

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET., SUITE 200
VENTURA, CA 93001
(805) 585-1800



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Appeal No. A-4-MAL-19-0202

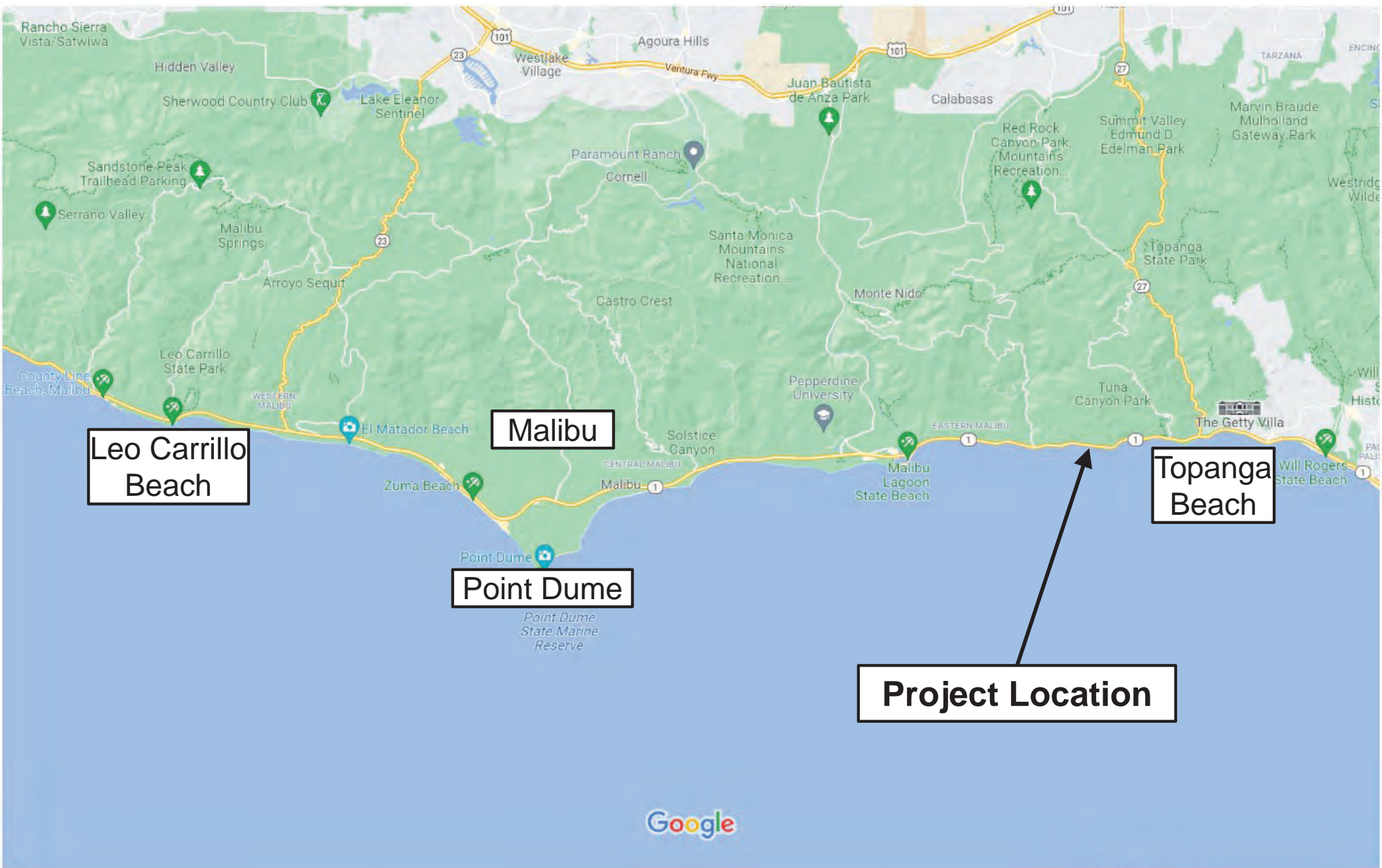
(GKGD Heritage Trust)

NOVEMBER 18, 2021

EXHIBITS

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Map data ©2021 2 mi

Exhibit 1
Appeal No. A-4-MAL-19-0202
Vicinity Map



Pacific Coast Highway

Big Rock Beach

Project Location

Exhibit 2
Appeal No. A-4-MAL-19-0202
Aerial Overview

Imagery Date: 9/29/2013

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
189 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CALIFORNIA 93001-2801
(805) 585-1800 FAX (805) 641-1732

WWW.COASTAL.CA.GOV



Corrected Copy
NOTIFICATION OF APPEAL PERIOD

October 08, 2019

To: Lily Rudolph
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

From: Denise Venegas, Coastal Program Analyst

Re: Application No. 4-MAL-19-1852

Please be advised that on October 07, 2019, our office received notice of local action on the coastal development permit described below:

Local Permit #: CDP No. 15-042, Appeal No. 18-009, Variance No. 15-021, Variance No. 15-022, Variance No. 18-042, and Offer-to-Dedicate No. 18-002

Applicant(s): GKGD Heritage Trust

Description: Construction of a new 2,536 square foot two -story single-family residence, with an attached two-car garage with roof deck, retaining walls, landscaping, hardscaping, and seawall, and construction of a new onsite wastewater treatment system.

Location: 20222 Pacific Coast Hwy, Malibu, Ca 90265 (APN(s): 4450003012)

Unless an appeal is filed with the Coastal Commission, the action will become final at the end of the Commission appeal period. The appeal period will end at 5:00 PM on October 21, 2019.

Our office will notify you if an appeal is filed.

If you have any questions, please contact me at the address and telephone number shown above.

cc: Thomas Torres Architects, Attn: Sacha A Neumann

Exhibit 3
Appeal No. A-4-MAL-19-0202
Final Local Action Notice

CALIFORNIA COASTAL COMMISSION

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(805) 585-1800 FAX (805) 641-1732
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**NOTIFICATION OF APPEAL PERIOD**

October 08, 2019

To: Lily Rudolph
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

From: Denise Venegas

Re: Application No. 4-MAL-19-1852

Please be advised that on October 07, 2019, our office received notice of local action on the coastal development permit described below:

Local Permit #:

Applicant(s): Thomas Torres Architects, Attn: Sacha A Neumann

Description: Construction of a new 2,536 square foot two -story single-family residence, with an attached two-car garage with roof deck, retaining walls, landscaping, hardscaping, and seawall, and construction of a new onsite wastewater treatment system.

Location: 20222 Pacific Coast Hwy, Malibu, Ca 90265 (APN(s): 4450003012)

Unless an appeal is filed with the Coastal Commission, the action will become final at the end of the Commission appeal period. The appeal period will end at 5:00 PM on October 21, 2019.

Our office will notify you if an appeal is filed.

If you have any questions, please contact me at the address and telephone number shown above.

cc: Thomas Torres Architects, Attn: Sacha A Neumann



4-MAL-19-1852

REVISED¹ NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT**Date of Notice: October 4, 2019****Notice Sent to (US. Certified Priority Mail):**

California Coastal Commission
South Central Coast District Office
89 South California Street, Suite 200
Ventura, CA 93001

California Coastal Commission
South Central Coast District

OCT 7 2019

Received**Contact:**

Lilly Rudolph, Contract Planner
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
(310) 456-2489

Please note the following **Final City of Malibu Action** on a coastal development permit application (all local appeals have been expired for this matter):

Project Information

COASTAL DEVELOPMENT PERMIT NO. 15-042, APPEAL NO. 18-009, VARIANCE NO. 15-021, VARIANCE NO. 15-022, VARIANCE NO. 18-042, AND OFFER-TO-DEDICATE NO. 18-002— An application to construct a new 2,536 square foot, two-story single-family residence, with an attached two-car garage with roof deck, retaining walls, landscaping, hardscaping, and seawall, and construction of a new onsite wastewater treatment system, including a variance to reduce the required amount of unenclosed parking to one space, a variance to reduce the required factor of safety related to the underlying landslide, a Variance for construction on slopes steeper than 2.5 to 1, and an offer-to-dedicate to dedicate a lateral access easement along the shoreline at the rear of the property

Application Date: June 4, 2015
Issue Date: September 9, 2019
Applicant/Owner: Sacha Neumann, A. Thomas Torres Architects, P.O. Box 1181, Malibu, CA 90265 (Owner: GKGD Heritage Trust)
Location/APN: 20222 Pacific Coast Highway / 4450-003-012

Final Action Information

Final Local Action: ☒ Approved by Minute Order ☐ Approved with Conditions ☐ Denied
Final Action Body: Approved by the City Council on September 9, 2019

*The City Council vote to approve the project did not result in a majority of three affirmative votes, as such, the project was approved via minute order (Vote: Ayes 2; Noes 1; Recused 1; and Abstain 1)

Required Materials Supporting the Final Action	Enclosed	Previously Sent (date)
Adopted Staff Report and Findings:		
August 26, 2019 City Council Agenda Report	X	
September 9, 2019 City Council Agenda Report	X	
September 9, 2019 City Council Action Memorandum	X	
Site Plans and Elevations	X	

California Coastal Commission Appeal Information

This Final Action is:

- ☐ **NOT appealable** to the California Coastal Commission (CCC). The Final City of Malibu Action is now effective.
- ☒ **Appealable** to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this final action. The final action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission South Central Coast District Office in Ventura, California; there is no fee for such an appeal. Should you have any questions regarding the California Coastal Commission appeal period or process, please contact the CCC South Central Coast District Office at 89 South California Street, Suite 200, Ventura, California, 93001 or by calling (805) 585-1800.

Copies of this notice have also been sent to: Property Owner/Applicant Prepared by: Kathleen Stecko, Sr. Office Asst.

