, special attention shall be directed at identifying user demand. Areas of the highest user demand shall receive the highest priority for development in order to maximize the recreational opportunities within the Malibu Coastal Zone. Similarly, multi-use facilities, including hiking and equestrian uses, shall receive a higher priority than single-use facilities.
- P42 Duplication of trail locations within close proximity to one another shall receive a low priority for development and should be considered after all primary trail corridors have been implemented.
- P43 Vehicular use of unimproved access roads should not preclude alternate trail alignments adjacent to said access roads.
- P44 A trail dedication requirement shall be a condition of approval for new development as defined in Coastal Act Section 30212(b) where the property encompasses a mapped trail alignment, as indicated in Figure 3 of the LUP, or where the Coastal Commission has previously required trail easements. Nothing in this policy shall preclude relocating a trail that has historically been used by the public as a trail so long as the new trail is equivalent for purposes of public use. Both new development and the trail alignment shall be sited to provide maximum privacy for residents and maximum safety for trail users. Property owners and residents shall not be permitted to grade or develop the trail area in such a way as to render the trail unsafe or unusable. Where a trail is proposed prior to development occurring in an area, credit shall be given to the landowner that will run with the land by formal agreement if a donation is involved. The dedication of a trail right-of-way shall give the landowner the right to request the County to deduct that area from the assessed area of that parcel for tax purposes. It is expressly understood that the public agency shall accept the public liability for operation of the trail.

P45 The County Department of Parks and Recreation shall work with appropriate public agencies and nonprofit groups to implement a trail segment or loop system within the Santa Monica Mountains within 12 months after the Coastal Commission certification of the LCP. This trail will be developed as a cooperative planning effort to demonstrate how a public trail can be protected, developed and maintained at little or no cost through the incentive programs discussed within this text and public support in maintenance and operation.

P46 A trails fund shall be considered which establishes a horse license and/or users fees for horses within the unincorporated area of the Santa Monica Mountains. This fee shall be administered by the County for the purpose of acquiring, developing and maintaining riding and hiking trails within the mountain zone. When possible, these funds shall be used as seed money to attract matching grant money and donations for the trails system within the Santa Monica Mountains.

#### D. RECREATIONAL BOATING

P47 Encourage continued operation/expansion of private boat launch facilities at Paradise Cove Pier and the Malibu Yacht Club.

P48 Encourage the establishment of boat storage facilities in the vicinity of existing launch facilities.

#### 4.1.2 COASTAL ACCESS

##### 1. GENERAL POLICIES

P49 In accordance with Section 30214(a) of the Coastal Act, the time, place, and manner of public beach access requirements for new development will depend on individual facts and circumstances, including topographic and site characteristics, the capacity of the site to sustain use at the intensity proposed, the proximity to adjacent residential uses, the privacy of adjacent owners, the feasibility to provide for litter collection, and safety of local residents and beach users. Specific vertical access requirements are contained in P56 below.

P50 In accordance with Section 30214(b) of the Coastal Act, the requirement of access shall be reasonable and equitable, balancing the rights of the individual property owner and the public.

##### Vertical Access

P51 For all land divisions, non-residential new development, and residential new development on lots with 75 or more feet of frontage or with an existing drainage or utility easement connecting a public street with the shoreline or on groups of two or more lots with 50

feet or more of frontage per lot, an irrevocable offer of dedication of an easement to allow public vertical access to the mean high tide line shall be required, unless public access is already available at an existing developed accessway within the standard of separation provided under "Beach Access Program" (see below). "New development" shall be as defined by Public Resource Code Sec. 30106 and Sec. 30212(b). Such offer of dedication shall be valid for a period of 21 years, and shall be recorded free of prior liens except tax liens. The access easement shall measure at least 10 feet wide. Where two or more offers of dedication closer to each other than the standard of separation provides have been made pursuant to this policy, the physical improvement and opening to public use of offered accessways sufficient to meet the standard of separation shall result in the abandonment of other unnecessary offers.

Exceptions to the above requirement for offers of dedication may be made regarding beaches identified in the Land Use Plan's Area-Specific Marine Resource Policies (P111 through P113) as requiring limitations on access in order to protect sensitive marine resources.

#### LATERAL ACCESS

P52 For all new development as defined in Public Resource Code Sec. 30106 and 30212(b) between the first public road and the ocean, an irrevocable offer of dedication of an easement to allow public lateral access along the shoreline shall be required unless findings are made, consistent with Section 30212 of the Coastal Act, that access is inconsistent with public safety. Such offers of dedication shall run with the land in favor of a public agency or private association approved by the Executive Director of the Coastal Commission. Such offers shall be in effect for a period of 21 years, and shall be recorded free of prior liens, except tax liens.

The area subject to an access easement shall extend from the mean high tide line landward to (a) the dripline of an existing or proposed structure, or (b) to the top outer face of an approved seawall or revetment, or (c) to the base of the bluff where the bluff exceeds 5 feet in height, whichever is further seaward. Where the easement area adjoins a residential structure, as in (a) above, a strip 10 feet wide measured seaward from the structure shall be available only for public pass and repass when the remainder of the easement area is not passable.

Notwithstanding the above requirements, the lateral access requirement on lots fronting Broad Beach shall be as follows: an irrevocable offer of dedication of an easement from the mean high tide line to a line 25 feet inland of the daily high water line. The offer of dedication shall state that the daily high water line is understood by all parties to be ambulatory from day to day, as is the 25-foot wide strip of dry, sandy beach. In no case shall said access easement be closer than 10 feet to the approved development.

On shoreline developed with residential uses, the required lateral access easement shall be limited to passive recreational use.

In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access within the dedicated easement or deed-restricted area shall be removed as a condition of development approval. The County shall accept offers of dedication of lateral access or shall support acceptance by appropriate groups or governmental agencies.

P52b For each beach (as defined by Figure 5) which is bordered by residential development, a Beach Agreement may be reached by the County and the beachfront property owners with the approval of the Coastal Commission. Taking into account the beach's characteristics, potential recreation opportunities, the existence of public vertical accessways in the area, and the existence of recorded offers of dedication of lateral access, such an Agreement may establish permitted and prohibited uses and conditions of use, such as hours and area subject to use. In return for establishment of such conditions of use, neighboring property owners and/or the County shall agree not to interfere with such use. Where possible, as part of the Beach Agreement, lateral access offers already recorded shall be accepted by the County, Coastal Conservancy, or other organization acceptable to the Coastal Commission. Lateral access offers which were required in connection with coastal permits already approved may be amended, along with the coastal permits, to reflect the terms of the signed Beach Agreement. The Agreement shall provide for management of the beach, consistent with the conditions of use and other terms of the Agreement. Additional areas of beach acquired by public agencies through purchase or other means in conformance with P56 may be governed by a Beach Agreement which addresses the beach in question.

Prior to the issuance of a permit by the County for development on property adjacent to the mean high tide line, the applicant shall obtain a written determination from the State Lands Commission that:

- (a) No State lands and/or lands subject to the public trust are involved in the development, or
- (b) State lands and/or lands subject to the public trust are involved in the development and all permits that are required by the State Lands Commission have been obtained, or
- (c) State lands and/or lands subject to the public trust may be involved in the development, but pending a final determination, an agreement has been made with the State Lands Commission for the project to proceed without prejudice to that determination.

- P54 To help finance the construction and maintenance of new vertical access points, a fund shall be established by the County of Los Angeles to accept reasonable and equitable user fees, franchise fees, and other appropriate revenue. In particular, a one-time fee based on the gross square footage of the structure shall be required of new non-visitor-serving commercial (that is, uses other than hotels, motels, restaurants, and similar uses intended primarily for patronage by visitors) and general office uses approved on the coastal terrace in the Malibu coastal zone for deposit into the fund described herein.
- P55 To help finance the construction of new vertical access points, the use of State Energy Resource funds or other state and federal sources shall be encouraged.
- P55b Where evidence of public prescriptive rights or implied dedication (historic public use) is found in reviewing a coastal permit application, an offer of dedication of the accessway or an equivalent public access easement to protect the types, intensity, and areas subject to prescriptive rights shall be required as a condition of permit approval. Development may be sited in an area of historic public use only if equivalent type, intensity and area of replacement public access is provided on or within 100 feet of the project parcel.
- P55c Parking lots for general office buildings shall be designed with the goal of serving not only the office development during ordinary working hours, but also public beach parking during weekends and holidays, in conjunction with public transit or shuttle buses serving beach recreational areas.
- P55d The County of Los Angeles shall not close, abandon, or render unusable by the public any existing accessway, either vertical or lateral, which is owned or operated by the County. Any accessway which the County or other managing agency or organization determines cannot be maintained in a condition suitable for public use shall be offered to another public agency or private association, acceptable to the Executive Director of the Coastal Commission.

## 2. BEACH ACCESS PROGRAM

### Objectives

(a) Priorities for improved vertical public access in the Malibu Coastal Zone shall be in accordance with the ranking as depicted in Figure 5 as amended. These priorities are based on the extent to which existing, opened accessways fulfill the standards of separation for vertical accessways which are contained in P56 and on the need to protect sensitive environmental resources. As additional vertical accessways are improved and opened, these priorities shall be subject to revision.

In addition to the priorities contained in Figure 5, the following criteria shall be applied to the improvement of new vertical accessways:

Improvement of access to sandy beaches where there is no current public access.

Improvement of accessways already in public ownership or by using offers of dedication which were already made pursuant to the conditions of coastal permits issued by the Coastal Commission or the County where to do so would allow the County to avoid requiring future unnecessary offers of dedication as provided by P51.

Capacity to allow emergency vehicle passage from highway to beach and return, except where steepness or the existence of stairs would not allow vehicle use.

Improvement of accessways where parking or access to a public transit stop is available. Where possible, new off-street parking or public transit facilities should be provided.

Beach access opportunities requiring vertical pedestrian pathways shall not be opened until the improvements are in place and a public agency is willing to accept management and liability for such accessways.

(b) The frequency of public access locations shall vary according to localized beach settings and conditions as set forth in Policy P56 below. Vertical access standards and related dedication requirements may range from none in areas of major public beach holdings to one accessway per 1,000 feet of shoreline where accessways would be short and directly link roadways with adequate parking or transit access and the beach. In no areas shall there be a requirement for vertical accessway locations at a frequency greater than one per 1,000 lateral feet.

P56 Vertical Accessway Standards

P56-1 Leo Carillo

No new accessways needed - public beach.

P56-2 Nicholas Canyon

No new accessways needed - public beach with minor private holdings.

P56-3 Encinal (The State of California has completed development of an accessway/public beach area, at El Pescador, and the County has proposed development of El Sol Beach.)

o Vertical Access

- Two access offers of dedication shall be required in the area between Nicholas Canyon and El Pescadero for a separation of approximately one accessway per 2500 feet. Development of the El Sol accessway may satisfy one of the two requirements. The second offer of dedication shall be located at least 600' west of El Sol.

o Lateral Access (See P52)

o Public purchase of beach and accessway properties is an objective in this area.

P56-4 Lechuza (Assuming development of two accessway/public beach areas, La Piedra and El Matador, for public use. These areas have now been developed.)

o Vertical Access

- Dedication required to fulfill an objective of one accessway per 2,000 feet of shoreline.

o Lateral Access (See P52)

o Public purchase of beach and accessway properties is an objective in this area.

P56-5 Trancas

o Vertical Access

- Dedication required to fulfill an objective of one accessway per 1,000 feet of shoreline.

o Lateral Access

o Public purchase of beach area for recreational use is an objective in this area.

P56-6 Zuma

No dedications required - public beach.

P56-7 Point Dume

No dedications required - public beach.

P56-8 Dume Cove (Assuming adequate physical access to the Dume Cove sandy beach is completed from the Point Dume State Park area.)

o Vertical Access

- No beach access requirements, but vertical blufftop access for coastal view purposes will be required with an objective of two such view points in the Dume Cove area at least 500 feet apart.

o Lateral Access (See P52)

P56-9

Paradise Cove

o Vertical Access

- Dedication required to meet an objective of one accessway per 2,000 feet of beach frontage, and no fewer than two for the Paradise Cove area.
- Dedication of blufftop easements from streets to appropriate coastal view points (the objective is to establish three blufftop view access points in the Paradise Cove area).
- Dedication of access for coastal view points in appropriate locations.

o Lateral Access (See P52)

o Public purchase of sand beach for recreational purposes and area for public parking and other recreation-supporting facilities is an objective.

P56-10

Escondido

o Vertical Access

- Dedication required to meet an objective of one accessway per 2,000 feet of beach frontage, (with at least two accessways in addition to those existing at Escondido Creek and Holiday House).
- Dedication of access for coastal view points in appropriate locations.

o Lateral Access (See P52)

o Public purchase of sand beach area for public recreation and blufftop areas for parking and recreation facilities is an objective in this area.

P56-11 Latigo

o Vertical Access

- Dedication on property seaward of and fronting on Malibu Cove Colony Drive and Latigo Shore Drive to meet an objective of one accessway per 1,000 feet along the entire Latigo area shoreline.

- Blufftop view access from Pacific Coast Highway (PCH) or public street seaward of PCH, may be required where view point opportunities are present.

o Lateral Access (See P52)

P56-12 Corral

o Vertical Access

- None required on private properties.

o Lateral Access (See P52)

P-56-13 Amarillo

o Vertical Access

- The objective is one accessway per 1,000 feet of shoreline for the properties seaward of Malibu Road.

o Lateral Access (See P52)

o Assuming development and opening of Malibu Bluffs State Park for public recreation and coastal viewing, limited blufftop coastal view access dedications may be required on other blufftops in the area where coastal viewing opportunities are present.

P56-14 Malibu Beach

Assuming continued status of Malibu Colony Drive as a private street, properties seaward of and fronting on Malibu Road in the Malibu Beach area shall have the following access objectives:

o Vertical Access

- One accessway per 1,000 feet of beach frontage (i.e., that one or two accessways would meet the Malibu Beach objectives).

- o Lateral Access (See P52)
- o Public purchase of sandy beach area would enhance any accessway in this area, and is therefore an objective.

P56-15 Malibu Lagoon/Surfrider State Beach

No dedications required - public beach.

P56-16 Carbon Beach

- o Vertical Access
  - Dedication of one accessway per 1,000 feet of beach frontage.
- o Lateral Access (See P52)
- o Public beach acquisition is an objective in this area, ideally linked to accessway locations.

P56-17 La Costa - Las Flores

- o Vertical Access
  - Dedication of one accessway per 1,000 feet of beach frontage.
- o Lateral Access (See P52)
- o Public beach acquisition is an objective in this area.

P56-18 Big Rock

- o Vertical Access
  - Dedication of one accessway per 1,000 feet of frontage.
- o Lateral Access (See P52)

P56-19 Las Tunas

- o Vertical Access
  - Dedication for beach access or public view points at one per 1,000 feet of frontage as described above for the Big Rock area.
- o Lateral Access (See P52)

o Public acquisition of vacant parcels in the area is an objective (Caltrans parcels may be available and appropriate for public recreational uses).

P56-20 Topanga

No dedications required - public beach.

4.2 MARINE AND LAND RESOURCE PROTECTION

4.2.1 LAND RESOURCES

1. DESIGNATION OF RESOURCES

P57 Designate the following areas as Environmentally Sensitive Habitat Areas (ESHAs): (a) those shown on the Sensitive Environmental Resources Map (Figure 6), and (b) any undesignated areas which meet the criteria and which are identified through the biotic review process or other means, including those oak woodlands and other areas identified by the Department of Fish and Game as being appropriate for ESHA designation.

P58 Riparian woodlands, streams, oak woodlands, and savannahs which are located in areas of existing development and can no longer support a significant number of species normally associated with healthy habitat shall be designated as "Disturbed Sensitive Resources" (DSRs). These are depicted on Figure 6.

P59 Relatively undisturbed watershed areas containing exceptional undisturbed riparian and oak woodlands (or savannahs) and recognized as important in contributing to the integrity of these woodlands shall be designated as "Significant Watersheds". These are depicted on the Sensitive Environmental Resources Map, Figure 6, and include:

Arroyo Sequit  
Zuma Canyon  
Solstice Canyon  
Corral Canyon  
Malibu Canyon  
Cold Creek Canyon  
Tuna Canyon

Trancas Canyon and other areas identified by the Department of Fish and Game shall be added to the list of Significant Watersheds.

P60 Oak woodlands (non-riparian) or savannahs located outside Significant Watersheds shall be considered as significant resources and are depicted on Figure 6.

- P61 Maps depicting ESHAs, DSRs, Significant Watersheds, and Significant Oak Woodlands and Wildlife Corridors (Figure 6) shall be reviewed and periodically updated to reflect current information. Revisions to the maps depicting ESHAs and other designated environmental resource areas shall be treated as LCP amendments and shall be subject to the approval of the Coastal Commission.
- P61b Apart from the other provisions of the Land Use Plan, the application of those standards that apply specifically to sensitive environmental resource areas shall be limited to those areas as depicted on Figure 6 pursuant to the provisions of Policy 61.
- P62 For areas designated as Environmentally Sensitive Habitat Areas or Significant Watersheds, a mechanism should be established to compensate property owners for the loss of any potential development rights.

## 2. PROTECTION OF ENVIRONMENTAL RESOURCES

- P63 Uses shall be permitted in ESHAs, DSRs, Significant Watersheds, and Significant Oak Woodlands, and Wildlife Corridors in accordance with Table 1 and all other policies of this LCP.
- P64 An Environmental Review Board (ERB) comprised of qualified professionals with technical expertise in resource management (modeled on the Significant Ecological Areas Technical Advisory Committee) shall be established by the Board of Supervisors as an advisory body to the Regional Planning Commission and the Board to review development proposals in the ESHAs, areas adjacent to the ESHAs, Significant Watersheds, Wildlife Corridors, Significant Oak Woodlands, and DSRs. The ERB shall provide recommendations to the Regional Planning Commission (or decision-making body for coastal permits) on the conformance or lack of conformance of the project to the policies of the Local Coastal Program. Any recommendation of approval shall include mitigation measures designed to minimize adverse impacts on environmental resources. Consistent with P271 (a)(7), projects shall be approved by the decision-making body for coastal permits only upon a finding that the project is consistent with all policies of the LCP.
- P65 The Environmental Review Board shall consider the individual and cumulative impact of each development proposal within a designated Significant Watershed. Any development within a significant watershed shall be located so as to minimize vegetation clearance and consequent soil erosion, adverse impacts on wildlife resources and visual resources, and other impacts. Therefore, development should be clustered and located near existing roads, on areas of relatively gentle slopes as far as possible outside riparian areas in canyons and outside ridgeline saddles between canyons which serve as primary wildlife corridors.
- P66 [Blank]

- P67 Any project or use which cannot mitigate significant adverse impacts as defined in the California Environmental Quality Act on sensitive environmental resources (as depicted on Figure 6) shall be denied.
- P68 Environmentally sensitive habitat areas (ESHAs) shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Residential use shall not be considered a resource dependent use.
- P69 Development in areas adjacent to environmentally sensitive habitat areas (ESHAs) shall be subject to the review of the Environmental Review Board, shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.
- P71 The clustering of buildings shall be required in Significant Watersheds to minimize impacts unless it can be demonstrated that other environmental mitigation methods would be effective.
- P72 Open space or conservation easements or equivalent measures may be required in order to protect undisturbed watershed cover and riparian areas located on parcels proposed for development. Where new development is proposed adjacent to Environmentally Sensitive Habitat Areas, open space or conservation easements shall be required in order to protect resources within the ESHA.
- P73 The use of insecticides, herbicides, or any toxic chemical substance (with the exception of non-regulated home pesticides considered necessary for maintenance of households) shall be prohibited in designated environmentally sensitive habitats, except in an emergency which threatens the habitat itself.
- P74 New development shall be located as close as feasible to existing roadways, services, and existing development to minimize the effects on sensitive environmental resources.
- P75 Development adjacent to parks shall be sited to allow ample room outside park boundaries for necessary fire-preventive brush clearance.