¹ This notice is revised to include the enclosed City Council Action Memorandum



City of Malibu

MEMORANDUM

To: Mayor Wagner and the Honorable Members of the City Council, City Manager, City Attorney, Department Heads, City Employees, Malibu Times, and Surfside News

From: Heather Glaser, City Clerk *H. Glaser*

Date: September 10, 2019

Re: Actions from the September 9, 2019 Malibu City Council Regular meeting

At the City Council Regular meeting on Monday, September 9, 2019, the Council took the actions listed below with follow-up by various staff members shown in parentheses:

- 1) Declared September 16-20, 2019 as Septic Smart Week
- 2) Received a staff update on disaster response and recovery
- 3) Adopted Ordinance No. 448 adding Chapter 9.33 (Shared On-Demand Personal Mobility Devices) to Title 9 of the Malibu Municipal Code prohibiting electric rideshare scooters from being placed or operated in the public right-of-way and finding the same exempt from the provisions of the California Environmental Quality Act (City Clerk)
- 4) Adopted Ordinance No. 449 implementing the 2008-2014 General Plan Housing Element by amending the Local Coastal Program Local Implementation Plan, Malibu Municipal Code Title 17 and Zoning Map to add an affordable housing overlay district for three specific sites (four lots): 28517 Pacific Coast Highway; 28401 Pacific Coast Highway; and a portion of 23465 Civic Center Way formerly known as 3700 La Paz Lane; acknowledging receipt of the California Coastal Commission Resolution of Certification for Local Coastal Program Amendment No. 12-002 with suggested modifications and adopting revisions to Local Coastal Program Amendment No. 12-002, Zoning Text Amendment No. 12-002 and Zoning Map Amendment No. 13-002 to incorporate the California Coastal Commission's suggested modifications; repealing Ordinance No. 375; and finding the same exempt from and properly studied under the California Environmental Quality Act (City Clerk)
- 5) Adopted Ordinance No. 450 determining the project is exempt from the California Environmental Quality Act and amending Chapter 127.45 (Citywide View Preservation and Restoration Ordinance) of Malibu Municipal Code Title 17 (Zoning) to establish provisions to restrict primary view determinations within a 1,000-foot radius of the Woolsey Fire affected area and other disaster areas (Citywide) (City Clerk)
- 6) Allowed and approved warrant demand numbers 57836-57956 listed on the register from the General Fund and direct the City Manager to pay out the funds to each of the claimants listed in Warrant Register No. 644 in the amount of the warrant appearing opposite their

names, for the purposes stated on the respective demands in a total amount of \$1,103,576.04. City of Malibu payroll check numbers 5038-5042 and ACH deposits were issued in the amount of \$231,208.21 (Administration)

- 7) Approved the minutes for the August 12, 2019 Malibu City Council Regular meeting (City Clerk)
- 8) 1) Adopted Resolution No. 19-39 declaring November 9th as Malibu's Annual Day of Preparedness; and 2) received and filed report on plans to recognize the one-year anniversary of the Woolsey Fire. (Public Safety)
- 9) 1) Accepted the work performed by Zusser Company, Inc. for the Legacy Park Artwork Pedestal Foundation Project (Specification No. 2075) as complete; and 2) authorized the Public Works Director to submit for recordation a Notice of Completion for the project. (Public Works)
- 10) Adopted Resolution No. 19-40 adopting updates to the 2018 Emergency Operations Plan (Public Safety)
- 11) Adopted Resolution No. 19-41 authorizing staff to submit a grant application up to \$400,000 California Coastal Commission Local Coastal Program Planning Grant Program (Environmental Sustainability)
- 12) Adopted findings in the staff report, determined the project is categorically exempt from the California Environmental Quality Act, denied Appeal No. 18-009 and approved Coastal Development Permit No. 15-042 to construct a new 2,536- square foot, two-story, single-family residence, with an attached two-car garage with roof deck, retaining walls, landscaping, hardscaping, and seawall, and construction of a new onsite wastewater treatment system, including Variance (VAR) No. 15-021 to reduce the required amount of unenclosed parking to one space, VAR No. 15-022 to reduce the required geotechnical factor of safety related to the underlying landslide, VAR No. 18-042 for construction on slopes steeper than 2.5 to 1, and Offer to Dedicate No. 18-002 to dedicate a lateral access easement along the shoreline at the rear of the property located in the Single-Family Medium Density zoning district at 20222 Pacific Coast Highway (CKGD Heritage Trust) (Planning)
- 13) 1) Introduced on first reading and conduct public hearing on Ordinance No. 451 determining the project is categorically exempt from the California Environmental Quality Act and adding Chapter 9.40 to Title 9 of the Malibu Municipal Code (MMC) prohibiting the installation or use of self-regenerating water for properties connected to the Civic Center Water Treatment Facility; and amending Section 1.10.040 of Chapter 1.10 (Administrative Citations and Penalties) of Title 1 (General Provisions) of the Malibu Municipal Code to reflect that violations of Chapter 9.40 shall be subject to the City's administrative penalty provisions; and 2) directed staff to schedule a second reading and adoption of Ordinance No. 451 for the October 28, 2019 Regular City Council meeting. (Environmental Sustainability)
- 14) Reviewed applications for participation in Civic Center Water Treatment Facility (CCWTF) Phase Two and disallowed additional properties to connect or additional allocations in CCWTF Phase Two (Public Works)

- 15) Authorized the City Manager to negotiate a license agreement with KBUU-FM Malibu to utilize Malibu Bluffs Park as the location for an FM booster station, up to 28 feet, with the final form to come back to Council after the project was permitted (Community Services)
- 16) Adopted Resolution No. 19-42 endorsing the declaration of a climate emergency and requesting regional collaboration on an immediate just transition and emergency mobilization effort to restore a safe climate (City Manager)
- 17) Adjourned in memory of Dick Schreiber (City Clerk)



Council Agenda Report

To: Mayor Wagner and the Honorable Members of the City Council

Prepared by: Christi Hogin, City Attorney

Date prepared: August 29, 2019 Meeting date: September 9, 2019

Subject: Denial of Appeal No. 18-009 - Appeal of Planning Commission Resolution No. 18-75 (20222 Pacific Coast Highway; Appellant/Applicant: Dorinne Graves; Property Owner: CKGD Heritage Trust)

RECOMMENDED ACTION: Deny Appeal No. 18-009, approve Coastal Development Permit No. 15-042 to construct at 20222 Pacific Coast Highway (CKGD Heritage Trust), and adopt the findings and deliberations of the Council at its August 26, 2019 Public Hearing.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

DISCUSSION: This report will be distributed under separate cover.

ATTACHMENT: None.



Supplemental Council Agenda Report

To: Mayor Wagner and Honorable Members of the City Council

Prepared by: Lilly Rudolph, Contract Planner

Reviewed by: Bonnie Blue, Planning Director

Approved by: Reva Feldman, City Manager

Date prepared: September 4, 2019 Meeting Date: September 9, 2019

Subject: Appeal No. 18-009 - Appeal of Planning Commission Resolution No. 18-75 (20222 Pacific Coast Highway; Appellant/Applicant: Dorinne Graves; Property Owner: CKGD Heritage Trust)

RECOMMENDED ACTION: Adopt findings in the staff report, determine the project is categorically exempt from the California Environmental Quality Act (CEQA), deny Appeal No. 18-009 and approve Coastal Development Permit (CDP) No. 15-042 to construct a new 2,536-square foot, two-story, single-family residence, with an attached two-car garage with roof deck, retaining walls, landscaping, hardscaping, and seawall, and construction of a new onsite wastewater treatment system (OWTS), including Variance (VAR) No. 15-021 to reduce the required amount of unenclosed parking to one space, VAR No. 15-022 to reduce the required geotechnical factor of safety related to the underlying landslide, VAR No. 18-042 for construction on slopes steeper than 2.5 to 1, and Offer to Dedicate (OTD) No. 18-002 to dedicate a lateral access easement along the shoreline at the rear of the property located in the Single-Family Medium Density (SFM) zoning district at 20222 Pacific Coast Highway (CKGD Heritage Trust).

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

DISCUSSION: This report memorializes the City Council's action on the appeal of the Planning Commission's approval of CDP No. 15-042, VAR Nos. 15-021, 15-022, and 18-042, and OTD No. 18-002, an application for the construction of a new two-story single-family residence and associated development along the beach in the Big Rock area of Malibu. The project was approved by the Planning Commission on November 5, 2018. Planning Commission Resolution No. 18-75. This agenda report sets forth grounds for denying the appeal and approving the project per staff's recommendation and Planning

Commission action. No substantial evidence has been presented that necessitates changes to the analysis and findings in the November 5, 2018 agenda report and adopted Planning Commission Resolution No. 18-75. The project is consistent with applicable LCP provisions and environmental review pursuant to CEQA. The complete conformance analyses and required findings for approval of the CDP can be found in the November 5, 2018 Commission Agenda Report for the project.

On August 26, 2019, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. Prior to the public hearing, Councilmember Pierson recused himself from the item. At the conclusion of Council consideration, the Council adopted a motion to approve staff's recommendation to deny the appeal and grant the coastal development permit subject to conditions. The motion to deny the appeal passed with two members voting yes, one member voting no and one member abstaining.

Project Description

The proposed scope of work is as follows:

- a. Construction of a 2,536 square foot, two-story single-family residence, 28 feet in height, with an attached two-car garage;
- b. Installation of a new OWTS;
- c. Construction of a roof top deck and railing not to exceed 25 feet in height;
- d. Construction of retaining walls (six feet high maximum);
- e. Installation of new landscaping and hardscaping;
- f. New seawall;
- g. A view corridor that will be a total of six feet, eight inches wide;
- h. Excavation for the installation of the proposed OWTS;
- i. Offer to dedicate lateral access along the shoreline; and
- j. Discretionary requests:
 - i. VAR No. 15-021 to reduce the required amount of unenclosed parking to one space;
 - ii. VAR No. 15-022 to reduce the required factor of safety; and
 - iii. VAR No. 18-042 for construction on slopes steeper than 2.5 to 1.

APPEAL TO THE CITY COUNCIL

The appellant's specific arguments are summarized below in *italics*. Following each statement is staff's response.

Appeal Item 1. Inappropriate conditions of approval

- *Planning Commission Resolution No. 18-75 Condition Nos. 70-76 regarding swimming pool and spa should be eliminated.*

- *The wall blocking the OWTS cannot be more than 42" tall. That will not hold back wave rush for the size of space to accommodate over 45 fixtures in the proposed house.*

Staff Response

The project does not include a swimming pool or spa. As Planning Department staff stated at the Planning Commission meeting on November 5, 2018, the swimming pool and spa conditions (i.e. Nos. 70-76) were included in Planning Commission Resolution No. 18-75 in error. These conditions are not included in attached Resolution No. 19-37.

Condition No. 20 of Planning Commission Resolution No. 18-75 refers to a maximum 42-inch tall screening fence or wall to screen above-ground equipment associated with the OWTS and is not a seawall. An above-ground screening fence or wall is not intended to protect the OWTS, including the leachfield, from wave uprush. Staff believes that the appellant may have confused the screening fence as a seawall. The proposed seawall is a separate structure that has been designed for extreme oceanographic conditions including wave uprush and sea level rise over the next 100 years. The City's Coastal Engineer has reviewed and conditionally approved the proposed seawall, and determined that it is adequate to protect the OWTS and pile foundation of the residence.

Appeal Item 2. Landslide danger

- *The City should not reduce the required geologic factor of safety.*

Staff Response

Geotechnical and engineering reports and addenda prepared by SubSurface Designs, Inc., EPD Consultants, and Pacific Engineering Group were reviewed and approved by City geotechnical staff. In these reports, site-specific conditions are evaluated and recommendations are provided to address any issues. The analysis completed by the City's Geotechnical staff describes the substantial evidence in the record that supports the finding that the proposed design complies with the LCP, and the City's geotechnical staff determined that significant adverse impacts to the project site and surrounding area related to the proposed development are not expected.

The subject property is located along the beach at the toe of the Big Rock Mesa Landslide. The property was previously developed with a single-family residence but it was demolished by the previous property owner in 1985 after storm damage. While the Big Rock Mesa Landslide Assessment District de-waters the landslide area to increase stability, it is infeasible to rebuild a residence on the subject property in a fashion that would meet the code-required factors of safety. The measures available for residential construction on a single lot, such as deepened piles and other techniques, cannot

increase the factor of safety sufficiently due to the fact that the landslide covers 160 acres in land area and is 350 feet thick at its deepest extent. Detailed analysis of the project's conformance with the LCP's development standards regarding hazards and discussion of the variance findings for the reduced factor of safety due to the unique geotechnical conditions on the site can be found in the November 5, 2018 Planning Commission agenda report.

Appeal Item 3. Insufficient time to present concerns to the Planning Commission

- *I was not given the opportunity to explain my understanding of the structural issues inherent in the proposed development.*
- *This will take longer than the three minutes I was allotted during the Planning Commission hearing.*
- *The applicant and his team had approximately 30 minutes to present between testimony and questions.*

Staff Response

At the Planning Commission hearing on November 5, 2018, both the applicant and members of the public were allotted the standard amount of time to speak on the item, per the rules set forth in the Guide to Planning Commission Proceedings printed in the November 5, 2018, agenda. In addition, the appellant's written comments were addressed on page 25 of the Planning Commission agenda report, and were also attached in their entirety. Consequently, the Planning Commission reviewed the appellant's written correspondence prior to the public hearing, and heard the appellant's verbal testimony during the public comment period at the public hearing. Additionally, the City Council's public hearing rules, unless modified by the Council at the meeting, allow the appellant 15 minutes to address the appeal.

Appeal Item 4. Potential to damage adjacent properties

- *The project should be required to have continuous structural inspection during excavation and construction, as well as seismic monitoring on adjacent properties until construction is complete.*
- *Geotechnical and subsurface engineers should affirm that they believe that no displacement of the earth associated with the excavation required to construct the proposed project will disturb the piles of existing structures on adjacent parcels.*

Staff Response

As previously stated in staff's response to Appeal Item 2, geotechnical and engineering reports and addenda prepared by SubSurface Designs, Inc., EPD Consultants, and Pacific Engineering Group were reviewed and approved for conformance with all applicable standards by City geotechnical staff.

Subsequent to the filing of the appeal application, SubSurface Designs, Inc. provided a Supplemental II: Plan Review report dated May 1, 2019 to address the appeal contentions. City geotechnical staff reviewed this report and noted the following measures that are included as part of the project: deep pile foundations founded into the landslide-affected bedrock, proper drainage, the installation of utilities that can flex with movement from the landslide, a monitoring program to protect adjacent properties during construction, and the preparation of a Quality Control Maintenance Manual (QCMM) for the property. In addition, this report describes the method of concrete pile installation that will be used to avoid adversely affecting neighboring properties. The report also recommends that survey points be established on foundation elements to the east, west, and along Pacific Coast Highway, and then monitored on a weekly basis during drilling. A condition of approval has been included to this effect.

Furthermore, the project geotechnical consultant states on page 26 of the geotechnical report dated February 28, 2015, "This office can definitively state that the proposed development and grading will not have an adverse effect on off-site property" and that "the proposed development will not be detrimental to the public interest, safety, health, or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located. Further, the future residence shall be constructed, maintained, and monitored in accordance with strict guidelines set forth in the Quality Control Manual prepared by EPD Consultants, Inc."

Planning Commission Resolution No. 18-75 documented that based on submitted reports, project plans, visual analysis and site investigation, the proposed project, inclusive of the variance requests and offer to dedicate a lateral access easement, is consistent with all applicable LCP codes, standards, goals, and policies, as well as those found in MMC Title 17. Staff thus recommends approval of Resolution 19-37.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Department has analyzed the proposed project. The Planning Department has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is exempt from the provisions of CEQA according to CEQA Guidelines Sections 15303 (a) and (e) – New Construction or Conversion of Small Structures. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

PUBLIC NOTICE: On August 1, 2019, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City and a public notice was mailed to the owners and occupants of all properties within a radius of 500 feet of the subject property.

SUMMARY: Based on the record as a whole, including but not limited to all written and oral testimony offered in connection with this matter, staff recommends that the City Council adopt the following findings, deny the appeal and approve subject to the conditions set forth below CDP No. 15-042, VARs No. 15-021, 15-022, and 18-042, and OTD No. 18-002.

Findings for Denying the Appeal.

Based on evidence in the record and in the Council agenda report for the subject project, the City Council hereby makes the following findings of fact denying the appeal and finds that substantial evidence in the record supports the required findings for approval of the project. In addition, the analysis, findings of fact, and conclusions set forth by staff in the agenda report and Planning Commission staff report are incorporated herein as though fully set forth.

A. The project does not include a swimming pool or spa. The swimming pool and spa conditions (i.e. Nos. 70-76) were included in Planning Commission Resolution No. 18-75 in error and are not included this resolution.

Condition No. 20 of Planning Commission Resolution No. 18-75 refers to a maximum 42-inch-tall screening fence or wall to screen above-ground equipment associated with the OWTS. It is not a seawall intended to protect the OWTS. The seawall is a separate structure that has been designed for extreme oceanographic conditions including wave uprush and sea level rise over the next 100 years and was reviewed and approved by the City Coastal Engineer for conformance with the Local Coastal Program (LCP) and all applicable standards pertaining to wave uprush.

B. The property was previously developed with a single-family residence but it was demolished by the previous property owner in 1985 after storm damage. Geotechnical and engineering reports and addenda prepared by SubSurface Designs, Inc., EPD Consultants, and Pacific Engineering Group were reviewed and approved by City geotechnical staff. In these reports, site-specific conditions are evaluated and recommendations are provided to address any issues. The analysis describes the substantial evidence in the record that supports the finding that the proposed design complies with the LCP, and the City geotechnical staff determined that significant adverse impacts to the project site and surrounding area related to the proposed development are not expected.

While the Big Rock Mesa Landslide Assessment District de-waters the landslide

area to increase stability, it is infeasible to rebuild a residence on the subject property in a fashion that would meet the code-required factors of safety due to the landslide's size (160 acres) and depth (350 feet thick at its deepest extent). The analysis in the November 5, 2018, Commission agenda report demonstrates that the project is consistent with the LCP and documents the basis for granting the factor of safety variance due to the unique geotechnical conditions on the site that would otherwise prevent construction of a residence.

C. There is no evidence of a lack of fair and impartial hearing. At the Planning Commission hearing on November 5, 2018, both the applicant and members of the public were allotted the standard amount of time to speak on the item. In addition, the appellant's written comments were addressed on page 25 of the Commission agenda report, and, and were also attached in their entirety. The Planning Commission had the appellant's written correspondence prior to the public hearing and heard the appellant's verbal testimony during the public comment period during the public hearing on the item.

D. There is no evidence that the project installation, construction or ongoing operation will adversely affect nearby or adjacent structures. Geotechnical and engineering reports and addenda prepared by SubSurface Designs, Inc., EPD Consultants, and Pacific Engineering Group provide specific recommendations to address the foundations, drainage, utility installation and monitoring, and were reviewed and approved by City geotechnical staff. The evidence presented in the associated Council agenda report, as well as the November 5, 2018 Planning Commission agenda report and testimony and evidence provided at the public hearings demonstrate that the project is consistent with all applicable LCP codes, standards, goals and policies.

Coastal Development Permit Findings.

Based on substantial evidence contained within the record and pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Sections 13.7(B) and 13.9, the City Council adopts and approves the analysis in the agenda report, incorporated herein, the findings of fact below, approving CDP No. 15-042 for the construction of a new 2,536 square-foot, two-story single-family residence, including an attached two-car garage with roof deck, retaining walls, landscaping, hardscaping, and seawall, and installation of a new OWTS; including VAR No. 15-021 to reduce the required amount of unenclosed parking to one space, VAR No. 15-022 to reduce the required factor of safety related to the underlying landslide, VAR No. 18-042 for construction on slopes steeper than 2.5 to 1, and Offer to Dedicate (OTD) No. 18-002 to dedicate a lateral access easement along the shoreline at the rear of the property located in the Single-Family Medium Density (SFM) zoning district at 20222 Pacific Coast Highway.

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. With the inclusion of

the three proposed variance requests, and offer to dedicate a lateral access easement, the project, as conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. The project consists of the construction of a new two-story single-family residence and associated development that has been reviewed and conditionally approved by all City and other applicable agencies. Evidence in the record demonstrates that the project, as conditioned with the included variances, conforms to the certified Malibu LCP and Malibu Municipal Code (MMC).

2. The project is located on the beach on the ocean side of PCH and does not offer vertical beach access. However, there is an existing public vertical access way located approximately 1,750 feet to the west of the subject parcel. In addition, there is an access approximately 1,700 feet east of the subject site between 20000 and 19958 PCH. Currently the public has the ability to walk along the beach directly behind the existing development. The project also includes an offer to dedicate a lateral access easement along the shoreline at the rear of the property. The proposed project will comply with the required 10-foot setback from the mean high tide line and is not expected to interfere with the public's ability to use the wet sand right of way located at the rear of the property. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).

3. Evidence in the record demonstrates that as conditioned, the project will not result in adverse environmental impacts. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment. The project is the least environmentally damaging alternative.