### 3. STREAM PROTECTION AND EROSION CONTROL

- P76 In accordance with Section 30236 of the Coastal Act, channelizations, dams or other substantial alterations of stream courses shown as blue line streams on the latest available USGS map should incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

- P78 Stream road crossings should shall be undertaken by the least environmentally damaging feasible method. Road crossings of streams should be accomplished by bridging, unless other methods are determined by the ERB to be less damaging. Bridge columns shall be located outside stream courses, if feasible. Road crossings of streams within Environmentally Sensitive Habitat Areas designated by the LCP may be allowed as a conditional use for the purpose of providing access to recreation areas open to the public or homesites located outside the ESHA where there is no feasible alternative for providing access. Wherever possible, shared bridges or other crossings shall be used for providing access to groups of lots covered by this policy.
- P79 To maintain natural vegetation buffer areas that protect all sensitive riparian habitats as required by Section 30231 of the Coastal Act, all development other than driveways and walkways should be set back at least 50 feet from the outer limit of designated environmentally sensitive riparian vegetation.
- P80 The following setback requirements shall be applied to new septic systems: (a) at least 50 feet from the outer edge of the existing riparian or oak canopy for leachfields, and (b) at least 100 feet from the outer edge of the existing riparian or oak canopy for seepage pits. A larger setback shall be required if necessary to prevent lateral seepage from the disposal beds into stream waters.
- P81 To control runoff into coastal waters, wetlands and riparian areas, as required by Section 30231 of the Coastal Act, the maximum rate of storm water runoff into such areas from new development should not exceed the peak level that existed prior to development.
- P82 Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.
- P84 In disturbed areas, landscape plans shall balance long-term stability and minimization of fuel load. For instance, a combination of taller, deep-rooted plants and low-growing ground covers to reduce heat output may be used. Within ESHAs and Significant Watersheds, native plant species shall be used, consistent with fire safety requirements.
- P85 Earthmoving operations within Environmentally Sensitive Habitat Areas, Significant Watersheds, and other areas of high potential erosion hazard (including areas with a slope exceeding 2:1) shall be prohibited between November 1 and March 31 unless a delay in grading until after the rainy season is determined by the Planning Director to be more environmentally damaging. Where grading begins before the rainy season, but extends into the rainy season for reasons beyond the applicant's control, measures to control erosion must be implemented at the end of each day's work.

- P86 A drainage control system, including on-site retention or detention where appropriate, shall be incorporated into the site design of new developments to minimize the effects of runoff and erosion. Runoff control systems shall be designed to prevent any increase in site runoff over pre-existing peak flows. Impacts on downstream sensitive riparian habitats must be mitigated.
- P87 Require as a condition of new development approval abatement of any grading or drainage condition on the property which gives rise to existing erosion problems. Measures must be consistent with protection of ESHAs.
- P88 In ESHAs and Significant Watersheds and in other areas of high potential erosion hazard, require site design to minimize grading activities and reduce vegetation removal based on the following guidelines:
- Structures should be clustered.
  - Grading for access roads and driveways should be minimized; the standard new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the County Engineer and Environmental Review Board and the determination that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use.
  - Designate building and access envelopes on the basis of site inspection to avoid particularly erodible areas.
  - Require all sidecast material to be recompacted to engineered standards, reseeded, and mulched and/or burlapped.
- P89 In ESHAs and Significant Watersheds and in other areas of high potential erosion hazard, require approval of final site development plans, including drainage and erosion control plans for new development prior to authorization of any grading activities.
- P90 Grading plans in upland areas of the Santa Monica Mountains should minimize cut and fill operations in accordance with the requirements of the County Engineer.
- P91 All new development shall be designed to minimize impacts and alterations of physical features, such as ravines and hillsides, and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.
- P92 For permitted grading operations on hillsides, the smallest practical area of land should be exposed at any one time during construction, and the length of exposure should be kept to the shortest practicable amount of time.

- P93 Where grading is permitted during the rainy season (November 1 - March 31), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location.
- P94 Cut and fill slopes should be stabilized with planting at the completion of final grading. In Environmentally Sensitive Habitat Areas and Significant Watersheds, planting should be of native plant species using accepted planting procedures, consistent with fire safety requirements. Such planting should be adequate to provide 90% coverage within 90 days, and should be repeated if necessary to provide such coverage. This requirement should apply to all disturbed soils. Jute netting or other stabilization techniques may be utilized as temporary methods. The County Forestry Division should be consulted for recommendations for appropriate plant materials.
- P95 Where construction will extend into the rainy season, temporary vegetation, seeding, mulching, or other suitable stabilization methods should be used to protect soils subject to erosion. The appropriate methods should be approved by the County Engineer.
- P96 Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal streams or wetlands.

#### 4.2.2 MARINE RESOURCES

##### 1. GENERAL POLICIES

- P97 Designate as environmentally sensitive those marine and beach habitats shown on Figure 6.
- P98 Permitted land uses or developments shall have no significant adverse impacts on sensitive marine and beach habitat areas.
- P99 Development in areas adjacent to sensitive marine and beach habitats shall be sited and designed to prevent impacts that could significantly degrade the environmentally sensitive habitats. All uses shall be compatible with the maintenance of biological productivity of such areas.

- P100 Where any dike and fill development is permitted in wetlands in accordance with the Coastal Act and any applicable LCP policies, mitigation measures shall include, at a minimum, either acquisition of equivalent areas of equal or greater biological productivity or enhancement of degraded wetland areas. Within the Malibu Coastal Zone, the disturbed wetland at the mouth of Zuma Canyon should be given a high priority for any wetland restoration in Los Angeles County required by this policy. Interim mitigation measures shall be required for temporary or short-term fill or diking. Furthermore, a bond or other evidence of financial responsibility shall be provided to assure that will be accomplished in the shortest feasible time.
- P101 Only resource-dependent uses shall be permitted in sensitive marine and beach habitats.
- P102 In all sensitive marine and beach habitats, require that all permitted uses shall comply with the U.S. Fish and Wildlife and the State Department of Fish and Game Regulations.
- P103 For proposed development adjacent to or near sensitive marine or beach habitats, the applicant shall evaluate the potential for significant impacts on sensitive marine or beach habitats. When it is determined that significant impacts may occur, the applicant shall be required to provide a report prepared by a qualified professional with expertise in marine or beach biology which provides: (a) mitigation measures which protect resources and comply with the policies of the environmentally sensitive habitats components, and (b) a program for monitoring and evaluating the effectiveness of mitigation measures. An appropriate program shall be adopted to inspect the adequacy of the applicant's mitigation measures.
- P104 When feasible, the restoration of damage to habitat(s) shall be required as a condition of permit approval.

## 2. AREA-SPECIFIC POLICIES

### P106 Mouth of Arroyo Sequit

The earthen berm south of Pacific Coast Highway across the mouth of Arroyo Sequit should be removed to provide for the unimpeded migration of steelhead trout.

### P107 Nicholas Canyon County Park

Beach access shall be modified to directly connect the parking lot to the beach to discourage foot traffic through the native ground cover.

P108 Beach Between Nicholas Canyon and Lechuza Point

This area should be retained as a marine area of biological and educational interest. Public use of El Sol, El Pescador, and La Piedra beaches (vicinity of Decker Beach) could impact the sensitive sea lion hauling grounds. Therefore, it is recommended that the state devise a program of public use that will not impact sensitive marine resources. Educational use of this portion of the coastline, with the exception of the sea lion haul-outs, is appropriate if numbers are controlled and the beaches are posted as ecologically sensitive areas.

P109 Trancas Beach Coastal Dunes

For all new development, vegetation disturbance including recreation or foot traffic on vegetated dunes, should be minimized. Where access through dunes is necessary, well-defined foot paths shall be developed and used.

P110 Zuma Beach Lagoon Wetlands

The mouth of Zuma Creek on the seaward side of Pacific Coast Highway shall be protected as an educational and ecological reserve. Measures to enhance this small wetland should include at a minimum: diverting foot traffic from the area, prohibiting grading except for health and safety reasons, removal of introduced weeds, and posting the area as a sensitive wetlands habitat. The graded area on the east side of the creek mouth could be utilized as an observation and educational area.

P111 Point Dume

The blufftops and adjacent cliffs shall be managed to eliminate erosion and the loss of natural vegetation caused by the formation of foot paths through sensitive habitats.

There should be no increased access to the beach between Point Dume and the existing area of development at Paradise Cove.

Scientific research in the area should be encouraged but unnecessary collection of specimens or disturbance of the habitat should be prohibited.

Use of the Point Dume area for large class field trips should be discouraged and more appropriate areas in the vicinity of Decker Beach utilized, as similar resources and a much larger areas are available at this beach.

P112 Paradise Cove

There should be no provision for uncontrolled public access in the western portion of Paradise Cove, as this area provides a natural protective buffer between the sensitive Point Dume area and the more intensively utilized Paradise Cove.

Future recreational development of Paradise Cove is appropriate at the eastern end; however, there should be no increase in boat traffic that could result in reduction of the size of the offshore kelp beds. It should be noted that increased boat traffic increases the potential for local petroleum contamination.

#### P113 Latigo Point

Increased access to the blufftops is permissible in this area. However, increased beach access should be restricted due to the sensitive resources of this rocky headland.

Use of Latigo Point for large class field trips should be minimized due to the potential for habitat degradation.

#### P114 Malibu Lagoon

This sensitive wetland area shall be maintained as a managed wetland habitat of ecological, educational and scenic resource values. The following management issues shall be addressed as part of the State's management program:

- Removal of garbage and fill in the marsh adjacent to the lagoon.
- Consideration of increase in drainage to decrease the need for mosquito abatement.
- Provision and design of designated walkways to minimize impacts of uncontrolled foot traffic on sensitive areas.
- Maintenance of exchange between lagoon and ocean waters.
- Prevention of unregulated trespass by people and pets in sensitive marsh and lagoon habitats.

These recommendations are consistent with the program presently being initiated at the site by the Department of Parks and Recreation. However, studies should be conducted to determine the source of degradation of water quality and appropriate measures taken to correct the problem (e.g., change discharge requirements of Tapia or eliminate a local leaching problem as required).

### 3. HABITAT-SPECIFIC POLICIES

For specific habitats, the following resource protection policies shall be applied:

#### Kelp Beds

P115 Since the County does not have direct jurisdiction over activities that could impact kelp resources, it should request that (a) the Department of Fish and Game carefully monitor the kelp harvesting industry to ensure that such activity will not reduce kelp bed size and range or its productivity as a fish nursery habitat, and that (b) State and Federal agencies carefully monitor activities that may affect marine water quality such as seepage disposal, dredging, and energy development.

#### Marine Mammal Hauling Grounds (Point Dume, Nicholas Bluffs, Decker Beach)

P116 Marine mammal habitats shall not be altered or disturbed by recreational of any other new land uses.

P117 The mammal hauling grounds should be monitored; if there is an expansion of hauling grounds within the area, resource protection policies will be applied to the new areas.

#### Sensitive Rocky Points and Intertidal Areas

P118 To prevent destruction of organisms which thrive in intertidal areas, no unauthorized vehicles shall be allowed on beaches adjacent to sensitive intertidal areas.

P119 Only light recreational use shall be permitted on public beaches which include or are adjacent to sensitive rocky points or intertidal areas.

P120 Shoreline structures, including piers, groins, breakwaters, drainages, seawalls, and pipelines, shall be sited or routed to avoid sensitive rocky points and intertidal areas.

#### Seabird Nesting and Roosting Sites (Point Dume)

P121 Recreational activities near cliff areas used for roosting and nesting shall be controlled to avoid disturbance to seabird populations, particularly during nesting season.

P122 A 25-foot buffer from blufftops at or above nesting areas shall be required.

P123 The disturbance of shorebird nesting and roosting sites shall be discouraged to the extent feasible, but roping-off sensitive areas, posting signs, and/or other appropriate means.

P124 To protect seabird nesting areas, no public access shall be provided along the sides of such cliff areas.

#### 4.2.3 VISUAL RESOURCES

##### 1. VIEWSHED PROTECTION

P125 New development shall be sited and designed to protect public views from LCP-designated scenic highways to and along the shoreline and to scenic coastal areas, including public parklands. Where physically and economically feasible, development on sloped terrain should be set below road grade.

P126 Prohibit placement of signs, utilities, and accessory equipment that obstruct views to the ocean and scenic elements wherever feasible.

P127 Provide public viewing locations as turnouts along major cross-mountain roads and Mulholland Highway.

P128 In addition to that required for safety, further bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public views from the beach. Blufftop structures should be set back from the bluff edge sufficiently far to insure that the structure does not infringe on views from the beach except in areas where existing structures on both sides of the proposed structure already impact public views from the beach. In such cases, the new structure should be located no closer to the bluff's edge than the adjacent structures.

##### 2. VISUAL COMPATIBILITY

P129 Structures should be designed and located so as to create an attractive appearance and harmonious relationship with the surrounding environment.

P130 In highly scenic areas and along scenic highways, new development (including buildings, fences, paved areas, signs, and landscaping) shall:

be sited and designed to protect views to and along the ocean and to and along other scenic features, as defined and identified in the Malibu LCP.

minimize the alteration of natural landforms.

be landscaped to conceal raw-cut slopes.

be visually compatible with and subordinate to the character of its setting.

be sited so as not to significantly intrude into the skyline as seen from public viewing places.

### 3. VISUALLY PROMINENT ELEMENTS

P131 Where feasible, prohibit placement of structures that will break the ridgeline view, as seen from public places.

P132 Maintain the character and value of Mulholland Scenic Corridor, as a scenic and recreational resource connecting public parklands within the Santa Monica Mountains.

### 4. SITING OF STRUCTURES AND ARCHITECTURAL CHARACTER IN VISUAL RESOURCE AREAS

P133 Encourage the use of architectural design for new construction which reflects the unique visual and environmental character of the Malibu Coastal Zone. At the same time, encourage -- within the design idiom -- sufficient diversity in the design character (i.e., scale, height, density, etc.) so that visual monotony does not result. Some differentiation among structures should be encouraged to promote the establishment of a limited number of visual landmarks, except in highly scenic areas where new development should be subordinate to the character of its setting.

P134 Structures shall be sited to conform to the natural topography, as feasible. Massive grading and reconfiguration of the site shall be discouraged.

P135 Ensure that any alteration of the natural landscape from earthmoving activity blends with the existing terrain of the site and the surroundings.

P136 New development in existing communities should respect the prevailing architectural and visual character of existing structures.

P137 Clustering of development in suitable areas shall be encouraged as a means to facilitate greater view protection.

P138 Design considerations for commercial development should include:

unifying architectural themes  
visually aesthetic screening of service areas  
height and bulk standards.

P138b Buildings located outside of the Malibu Civic Center shall not exceed three (3) stories in height, or 35 feet above the existing grade, whichever is less.

P138c Buildings located on the ocean side of and fronting Pacific Coast Highway shall occupy no more than 80% of the lineal frontage of the site. In the case of Planned Developments which occupy more than one parcel, a structure may occupy 100% of the lineal frontage of any parcel, provided that the 20% open area of the overall project is incorporated elsewhere on the highway frontage of the development project.

P138d Buildings sited within the Malibu Civic Center area shall be designed to reflect the uniqueness of this location as the "downtown" of the Malibu Coastal Zone and its close proximity to the beach and ocean. Cumulatively, development shall convey a "seaside village" character. The County shall develop ordinances to link individual development projects to one another architecturally and by urban design elements (common signage, landscape features, pedestrian walkways, lighting, paving materials, etc.) Building heights shall be limited to two (2) stories, or 28 feet above existing grade, whichever is less. On parcels which are designated by the Land Use Plan map for commercial use (category #13 through #17), a Floor-Area Ratio of .20 shall be applied to each individual parcel. All interior building space with the exception of residential uses and underground or ground level parking shall be included as floor area.

Preparation of a Specific Plan to include detailed standards for siting and design of new development and a transportation management program shall be strongly encouraged. The goal of a Specific Plan shall be to create harmonious development regardless of parcel boundaries, to reduce traffic impacts and to carry out the above-stated objectives. A Specific Plan shall be reviewed as an LCP amendment.

If a Specific Plan is prepared, the average Floor-Area Ratio as defined above may be increased to .40, so long as the Floor-Area Ratio on any given parcel does not exceed .45. With a Specific Plan, building heights may reach a maximum of three stories, consistent with the Floor-Area Ratio specified above.

P138e Height limits specified in P138b through P138d shall not apply to specific architectural design features such as bell towers, stair towers, cupolas, roof parapets, kiosks, changes in roof elevations and roof monuments which do not add square footage, floor area or stories to the building and which do not exceed 15 feet above the required height limit.

P138f Development located in the Pacific Coast Highway corridor on the inland side of the highway between Malibu Civic Center and Topanga Canyon Boulevard shall be designed so as to minimize cutting into the base of the bluff in order to avoid unnecessary grading and use of retaining walls.

## 5. DESIGN/VISUAL ELEMENTS

P139 On-site advertising signs shall be subordinate to man-made and natural features and shall be subject to height and width limitations.

P140 Encourage the undergrounding of all utilities as funding is available.

P141 Fencing or walls to be erected on the property shall be designed and constructed to allow for view retention from scenic roadways.

## 6. SCENIC ROADWAYS

P142 New development along scenic roadways as designated in Figure 8 shall be set below the road grade on the down hill side wherever feasible, to protect designated scenic canyon and ocean views.

P143 Prohibit the placement of and phase out existing offsite outdoor advertising billboards.

### 4.2.4 HAZARDS

#### Public Notice and Waivers of Public Liability

P144 Continue to provide information concerning hazards and appropriate means of minimizing the harmful effects of natural disasters upon persons and property.

P145 On ancient landslides, permit only the following developments for which a recorded assumption of risk shall be required: slope repairs, building repairs, building additions less than 25 percent of the existing structure; replacement of buildings destroyed by fire or earthquake; and new buildings on property where the landslides are completely self-contained within the property boundaries and an acceptable safety factor can be established, and all potential third parties agree to waive liability.

P146 Amend the standard waiver format to add a statement indicating that the owner has had the nature of the geological hazard fully explained, clearly understands the hazard, and accepts full responsibility for damage to his or adjacent property which may be caused by proceeding under the terms thereof and to record the nature of the hazard in the deed.

#### Geologic Hazard

P147 Continue to evaluate all new development for impact on, and from, geologic hazard.

- P148 Continue to limit development and road grading on unstable slopes to assure that development does not contribute to slope failure.
- P149 Continue to require a geologic report, prepared by a registered geologist, to be submitted at the applicant's expense to the County Engineer for review prior to approval of any proposed development within potentially geologically unstable areas including landslide or rock-fall areas and the potentially active Malibu Coast-Santa Monica Fault Zone. The report shall include mitigation measures proposed to be used in the development.
- P150 Continue Hillside Management procedures as contained in Ordinance No. 82-0003 for proposed development on sites with an average slope greater than 25 percent (4:1). Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 2:1, except that driveways and/or utilities may be located on such slopes where there is no less environmentally damaging feasible alternative means of providing access to homesites located on slopes of less than 50%, where no alternative homesites exist on the property, and where maximum feasible mitigation measures are taken.

Flood Hazard (and Tsunami Wave)

- P151 Continue to evaluate all new development for its impact on, and from, flood and mudflow hazard.
- P152 Prohibit buildings within areas subject to inundation or erosion unless proper mitigation measures are provided to eliminate flood hazard.
- P152b Any protective works which may be constructed along lower Malibu Creek with the purpose of protecting development in the Civic Center against flood hazard shall protect habitat values of the riparian corridor along the creek and shall facilitate recreational linkage of State Park properties along the creek.
- P153 On sites exposed to potentially heavy tidal or wave action, new development and redevelopment shall be sited a minimum of 10 feet landward of the mean high tide line. In a developed area where new construction is generally infilling and is otherwise consistent with LCP policies the proposed new structure may extend to the stringline of existing structures on each side.
- P154 Continue to review development proposals to ensure that new development does not generate excessive runoff, debris, and/or chemical pollution that would have a significantly negative impact on the natural hydrologic systems.
- P155 Continue to encourage area residents to participate in National Flood Insurance Program.