B. Variance Findings to Reduce Unenclosed Parking Requirement (LIP Section 13.26.5)

1. There are special circumstances and exceptional characteristics applicable to the subject property such that strict application of the zoning ordinance deprives the property of privileges enjoyed by other properties in the vicinity. Due to the narrow 34 feet of frontage of the lot, prohibition of parking cars within required view corridors, and the required setback from the mean high tide line, there is not ample space to park two cars parallel to PCH. The proposed residence will contain approximately 2,100 square feet of habitable space. A variance for the reduction of unenclosed parking will allow for the ability to construct a single-family residence similar in size to surrounding residences. The surrounding residences are older existing homes that if redeveloped today would be subject to the LCP's 10-foot setback from the mean high tide line. The subject property will not be able to develop as far seaward as neighboring properties, resulting in a smaller development area.

2. The granting of the variance will relieve the project from providing one of two unenclosed parking spaces and allow for the construction of a single-family residence in an area that has been determined to be appropriate for such use. The project has been reviewed and approved by the City geotechnical staff, City Coastal Engineer, and the City Public Works Department for consistency with all applicable regulations and policies. Therefore, the granting of the variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity in which the property is located.

3. The majority of properties along this stretch of PCH do not provide the required off-street parking, instead, cars are parked partially within the right-of-way of PCH. The granting of the variance will not constitute a special privilege to the applicant, because the majority of structures on PCH have limited off-street parking.

4. The analysis presented in the agenda report, and the record as a whole, demonstrates that the project is in compliance with the general purposes and intent of LIP Chapter 13, as well as the goals objectives and policies of the LCP. The variance is necessary to allow for a home of a reasonable size relative its lot size and surrounding properties.

5. The requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the SFM zoning designation. The proposed project will allow for the construction of a single-family residence, which is permitted in the subject zone.

6. The granting of the variance will allow construction of a single-family residence in an area designated for single-family residences. There are no commercial developments in the area that create an increased need for additional on-street parking. The subject site is physically suitable for the proposed variance in that there is no alternate building site or configuration, which would be less environmentally damaging or eliminate the need for the variance request. The subject site has been reviewed and approved by the City Coastal Engineer, City geotechnical staff, and the City Public Works Department. The site is physically suitable for the proposed variance.

7. The proposed project, as conditioned, will comply with all requirements of state and local law.

8. The proposed project is for the construction of a single-family home in an area that is not directly adjacent to vertical public access routes. It is not anticipated that approval of the project will result in the reduction or elimination of public parking for access to the beach or parklands.

C. Variance from the Required Geologic Factor of Safety (LIP Section 13.26.5)

1. Special circumstances exist for the subject property, specifically the location of the subject site within the Big Rock Assessment District. This district is underlain by

the Big Rock Mesa Landslide (hereafter BRML). More than 200 residences are currently situated within the BRML and habitation is not restricted within the existing residences. According to the SubSurface Designs, Inc. report dated February 28, 2015, the prevailing factor of safety for the site was between 1.26 and 1.28 because of the Big Rock Mesa landslide. The subject property was previously developed and damaged by a storm, and rather than repairing the existing structure, the property owner at the time chose to demolish the residence and sell the property as a vacant lot. It is not feasible to implement design measures for this individual project which could achieve the required factor of safety due to the size and depth of the landslide which affects the factor of safety. Strict application of the requirement would prevent the property from being developed with a residence like other properties in the same area and zoning district.

2. The granting of the variance will exempt the project from providing a 1.5 factor of safety and allow for the construction of a single-family residence in an area that has been determined to be appropriate for such use. The project has been reviewed and approved by the City geotechnical staff, City Coastal Engineer, and the City Public Works Department for consistency with all applicable regulations and policies. Therefore, the granting of the variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity in which the property is located.

3. Based on review of the geological history of the site and surrounding area, neighboring properties are also located within the BRML and share similar site stability characteristics. The granting of the variance will not constitute a special privilege to the applicant, because structures in the surrounding area are located within the same landslide and exhibit similar onsite geological conditions.

4. The granting of the variance from the code-required 1.5 static and 1.1 pseudostatic factors of safety will not be contrary to or in conflict with the general purposes and intent of the zoning provisions nor contrary to or in conflict with the goals, objectives and policies of the LCP. As discussed in Findings 1 and 3, granting the requested variance will allow the subject property to be developed in a similar manner to abutting properties. No alternatives exist that would eliminate the need for the requested variance. Additionally, as previously discussed in Finding 2, the site design and construction measures incorporated into the proposed project meet the intent of LIP Chapter 9. The proposed project has been reviewed and approved for conformance with the LCP and applicable City and County goals and policies by the LACFD and City staff.

5. The requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the SFM zoning designation. The proposed project will allow for the construction of a single-family residence, which is permitted in the subject zone.

6. The granting of the variance will allow construction of a single-family residence in an area designated for single-family residences. The BRML has not

reactivated since installation of the extensive network of dewatering wells and hydraugers. Dewatering techniques have been successful in minimizing movement of the landslide mass. Design measures will be incorporated to protect the proposed residence and site utilities against minor earth movements. The subject site is physically suitable for the proposed variance in that there is no alternate building site or configuration which would be less environmentally damaging or eliminate the need for the variance request.

7. The proposed project, as conditioned, will comply with all requirements of state and local law.

D. Variance Findings for Construction on Slopes in Excess of 2½ to 1 (LIP Section 13.26.5)

1. A variance is required to allow for construction on slopes steeper than 2.5 to 1. Otherwise, strict application of the zoning ordinance would prevent the construction of a single-family residence. The subject lot contains a 14-foot change in elevation that takes place within a horizontal distance of approximately 20 feet. This slope cuts through the property and it is impossible to develop the property without placing a foundation in the area dominated by the steep slope. A variance for construction on slopes will allow for the ability to construct a single-family residence.

2. In order to safely develop the property, the applicant must anchor the foundation for the residence in a slope that exceeds 2.5 to 1. This steep slope runs parallel to PCH and descends to the shoreline below. The proposed project will result in the construction of a single-family residence similar to neighboring properties; furthermore, the installation of piles into the slope will not result in instability to the site. The project has been reviewed and approved by the City geotechnical staff, City Coastal Engineer, and the City Public Works Department for consistency with all applicable regulations and policies. The granting of the variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity in which the property is located.

3. Properties along this stretch of PCH all contain slopes in excess of 2.5 to 1. The majority of the existing single-family residences along this stretch of road are built on and across slopes in excess of 2.5 to 1. The granting of the variance will not constitute a special privilege to the applicant, because the majority of structures on PCH are constructed on similar unavoidable slopes.

4. The analysis presented in the agenda report, and the record as a whole, demonstrates that the project is in compliance with the general purposes and intent of LIP Chapter 13, as well as the goals, objectives, and policies of the LCP. Development on steep slopes is limited to prevent visual impacts from hillside development. The proposed project does not result in hillside development, the slope that exists on the property is not visible from PCH, and it is common for development along the shoreline

to be constructed over such slopes.

5. The proposed project is for the construction of a single-family residence and the proposed variance is to allow for construction on a slope steeper than 2.5 to 1. Construction of a single-family residence in the SFM zone is a permitted use.

6. As conditioned, the proposed residence will be constructed pursuant to the final recommendations of the project's technical specialists, as well as the City Coastal Engineer, City geotechnical staff, Public Works Department, Environmental Health Administrator and the Building Safety Division. Thus, the subject site is physically suitable for the construction of a residence on steep slopes.

7. The proposed project, as conditioned, will comply with all requirements of state and local law.

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

1. The project consists of the construction of a new single-family residence on the ocean side of PCH, which is a scenic road under the LCP. There is no feasible development site location on the proposed project site where development would not have the potential to be visible from PCH or the beach. With the inclusion of the conditions set forth in Section 7 of this resolution, the proposed residence will blend in with the surrounding development. In addition, the project includes a six foot, eight-inch-wide view corridor which is 20 percent of the lot frontage. With the implementation of said conditions, the project will not have significant adverse scenic or visual impacts.

2. The project will not adversely affect scenic and visual resources due to conditions. The project includes conditions regarding materials used, lighting, and colors to prevent adverse scenic or visual impacts, and provides a view corridor over the property to the ocean.

3. The project, as conditioned, is the least environmentally damaging feasible alternative as there are no significant adverse visual impacts.

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

5. As stated in Finding 2, as conditioned, development on the site will not have significant adverse impacts on scenic and visual resources.

F. Hazards (LIP Chapter 9)

1. The project will neither be subject to nor increase the instability of the site or structural integrity from geologic, flood or fire hazards due to project design. The project consists of construction of a new single-family residence on a vacant beachfront lot. It

has been determined that the project is located within an extreme fire hazard area and within the Big Rock Mesa landslide. The deep-seated Big Rock Mesa Landslide is considered to be active; however, no recent surficial slope failures or slumps were observed within the proposed project area on the property. Detailed geologic and geotechnical investigations and slope stability analyses were performed on the subject site for the proposed development. The analyses determined the factors of safety for the site varied between 1.26 and 1.28. The report also discussed review of previous public reports and a detailed site review for surface distress at the subject site. However, while the site does not provide the required 1.5 factor of safety, the project's geotechnical engineer has determined that with inclusion of the proper mitigation techniques and design measures, a residence can be built safely on the subject property. Due to the proposed elevation of the structure it will be located above flood levels. Based on review of the project and associated technical submittals, on December 18, 2017, City geotechnical staff approved the project, subject to conditions. The proposed improvements are located within the flood zone and the project is conditioned to require the applicant to provide the Public Works Department a certification by a registered engineer or architect that the improvements have structural components capable of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. In addition, the final plans shall be reviewed and approved by City geotechnical staff prior to the issuance of permits. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, and drainage. Furthermore, the project has been conditioned to require a floodplain variance from the City Council for the construction of the seawall and OWTS.

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

3. The project, as conditioned, is the least environmentally damaging alternative. There is no evidence of a less environmentally damaging alternative with respect to hazards.

4. Development of any single-family residence, regardless of the size or location, on the site would not meet the required geologic factor of safety and therefore there are no alternatives to the development that could potentially avoid or lessen impacts on site stability or structural integrity.

5. There is no indication of sensitive biological resources on the site and a view corridor is being provided to protect public ocean views. No adverse impacts to sensitive resources are expected.

G. Shoreline and Bluff Development (LIP Chapter 10)

1. The project site is located between PCH and the beach. The proposed development will comply with the required 10-foot setback from the mean high tide line and is not expected to impact public access along the shoreline. Consideration has been given to the design of the seawall that allows for littoral sand transport to take place without interference. The proposed seawall will only protect the proposed OWTS and not the foundation of the proposed structure. The proposed project will result in a less than significant adverse impact upon public beach access, shoreline sand supply or other resources for these reasons.

2. The project as designed, constructed and conditioned, and approved is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources.

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

4. The project as designed, constructed, and conditioned, is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources.

5. Based on the report prepared by Pacific Engineering Group, the proposed seawall has been sited as far landward as feasible to provide the minimum space necessary for the OWTS while still not affecting shoreline sand supply. The project includes dedication of a lateral public access easement along the shoreline and is not expected to have any significant adverse impacts on public access, or shoreline sand supply, or other resources. In addition, a deed restriction in accordance with LIP Section 10.6(C) has been included in this resolution.

Conditions of Approval.

Standard Conditions

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

- a. Construction of a 2,536 square foot, two-story single-family residence, 28 feet in height, with an attached two-car garage;
 - b. Installation of a new OWTS;
 - c. Construction of a roof top deck and railing not to exceed 25 feet in height;
 - d. Construction of retaining walls (six feet high maximum);
 - e. Installation of new landscaping and hardscaping;
 - f. New seawall;
 - g. A view corridor that will be a total of six feet, eight inches wide;
 - h. Excavation for the installation of the proposed OWTS;
 - i. Offer to Dedicate 18-002 for a lateral public access easement; and
 - j. Discretionary requests:
 - i. VAR No. 15-021 to reduce the required amount of unenclosed parking to one space;
 - ii. VAR No. 15-022 to reduce the required factor of safety; and
 - iii. VAR No. 18-042 for construction on slopes steeper than 2.5 to 1.
3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on plans on file with the Planning Department date stamped **February 16, 2018**. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.
4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions of approval set forth herein. The applicant shall file this form with the Planning Department prior to the issuance of any development permits.
5. The applicant shall submit three (3) complete sets of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.
6. This resolution, signed and notarized Acceptance of Conditions Affidavit and all Department Review Sheets attached to the agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check, and the City of Malibu Public Works Department for an encroachment permit (as applicable).
7. The CDP shall expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. Extension of the permit may be granted by the approving authority for due cause. Extensions

shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.
9. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, Los Angeles County Waterworks District No. 29 and LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.
10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.
11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals, including those to the California Coastal Commission (CCC), have been exhausted. In the event that the CCC denies the permit or issues the permit on appeal, the coastal development permit approved by the City is void.
12. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

Cultural Resources

13. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.
14. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native

American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Geology

15. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.
16. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Onsite Wastewater Treatment System

17. Prior to the issuance of a building permit the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.
18. Prior to final Environmental Health approval, a final OWTS plot plan shall be submitted showing an OWTS design meeting the minimum requirements of the MMC and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The OWTS plot plan shall show essential features of the OWTS and must fit onto an 11 inch by 17-inch sheet leaving a five-inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18 inches by 22 inches).
19. A final design and system specifications shall be submitted as to all components (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final design drawings and calculations must be signed by a California registered civil engineer, a registered environmental health specialist or a professional geologist who is responsible for the design. The final OWTS design drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

20. Any above-ground equipment associated with the installation of the OWTS shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall not be higher than 42 inches tall.
21. The final design report shall contain the following information (in addition to the items listed above).
 - a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture equivalents, and/or the subsurface effluent dispersal system acceptance rate. The fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
 - b. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
 - c. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics;
 - d. All final design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department; and

- e. H2O Traffic Rated Slab: Submit plans and structural calculations for review and approval by the Building Safety Division prior to Environmental Health final approval.

Prior to final Environmental Health approval, the construction plans for all structures and/or buildings with reduced setbacks must be approved by the City Building Safety Division. The architectural and/or structural plans submitted to Building and Safety plan check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives, etc.). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. The architectural/structural/ waterproofing plans must show the location of OWTS components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

- 22. Prior to final Environmental Health approval, the applicant shall provide engineer's certification for reduction in setbacks to buildings or structures: All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in MMC Table 15.42.030(E)) must be supported by a letter from the project structural engineer and a letter from the project soils engineer (i.e., a geotechnical engineer or civil engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS and will not adversely affect the structural integrity of the structures for which the Table 15.42.030(E) setback is reduced. Construction drawings submitted for plan check must show OWTS components in relation to those structures from which the setback is reduced. All proposed reductions in setback from the OWTS to buildings (i.e., setbacks less than those shown in Table 15.42.030(E)) also must be supported by a letter from the project architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California-licensed architect, then the required architect's certification may be supplied by an engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setbacks to the wastewater system. In this case, the engineer must include in his/her letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback, then the architect or engineer must provide associated construction documents for review and approval during Building Safety Division plan check. The wastewater plans and the construction plans must be specifically referenced in all certification letters.
- 23. The following note shall be added to the plan drawings included with the OWTS final design: "Prior to commencing work to abandon, remove, or replace the

existing Onsite Wastewater Treatment System (OWTS) components, an 'OWTS Abandonment Permit' shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents."

24. Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the MMC.
25. A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that: 1) the private sewage disposal system serving the development on the property does not have a 100 percent expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)), and 2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in the use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the City Environmental Sustainability Department.
26. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.
27. An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.
28. Prior to final Environmental Health approval, a maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed OWTS after construction shall be submitted. Only original wet signature documents are acceptable and shall be submitted to the City Environmental Health Administrator.
29. Prior to final Environmental Health approval, a covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the City of Malibu

Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an advanced method of sewage disposal pursuant to the MMC. Said covenant shall be provided by the City of Malibu Environmental Health Administrator.

30. The City geotechnical staff final approval shall be submitted to the City Environmental Health Administrator.
31. In accordance with MMC Chapter 15.44, prior to Environmental Health approval, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

Grading/Drainage/Hydrology (Geology/ Public Works)

32. The non-exempt grading for the project shall not exceed a total of 1,000 cubic yards, cut and fill.
33. The total grading yardage verification certificate shall be copied onto the coversheet of the Grading Plan. No alternative formats or substitutes will be accepted.
34. A grading and drainage plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project:
 - a. Public Works Department general notes;
 - b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
 - c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated;
 - d. The limits to land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
 - e. If the property contains rare, endangered or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on this plan if required by the City Biologist;
 - f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes; and

- g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inches in diameter shall also have a plan and profile for the system included with this plan.

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

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

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

36. Prior to the approval of any permits and prior to the submittal of the required construction general permit document to the State Water Quality Control Board, the property owner / applicant shall submit the Public Works Department an Erosion and Sediment Control Plan (ESCP) for review. The ESCP shall contain appropriate site-specific construction site BMPs prepared and certified by a qualified SWPPP developer (QWD). All structural BMPs must be designed by a licensed California civil engineer. The ESCP must address the following elements:
- a. Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area
 - b. Methods used to protect native vegetation and trees
 - c. Sediment / erosion control
 - d. Controls to prevent tracking on- and off-site
 - e. Non-stormwater control
 - f. Material management (delivery and storage)
 - g. Spill prevention and control
 - h. Waste management

- i. Identification of site risk level as identified per the requirements in Appendix 1 of the Construction General Permit
- j. Landowner must sign the following statement on the ESCP:

"I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that quality personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate and complete. I am aware that submitting false and/or inaccurate information, failing to properly and/or adequately implement the ESCP may result in revocation of grand and/or other permits or other sanctions provided by law."

- 37. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within LIP Section 17.3.2.B.2.
- 38. A Storm Water Management Plan (SWMP) shall be submitted for review and approval to the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the pre-development and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading or building permit for this project.
- 39. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that:
 - a. Is located within or adjacent to ESHA, or
 - b. Includes grading on slopes greater than 4 to 1.

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

- 40. The Building Official may approve grading during the rainy season to remediate hazardous geologic conditions that endanger public health and safety.

41. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3.
42. All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.
43. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be prepared in accordance with the LIP Section 17.3.3 and all other applicable ordinances and regulations. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The following elements shall be included within the WQMP:
 - a. Site Design Best Management Practices (BMPs);
 - b. Source Control BMPs;
 - c. Treatment Control BMPs;
 - d. Drainage improvements;
 - e. Methods for onsite percolation, site re-vegetation and an analysis for off-site project impacts;
 - f. Measures to treat and infiltrate runoff from impervious areas;
 - g. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
 - h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits; and
 - i. The WQMP shall be submitted to the Building Safety Division and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. Once the plan is approved and stamped by the Public Works Department, the original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted prior to the Public Works Department approval of building plans for the project.

Shoreline Protection (Coastal Engineer)

44. All construction debris shall be removed from the beach daily and at the completion of development.
45. No stockpiling of dirt or construction materials shall occur on the beach.
46. Measures to control erosion, runoff, and siltation shall be implemented at the end of each day's work.

47. The applicant shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion.
48. No machinery shall be placed, stored or otherwise located in the intertidal zone at any time, unless necessary for protection of life and/or property.
49. Construction equipment shall not be cleaned on the beach.
50. Construction debris and sediment shall be properly contained and secured on site with BMPs to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.

Floodplain Management

51. Prior to the issuance of any Grading or Building Permits, the applicant shall notify the Public Works Department to take this action to City Council to obtain a variance.
52. Proposed improvements are located within the Special Flood Hazard Area (SFHA). An Elevation Certificate based on construction drawings is required for any building located within the SFHA. A survey map shall be attached to this certificate showing the location of the proposed building(s) in relation to the property lines and to the street center line. The survey map shall delineate the boundary of the SFHA zone(s) based on the FIRM flood maps in effect and provide the information for the benchmark utilized, the vertical datum, and any datum conversion. A post construction Elevation Certificate will be required to certify building elevations, when the construction is complete, and shall be provided to the Public Works Department prior to final approval of the construction.
53. The proposed septic system is located within a SFHA, Zone VE 21. The proposed septic system shall be designed to eliminate infiltration of flood waters into the system and discharges from the system into flood waters. The septic system shall be located to avoid impairment or contamination during flooding. The septic system shall be buried below the expected depth of erosion and scour. The tank shall be anchored to prevent a buoyancy failure. Septic system tanks must not be structurally attached to building foundations. All septic lines shall be protected from water and debris damage. Riser lines shall be located on the landward side of a pile or other vertical structural member or inside an enclosure designed to withstand the forces of the event.
54. The Developer's Consulting Engineer shall sign the final plans prior to the issuance of permits.

Construction / Framing

55. A construction staging plan shall be reviewed and approved by the Planning Director prior to plan check submittal.
56. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.
57. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.
58. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
 - a. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
 - b. Grading activities shall be planned during the southern California dry season (April through October).
 - c. During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize surface water contamination.
 - d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.
59. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the recommended finished floor level, the center line of PCH, and the highest roof member elevation. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Department for review and sign off on framing.
60. The applicant/property owner shall obtain all required permits, including approval for mechanized equipment to access to the beach, from Beaches and Harbor prior to commencement of construction.