### Fire Hazard

- P156 Continue to evaluate all new development for impact on, and from, fire hazard.
- P157 Continue present requirements for fire retardant roofing in fire hazardous areas (Fire Zone 4).
- P158 Continue to enforce code requirements for clearance or reduction of flammable vegetation for a minimum distance of 100 feet around any residential structure in a fire hazard area (Fire Zone 4).  
Encourage use in landscaping of fire-retardant plant species.
- P159 Continue present requirements on all new development for emergency vehicle access and fire-flow water supply as determined by the Forester and Fire Warden until such time as alternative mitigation measures providing an equivalent degree of safety are developed and implemented.
- P160 Require residential structures in fire hazard areas to utilize fire resistant building materials and designs (i.e., one-hour fire resistant walls and enclosed eaves, double pane windows, and improved vent requirements).
- P161 Based on recommendations of Forester and Fire Warden, adopt a program for management of combustible vegetative materials (controlled burns) in fire hazardous areas.
- P162 Encourage the establishment of a closure policy for public recreation areas during periods of extreme fire hazard.

### Bluff and Beach Erosion

- P163 Continue to require an engineering report on all proposed bluff-top development to insure geologic stability, adequate structural setback and appropriate mitigation of on-site runoff.
- P164 On bluffs, new development shall be set back a minimum of 25 feet from the top of the bluff or at a stringline drawn between the nearest corners of adjacent structures, whichever distance is greater, but in no case less than would allow a 75-year useful life for the structure.
- P165 No further permanent structures shall be permitted on a bluff face, except for engineered staircases or accessways to provide public beach access where no feasible alternative means of public access exists.

P166 Seawalls shall not be permitted unless the County Engineer has determined that there are no other less environmentally damaging alternatives for protection of onshore development. Revetments, seawalls, cliff retaining walls and other such construction shall be permitted only when required to serve coastal-dependent uses or to protect existing structures or new structures which constitute infill development.

P167 Revetments, groins, cliff retaining walls, seawalls, pipelines, and outfalls, and other such construction that may alter natural shoreline processes shall be permitted when designed and engineered to eliminate or mitigate adverse impacts on shoreline and sand supply.

#### 4.2.5 ARCHAEOLOGY

##### C. POLICIES AND STANDARDS

P168 Development projects requiring County permits and government initiated or funded projects should be reviewed by the Department of Regional Planning for location in archaeological-paleontologically or historically sensitive areas except for the following:

- ° Permits for minor alterations or additions to existing single-family residential structures amounting to less than 10 percent of the existing structure, and

- ° Permits to reconstruct single-family residential structures on the same site.

P169 Site surveys performed by qualified technical personnel should be required for projects located in areas identified as archaeologically/paleontologically sensitive. Data derived from such surveys shall be used to formulate mitigating measures for the project.

P170 Encourage the conservation of local resources that have historical value.

P171 Support the establishment of a protection and monitoring program for pictograph and petroglyph sites.

P172 At regular intervals, consult with authorities to update department records of resource finds and location.

P173 Location of all coastal zone archaeological and paleontological sites should be kept confidential to avert disturbance or destruction.

P174 Prohibit casual collection of cultural artifacts.

P175 Recreation and visitor-serving facilities siting should consider archaeological/paleontological resources in order to minimize loss through vandalism.

P176 Support the establishment of a museum/study center in the study area to display archaeological/paleontological artifacts and to present continuing programs to acquaint the public with the cultural and historic value of these resources.

#### 4.2.6 GROUNDWATER/HYDROLOGY

##### D. POLICIES AND STANDARDS

P177 Prohibit excessive grading and fill on lands which are shown to be groundwater recharge areas.

P178 Minimize the flow of sediment and other polluting materials into groundwater recharge areas.

P179 Avoid major flood control improvements which would limit water flow to or cover groundwater recharge areas.

P180 Assure that urban development over groundwater recharge areas minimizes impervious coverage and maximizes the amount of water which can enter the aquifer zone below ground.

#### 4.3 PUBLIC WORKS

##### 4.3.1 CIRCULATION

###### 1. GENERAL POLICIES

P181 Develop road improvements which provide for public safety and accommodate increased recreation traffic.

P182 To facilitate recreational access, consider improving existing major cross-mountain roads in a manner that will minimize the impacts of those improvements on natural environmental systems, geologic and slope stability runoff and drainage, and existing communities.

P183 Improve the safety and capacity of major intersections in existing developed areas.

P184 In scenic areas, encourage aesthetic development of road improvements such as culverts, bridges and overpasses where these are approved consistent with other policies of the LUP; i.e., rock faced culverts and road borders.

P185 Incorporate within road improvement projects the roadway design standards from adopted Scenic Highway plans.

- P186 Make feasible improvements to Pacific Coast Highway to maximize traffic flow and safety, and improve pedestrian and bicycle safety by establishing bike lanes, improving intersections, providing off-street parking, and installing pedestrian overpasses wherever possible.
- P187 Limit access locations onto major roads that serve as primary access routes to major recreation areas or provide alternative road improvements (e.g., turning lanes or consolidated driveways), in order to avoid reducing their capacities.
- P188 Consistent with other policies of the LUP, encourage the development and maintenance of alternative access routes to each mountain and coastal community for use during emergencies such as earthquakes or fires.
- P189 Develop parking facilities for bicycles, motorcycles, and public transit at recreation areas to encourage the use of these modes of transportation.
- P190 Develop peripheral park-and-ride facilities which can serve weekday commute needs as well as weekend recreation needs.
- P191 Encourage use of public transit modes (bus or van pool service) by commuters to metropolitan Los Angeles to reduce congestion of Pacific Coast Highway during peak hours.
- P192 Encourage public transit modes and staging areas from metropolitan Los Angeles to the area's parks and beaches.
- P193 Permit improvement of roads only where such roads provide legal access to parcels which are already legally developed or which may be developed consistent with other policies of the LUP, including Watershed Plans where necessary.

## 2. SPECIFIC POLICIES

- P194 The Department of Regional Planning and the Road Department shall support CalTrans efforts to improve traffic flow and safety on Pacific Coast Highway. Implementation methods could include conversion or addition of "reversible" lanes, "flyovers" at major intersections, limitations on highway parking, provision of additional off-street parking, pedestrian overcrossing, and expanding the number of lanes where feasible, except restrictions on or removal of existing on-street parking shall not occur unless a comparable number of replacement off-street parking spaces are provided to serve beach users. Efforts with public transportation agencies to provide extended transit district service from Malibu to the major urban centers of Los Angeles County, to develop a shuttle bus service along the Malibu coastline, and to encourage improved

charter and van pool services shall be expanded. The Department of Regional Planning and the Road Department shall cooperate with public transit agencies to design specific physical transit improvements along PCH in conjunction with other roadway improvements.

- P195 Improve Kanan-Dume Road in such a manner that it improves coastal access and safety, while protecting environmental resources. This will also provide an alternative route for traffic from the San Fernando Valley to Point Dume, which will help to divert some vehicle trips from Topanga Canyon and Malibu Canyon.
- P196 Enhance coastal access and safety on Malibu Canyon Road and/or Topanga Canyon Boulevard by providing frequent passing lanes and adequate pavement width, consistent with other coastal resource protection policies. Malibu Canyon Road between Piuma Road and the entrance to Pepperdine University shall remain a two-lane road.
- P197 Avoid reduction of capacity of Malibu Canyon Road and/or Topanga Canyon Boulevard by restricting direct access onto the roads. Wherever possible, driveways should access local roads and access to the major roadways be limited to these local roads. In addition, wherever feasible, restrict direct access onto Pacific Coast Highway from new development by providing access via existing local roads and driveways.
- P198 Upgrade the capacity of Mulholland Highway, where practical and consistent with other coastal resource protection policies, to provide an alternate east-west route; this is particularly important for emergency situations. Mulholland Highway shall remain a two-lane road, except for passing lanes and safety turnouts.
- P199 Eliminate or improve the capacity of traffic signals on Pacific Coast Highway, where possible, at locations where substantial congestion occurs in peak hours; additional pedestrian overcrossings would increase intersection capacities.
- P200 The Road Department and the Department of Regional Planning should establish a "rural" road classification (Limited Secondary) for selected mountain roads, allowing narrower pavement cross sections which more closely conform to topography to minimize grading. Such mountain roads shall be as shown on the Highway Plan Policy Map in the Area Plan adopted on December 28, 1981.
- P201 Review procedures and standards for road construction and institute changes that require increased consideration of aesthetic and environmental impacts. Roadway improvements permitted under this LCP shall be the least environmentally damaging feasible alternative available.

P202 [Deleted]

P203 The Road Department, in cooperation with recreation agencies and the SCRTD, should periodically evaluate the need for road improvements necessary to facilitate bus travel on major cross-mountain roads (i.e., extra passing or turning lanes, turnouts, bus shelter, etc.). The Road Department should prepare budget proposals and/or seek grant funding for these improvements, when they are warranted.

P204 The County Transportation Commission shall make recommendations to the County Board of Supervisors and to appropriate State and Federal agencies on the financing of facilities to accommodate alternative public transit modes to recreational areas.

P205 The County shall cooperate with SCRTD, Caltrans, and Commuter-Computer to support and publicize van pooling and car pooling efforts from the Malibu Coast area to the Los Angeles Region.

P206 The County Transportation Commission shall coordinate with the SCRTD their plans permitting a significant increase in regional interconnecting bus service with the Pacific Coast Highway Line and shall recommend to the County Board of Supervisors steps to support the timely improvement of this planned service.

### 3. SPECIFIC CIRCULATION IMPROVEMENT POLICIES

P207 Eliminate the congestion point created by the closely spaced, interconnected traffic signals on the Pacific Coast Highway at Rambla Pacifico and Las Flores Canyon Road by either:

retiming the signals to decrease the length of clearance interval (when all traffic is stopped) and/or the side street green phases, during off-peak times; or

studying the possibility of constructing a roadway connection between Rambla Pacifico and Las Flores Canyon Road, approximately 1000 feet north of Pacific Coast Highway, so that one of the signals on Pacific Coast Highway can be eliminated. Any such connection shall be examined in particular for its potential impact on fish and wildlife resources in Las Flores Canyon.

P208 Increase the capacity of Pacific Coast Highway in the eastbound direction, from the approach to the intersection at John Tyler Drive to Malibu Canyon Road, in order to facilitate homeward bound beach traffic on weekend afternoons.

P209 Eliminate the need for the pedestrian-activated traffic signal on Pacific Coast Highway at the Malibu Pier by constructing a pedestrian overpass.

- P210 Where possible without reducing the total number of parking spaces available to beach users in the area, consider eliminating parking on the inland side of Pacific Coast Highway by shifting the centerline of the roadway toward the hills, thereby creating larger and safer parking areas along the ocean side of the highway and additional room for bicycle travel. This will improve safety and increase the capacity of Pacific Coast Highway by reducing mid-block pedestrian crossings of the highway and interference between parking/unparking cars and through traffic.
- P212 Investigate the feasibility of creating a reversible lane on Pacific Coast Highway which could function as a through lane in the peak direction during peak hours, and a turning lane during non-peak hours.
- P213 Establish Park and Ride lots along Pacific Coast Highway, including existing lots which are under-utilized which would be serviced by SCRTD for commuters on weekdays and which could be utilized by visitors to recreational areas on weekends.
- P214 Establish Park and Ride lots along the Ventura Freeway which could be utilized by car poolers traveling to metropolitan Los Angeles on weekdays and which could be linked to the coastal area by a shuttle service on weekends.
- P215 Encourage SCRTD to improve transfer opportunities between regional transit routes and line 434, serving the Malibu area, potentially by instituting weekend express service from downtown Los Angeles, as currently exists on weekdays.
- P216 To accommodate full realization of the recreational potential of the Coastal area and build out of the land use plan, upgrade PCH with appropriate improvements. Relate improvements to Pacific Coast Highway to continued development under the Land Use Plan Map through the Development Allocation System described in Policy 274.
- P216b Division of property accessible via West Hillside Drive in the Topanga Oaks area of Topanga shall be approved only at such time as a safe, legal, all-weather access road is available to the property proposed for subdivision.
- P216c Adequate parking shall be provided for all new development according to the standards attached to this Land Use Plan (see Attachment #11).

#### 4.3.2 SEWER

##### 1. GENERAL POLICIES

- P217 Wastewater management operations within Malibu Coastal Zone shall not degrade streams or adjacent coastal waters or cause or aggravate public health problems.

- P218 The construction of individual septic tank systems shall be permitted only in full compliance with building and plumbing codes. Building and plumbing codes shall be revised to permit innovative and alternative methods of wastewater treatment and disposal, provided that installation, operation, and maintenance are acceptable to the Departments of Health Services and County Engineer-Facilities and to the Regional Water Quality Control Board. Such code revisions shall constitute an LCP amendment.
- P219 All new developments outside existing developed areas on land that is geologically suitable for septic systems shall be exempt from the requirement of using a community sewer system.
- P220 The expansion of existing community sewer facilities in existing developed areas shall be tailored to the growth planned in this LCP. Allocation of capacity in the wastewater treatment facilities shall be according to the following priorities, in descending order:
- Developed areas with existing health hazards, high septic system failure rates, and pollution problems.
  - Proposed coastal-dependent land use, public recreation, commercial recreation, and visitor-serving land uses whose reliance on other methods of treatment and disposal would create health or pollution hazards.
  - Proposed residential and commercial developments whose reliance on other methods of treatment and disposal would create health or pollution hazards.
  - Proposed industrial developments whose reliance on other methods of treatment and disposal would create health or pollution hazards.
- P221 [Deleted]
- P222 The buildout of small lot subdivisions outside existing developed areas where the cumulative effect of septic tanks will negatively impact the environment by stream pollution or by contributing to the potential failure of unstable soils shall not be permitted.
- P223 The construction of new small package wastewater treatment plants shall be prohibited, except in those areas where this is the desired long-term wastewater management solution selected by the County Engineer-Facilities.
- P224 On-site Wastewater Management Zones should be formed and enforced by the Department of Health Services and/or County Engineer in the following areas: Point Dume, Topanga/Fernwood, Monte Nido, and the immediate coastal strip.

## 2. SPECIFIC POLICIES AND ACTIONS

P225 The Departments of Health Services and County Engineer-Facilities shall continue to strictly enforce all Health, Building, and Plumbing Code requirements concerning private wastewater disposal systems. This shall apply to beachfront lots, as well as to other areas. Such requirements shall be considered to be part of the LCP.

P226 The County shall not issue a coastal permit for a development unless it can be determined that sewage disposal adequate to function without creating hazards to public health or coastal resources will be available for the life of the project beginning when occupancy commences.

P227 The Department of Public Works, in cooperation with the Department of Health Services, County Sanitation Districts and State authorities, shall design a regional sewer system to serve the beachfront development in an approximately six-mile long area from the Civic Center/Malibu Road area to Topanga Creek and adjoining areas. Capacity in this system shall be scaled to that necessary for ultimate buildout of its service area, in accordance with the Local Coastal Program land use plan, as finally certified. A detailed plan for the regional sewer system shall be submitted to the Commission as part of the required Implementation Program (LIP) component of the LCP. Application of this policy shall not preclude the study of sewerage areas as shown on Attachment 6, including areas west of the Civic Center.

P227B The regional sewer system plan submitted to the Coastal Commission shall include:

- (1) Detailed plan of the sewer plant on the specific site;
- (2) Detailed plan of the sewer collection system;
- (3) Detailed plan of the effluent disposal system and a contingency plan to address alternate methods of disposal should the primary method fail;
- (4) An engineering geology study to demonstrate that there are economically feasible construction methods and equipment available to insure the physical integrity of sewer lines proposed to be constructed through geologically hazardous areas, including some sections of Pacific Coast Highway, Big Rock, Las Flores Mesa, Rambla Pacifico, Rambla Orienta, Carbon Mesa, and Malibu Road.
- (5) A workable traffic movement plan, developed by the County and Caltrans, to ensure that interference with highway traffic will be minimized during the period of sewer line construction on Pacific Coast Highway.

P227C The regional sewer system plan shall only be approved by the Coastal Commission if:

(1) The County-proposed system is sized to be consistent with the distribution of land uses and total buildout provided in this Land Use Plan and thus will not be growth-inducing;

(2) All facility plan and EIR submittals have been approved by the County Department of Public Works and Caltrans, and the submittals demonstrate that the sewer system can be constructed and maintained in a safe and cost-efficient manner without unreasonably interfering with normal traffic flow along PCH;

(3) Any assessment district formed to finance construction of a regional sewer system is consistent with LUP policies, including the ultimate level of buildout allowed by the LUP.

(4) The proposed method of effluent disposal is demonstrated to be consistent with protection of marine resources in the Santa Monica Bay and will not further degrade fresh water creeks nor aggravate current public health problems.

P228 The Department of Regional Planning shall require discretionary approvals for projects that appropriate County or State agencies identify as having potential problems for wastewater discharge including high-density residential and specific commercial and other uses which generate relatively high volumes of wastewater. In these projects, standards shall be applied to minimize wastewater discharge. If it cannot be shown that permanent provision can be made for the satisfactory disposal of the wastewater by time of occupancy of the project, the project shall not be approved.

P229 Within each small lot subdivision, specific corrective measures, including consideration of limitation of buildout of small lot subdivisions, shall be undertaken to mitigate the cumulative impacts of septic tanks. Progress on such measures shall be presented to the Commission no later than one year following County assumption of coastal permit authority.

P230 [Deleted]

P231 The County of Los Angeles shall modify its Plumbing Code to require improved accessibility and maintainability of septic tank systems.

P232 The Departments of Health Services and County Engineer-Facilities should provide more information regarding the advantages and disadvantages of On-site Wastewater Management Zones to the homeowner associations and town councils within the Malibu Coastal Zone. The County shall also continue to distribute information on the proper operational and maintenance procedures for septic tank systems.

#### 4.3.3 WATER SYSTEMS

- P233 Continue to require all new developments to demonstrate that an adequate potable water supply is available to each parcel.
- P234 Continue to require all new developments to demonstrate that an adequate water supply for fire protection is available based on the location of development, type of construction, spacing of structures, fire hazards, and so on.
- P235 An on-site water source shall be of potable quality and be able to provide a quantity of water sufficient to meet domestic supply requirements as determined by the governmental agency having jurisdiction.
- P236 All new developments shall be encouraged, where feasible, to best utilize the existing water facilities.
- P237 The water purveyors should continue to develop a water conservation program for their respective water service areas.
- P238 Encourage the development of standards and policies that will maximize the beneficial uses of reclaimed water and reduce the need for exploiting domestic water supplies.
- P239 Upon appropriate revisions of state and county standards, development shall be required to plan for and, if available, utilize reclaimed water.
- P240 Encourage government agencies to utilize reclaimed water in all possible systems including the maintenance of public lands and for fire breaks in lieu of fresh water supplies.
- P241 Require all new development in existing developed areas to be in accordance with a water conservation program.
- P242 Educate the public on the merits of water conservation and wastewater recycling.
- P243 Additional storage facilities shall be constructed in the District service area to ensure an adequate source of domestic and fire water supply during prolonged outages of the District's 30-inch pipeline of MWD's Culver City Feeder.
- P244 New pipelines and booster stations shall be constructed in the Malibu Coastal area to replace deteriorated and undersized facilities to provide adequate domestic water and fire protection service, and reduce potential health hazard problems.

- P245 The Departments of Health Services and County Engineer-Facilities, in cooperation with the Las Virgenes Municipal Water District, shall recommend and support efforts by the State Water Resources Control Board to establish uniform specifications for the urban use of reclaimed water.
- P246 The Department of County Engineer-Facilities, in cooperation with the Departments of Regional Planning, Health Services, and the Las Virgenes Municipal Water District, shall prepare for review a report discussing the recommendations for an area water conservation program including, but not limited to, the following: (1) recommendations for requiring developments to incorporate water-saving devices; (2) a review of the existing and potential uses of reclaimed water; and (3) recommendations on changes in County ordinances which would facilitate the beneficial uses of reclaimed water.
- P247 The Departments of the County Engineer-Facilities, Regional Planning, and Health Services, in coordination with the Las Virgenes Municipal Water District, shall prepare for review revisions to ordinances or procedures to require urban subdivisions, commercial and industrial projects, to provide for the installation and use of reclaimed water systems when appropriate state standards are instituted. Responsible agencies shall revise appropriate ordinance and codes.