Colors and Materials

61. The project is visible from scenic roads or public viewing areas, therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
 - a. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Planning Director and clearly indicated on the building plans.
 - b. The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
 - c. All windows shall be comprised of non-glare glass.
62. All driveways shall be a neutral color that blends with the surrounding landforms and vegetation. Retaining walls shall incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. The color of driveways and retaining walls shall be reviewed and approved by the Planning Director and clearly indicated on all grading, improvement and/or building plans.

Lighting

63. Exterior lighting must comply with the Dark Sky Ordinance and shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
 - a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60-watt incandescent bulb);
 - b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
 - c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
 - d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
 - e. Site perimeter lighting shall be prohibited; and
 - f. Outdoor decorative lighting for aesthetic purposes is prohibited.
64. Night lighting for sports courts or other private recreational facilities shall be prohibited.
65. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources

on the subject property shall not produce an illumination level greater than one foot candle.

66. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.
67. String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.
68. Motion sensor lights shall be programmed to extinguish ten minutes after activation.
69. Three sequential violations of the conditions by the same property owner will result in a requirement to permanently remove the outdoor light fixture(s) from the site.

Biology/Landscaping

70. No new landscaping is proposed with this project; therefore, none is approved. Should the applicant intend to plant any new vegetation with a potential to exceed six feet in height or an area of 2,500 square feet or more, a detailed landscaping plan shall be submitted for review and approval prior to any planting.
71. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three sequential violations of this condition will result in a requirement to permanently remove the vegetation from the site.

View Corridor

72. Pursuant to LIP Section 6.5(E)(2)(e) and in order to ensure the protection of scenic and visual resources, the applicant is required to maintain:
 - a. A view corridor a minimum of six feet, eight inches wide extending the length of the property.
 - b. No portion of any structure shall extend into the view corridor above the elevation of the adjacent street.
 - c. Any fencing across the view corridor shall be permanently maintained as visually permeable. Tinted or frosted glass, and louvered or slatted screen fences are not permitted.
 - d. Any landscaping in this area shall include only low-growing species that will not obscure or block bluewater views.

- e. If at any time the property owner allows the view corridor to become impaired or blocked, it would constitute a violation of the coastal development permit and the Coastal Act and be subject to all civil and criminal remedies.

Site Specific Conditions

73. For development on beachfront parcels, beach access stairs shall maintain a three-foot setback from all property lines unless stairs are located behind the most landward point end of the bulkhead.
74. At no time shall any eastbound lane along Pacific Coast Highway be closed for construction staging related to this project between the hours of 7:00 a.m. and 9:00 a.m.
75. The applicant/property owner shall obtain all required permits, if any, including any necessary permits from the U.S. Army Corps of Engineers, prior to commencement of construction.
76. Survey points shall be established on foundation elements to the east and west, and along Pacific Coast Highway. Survey points shall be monitored on a weekly basis during drilling.

Deed Restrictions

77. The property owner is required to acknowledge, by recordation of a deed restriction, that the property is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, and that the property owner assumes said risks and waives any future claims of damage or liability against the City of Malibu and agrees to indemnify the City of Malibu against any liability, claims, damages or expenses arising from any injury or damage due to such hazards. The property owner shall provide a copy of the recorded document to the Planning Department prior to final Planning Department approval.
78. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final planning approval.

79. Prior to final Planning Department approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in Condition Nos. 64-70. The property owner shall provide a copy of the recorded document to the Planning Department prior to final Planning Department approval.
80. The property owner is required to acknowledge, by the recordation of a deed restriction, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protection structure which extends the seaward footprint of the subject structure shall be undertaken and that he/she expressly waives any right to such activities that may exist under Coastal Act Section 30235. Said deed restriction shall be submitted to the Planning Department for approval prior to recordation. The deed restriction shall also acknowledge that the intended purpose of the shoreline protection structure is solely to protect existing structures located on the site, in their present condition and location, including the septic disposal system and that any future development on the subject site landward of the subject shoreline protection structure including changes to the foundation, major remodels, relocation or upgrade of the septic disposal system, or demolition and construction of a new structure shall be subject to a requirement that a new coastal development permit be obtained for the shoreline protection structure unless the City determines that such activities are minor in nature or otherwise do not affect the need for a shoreline protection structure.
81. In order to effectuate the property owner's offer to dedicate an easement for lateral public access and passive recreational use along the shoreline, prior to issuance of the permit, the property owner shall execute and record a document, in a form and content acceptable to the Planning Director and CCC, irrevocably offering to dedicate to a public agency or private association approved by the City and CCC, an easement for lateral public access and passive recreational use along the shoreline. The easement shall be located along the entire width of the property from the ambulatory mean high tide line landward to the dripline of the structure. The document shall be recorded free of prior liens and any other encumbrances which the CCC determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of California, binding all successors and assigns, and this offer shall be irrevocable for a period of 21 years, such period running from the date of recording. The recording document shall include a formal legal description and graphic depiction, prepared by a licensed surveyor, of both the property owner's entire parcel and the easement area. The document shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property.

Prior to Final Sign-Off

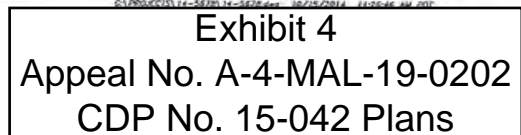
82. Prior to a final Building inspection, the applicant shall provide a Recycling Summary

Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate the specific materials that were land filled or recycled and state the facilities where all materials were taken.

83. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Department has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Planning Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.
84. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Fixed Conditions

85. This coastal development permit shall run with the land and bind all future owners of the property.
86. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted thereunder.





NO.	DATE	REVISION
1	10/14/2014	ISSUED FOR PERMIT
2	10/14/2014	REVISIONS
3	10/14/2014	REVISIONS
4	10/14/2014	REVISIONS
5	10/14/2014	REVISIONS
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17	10/14/2014	REVISIONS
18	10/14/2014	REVISIONS
19	10/14/2014	REVISIONS
20	10/14/2014	REVISIONS

ARCHITECT
A. T. TORRES AIA
FIDELITY 181
MALIBU CA 90265
310 438 2201 F
310 438 2148 F
atp@attpart.com

PROJECT
M&M TRUST
20222 PACIFIC COAST HIGHWAY
MALIBU CA 90265

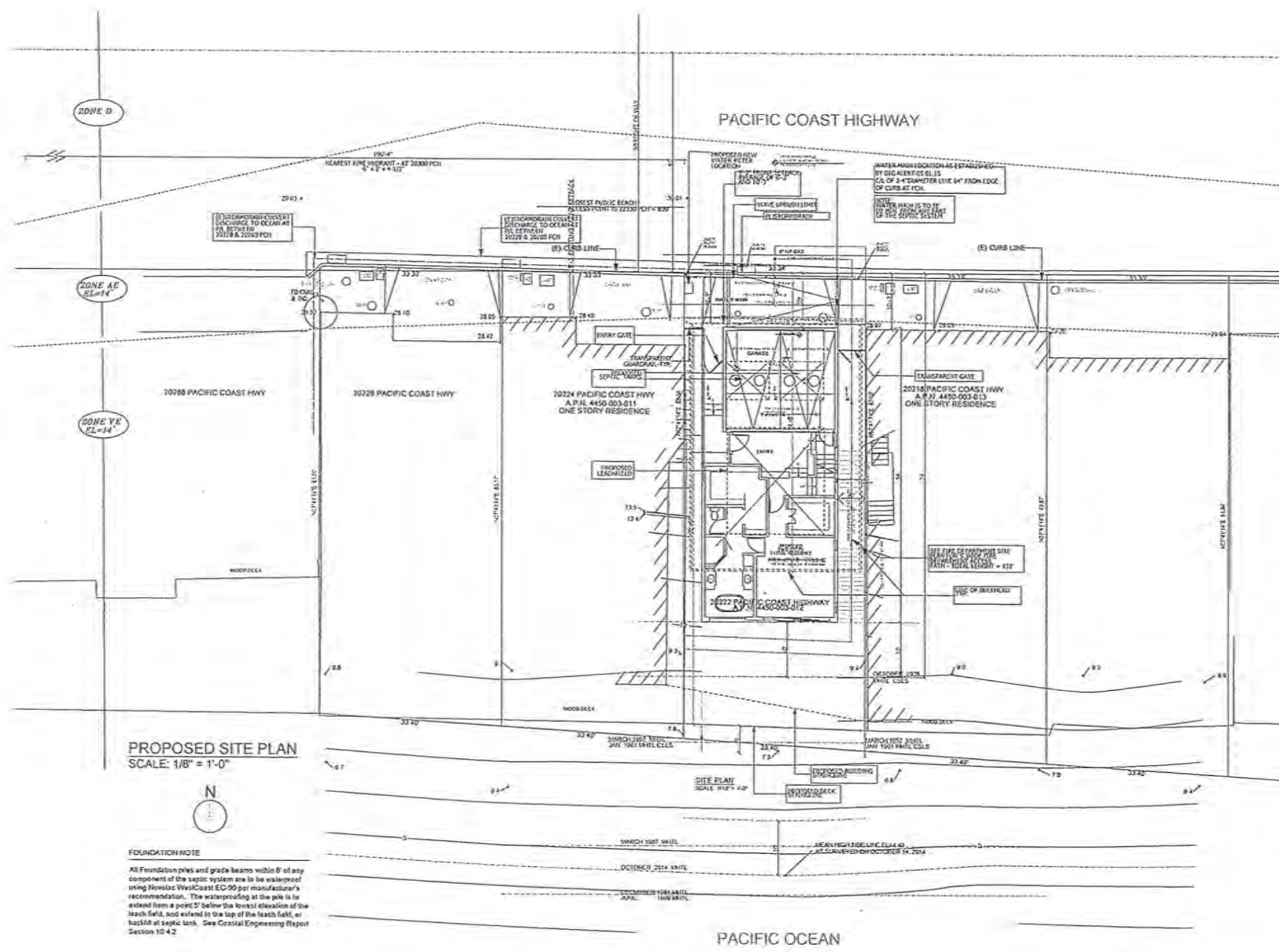
SITE AND CLIENT INFORMATION
JOB SITE
20222 PACIFIC COAST HIGHWAY
MALIBU CA 90265
CLIENT CONTRACT
ARCHITECT
A. THOMAS TORRES & ASSOCIATES
PROJECT DESCRIPTION
NEW TWO STORY C/R
REVISIONS
LEAD DESCRIPTION
THE ASSOCIATES ID: 44-00-003-010
BUILDING USE: RESIDENTIAL
BUILDING TYPE: V
OCCUPANCY: 11/12/2011



SEPTEMBER 1, 2017

SITE PLAN

A.1.1





NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
1	FOUNDATION PLAN	09/20/2017	ATT		
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ARCHITECT
A. T. TORRES AIA
FOUNDER
MILPITAS, CA 95035
TEL: 408.796.1111
ATT@ATTORRES.COM

PROJECT
M&M TRUST
2000 PACIFIC COAST HIGHWAY
MILPITAS, CA 95035

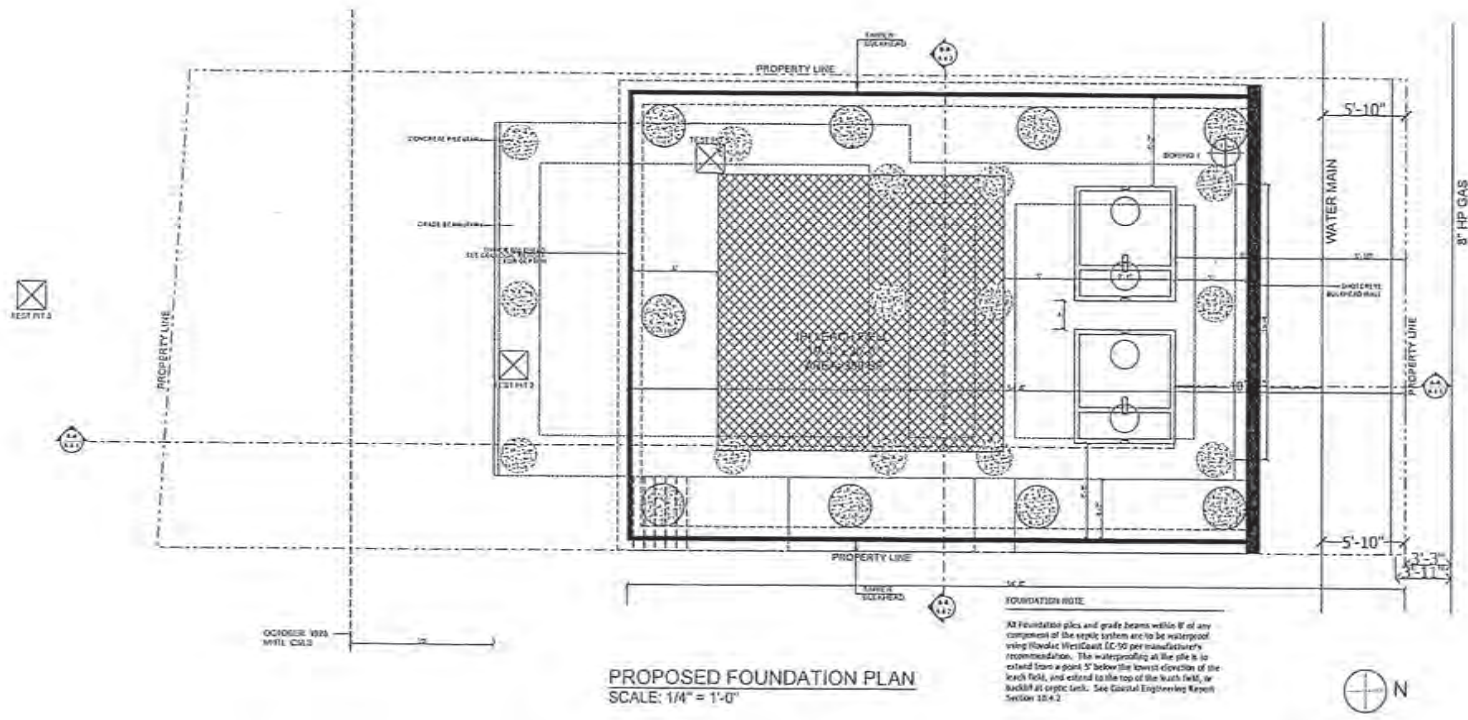
SITE AND CLIENT INFORMATION
JOB SITE
2000 PACIFIC COAST HIGHWAY
MILPITAS, CA 95035
CLIENT CONTACT
PROJECTED
A. THOMAS TORRES & ASSOCIATES
PROJECT DESCRIPTION
PLAN TWO STORY SITE
REVISIONS
LOCAL DISCRETION
SAN AGUSTIN 001-012
BUILDING USE: RESIDENTIAL
BUILDING TYPE: V
OCCUPANCY: 10,000 SQ. FT.



SEPTEMBER 1, 2017

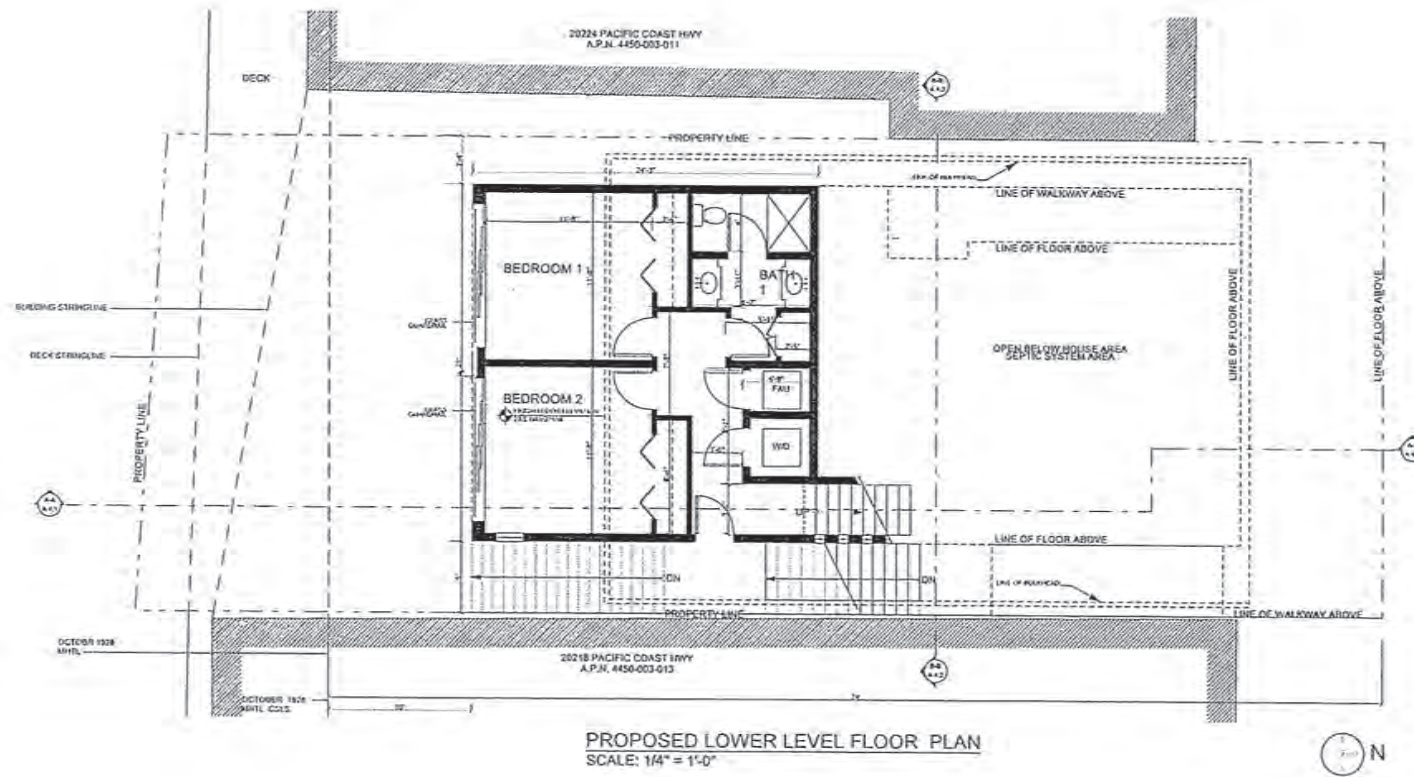
FOUNDATION
PLAN

A.2.1





NO.	DATE	DESCRIPTION	BY	CHKD
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A. T. TORRES AIA

100 BURLINGAME
SAN FRANCISCO, CA 94065
415.435.1111
attorres@aia.com

PROJECT

M&M TRUST

20224 PACIFIC COAST HWY
BURLINGAME, CA 94065

SITE AND CLIENT INFORMATION

JOB SITE:
20224 PACIFIC COAST HWY
BURLINGAME, CA 94065
CLIENT CONTACT:
ARCHITECT:
A. TORRES TORRES & ASSOCIATES

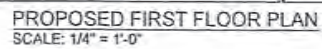
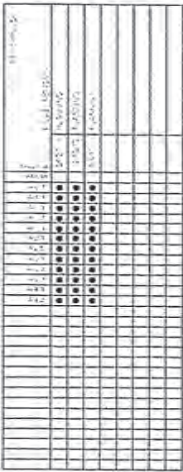
PROJECT DESCRIPTION:
NEW TWO-STORY G.P.
SIX UNITS
OFFICE OF SUPERVISOR
TNA AGGREGATE LTD. BARRIOWAY
BURLINGAME, CA 94065
BUILDING TYPE:
ECONOMY HOUSING



SEPTEMBER 1, 2019

LOWER LEVEL
FLOOR PLAN

A.2.2



A.2.3



REVISION	DATE	BY	CHKD	DESCRIPTION
1	09/18/2012	AT		ISSUED FOR PERMITS
2	09/18/2012	AT		REVISIONS TO PERMITS
3	09/18/2012	AT		REVISIONS TO PERMITS
4	09/18/2012	AT		REVISIONS TO PERMITS
5	09/18/2012	AT		REVISIONS TO PERMITS
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10	09/18/2012	AT		REVISIONS TO PERMITS
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17	09/18/2012	AT		REVISIONS TO PERMITS
18	09/18/2012	AT		REVISIONS TO PERMITS
19	09/18/2012	AT		REVISIONS TO PERMITS
20	09/18/2012	AT		REVISIONS TO PERMITS
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22	09/18/2012	AT		REVISIONS TO PERMITS
23	09/18/2012	AT		REVISIONS TO PERMITS
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98	09/18/2012	AT		REVISIONS TO PERMITS
99	09/18/2012	AT		REVISIONS TO PERMITS
100	09/18/2012	AT		REVISIONS TO PERMITS