#### 4.3.4 DIKING, DREDGING, FILLING, AND SHORELINE STRUCTURES

##### 1. POLICIES

- P248 The County Engineer and/or Army Corps of Engineers shall continue thorough investigations prior to the construction of shoreline structures to prevent any potential negative impacts on the coastal environment.
- P249 All development of shoreline structures shall be regulated by the County Department of Engineering/Facilities and/or the Army Corps of Engineers to avoid beach erosion and adverse impact upon habitat resources such as thermal pollution, water stagnation, fish kills, and siltation.
- P250 In accordance with Section 30235 of the Coastal Act, new revetments, breakwaters, groins, and other such construction that alter natural shoreline processes (waves, currents, littoral drift) shall be permitted only when required to serve coastal-dependent uses (boating, fishing, marine education, etc.) or to arrest erosion of both existing structures or public beach property and, when designed to eliminate or mitigate adverse impacts upon local shoreline sand supply, and only after a thorough investigation has been conducted.

- P251 In beach areas largely committed to residential development having bulkheads, the construction of new protective works may be appropriate providing that they tie into adjacent bulkheads and are in accordance with the prevailing government jurisdiction.
- P252 Seawalls shall not be permitted unless the County Engineer has determined that there are no other less environmentally damaging alternatives for the protection of coastal-dependent uses, existing development, or public beaches, consistent with P166.
- P253 The development of new beaches and small, hand-launched boat facilities should be limited to beaches with reasonable access and capacity for separation from swimmers and boaters, that are defined as either a Protective Beach, an area where Present Use is Non-Critical, beaches where artificial protection renders them capable of supporting this activity (i.e., Westward Beach), and where either existing parking and/or the potential for parking lot construction is available.
- P254 Dredging, diking or filling of any wetlands area shall be limited to restoration or nature-study purposes. Any fill or degradation of wetlands should be accompanied, where feasible, by the creation or enhancement of equivalent wetlands area in the Malibu Coastal Zone.
- P255 Develop a program to replenish beach sand with sediment removed from stream courses.

## 2. SPECIFIC POLICIES AND ACTIONS

- P256 Groins may be repaired or constructed at Las Tunas, Topanga, and Corral Beaches if consistent with all other policies of the LUP and if findings are made that the projects will not have adverse impacts on shoreline sand supply on beaches elsewhere. Public access shall be assured over areas of beach created as a result of such groins.
- P257 A detailed program shall be developed by the Los Angeles County Department of Beaches and Harbors with the California Department of Transportation for the effective disposal of usable slide material for the nourishment and enhancement of Malibu beaches.
- P258 As recreational usage of the Malibu beaches increases in the future and development occurs in the Coastal Zone, the availability and feasibility of parking facilities shall continue to be studied in conjunction with a detailed traffic study of Pacific Coast Highway and other coastal routes.

### 4.4 LAND USE

#### 4.4.1 INDUSTRIAL DEVELOPMENT AND ENERGY FACILITIES

P259 Energy facilities and exploration are not necessarily coastal dependent, within the meaning of Section 30260 of the Public Resources Code. The County shall only issue a coastal permit for energy facilities and exploration when it is determined, through review or environmental study with the information and analysis equivalent to a full Environmental Impact Report, that:

(1) All potential adverse impacts of the project can and will be fully mitigated;

(2) The project is sited and designed based on the least environmentally damaging alternative;

(3) The project will not (a) create adverse impacts on ESHAs, (b) will not create or aggravate geologic hazards or fire hazards and (c) will not impact on recreational use in the Santa Monica Mountains National Recreation Area by degrading air quality, scenic values or increasing ambient noise level;

(4) The project is fully consistent with the LCP.

P259B Industrial uses, including oil exploration and production shall not be located in Environmentally Sensitive Habitat Areas (ESHAs), Significant Watersheds, Significant Oak Woodlands, or in areas of high geologic hazard, high fire hazard or on public beaches.

#### 4.4.2 COMMERCIAL FISHING

P260 Support California Department of Fish and Game efforts to increase monitoring to assess the conditions of the Malibu Coastal Zone nearshore species, water quality and kelp beds, and support rehabilitation or enhancement of deficient areas.

P261 Support state Fish and Game efforts to delineate nearshore areas in need of protection and support the temporary establishment of ecological reserves to protect nearshore resources which are under pressure from over-harvesting or collection.

P262 Continue to prohibit surf launching at County beaches and prohibit boats within 1,000 feet of shoreline.

P263 Reduce the effects of rapid runoff on the nearshore areas through both velocity and erosion controls.

P264 Eliminate some sources of pollution in the nearshore environment by incorporation of the waste management strategies recommended by the Department of County Engineer-Facilities in Waste Treatment Management in the Malibu/Topanga Area (1978).

P265 Propose commencement of a Fish and Game study to determine if the current gill net restriction boundary line should be extended westward to the county line.

#### 4.4.3 AGRICULTURE

- P266 Encourage agricultural uses in nonurban areas as long as they remain economically viable.
- P267 Encourage agricultural uses with limited land requirements such as greenhouses and nurseries.
- P268 Encourage the use of reclaimed water on agricultural lands.
- P269 Community gardens should be considered as part of any proposed future urban development on prime agricultural land.
- P270 Agricultural uses should be reviewed for compatibility with resources in environmentally sensitive areas.

#### 4.5 NEW DEVELOPMENT

##### D. NEW DEVELOPMENT POLICY

New development in the Malibu Coastal Zone will be guided by the LCP land use plan map and associated development standards and a program for the retirement of the development rights and mitigation of the effects of non-conforming parcels.

##### 1. LAND USE PLAN MAP

P271 New development in the Malibu Coastal Zone shall be guided by the Land Use Plan Map and all pertinent overlay categories. The land use plan map is inserted in the inside back pocket. All properties are designated for a specific use. These designations reflect the mandates of the California Coastal Act, all policies contained in this Local Coastal Plan, and the constraints and sensitivities of resources present in the coastal zone. All existing zoning categories will be modified as necessary to conform with and carry out the LCP land use plan.

The land use plan map presents a base land use designation for all properties. Onto this are overlaid three resource protection and management categories: (a) significant environmental resource areas, (b) significant visual resource areas, and (c) significant hazardous areas. For those parcels not overlaid by a resource management category, development can normally proceed according to the base land use classification and in conformance with all policies and standards contained herein. Residential density shall be based on an average for the project; density standards and other requirements of the plan shall not apply to lot line adjustments. In those areas in which a resource management overlay applies, development of the underlying land use designation must adhere to the special policies, standards, and provisions of the pertinent designation.

a. Land Use Designation

The following describes each land use designation and its principal permitted uses:

(1) Residential

Mountain Land. Generally very rugged terrain and/or remote land characterized by very low-intensity rural development. Principal Permitted uses would include: very low-intensity residential development. Low-intensity recreational uses, the undeveloped or open space portions of rural and urban developments, and lower cost visitor residential and recreational uses designed for short-term visitor use such as hostels, tent camps, recreational vehicle parks, and similar uses are permitted as a conditional uses, provided that any residential use for more than short term visitor occupancy shall not exceed the intensity of use of the equivalent residential density. The following maximum residential density standards shall apply:

Mountain Land - one dwelling unit per 20 acres average, consistent with other policies of the LCP.

Rural Land. Generally low-intensity, rural areas characterized by rolling to steep terrain usually outside established rural communities. Principal permitted land uses shall include: large lot residential use. Low-intensity commercial recreational uses, agriculture activities, the less intensively developed or open space portions of urban and rural developments, and lower cost visitor residential and recreational uses designed for short-term visitor use such as hostels, tent camps, recreational vehicle parks, and similar uses are permitted as a conditional use, provided that any residential use for more than short term visitor occupancy shall not exceed the intensity of use of the equivalent residential density. The following maximum residential density standards shall apply:

Rural Land I - one dwelling unit per ten acres average, consistent with other policies of the LCP.

Rural Land II - one dwelling unit per five acres average, consistent with other policies of the LCP.

Rural Land III - one dwelling unit per two acres average, consistent with other policies of the LCP.

Residential I. Residential areas usually characterized by a grouping of housing units on gently sloping or flat terrain often within established rural communities.

Residential I - the maximum residential density standard is one dwelling unit per acre average.

Residential II. Low-density suburban residential areas.

Residential II - the maximum residential density standard is two dwelling units per acre average.

Residential III. Urban residential areas generally characterized by single-family residential homes and low-intensity planned unit developments. The following residential density standards shall apply:

Residential III(A) - 2-4 dwelling units per acre average.

Residential III(B) - 4-6 dwelling units per acre average.

Residential IV. Urban residential areas generally characterized by a mix of single-family detached and multi-family development. The range of densities encouraged the use of Residential Planned techniques which reflect the unique characteristics of each site, adjacent land uses, and environmental and infrastructural constraints. The following residential density standards shall apply:

Residential IVA - 6-8 dwelling units per acre average.

Residential IVB - 8-10 dwelling units per acre average.

Residential IVC - 10-20 dwelling units per acre average.

In Categories Residential I through IVC, the principal permitted use is residential at the indicated density.

In any single-family residential category, the maximum additional residential development above and beyond the principal unit shall be one guesthouse or other second unit with an interior floor space not to exceed 750 gross square feet, not counting garage space.

Second units approved under this policy shall be counted as one-half a unit for purposes of the Development Allocation System contained in P274.

(2) Commercial

Rural Business. Rural Service Center - The principal permitted use is general commercial, industrial and service business to serve the needs of rural communities. Site design review is required to ensure a development is compatible with community character. Residences for the use of the owner/operator are permitted.

General Commercial. The principal permitted use is commercial business uses with an emphasis on retail stores to serve local needs. However, this general category does not preclude a full range of local and regional business uses including retail stores, office buildings, service businesses, government facilities, and other similar non-residential uses. Residential uses are not permitted.

Office/Commercial Services. The principal permitted use is non-retail office and commercial service businesses serving both local and regional needs. Typical uses would include professional offices, banks, restaurants, and other service-oriented commercial uses. Discretionary site design review is required. Residential uses are not permitted.

(3) Visitor-Serving Commercial Recreation

Low-Intensity Visitor-Serving Commercial Recreation. The principal permitted use is urban and rural visitor-serving commercial recreation uses characterized by large open space areas with limited building coverage such as golf courses, summer camps, equestrian facilities, and recreational vehicle parks. Not all uses are suitable in every location; discretionary site review is required.

Recreation-Serving Commercial. The principal permitted use is recreation-serving commercial uses such as hotels, motels, restaurants, fast-food establishments, recreation clubs and facilities, and sport equipment sales, etc. Not all types of uses or project scales are suitable in every designated location; discretionary site review is required.

(4) Parks

This category includes public-owned park and beach lands.

(5) Institution and Public Facilities

This designation indicates existing public facilities and private institutional uses characterized by colleges, schools, government offices, public utility facilities, fire stations and similar uses.

(6) Resource Protection and Management Overlays

Sensitive Environmental Resources. These areas contain significant vegetation and wildlife which require special protection to maintain their health and diversity. Development of the underlying land use classification must adhere to the performance standards established in Section 4.2.1 Policies 57-75, including Table 1, of this Plan and will be subject to review by the County of Los Angeles Environmental Review Board (ERB), as well as approval by the coastal-permit issuing agency of the County of Los Angeles. Permitted uses in the following subcategories are:

Environmentally Sensitive Habitat Areas - resource-dependent uses, as defined in P57

Significant Watersheds - resource-dependent uses and residential at a maximum density of one unit per 20 acres, subject to a Watershed Plan as described in P64 and P65. (existing nonconforming parcels may be developed in accordance with prescribed standards and policies.

Malibu-Cold Creek Resource Management Area - resource-dependent uses and residential at the prescribed underlying land use designation.

Significant Oak Woodlands and Savannah - resource-dependent uses and residential at the prescribed underlying land use designation.

Locally Disturbed Sensitive Resource Areas - resource-dependent uses and residential at the prescribed underlying land use designation.

Wildlife Corridors - resource-dependent uses and residential uses similar to Significant Watersheds.

Visual Resources These areas contain significant visual resources which require special performance standards to maintain their unique character and quality. Development of the underlying land use classification can proceed given adherence to the standards established in Section 4.2.3 of this Plan. Resource protection standards shall apply to the following subcategories:

- Significant Ridgelines
- Scenic Elements and Highly Scenic Areas
- Scenic Highways
- Principal Viewsheds

Hazardous Areas. These areas exhibit conditions which may present significant hazards to land use development. The underlying land use designation can be implemented provided that the effects of the hazard are successfully mitigated, according to prescribed engineering standards, as determined by the County Engineer. Pertinent standards and conditions of development are defined in Section 4.2.4 of this Plan. The standards shall apply to the following subcategories:

- Flood Hazard Areas
- Potential Landslides and Unstable Soils
- Fault Areas
- Tsunami Inundation Areas

(7) Discretionary Review

All development subject to coastal permits within the coastal zone is subject to findings by the coastal-permit issuing agency of Los Angeles County that it is consistent with the Local Coastal Program.

(b) Land Use Distribution

The land use plan map provides a framework within which new development can be accommodated within the Malibu Coastal Zone. Generally, it recognizes the presence of existing urban areas and concentrates new development at these locations. It further recognizes the presence of rural villages in the mountain areas and provides for this limited expansion, within the context of their environmental and infrastructural resource constraints. Cognizant of the potential cumulative effects of the buildout of existing small lot subdivisions in the mountains, the Plan designates these areas for low densities and establishes mechanisms by which the potential effects can be mitigated. The following describes the principal provisions of the land use plan map.

For the purposes of this LCP, the coastal terrace shall be considered to be an existing developed area, as mapped in Attachment 1. The rural villages, significant watersheds, and other mountain areas shall be considered to be outside the developed area.

(1) Coastal "Terrace"

Historically, the majority of development in the 75,000-acre Malibu Coastal Zone has occurred along the 27-mile beach frontage and adjacent inland slopes. Physically, this area is a "terrace" at the base of the Santa Monica Mountains. The Plan provides for the focusing of new development in this area, approximately eight percent of the coastal zone, as it contains the most extensive infrastructure and services. Conceptually, the Plan provides for the infilling of existing developed areas at prevailing densities and some intensification of the major "centers" along the "coastal terrace." The latter includes the following:

(a) Malibu Civic Center-Pepperdine University Center.

The Plan establishes the area at and adjacent to the mouth of Malibu Creek as the principal community center in the Malibu Coastal Zone. It is designated as a multipurpose area encompassing a variety of uses including retail commercial, office, service business, visitor-serving commercial, governmental, and residential.

The most intensive development would be accommodated in the alluvial plain adjacent to the Civic Center facilities and existing commercial. Relatively high-density residential, ranging from 8 to 20 units per acres would be allowed between Pepperdine University, the existing condominiums and the Civic Center structures. A variety of commercial uses would abut these areas to the west and south. Single-family detached residential units at low densities would act as a buffer between the high-density residential/commercial areas and the Malibu Lagoon. Low-density residential would also be located on the bluffs overlooking the alluvial plain and higher-density uses.

At Pepperdine University, the Plan will permit the development of a mix of academic and administration structures, athletic facilities, student and faculty/staff housing, and passive open spaces.

At Pepperdine University, development within the existing graded campus to accommodate up to 3,000 FTE (full-time equivalent) students and 300,000 sq. ft. of new building area shall be permitted under this Land Use Plan subject to the following mitigation measures:

1. The University shall secure approval from the County and other regulatory agencies, as necessary, for permanent sewage disposal methods adequate to treat waste to a level of tertiary treatment not less than that currently provided at the LVMWD Tapia Facility, for a maximum capacity of 3,000 FTE.

Such disposal methods shall, in themselves, be consistent with all the policies of the LCP and specifically not aggravate geologic hazards, degrade ESHAs, or increase public health problems for recreational users or residents.

2. The University shall offer to dedicate a permanent open space and scenic easement over the portions of the University campus falling within the Significant Ecological Area as designated by Los Angeles County plus adjoining areas to equal approximately 150 acres of the northern part of the campus, as approved previously by the Coastal Commission.

3. The University shall offer to dedicate a public trail easement over the Coastal Slope and Mesa Peak trails designated in the University's Specific Plan. The final route selection of these trails shall be subject to review and approval of the Executive Director of the Coastal Commission, after consultation with the Santa Monica Mountains Trails Council.

4. The County of Los Angeles and the University shall agree to establish a transportation committee to advise the University, Los Angeles County, and the Coastal Commission on transportation issues raised through continued campus development, and on mitigation measures to be incorporated in individual conditional use permits issued for each segment of University expansion. The University shall assist the committee and shall provide its facilities for meetings of the committee. The committee shall be an independent body composed of community representatives, adjacent landowners, and affected governmental agencies approved by Los Angeles County, Pepperdine University and the Executive Director of the Coastal Commission.

5. The University shall participate with the County of Los Angeles to create at least five new vertical accessways to the public tidelands where existing offers of dedication have been recorded, consistent with the priorities established by the beach access policies of the LUP. The University shall physically improve such accessways, consistent with County standards, but shall not be responsible for ordinary maintenance of accessways.

New development on the University campus may be approved without regard to the above limitation of 300,000 square feet if it can be demonstrated that the development is planned to serve only the existing student body, faculty, or staff. The University shall be responsible for providing appropriate information regarding use of the proposed structures in order to make this determination, as part of the permitting process. The cap on residential development specified in P274 shall not apply to the development of student housing at Pepperdine University, but it shall apply to the development of other housing for faculty or staff.

Any additional development beyond 3,000 FTE and 300,000 sq. ft. or outside the existing graded area shall not be permitted unless the University can demonstrate, in a Long Range Development Plan, that all grading, sewer service, visual impacts and traffic impacts can be fully mitigated in a manner consistent with all policies of this LCP. Additional mitigation measures may include the required contribution of funds by the University toward construction of an additional peak hour lane on Pacific Coast Highway, proportional to the University's share of increased peak hour trips, or intersection improvements in the vicinity of the University.

It is recommended that a major parking structure and transportation transfer facility be established in this area for visitors to the coastal recreational resources.

Beach shuttle buses would be linked to such a facility. This facility could be integrated with other uses, such as retail commercial, hotels, office-commercial, or other visitor-serving uses.

(b) Trancas Beach.

The Plan provides for the expansion of existing low-intensity community and visitor-serving commercial uses at the intersection of Trancas Canyon Road and Pacific Coast Highway and the moderate intensification of adjacent residential areas. Approximately 18 to 20 acres of additional commercial use would be accommodated. This may include markets, convenience commercial, restaurants, and other local- and visitor-serving uses. Single-family detached and/or townhouse residential would be permitted, at a maximum density of 6 to 8 units per acres, adjacent to and west of the commercial center. Peripheral residential densities would reflect prevailing land use patterns or one unit per acre and less.

(c) Point Dume-Paradise Cove Center

Existing developed areas flanking Pacific Coast Highway would be permitted to infill, and areas on the inland side would be expanded to link existing development clusters. Residential density designations range from one unit per acre to a maximum of 10 units per acre and reflect adjacent existing densities. The higher densities would be allowed adjacent to existing townhomes and condominiums which are scattered along Pacific Coast Highway.

New commercial uses would be permitted on vacant parcels along Pacific Coast Highway adjacent to the existing commercial uses.

These would encompass both local- and visitor-serving uses, similar to the markets, retail and financial establishments, and restaurants which are present today.

(d) Topanga Canyon Center

Proposed for development as a multiple use urban area providing for commercial business development with emphasis on visitor-serving and highway-oriented commercial uses, such as hotels/motels, restaurants and other convenience uses to serve the visitors to the recently-expanded Topanga State Beach. However, a range of local and regional business uses, including retail stores, office buildings and service businesses, is not precluded. Multiple residential units up to a maximum density of 8-10 du/acre are permitted. A specific plan in accordance

with the provisions of state law (Calif. Government Code, Section 65450 et seq.) is required. The specific plan shall include, without limitation, regulatory controls specifying the location, intensity and height of commercial and residential uses, public utility improvements, recreational and/or open space areas as well as specifying the measures to mitigate the environmental impacts of the development. The specific plan shall further address the following areas: (1) safe access to and from the adjacent highways; (2) provisions for sewage disposal; (3) a flood plain management plan for flood hazard protection (including measures to mitigate the impact of any required improvements to the stream channel) and a method for the allocation of associated maintenance costs. The specific plan shall include the adjacent area designated 16/8A if that area is proposed for residential development.

(e) Pacific Coast Highway Corridor

As noted, the narrow corridor along Pacific Coast Highway, from the City of Los Angeles to the Malibu Civic Center area, is already largely developed for residential and commercial uses. New development in this area would infill vacant parcels with the same uses as an integrated mixed-use area. New residential should generally be limited to multiple units.

Other areas in the coastal "terrace" would be permitted to infill and expand in designated areas with residential uses consistent in density and character with those which currently exist. The prevailing pattern is primarily, low- and moderate-density single-family residential development.

Cumulatively the Plan permits the development of no more than 4,000 new residential units and 150 acres of commercial in the coastal "terrace". Development of institutional uses and parklands could occur at any location throughout the area.

(2) Rural Villages

New development would be permitted at those locations in the Santa Monica Mountains which have established themselves as "rural villages". To maintain their rural character, such development would be limited to existing prevailing densities. Generally, the Plan establishes a maximum density of one unit per acre in these areas with the potential for other local serving land uses.

As many of the rural villages have been subdivided into very small, "urban" scale parcels (4,000-5,000 square feet), the Plan designations will establish the existing lots of record in these areas as "non-conforming". Based on a 1978 County study, this will affect an estimated 3,614 undeveloped and unrestricted parcels. As "non-conforming" parcels these could theoretically be allowed to build out, given compliance with the LCP policies and all County Engineering and Health requirements. It is anticipated that a significant percentage of these lots would not build out due to severe slopes, geologic conditions, septic limitations, the costs of development, and other constraints. If the theoretical buildouts were to occur, they would necessitate implementation of costly infrastructure (sewers or other appropriate technology) and significantly alter the existing density characteristics of these areas. Such infrastructure improvements are not proposed by this Land Use Plan.

To mitigate the potential effects and/or reduce buildout, the Plan proposes a mix of techniques, including development allocation, fee acquisition of property, offers of tax delinquent parcels, consolidation of contiguous lots, redevelopment, and surplus land exchange.

[The maximum allowable gross structural area of a residential unit to be constructed on a building site in a rural village shall be determined by the following formula:]

Slope-Intensity Formula:

$$\text{GSA} = (A/5) \times ((50-S)/35) + 500$$

Where: GSA = the allowable gross structural area of the permitted developed in square feet. The GSA includes all substantially enclosed residential and storage areas, but does not include garages or carports designed for storage of autos.

A = the area of the building site in square feet. The building site is defined by the applicant and may consist of all or a designated portion of the one or more lots comprising the project location. All permitted structures must be located within the designated building site.

S = the average slope of the building site in percent as calculated by the formula:

$$S = I \times L/A \times 100$$

Where: S = average natural slope in percent.

I = contour interval in feet, at not greater than 25-foot intervals, resulting in at least 5 contour lines.

L = total accumulated length of all contours of interval "I", in feet.

A = the area being considered in square feet.

All slope calculations should be based on natural (not graded) conditions. Maps of a scale generally not less than 1" = 10', showing the building site and existing topographic contours and noting appropriate areas and slopes, prepared by a Licensed Surveyor or Registered Professional Civil Engineer, should be submitted with the application.

The maximum allowable gross structural area (GSA) as calculated above may be increased as follows:

(1) Add 500 square feet for each lot which is contiguous to the designated building site provided that such lot(s) is (are) combined with the building site and all potential for residential development on such lot(s) is permanently extinguished.

(2) Add 300 square feet for each lot in the vicinity of (e.g., in the same small lot subdivision) but not contiguous with the designated building site provided that such lot(s) is (are) combined with other developed or developable building sites and all potential for residential development on such lot(s) is permanently extinguished.

All residences approved in small lot subdivisions by the noted slope intensity/gross structural area formula shall be subject to an improvement condition requiring that any future additions or improvements to the property be subject to an additional coastal permit.

### (3) Significant Watersheds

New residential uses would be permitted in the designated Significant Watersheds in accordance with the policies, standards and conditions prescribed in Section 4.3.1 of the Plan. In general, these would permit land divisions to a minimum 20-acre parcel. Where the development of small parcels is determined to yield a potential for significant impacts, the parcel would be eligible for participation in the development rights retirement program.

Based on an average of one unit per 20 acres, the significant watersheds could accommodate a maximum of 532 dwelling units.

(4) Other Mountain Areas

New residential development would be permitted in other inland mountain areas at very low residential densities, according to the capability of the land to accommodate such use. Factors such as slope, geologic and soil stability, erosion, and hydrology influence the ultimate buildability of a parcel. The land use designations of the Plan account for these factors. A variety of densities would be accommodated, ranging from one unit per 20 acres to one unit per two acres. An estimated 2,050 new units could be accommodated in these areas.

2. POLICY FOR MITIGATING THE CUMULATIVE IMPACTS OF THE POTENTIAL BUILDOUT OF EXISTING NON-CONFORMING LOTS

a. Purpose

If all existing nonconforming lots in the Malibu Coastal Zone were built out, a significant portion of the proposed development capacity proposed in this Local Coastal Program would have to be reserved from utilization in otherwise more appropriate locations. Their development would demand the allocation of urban services not now available at these locations and could adversely affect the resources which remain in such locations.

However, despite their legal existence many of the small lots are not buildable physically or economically, within the current standards already imposed by the County upon development applicants. Severe slopes, geologic instability inaccessibility, and other factors will limit the use of these properties.

A further problem has been highlighted by the analysis of environmentally sensitive habitat areas. In some cases, properties which are of less than 20 acres in size in the significant watersheds -- and distant from available utilities and access services -- may adversely impact the designated resource management area if developed.

Therefore, the program purposes of this mitigation strategy are twofold: (1) to discourage small lot (less than one acre) buildout in existing inland subdivisions, unless adequate services can be provided; and (2) to discourage development of lots of less than 20 acres in designated significant watersheds which are distant from existing services and are determined by the ERB to potentially incur a significant adverse impact on the ESHAs or Significant Watersheds.

In essence, these are "non-conforming parcels".

b. [Blank]

c. Program Approach

The County of Los Angeles shall be the administrative entity, through its Regional Planning Commission (and staffed by the Regional Planning Department) for carrying out the mitigation strategy. This determination may require coordination with two existing state land conservancies, having lot consolidation programs in the Malibu Coastal Zone, and possibly other agencies. The operation of the mitigation program shall proceed in a manner consistent with, and essentially required by, the other integrated elements of this Malibu Local Coastal Program which deal with land use allocation, environmentally sensitive habitat conservation, and development approval processing.

(d) Operational Program

P272 consists of six potential techniques. The basic components of the program shall be as follows:

(1) The County shall monitor the annual number of building permits issued for development of residential units pursuant to the certified local coastal program. The total permitted development shall not exceed 6,582 residential units; of this total development within small lot subdivisions (Rural Villages) shall not exceed 1200 residential units. Application of the policy will be considered to have removed 2400 parcels from the inventory of usable parcels pursuant to Sec. 30250(a) of the Coastal Act.

(2) Public Agency Acquisition

Acquire by outright public purchase, for future public use purpose, non-conforming lots and lots in designated Significant Watersheds through the continuing acquisition programs of several agencies. This will require the focusing of all public acquisition funds as rapidly as possible on outright purchase of the appropriate parcels. For example, the National Park Service land acquisition program should buy out the small lots in its designated purchase areas. The State Parks Department should do the same, if there are small lots contiguous to its holdings or intended holdings. Depending upon authorized program directions, the Topanga-Las Virgenes Resource Conservation District could also become a property purchaser. Either or both of the current Conservancies (Mountain and Coastal) should continue their purchase programs, in linkage with the local trust(s). It may also be necessary and appropriate for other agencies, such as the two water districts (Los Angeles County District No. 29, and Las Virgenes Municipal Water District) to protect watersheds by acquisition.

A concerted effort, assisted by County coordination, of many parties can result in a mix of:

- (a) Small lots purchased outright for park and recreation use, and not regenerated as "TDUs" (transfer of development units) (i.e., a development right sale).
- (b) Small lots purchased outright for watershed and stream bed protection, and not regenerated as TDUs.
- (c) Small lots purchased for property consolidation purposes where the purchasing entity may also sell a development unit credit to a receiver area developer.

In order to be an effective program, the small lot reduction effort by many public agencies simultaneously must be managed through a coordination system and should have a consolidated annual work program, even though the separate agencies will have their own budgets. The County Regional Planning Department should enter into memoranda of agreement with each acquisition entity to assist in the coordination of such a program.

(3) Offer Tax Delinquent Lots to Adjoining Owners

Following designation of tax delinquent parcels (a) in County control, and (b) available for County and/or private purchase at auction, the Regional Planning Department should be empowered to act to plan such "mitigation parcels" in advertisement to adjoining property owners under attractive terms which would provide incentives for acquisition and consolidation into larger conforming properties. Such incentive terms should be spelled out in an enabling ordinance, and should allow the Regional Planning Department the right of precedence over the normal processes of tax delinquent property offering and sale. The incentives may include offer of tax abatement to the level of minimum coverage of the cost of fire danger suppression (i.e., that portion of taxes allocated to the Los Angeles County Consolidated Fire District).

(4) Lot Consolidation Where Ownerships are Contiguous

Presently, there are no incentives to an owner of contiguous legally divided lots to voluntarily consolidate the lots into larger single holdings. The County should devise incentives which provide stimulants for lot consolidation by owners of contiguous lots. These could include:

- (a) Offer of County tax abatement (collecting only the Fire District Portion.)

(b) Offer of forgiveness of map processing, drawing and application processing costs (the tasks would be performed by the Regional Planning Department staff).

(5) Redevelopment Technique

In several cases where many small lots lie undeveloped in an historic subdivision, it may be economically and physically feasible to replat the properties to provide for cluster development and adequate utility and access services. The County Community Development Commission acts as the Los Angeles County Community Redevelopment Agency (CRA) under State law and may initiate studies and project plans with the review and consent of the Regional Planning Commission.

The redevelopment technique requires adoption by ordinance, after public hearing, of a redevelopment project plan which provides explicit powers and responsibilities to both the CRA and the existing property owners, as well as appropriate physical development controls. The redevelopment project can provide for partial internal financing of its costs via the tax increment financing method. Existing property owners have the first rights to participate in development of the resubdivided properties. In order to actually cause property assembly into more appropriate development sites, the CRA may buy and sell lots within the project area, help finance installation of public improvements, and help prepare sites which will then be developable. A redevelopment project may require 7 to 10 years or more to carry out.

The County may consider the application of this technique in those historic tracts which have very high numbers of undeveloped lots, where it is determined that further buildout will be consistent with the Local Coastal Program and with the provision of incremental utilities and urban services. Such a program may also feature rehabilitation of existing roadways and utility systems within an adopted redevelopment project.

(6) Lot Exchange for Surplus Governmental Properties

The County should seek to provide owners of non-conforming properties in the coastal zone with opportunities to exchange their lots for surplus governmental properties in more suitable development areas inside and outside the coastal zone. The Regional Planning Department should be authorized by ordinance to coordinate with agencies which hold available surplus properties (County, State, and Federal) and with owners of non-conforming properties in the Malibu Coastal Zone to help facilitate land trades. Depending upon surplus site availability, this technique may be essentially an alternate means of non-conforming lot acquisition by means of trade rather than cash compensation.

If it is not the objective of the trading agency to hold exchanged property in the coastal zone, a means of consolidating the non-conforming lot with adjoining private ownership should be available via the lot consolidation incentives described in preceding paragraphs. The primary public purpose of the use of the surplus governmental land exchange program is to provide an additional incentive technique to withdraw development from existing non-conforming properties.

Each of the six mitigation programs defined above shall be implemented by development and adoption of enabling ordinances by Los Angeles County, submitted as part of the Phase III LCP. The redevelopment technique authority already exists in the County Community Development Commission and may be exercised on a project-by-project basis. The five other proposals will require the drafting of new local statutes.

The County shall report both the number of substandard or nonconforming lots permanently retired through the various methods specified above and the number of newly subdivided lots and multi-unit residential units approved. The reports shall be made to the Executive Director of the Coastal Commission on an annual basis, and shall also be made available to members of the public upon request.

The lot retirement program is outlined in general terms in Table 8. [Not reproduced here]

#### 4. LAND DIVISION POLICY

P273 Development shall conform to Chapter 3, as amended, of the California Coastal Act of 1976.

P273b On beachfront parcels, land divisions shall be permitted consistent with the density designated by the Land Use Plan Map only if all parcels to be created contain sufficient area to site a dwelling or other principal structure, on-site sewage disposal system, if necessary, and any other necessary facilities without development on sandy beaches, consistent with all other policies of the LUP, including those regarding geologic and tsunami hazard.

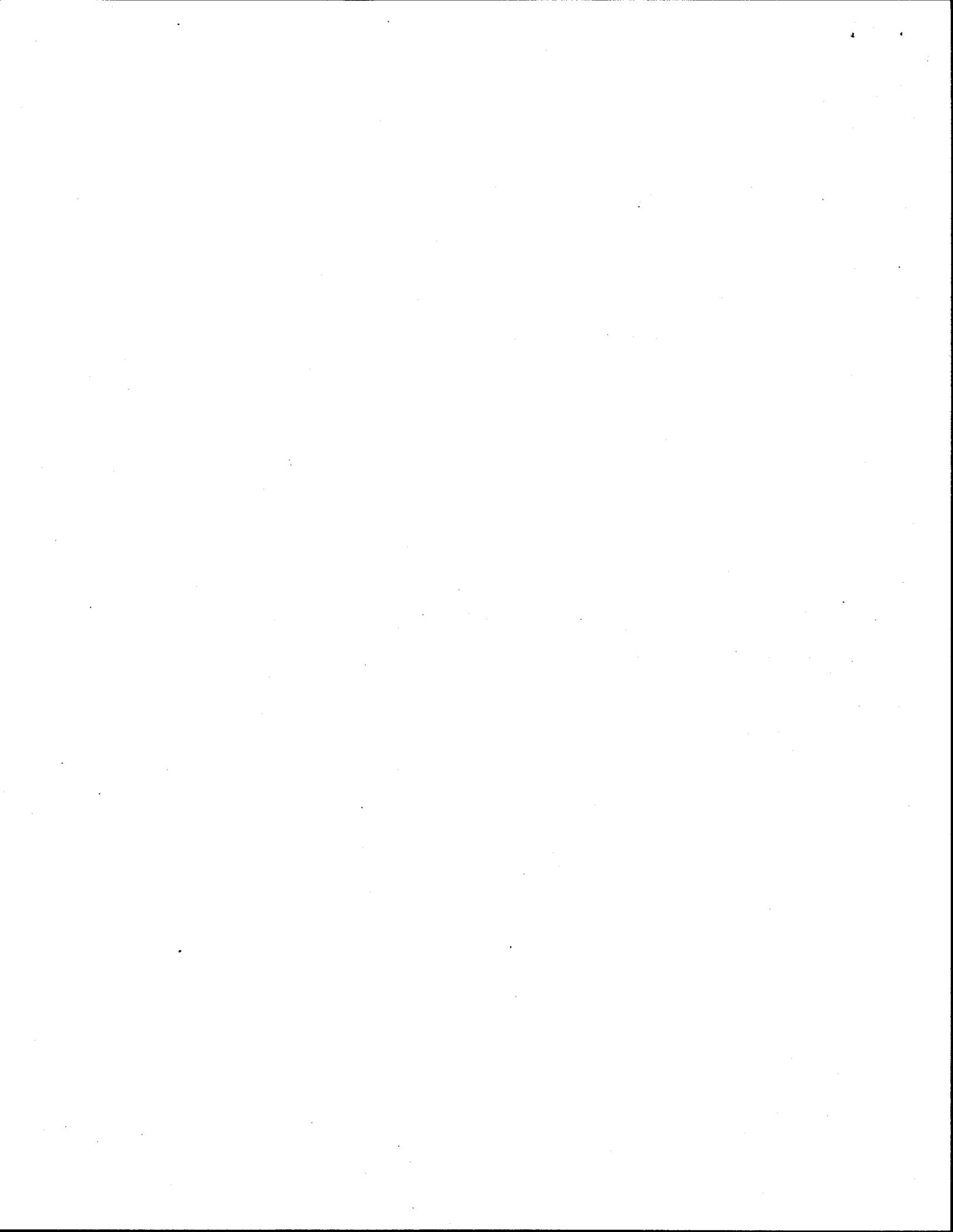
P273c On property encompassing stream courses, land divisions shall be permitted consistent with the density designated by the Land Use Plan Map only if all parcels to be created contain sufficient area to site a dwelling or other principal structure consistent with P79 and P80 regarding setbacks of new development from stream courses and all other policies of the LCP.

P273d In all other instances, land divisions shall be permitted consistent with the density designated by the Land Use Plan Map only if all parcels to be created contain sufficient area to site a dwelling or other principal structure consistent with the LCP. All land divisions shall be considered to be a conditional use.

P273f Issuance of a conditional certificate of compliance pursuant to Government Code Sec. 66499.35(b) shall be subject to a coastal development permit which shall be approved, but shall be subject to conditions to implement all applicable policies of this LUP, including land division policies.

P274 Development Allocation System. A maximum of 2,110 residential units within Regional Statistical Area 15 (counting from the date on which the Coastal Commission certifies the Land Use Plan) shall be approved under this Land Use Plan, consistent with the other policies of the LCP. At such time as a cumulative total of 2,110 units approved under this LUP is reached, no additional residential development shall be approved until the following infrastructure improvement is made:

Construction of an additional lane on Pacific Coast Highway between Malibu Civic Center and the McClure Tunnel to be available at least during the peak travel period in each direction. While development of additional residential units proceeds, a traffic and intersection analysis of Pacific Coast Highway from Malibu Civic Center through the McClure Tunnel shall be initiated as soon as possible following Commission certification of the Land Use Plan. This analysis shall compare current traffic volumes and levels of service with projected volumes and service levels based on the modified LUP. The analysis shall be performed by Caltrans or by Los Angeles County in conjunction with other affected local jurisdictions with submittal for review by Caltrans. The cap of 2,110 units specified by this policy as well as the requirement of construction of an additional traffic lane on the highway shall be subject to LCP amendment to reflect the results of this traffic analysis.



ATTACHMENT #1

MAP CHANGES

(The following are corrections and clarifications which are necessary to be made to several LUP maps.)

1. The Coastal Zone boundary indicated on the Land Use Plan Map shall be corrected to reflect the actual boundary as shown on the Coastal Commission's boundary map.

2. Where there are discrepancies between the boundaries of Significant Watersheds as mapped on the Land Use Plan map and the Sensitive Environmental Resource Map, the boundaries shown on the Sensitive Environmental Resource Map shall govern. The Land Use Plan map shall be corrected to show the appropriate Significant Watershed boundaries. Correction of the Watershed boundaries shall not change the underlying land use designation shown on the Land Use Plan map, except that all private residential land in Significant Watersheds shall be designated as Category M2.

3. A map note shall be added to the Land Use Plan map which states as follows:

"The land use and density designations on this map indicate the ultimate potential size of parcels which may be created under the LUP. To be approved, proposed land divisions must be consistent with all applicable policies of the LUP (in particular, P273 through P273f), as well as with the use and density designations indicated hereon."



Table 1  
 Permitted Uses and Development Standards In  
 Environmentally Sensitive Habitat Areas, Disturbed Sensitive Resource Area,  
 Significant Watersheds, Resource Management Areas, Wildlife Corridors and Significant Woodlands

Habitat Type and Existing  
 Parcel Size (if applicable)

Permitted Uses Within  
 the Habitat Area in  
 Accordance with  
 Section 30240(a) of  
 the Coastal Act

Permitted Uses Adjacent  
 to the Habitat Area in  
 Accordance with  
 Section 30240(b) of  
 the Coastal Act

Development Standards/Stream Protection Policies  
 (Note: The following standards are established for development  
 in sensitive environmental resource areas. Development propo-  
 sals consistent with these standards shall be subject to normal  
 review procedures. Variations from these standards will be con-  
 sidered on an individual basis according to their potential envi-  
 ronmental effects as determined by the Environmental Review Board).

ENVIRONMENTALLY  
 SENSITIVE HABITAT AREAS  
 (ESHAS)

Resource-dependent uses  
 such as:  
 o nature observation  
 o research/education  
 o passive recreation  
 including hiking and  
 horseback riding

Residential uses which are  
 set back a minimum of  
 100' which are consistent  
 with appropriate erosion  
 control/stream protection  
 standards and which are  
 consistent with LCP policies.

- o Land alteration and vegetation removal, including brushing,  
 shall be prohibited within undisturbed riparian woodlands, oak  
 woodlands and savannahs and any areas designated as ESHAs by  
 this LCP, except that controlled burns and trails or roads  
 constructed for providing access to recreational areas may be  
 permitted consistent with other policies of the LCP.
- o Trails or roads permitted for recreation shall be constructed  
 to minimize grading and runoff. A drainage control plan shall  
 be implemented.
- o Streambeds in designated ESHAs shall not be altered  
 except where consistent with Section 30236 of the Coastal Act.  
 Road crossings shall be minimized, and, where crossings are  
 considered necessary, should be accomplished by the installa-  
 tion of a bridge. Tree removal to accommodate the bridge  
 should be minimized.
- o A minimum setback of 100' from the outer limit of the  
 pre-existing riparian tree canopy shall be required for any  
 structure associated with a permitted use.
- o Structures shall be located in proximity to existing  
 roadways, services and other development to minimize the  
 impacts on the habitat. Approval of development shall be  
 subject to review by the Environmental Review Board.

DISTURBED SENSITIVE  
 RESOURCES (DSRs)

o Resource-dependent  
 uses such as:  
 nature observation  
 research education  
 passive recreation  
 including hiking

Uses consistent with  
 LCP policies.

- o In disturbed riparian areas, structures shall be sited to  
 minimize removal of riparian trees.
- o In disturbed oak woodland and savannah areas, structures  
 shall be sited in accordance with the Los Angeles County  
 Oak Tree ordinance.

and horseback riding

- o Residential or commercial uses if consistent with standards and policies.

SIGNIFICANT WATERSHEDS  
a. EXISTING PARCELS  
20 ACRES AND  
LARGER

- o Resource-dependent uses such as:
  - nature observation
  - research/education
  - passive recreation including hiking and horseback riding
- o Residential in accordance with recommended standards and policies and subject to review by Environmental Review Board.

Uses consistent with LCP policies.

- o Removal of native vegetation and grading shall be minimized.
- o Site grading shall be accomplished in accordance with the stream protection and erosion policies.
- o Streambeds in designated ESHAs shall not be altered except where consistent with Section 30236 of the Coastal Act. Bridges shall be used for roadway crossings. Tree removal associated with bridge construction shall be minimized.
- o Disturbed, sensitive ravines and canyons at Point Dume should be retained in their existing condition or restored.
- o Approval of development shall be subject to review by the Environmental Review Board.
- o Structures shall be clustered to minimize the effects on sensitive environmental resources.
- o Structures shall be located as close to the periphery of the watershed as feasible, or in any other location in which it can be demonstrated that the effects of development will be less environmentally damaging.
- o Structures and uses shall be located as close as possible to existing roadways and other services to minimize the construction of new infrastructure.
- o Grading and vegetation removed shall be limited to that necessary to accommodate the residential unit, garage, and one other structure, one access road and minimum brush clearance required by the Los Angeles County Fire Department. Where clearance to mineral soil is not required by the Fire Department, fuel load shall be reduced through thinning or mowing, rather than complete removal of vegetation. The standard for a graded building pad shall be a maximum of 10,000 square feet.
- o New on-site access roads shall be limited to a maximum length of 300 feet or one-third of the parcel depth, whichever is smaller. Greater lengths may be allowed

provided that the County Engineer and Environmental Review Board determine that there is not an acceptable alternative and that a significant impact will not be realized and shall constitute a conditional use.

- o The cleared area shall not exceed 10% of the area excluding access roads.
- o Site grading shall be accomplished in accordance with the stream protection and erosion control policies.
- o Designated environmentally sensitive streambeds shall not be filled. Any crossings should be accomplished by a bridge.
- o Approval of development shall be subject to review by the Environmental Review Board.
- o Allowable structures shall be located in proximity to existing roadways, services and other development to minimize the impacts on the habitat.
- o Structures shall be located as close to the periphery of the designated watershed as feasible, or in any other location in which it can be demonstrated that the effects of development will be less environmentally damaging.
- o Streambeds in designated ESHAs shall not be altered except where consistent with Section 30236 of the Coastal Act.
- o Grading and vegetation removal shall be limited to that necessary to accommodate the residential unit, garage, and one other structure, one access road, and brush clearance required by the Los Angeles County Fire Department. The

b. EXISTING PARCELS SMALLER THAN 20 ACRES IN PROXIMITY TO EXISTING DEVELOPMENT AND/OR SERVICES, AND/OR ON THE PERIPHERY OF THE SIGNIFICANT WATERSHEDS.

- o Resource-dependent uses such as;
  - nature observation
  - research/education
  - passive recreation including hiking and horseback riding
- o Residential at existing parcel cuts (buildout of parcels of legal record) in accordance with specified standards and policies and subject to review by the Environmental Review Board

Uses consistent with LCP policies

standard for a graded building pad shall be a maximum of 10,000 square feet.

- o New on-site access roads shall be limited to a maximum length of 300 feet or one-third of the parcel depth, whichever is smaller. Greater lengths may be allowed through conditional use, provided that the Environmental Review Board and County Engineer determine that there is no acceptable alternative.
- o Site grading shall be accomplished in accordance with the stream protection and erosion control policies.
- o Designated environmentally sensitive streambeds shall not be filled. Any crossings shall be accomplished by a bridge.
- o Approval of development shall be subject to review by the Environmental Review Board.

**c. EXISTING PARCELS  
SMALLER THAN 20  
ACRES WHICH ARE  
SCATTERED AND/OR  
AT A SIGNIFICANT  
DISTANCE FROM EXIST-  
ING DEVELOPMENT AND  
SERVICES**

- o Resource-dependent uses such as:
  - nature observation
  - research/education
  - passive recreation including hiking
- o Residential, according to the following: - parcels smaller than 20 acres may be developed provided that habitat disruption can be fully mitigated as determined by the

Uses consistent with LCP policies.

- o If parcels of less than 20 acres are merged, the development standards listed for condition "a", above, shall be applicable.
- o For resource-dependent uses, the established standards for ESHAS shall apply.
- o Streambeds in designated ESHAS shall not be altered
- o except where consistent with Section 30236 of the Coastal Act.

MALIBU-COLD CREEK  
RESOURCE MANAGEMENT AREA

Environmental Review Board.

- parcels for which it is determined that habitat disruption cannot be fully mitigated will be eligible for participation in the lot retirement program (refer to Section 4.5).

- o Resource-dependent uses such as:
  - nature observation
  - research/education
  - passive recreation including hiking and horseback riding
- o Residential according to the following:
  - for parcels less than 20 acres, buildout at existing parcel cuts (buildout of parcels of record) at 1 unit/parcel in accordance with specified standards and policies and subject to review by the Environmental Review Board
  - for parcels greater than 20 acres, land divisions are allowable, but not below 20 acres per parcel.

Uses consistent with LCP policies.

- o Allowable structures shall be located in proximity to existing roadways, services and other development to minimize impacts on the habitat, and clustering and open space easements to protect resources shall be required in order to minimize impacts on the habitat.
- o Grading and vegetation removed shall be limited to that necessary to accommodate the residential unit, garage, and one other structure, one access road, and brush clearance required by the Los Angeles County Fire Department.
- o Stream protection standards shall be followed.

SIGNIFICANT OAK WOODLANDS

- o Resource-dependent uses such as:
  - nature observation
  - research/education
  - passive recreation including hiking and horseback riding
- o Residential uses consistent with recommended development standards/protection policies and approval of the Environmental Review Board.

Uses consistent with LCP policies.

- o Encroachment of structures within an oak woodland shall be limited such that at least 90% of the entire woodland is retained. Leachfields shall be located outside the dripline of existing oak trees.
- o Clustering of structures shall be required to minimize the impacts on natural vegetation.
- o Development shall adhere to the provisions of the County of Los Angeles Oak Tree Ordinance.
- o Land alteration and vegetation removal shall be minimized.
- o Structures shall be located as close to the periphery of the oak woodland, as feasible, including outside the woodland, or in any other location for which it can be demonstrated that the effects of development will be less environmentally damaging.
- o Structures shall be located as close as feasible to existing roadways and other services to minimize the construction of new infrastructure.
- o Site grading shall be accomplished in accordance with the stream protection and erosion policies.
- o To facilitate the clustering of development, Planned Unit Developments (PUD) shall be the method of land divisions. The applicant shall map both proposed building sites and the location of existing oak trees in order to minimize removal of oak trees.
- o Streambeds in Oak Woodlands shall not be altered except where consistent with Section 30236 of the Coastal Act. Bridges shall be used for roadway crossings.

WILDLIFE CORRIDORS

- o Resource-dependent uses such as:
  - nature observation
  - research/education
  - passive recreation including hiking and horseback riding
- o Residential uses consistent with recommended development standards/protection policies and approval of the Environmental Review Board

Uses consistent with LCP policies.

Standards shall be the same (except for densities) as for Significant Watershed parcels with the additional policy that fencing of entire parcels shall be prohibited in order to allow free passage of wildlife.

Approval of development shall be subject to review of the ERB.

LOCATION OF BEACH AREAS AND PRIORITIES FOR CREATION AND IMPROVEMENT OF BEACH ACCESS

ATTACHMENT #4

High Priority  
 Moderate Priority  
 Low Priority

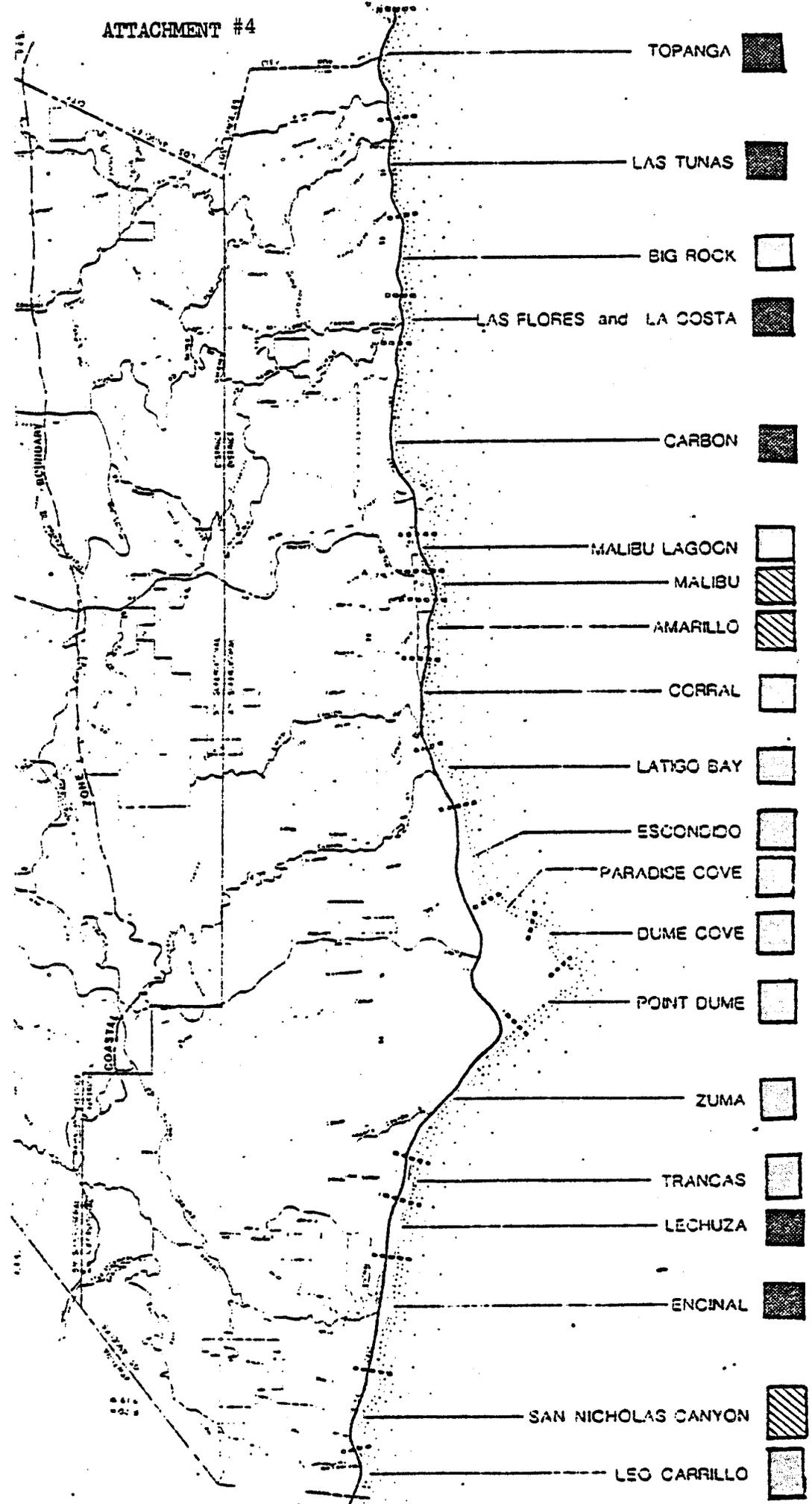
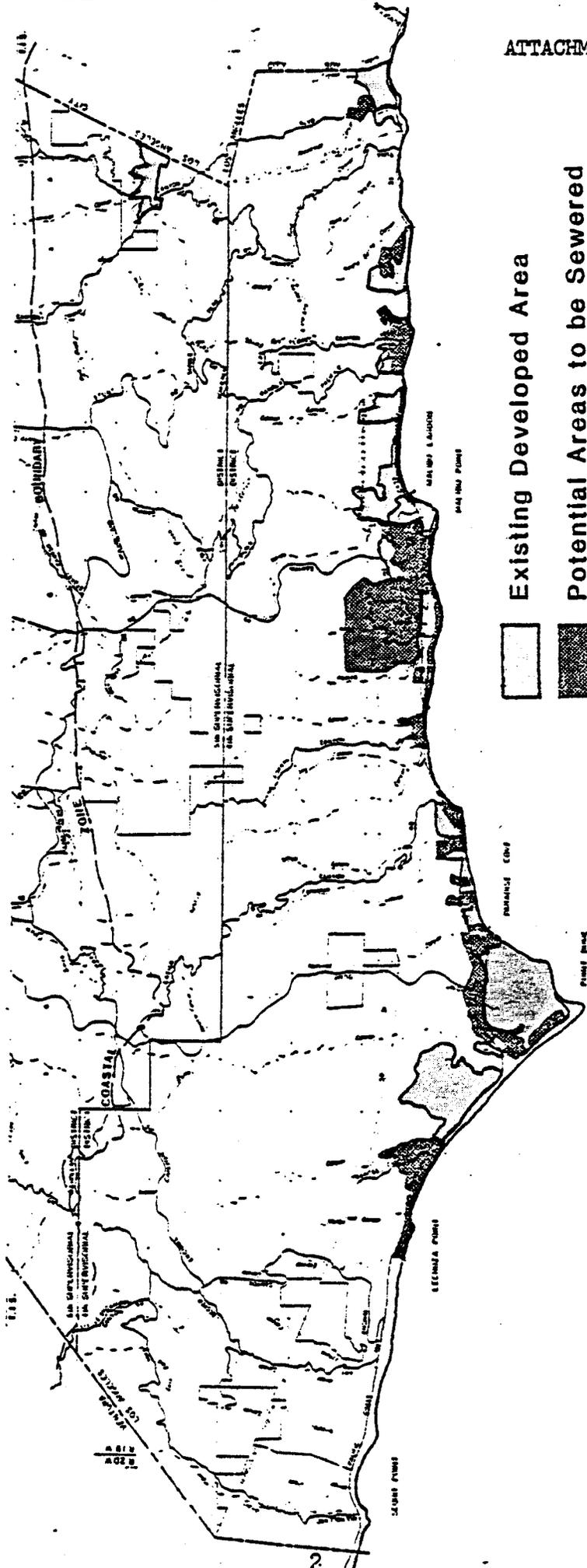


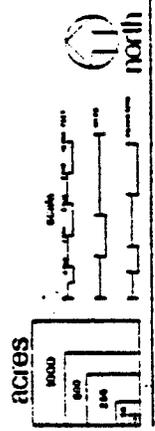
FIGURE 5

ATTACHMENT #4  
 REVISED ACCESS PRIORITIES



-  Existing Developed Area
-  Potential Areas to be Sewered

**Malibu Coastal Zone**



ATTACHMENT 6

MALIBU COASTAL ZONE  
 NUMBER OF EXISTING PARCELS AND DWELLING UNITS, 1983

|   | <u>Total Existing<br/>Parcels</u> | <u>Developed Parcels/<br/>Dwelling Units</u> | <u>Undeveloped<br/>Parcels</u> |
|---|-----------------------------------|--|--------------------------------|
| Coastal<br>Terrace                        | 5,978                             | 4,182/6,498                                  | 1,796                          |
| Rural<br>Villages                         | 5,405                             | 1,381/1,396                                  | 3,624*                         |
| Significant<br>Watersheds,<br>Other Areas | <u>2,520</u>                      | <u>774 / 759</u>                             | <u>1,746</u>                   |
|   | 13,903                            | 6,337/8,653                                  | 7,166                          |

\*Does not include some 400 lots already retired through the TDC Program; although vacant, these cannot be developed with residences. Consolidation of remaining vacant lots in Rural Villages will be encouraged by the Slope-Intensity formula.

Source: Los Angeles Regional Planning Department

ATTACHMENT 7

MALIBU - ACREAGE AND THEORETICAL ADDITIONAL DEVELOPMENT  
UNDER THE REVISED LAND USE MAP

|   | <u>Original LUP</u>         |   | <u>Revised LUP</u>          |   |
|---|-----------------------------|---|-----------------------------|---|
|   | Gross Acreage, Original LUP | Potential Additional Development, Units | Gross Acreage, Modified LUP | Potential Additional Development, Units |
| <u>Coastal Terrace</u>                                      |                             |   |                             |   |
| Residential   | 10,021                      | 5,331 <sup>1</sup>                      | 9,721                       | 2,795-4,425 <sup>2</sup>                |
| General Commercial  | 368                         |   | 351                         |   |
| Commercial Recreation                                       | 374                         |   | 656                         |   |
| Institutional   | 769                         |   | 769                         |   |
| Parks   | <u>709</u>                  |   | <u>744</u>                  |   |
| Subtotal  | 12,241                      |   | 12,241                      |   |
| <u>Significant Watersheds</u><br>(Including Trancas Canyon) |                             |   |                             |   |
| Residential   | 13,457                      | 551                                     | 12,992                      | 532                                     |
| Institutional   | 730                         |   | 930                         |   |
| Commercial Recreation                                       | 658                         |   | 558                         |   |
| Parks   | <u>8,563</u>                |   | <u>8,928</u>                |   |
| Subtotal  | 23,408                      |   | 23,408                      |   |
| <u>Other Mountain Areas</u>                                 |                             |   |                             |   |
| Residential   | 26,929                      | 2,595                                   | 25,746                      | 2,050                                   |
| General Commercial  | 58                          |   | 53                          |   |
| Commercial Recreation                                       | 449                         |   | 941                         |   |
| Institutional   | 372                         |   | 372                         |   |
| Parks   | <u>4,140</u>                |   | <u>4,836</u>                |   |
| Subtotal  | 31,948                      |   | 31,948                      |   |
| <u>Rural Villages</u>                                       | <u>1,581</u>                | <u>700-3,614</u>                        | <u>1,581</u>                | <u>1,205<sup>3</sup></u>                |
| TOTAL   | 69,178                      | 9,177-12,091                            | 69,178                      | 6,582-8,212                             |

(Outside Coastal Zone but covered by original LUP) (767)

- 1 Includes up to 795 units at Pepperdine University.
- 2 Includes 998 units seaward of PCH and 2,468 units inland of PCH, not including Pepperdine and the mouth of Topanga Cyn.; residential development at these sites will be covered by a separate LRDP and Specific Plan.
- 3 Represents approx. 1/3 of the undeveloped parcels in Rural Villages; development of such parcels is subject to the Slope-Intensity Formula (see Attachment #7)

## ATTACHMENT #8

### METHODOLOGY FOR ESTIMATING POTENTIAL ADDITIONAL DEVELOPMENT UNDER REVISED LUP

The estimate of potential additional residential development allowable under the revised Land Use Plan (shown on ATTACHMENT #7) was prepared by Coastal Commission staff. First, the total acreage of the Malibu/Santa Monica Mountains coastal zone was calculated. Then the acreage of each land use designation in each major area of the coastal zone (coastal terrace, Significant Watersheds, and so on) was estimated. Estimates were made of the gross acreage designated for each land use category under the County's Land Use Plan as originally submitted and for each category under the Suggested Modifications. These figures are shown in columns 1 and 3 on ATTACHMENT #7.

Potential additional residential development was estimated as follows: gross undeveloped acreage in each residential land use category was estimated using the appropriate percentage derived from the count of existing parcels and existing development prepared by the Los Angeles Regional Planning Department (see ATTACHMENT #6). These percentages are 27% for the coastal terrace seaward of Pacific Coast Highway, 32% for the coastal terrace inland of Pacific Coast Highway, and 69% for other mountain areas (not counting rural villages). Twenty percent of the gross undeveloped acreage was subtracted to allow for streets, leaving the net developable acreage. The potential residential density as shown on the Land Use Plan map was applied to the net acreage figures (using the lower end of the range for categories #8 and #9). These figures were totaled for each major area of the coastal zone and are shown in columns 2 and 4 on ATTACHMENT #7.

The boundary of the coastal terrace is essentially the "Rancho" line on the USGS 7# minute quadrangle map (the exact boundary is shown on maps maintained in the Coastal Commission office). The coastal terrace as defined by Commission staff for purpose of this estimate of potential additional development is larger than that used by the County of Los Angeles in preparing the original Land Use Plan document. That difference and others mean that the acreage and potential development figures shown on ATTACHMENT #7 in this report are not exactly comparable to those shown on Table 6 of the Land Use Plan document. Valid comparisons may be made between the two revised estimates of additional development shown on ATTACHMENT #7.

The potential additional development figures are based on certain assumptions as described above; any change in those assumptions or in Land Use Plan policies which affect them could result in changes to potential additional residential development.

ATTACHMENT #9

REVISED LAND USE PLAN MAP

Revisions to the Land Use Plan designations are indicated on the following sectional maps.

KEY TO LUP DESIGNATIONS:

RESIDENTIAL

- M2 Mountain Land, 1 dwelling unit/20 acres
- 3 Rural Land I, 1 du/10 acres
- 4 Rural Land II, 1 du/5 acres
- 5 Rural Land III, 1 du/2 acres
- 6 Residential I, 1 du/1acre
- 7 Residential II, 2 du/acre
- 8A Residential IIIA, 2-4 du/acre
- 8B Residential IIIB, 4-6 du/acre
- 9A Residential IVA, 6-8 du/acre
- 9B Residential IVB, 8-10 du/acre
- 9C Residential IVC, 10-20 du/acre

INSTITUTION AND PUBLIC FACILITIES

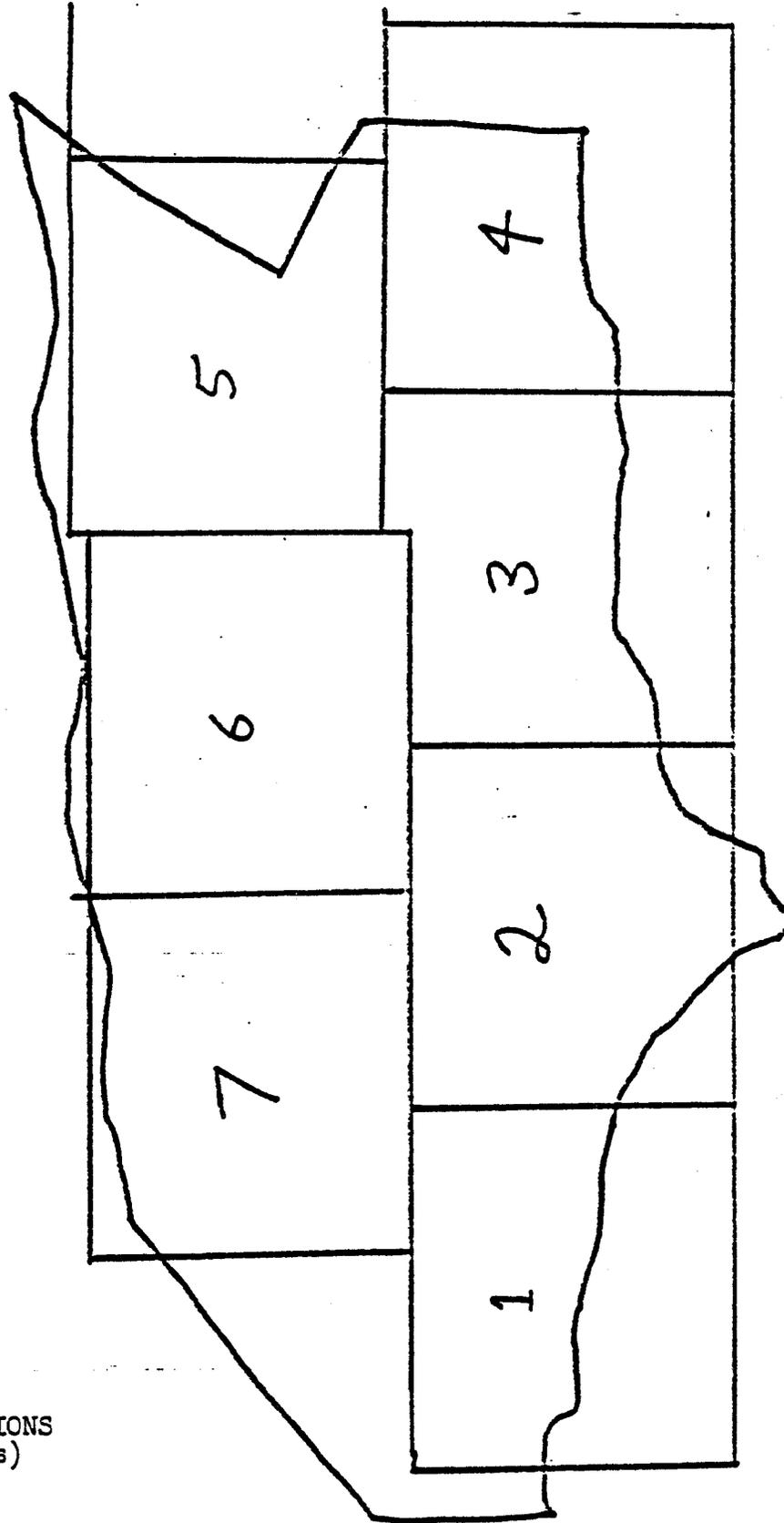
- 11 Institution and Public Facilities

COMMERCIAL

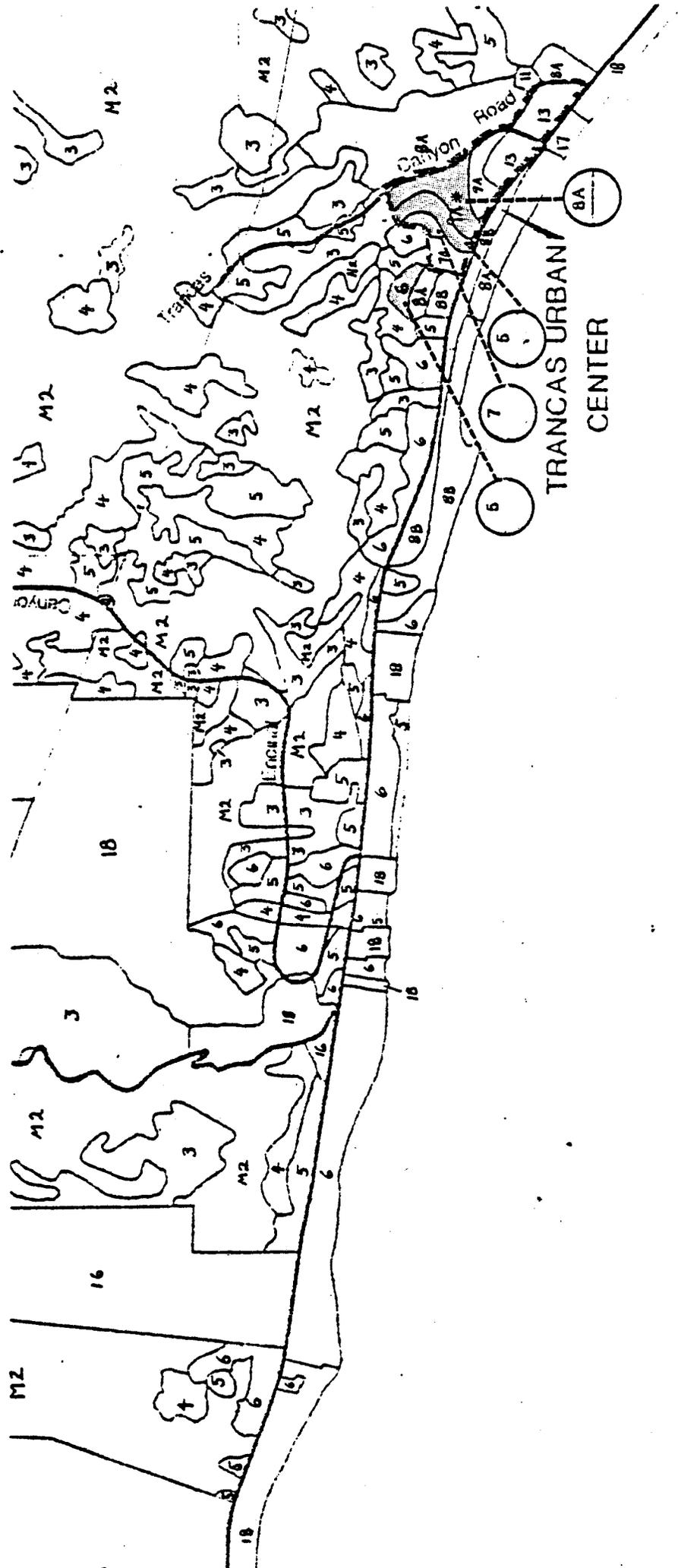
- 12 Rural Commercial
- 13 General Commercial
- 14 Office/Commercial Services
- 16 Low-Intensity Visitor-Serving Commercial Recreation
- 17 Recreation-Serving Commercial

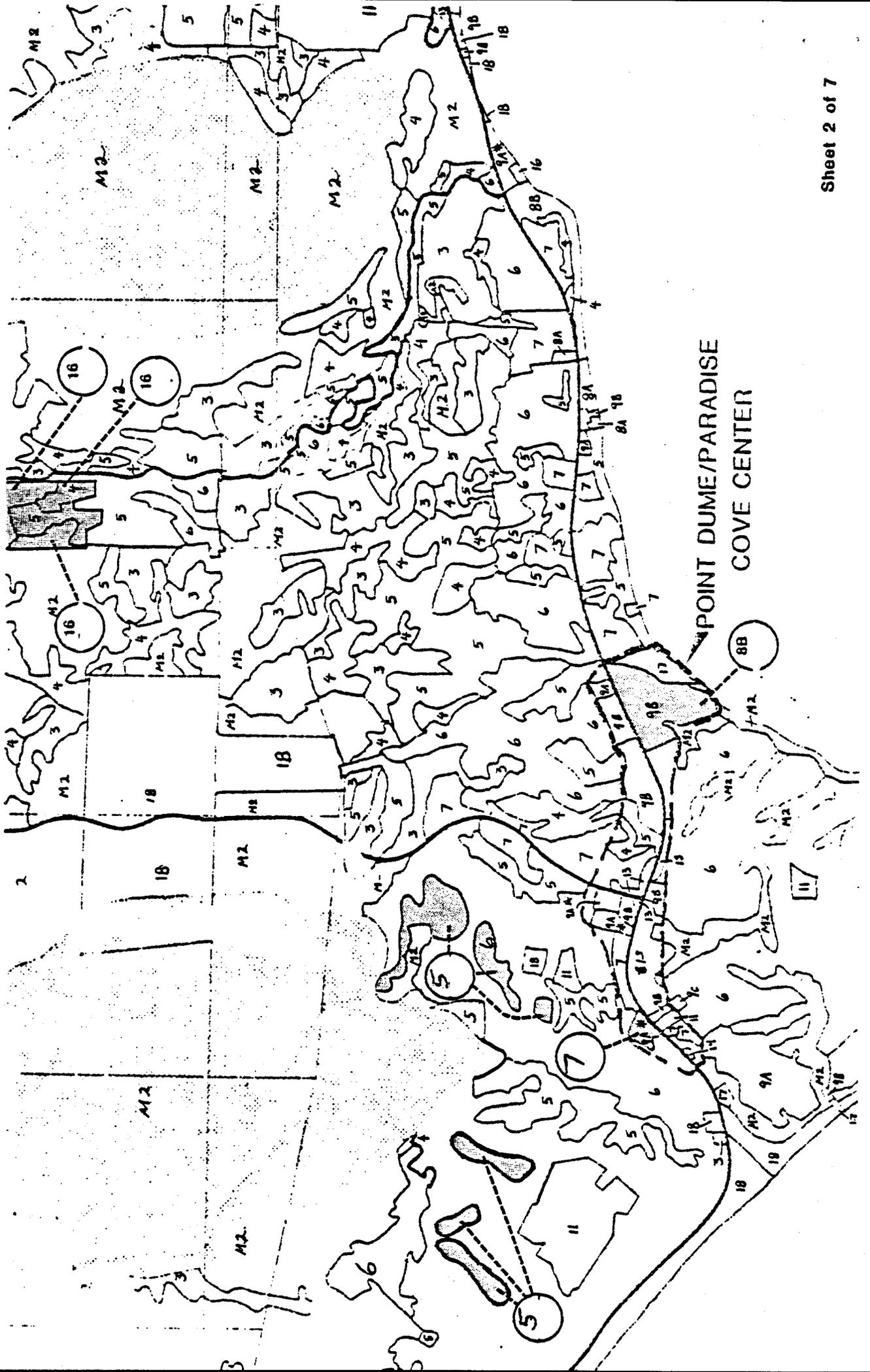
PARKS

- 18 Parks

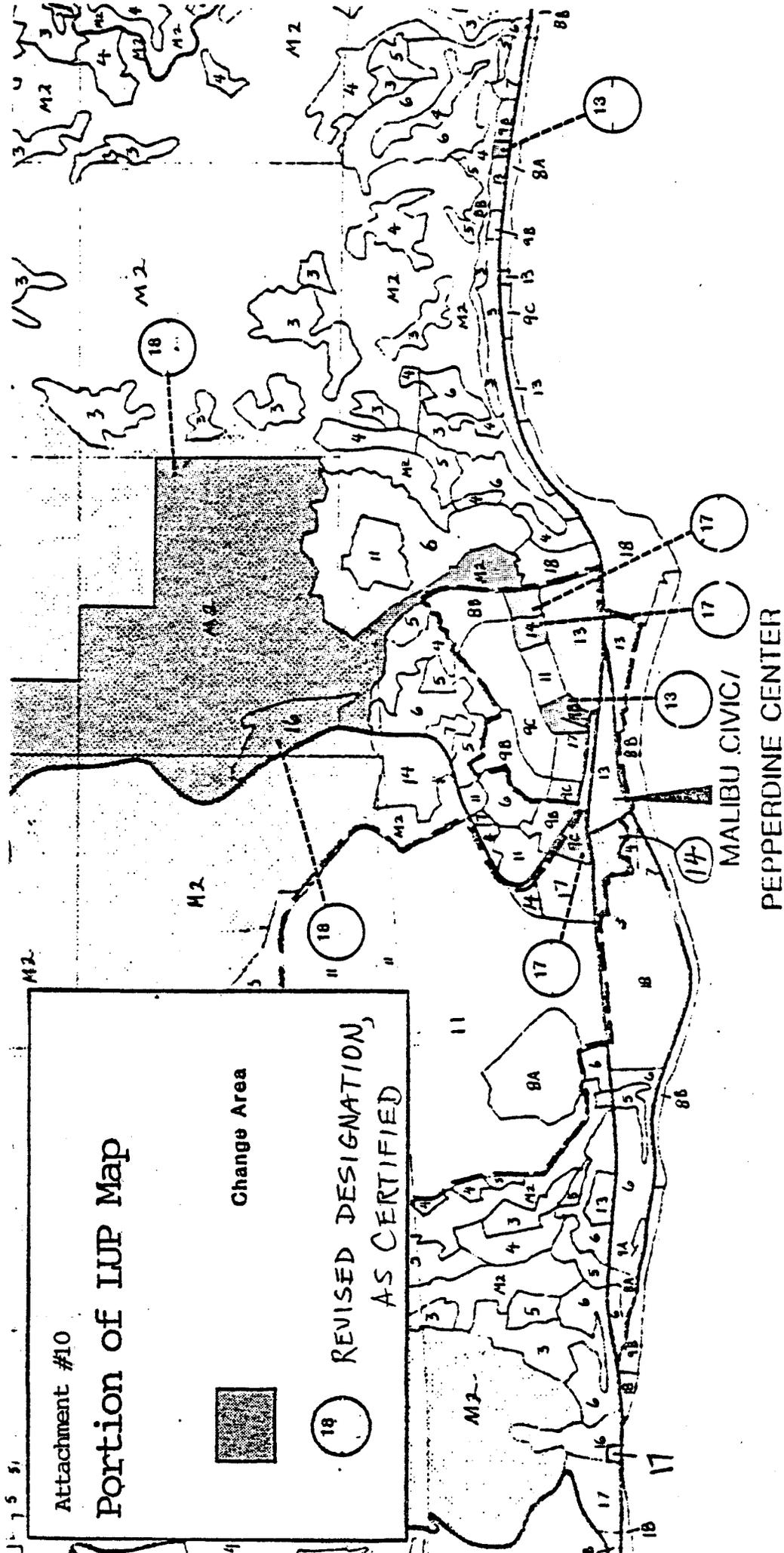


KEY TO MAP SECTIONS  
(following pages)





POINT DUME/PARADISE  
COVE CENTER



Attachment #10

Portion of IUP Map

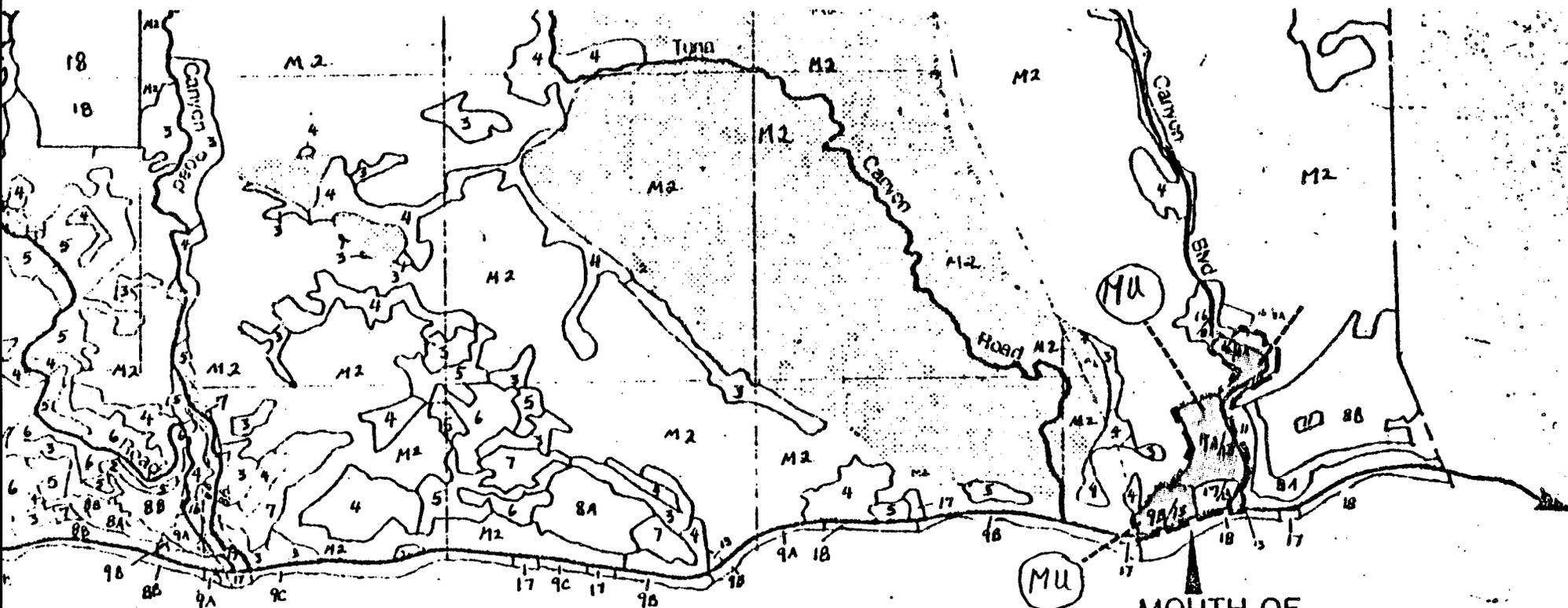


Change Area

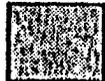


REVISIED DESIGNATION,  
AS CERTIFIED

MALIBU CIVIC/  
PEPPERDINE CENTER



Attachment # 10  
 Portion of LUP Map



Change Area



REVISED DESIGNATION  
 AS CERTIFIED

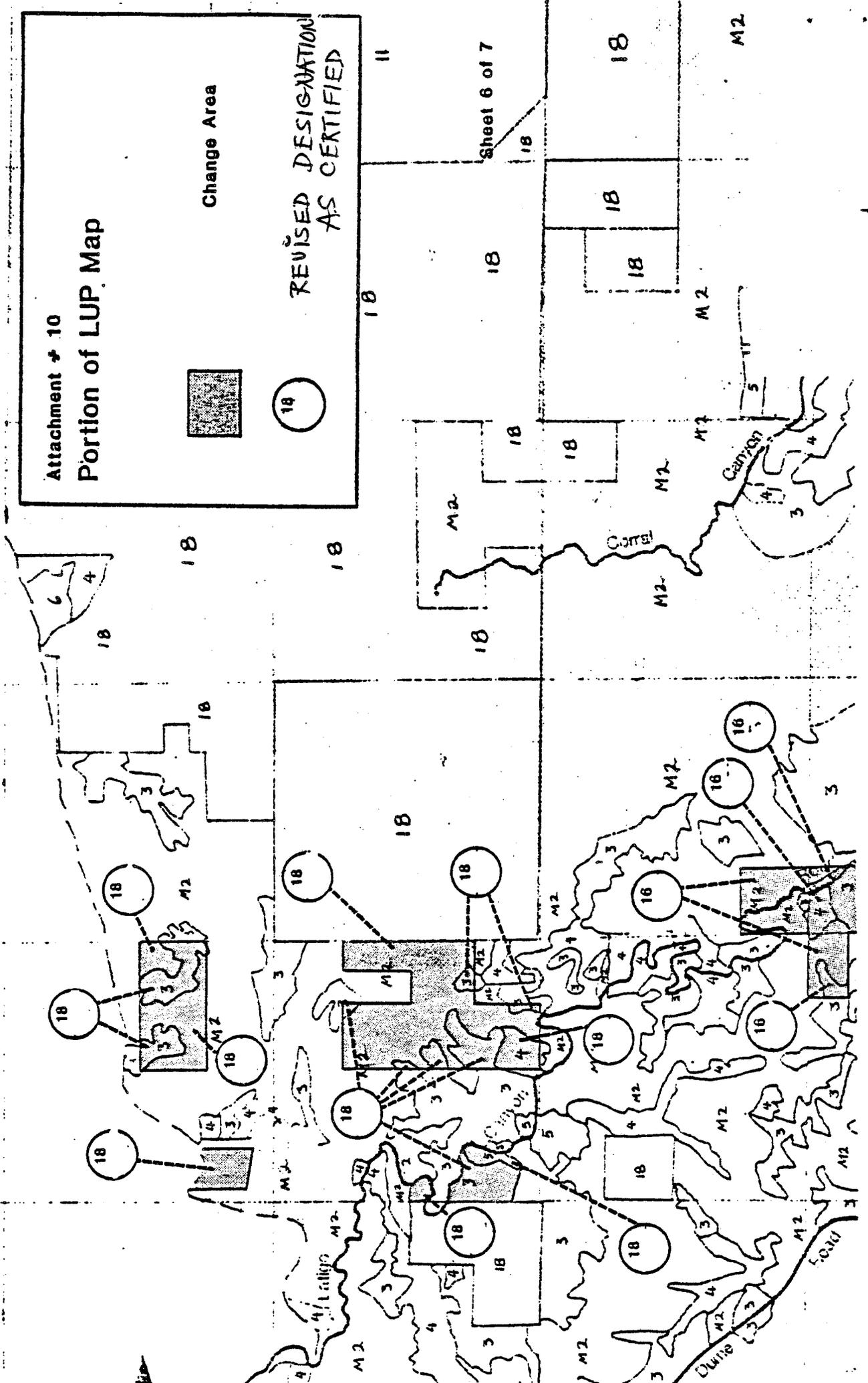


Attachment # 10  
Portion of LUP Map

Change Area



REVISED DESIGNATION  
AS CERTIFIED



Sheet 6 of 7

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M2

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Canyon

Corral

Quire

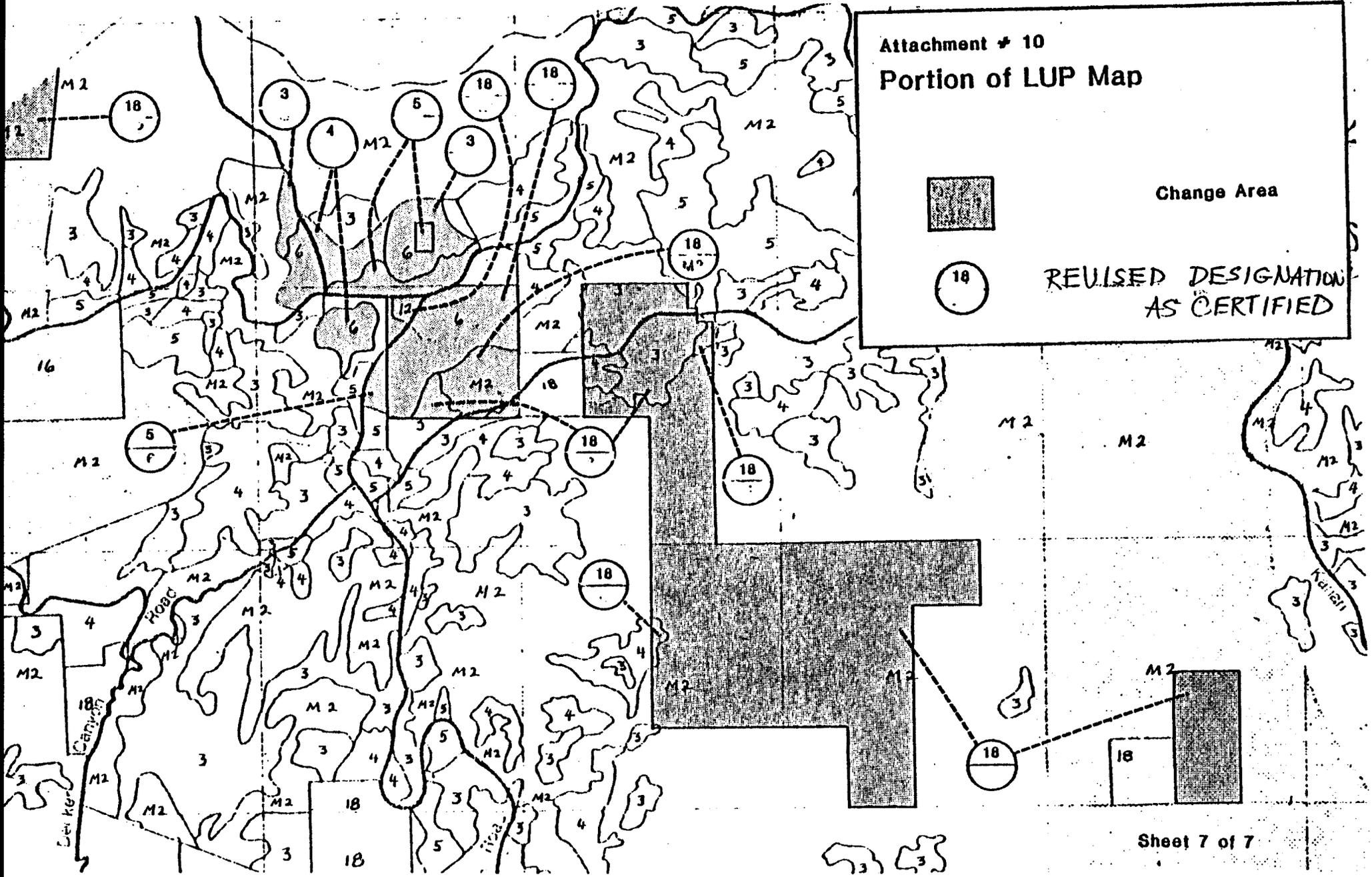
Attachment # 10  
Portion of LUP Map



Change Area



REVISED DESIGNATION  
AS CERTIFIED



ATTACHMENT #11

PARKING STANDARDS

STRUCTURES AND USES

OFF-STREET PARKING REQUIRED

RESIDENTIAL USES:

|   |  |
|---|--|
| All Residential Dwelling Units  | 2 spaces for each dwelling unit.   |
| Mobile Home Parks   | 2 spaces for each mobile home space.   |
| All Multiple-Family-Residential Dwellings shall provide a minimum of 1 (one) guest parking space for each 7 (seven) units (or fraction thereof), except as specified below. |  |
| Hotel   | 2 spaces, plus<br>2 spaces for each dwelling unit, plus<br>1 space for each guest room or suite of rooms for the first 30;<br>1 space for each 2 guest rooms or suites of rooms in excess of 30 but not exceeding 60;<br>1 space for each 3 guest rooms or suites of rooms in excess of 60, plus<br>1 space for each 100 sq. ft. of gross floor area used for consumption of food or beverages, or public recreation areas, plus<br>1 space for each 5 fixed seats and for every 35 sq. ft. of seating area where there are no fixed seats in meeting rooms or other places of assembly. |
| Motel or Motor Hotel  | 1 space for each guest room, plus<br>2 spaces for each dwelling unit.  |
| Boarding and Lodging Houses, Student Housing, Dormitories and Fraternity or Sorority Houses   | 2 spaces for each 3 guest rooms, plus<br>2 dormitories for each dwelling unit. In dormitories, each 100 sq. ft. of gross floor area shall be considered equivalent to one guest room.  |

STRUCTURES AND USES

OFF-STREET PARKING REQUIRED

EDUCATIONAL AND CULTURAL USES:

|   |   |
|---|---|
| High School, Including Auditoriums and Stadiums on the Site           | 7 spaces for each teaching station.   |
| College or University, Including Auditoriums and Stadiums on the Site | .85 space for each full-time equivalent student, less the number of spaces provided to serve on-campus housing facilities in accord with this schedule.                                 |
| Business, Professional or Trade Schools                               | 1 space for each faculty member or employee, plus<br>1 space for each 3 students based upon the maximum number of students attending classes at any one time during any 24-hour period. |
| Libraries, Museums, Art Galleries and Aquariums                       | 1 space for each 250 sq. ft. of gross floor area.   |

PLACES OF ASSEMBLY AND RECREATIONAL USES:

|   |  |
|---|--|
| Restaurants, Night Clubs, Bars and Similar Establishments for the Sale and Consumption of Food or Beverages on the Premises   | (See Commercial and Business Uses.)  |
| Theater, Auditorium, Arena or Stadium Except When Part of a School or Institutional Use   | 1 space for each 3 fixed seats and for every 21 sq. ft. of seating area where there are no fixed seats, plus<br>1 space for each 2 employees.  |
| Churches  | 1 space for each 3 fixed seats and for every 21 sq. ft. of seating area in the main auditoriums where there are no fixed seats.  |
| Chapels and Mortuaries  | 1 space for each 3 fixed seats and for every 21 sq. ft. of seating area in the main chapel where there are no fixed seats, plus<br>1 space for each 350 sq. ft. of gross floor area outside the main chapel.               |
| Dance Halls, Pool or Billiard Parlors, Roller or Ice Skating Rinks, Exhibition Halls and Assembly Halls Without Fixed Seats, Including Community Centers, Private Clubs, Lodge Halls and Union Headquarters | 1 space for each 3 persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, or<br>1 space for each 75 sq. ft. of gross floor area, whichever is greater. |
| Bowling Alley   | 5 spaces for each lane.  |

continued...

ATTACHMENT #11 (cont.)

STRUCTURES AND USES

OFF-STREET PARKING REQUIRED

PLACES OF ASSEMBLY AND RECREATIONAL USES:

|  |  |
|--|--|
| Golf Driving Range. Open to the Public   | 1½ spaces for each 10 linear ft. of driving range.   |
| Golf Course (Regulation) Open to the Public  | 8 spaces for each hole, plus 1 space for each employee.  |
| Miniature or "Par 3" Golf Course, Open to the Public   | 2 spaces for each hole, plus 1 space for each employee.  |
| Swimming Pool, Commercial  | 1 space for each 100 sq. ft. of water surface, plus 1 space for each employee, but not less than 10 spaces for any such use.   |
| Tennis Court, Open to the Public   | 2 spaces for each court.   |
| Private Golf Course, Country Club, Swim Club, Tennis Club, Recreation Center, or Similar Use | 1 space for each 4 persons, based upon maximum capacity of all facilities capable of simultaneous use as determined by the staff, plus 1 space for each 2 employees. |

OFFICE USES:

|   |  |
|---|--|
| Commercial Bank, Savings and Loan Offices, Other Financial Institutions, Public or Private Utility Offices, Mutual Ticker Agency, Other Similar Window Service Offices. | 1 space for each 225 sq. ft. of gross floor area of the main floor. Non-bank uses within a bank structure shall provide parking pursuant to specific use guidelines. |
| Professional Offices of Doctors, Dentists or Similar Professions  | 1 space for each 150 sq. ft. of gross floor area.  |
| General Office and Other Business, Technical Service, Administrative, or Professional Offices   | 1 space for each 250 sq. ft. of gross floor area.  |

BUSINESS AND COMMERCIAL USES:

|                            |   |
|----------------------------|---|
| Beauty Shop or Barber Shop | 3 spaces for each of the first 2 beauty or barber chairs, plus 1½ spaces for each additional chair. |
|----------------------------|---|

continued.

ATTACHMENT #11 (cont.)

STRUCTURES AND USES

OFF-STREET PARKING REQUIRED

BUSINESS AND COMMERCIAL USES:

|   |  |
|---|--|
| Other Personal Service Establishments, Including Cleaning or Laundry Agency or Similar Use                                  | 1 space for each 250 sq. ft. of gross floor area.  |
| General Retail Stores, Except as Otherwise Provided   | 1 space for each 225 sq. ft. of gross floor area.  |
| Shopping Centers  | 5 spaces for each 1000 sq. ft. of gross floor area within the center; or spaces as required for each individual use within the center. To qualify for the "shopping center" criteria (5/1000) a well balanced mixture of uses within the center must be demonstrated. Where there is an imbalance of high intensity uses, restaurants, theaters, bowling alleys, billiard parlors, beauty schools and other such uses and/or long-term parking uses, parking calculations will be based totally or in part on an individual basis. |
| Food Store, Grocery Store, Supermarket, or Similar Use  | 1 space for each 225 sq. ft. of gross floor area.  |
| Restaurants, Night Clubs, Bars and Similar Establishments for the Sale and Consumption of Food or Beverages on the Premises | 1 space for each 50 sq. ft. of service area.   |
| Drive-In and Window Service Restaurants Providing Outdoor Eating Area or Walk-Up or Drive-Up Window Service                 | 1 space for each 50 sq. ft. of gross floor area, but not less than 10 spaces for any such use. The above may be modified for walk-up facilities with no seating area (and beach-front walk-up with seating) depending upon the particulars of the individual case.   |
| Laundromats and Coin Operated Cleaners  | 1 space for each 2 machines.   |
| Automobile Service Stations   | 2 spaces for each lubrication stall, rack, or pit, plus<br>1 space for each gasoline pump outlet.  |
| Auto Wash, Except Self-Service  | Reservoir (line-up) parking equal to 5 times the capacity of the auto wash. In determining capacity, each 20 linear ft. of wash line shall equal one car length.   |
| Auto Wash, Self-Service   | 5 spaces for each 2 wash stalls.   |

continued...

ATTACHMENT #11 (cont.)

**STRUCTURES AND USES**

**OFF-STREET PARKING REQUIREMENTS**

**BUSINESS AND COMMERCIAL USES:**

|   |   |
|---|---|
| Furniture Store, Appliance Store, Machinery Rental or Sales Store (excluding motor vehicle rental or sales), and Similar Establishments Which Handle only Bulky Merchandise | 1 space for each 500 sq. ft. of gross floor area, except floor area used exclusively for storage or loading, plus<br>1 space for each 500 sq. ft. of outdoor sales, display or service area.  |
| Commercial Service Establishments, Repair Shops, Motor Vehicle Repair Garages, and Similar Establishments   | 1 space for each 500 sq. ft. of gross floor area, except floor area used exclusively for storage or loading, plus<br>1 space for each 500 sq. ft. of outdoor sales, display, or service area. |
| Automobile, Truck, Boat, Trailer or Similar Vehicle Sales or Rental Establishments  | 1 space for each 500 sq. ft. of gross floor area, except area used exclusively for storage or loading, plus<br>1 space for each 1000 sq. ft. of outdoor sales, display, or service area.      |
| Wholesale Establishments, Mail Order Houses, Printing and Publishing Establishments, and Cartage or Express Facilities  | 1 space for each 500 sq. ft. of gross floor area, but not less than 5 spaces, plus<br>1 space for each employee.  |
| Lumber Yard   | 1 space for each 500 sq. ft. of gross floor area, plus<br>1 space for each 1000 sq. ft. of outdoor sales, display, or service area, plus<br>1 space for each 2 employees.                     |
| Contractor's Storage Yard, Salvage Yard, Junk Yard, Automobile Wrecking Yard  | 5 spaces, plus<br>1 space for each employee.  |
| Retail Plant Nursery, Garden Shop Including Greenhouses or Lathouses, or Similar Outdoor Sales and Display Establishments   | 5 spaces, plus<br>1 space for each 500 sq. ft. of outdoor sales, display or service area.   |

**MANUFACTURING AND RELATED USES:**

|   |  |
|---|--|
| Manufacturing or Industrial Establishment, Including Offices and Other Incidental Operations on the Same Site | 1 space for each 350 sq. ft. of gross floor area, but not less than 3 spaces for each 4 employees. |
| Laboratories and Research Establishments  | 1 space for each 300 sq. ft. of gross floor area, but not less than 3 spaces for each 4 employees. |

continued...

ATTACHMENT #11 (cont.)

STRUCTURES AND USES

OFF-STREET PARKING REQUIRED

MANUFACTURING AND RELATED USES:

|   |  |
|---|--|
| Warehouse or Storage Building   | 1 space for each 1000 sq. ft. of gross floor area, but not less than<br>1 space for each employee. |
| Public Utility Facilities,<br>Including Electric, Gas, Water,<br>Telephone, and Telegraph,<br>Facilities Not Having Business<br>Offices on the Premises | 1 space for each employee, but not less than<br>2 spaces for each such facility.                   |

General:

1. Parking Space, 9 ft. by 19 ft.
2. Aisle width 90° parking = 25 ft. (reduce proportionally for angle.)
3. Residential parking should be on-site.
4. Commercial parking may be within 300 ft. of site when on-site parking is infeasible.
5. Generally parking should take access from alleys or secondary streets.
6. Parking management districts which provide adequate parking for existing and proposed uses shall be acceptable.
7. Tandem parking shall be considered on a case by case basis.
8. Compact spaces will be considered on a case by case basis.