ARCHITECT

A. T. TORRES AIA
 PROJECT NO. 1001
 1001 PACIFIC COAST HWY
 WILSON, CA 94093
 415.438.1234
 415.438.1235
 at@attdesign.com

PROJECT

M&M TRUST
 1001 PACIFIC COAST HWY
 WILSON, CA 94093

SITE AND CLIENT INFORMATION

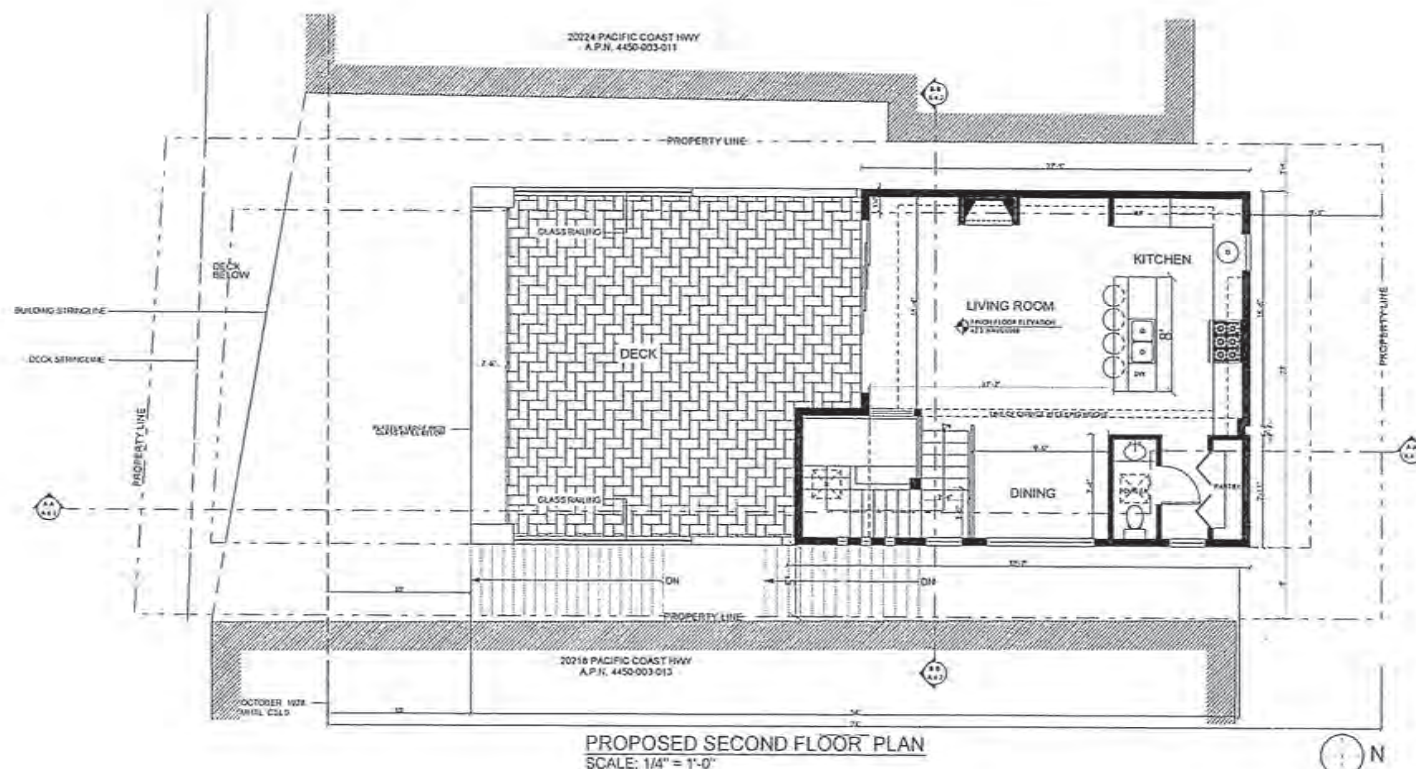
JOB SITE
 1001 PACIFIC COAST HWY
 WILSON, CA 94093
 CLIENT CONTRACT
 ARCHITECT
 A. T. TORRES & ASSOCIATES
 PROJECT DESCRIPTION
 NEW 1001 PACIFIC COAST HWY
 1001 PACIFIC COAST HWY
 LEGAL DESCRIPTION
 1001 PACIFIC COAST HWY
 1001 PACIFIC COAST HWY
 BUILDING TYPE
 OCCUPANCY
 1001 PACIFIC COAST HWY

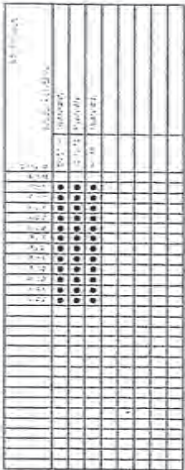


SEPTEMBER 1, 2012

SECOND FLOOR
 FLOOR PLAN

A.2.4





PO BOX 1460
SALT LAKE CITY, UT 84146
313.434.7335 F
313.434.7845 H
Rocky@utah.gov

20197 PACIFIC COAST HIGHWAY
HERNDON, CA 91760

CLUB SITE:
20272 PACIFIC COAST HIGHWAY
WALTON, CA 94095

CLUB/CONTACT:
ARCHITECT

CLIENT CONTACT:
ARCHITECT
ATTHOMAS TORRES & ASSOCIATES

PROJECT DESCRIPTION:
NEW THREE STORY COIN
MONEY CHANGERS

LEGAL DESCRIPTION:
TAX ASSessor's ID: #423-003-012

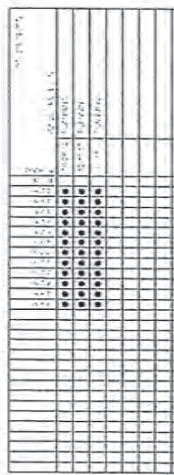
BUILDING CODE RESOLUTION

APPENDIX TABLE V

Occupational Injury (IN 250)



A.2.5



PO BOX 4181
MILPITAS CA 95035
310-456-7333 F
310-456-7845 F
design@carthagen.com

PROJECT

M&M TRUST

2007 PACIFIC COAST HIGHWAY
MALIBU, CA 90263

SITE AND CLIENT INFORMATION

2007 DATE:
 7007 PACIFIC COAST HIGHWAY
 MALIBU, CA 90263
 CLIENT CONTACT:
 ARCHITECT:
 ALTHAMUS TORRES & ASSOCIATES

PROJET DE DESCRIPTION:

NEW TWO-STORY 2100
18,950 CASH

LEGAL DESCRIPTION:
TAX PARCELS ID: 6445-003-01

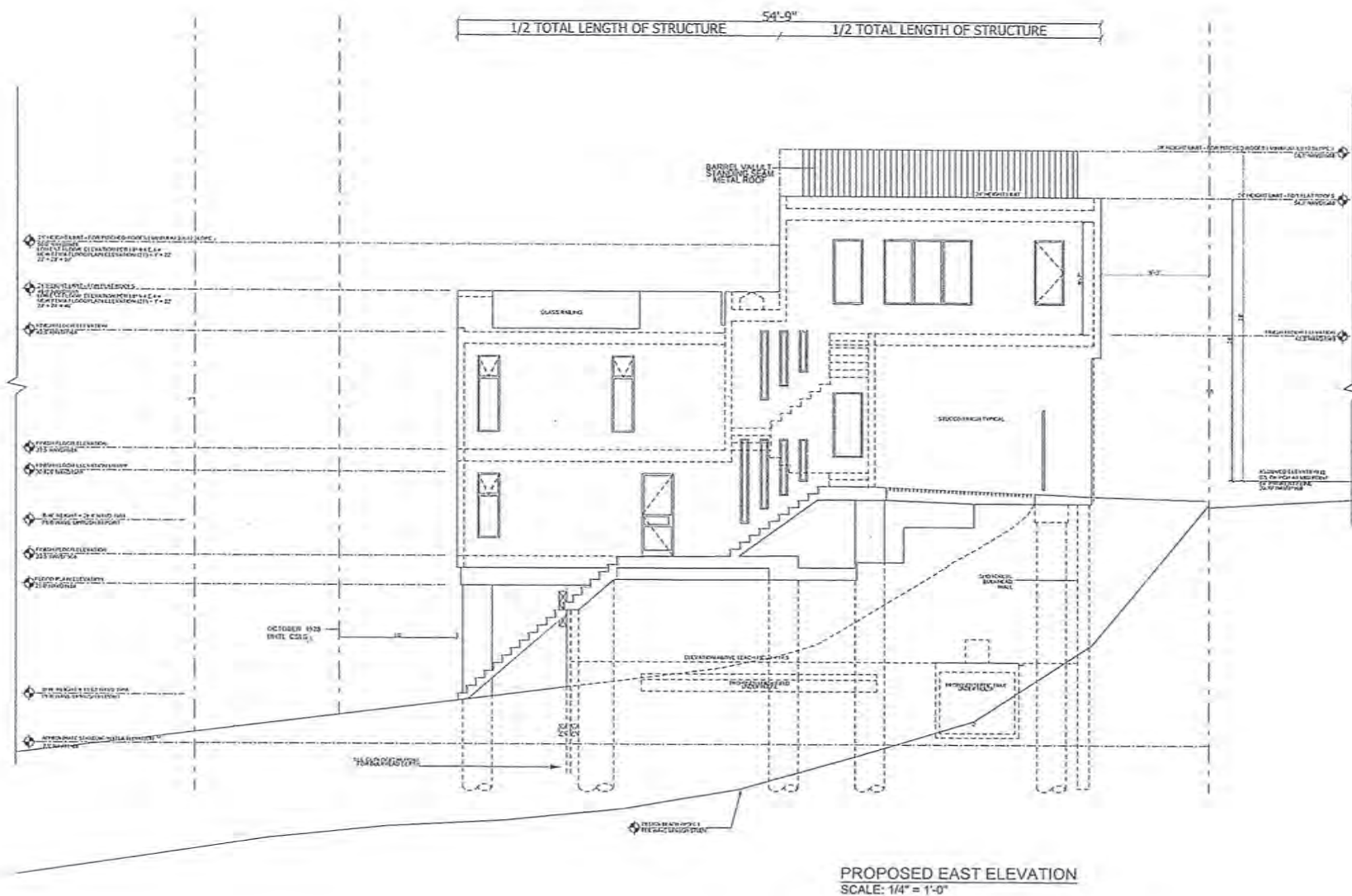
CURSING/USE: PROBABLY

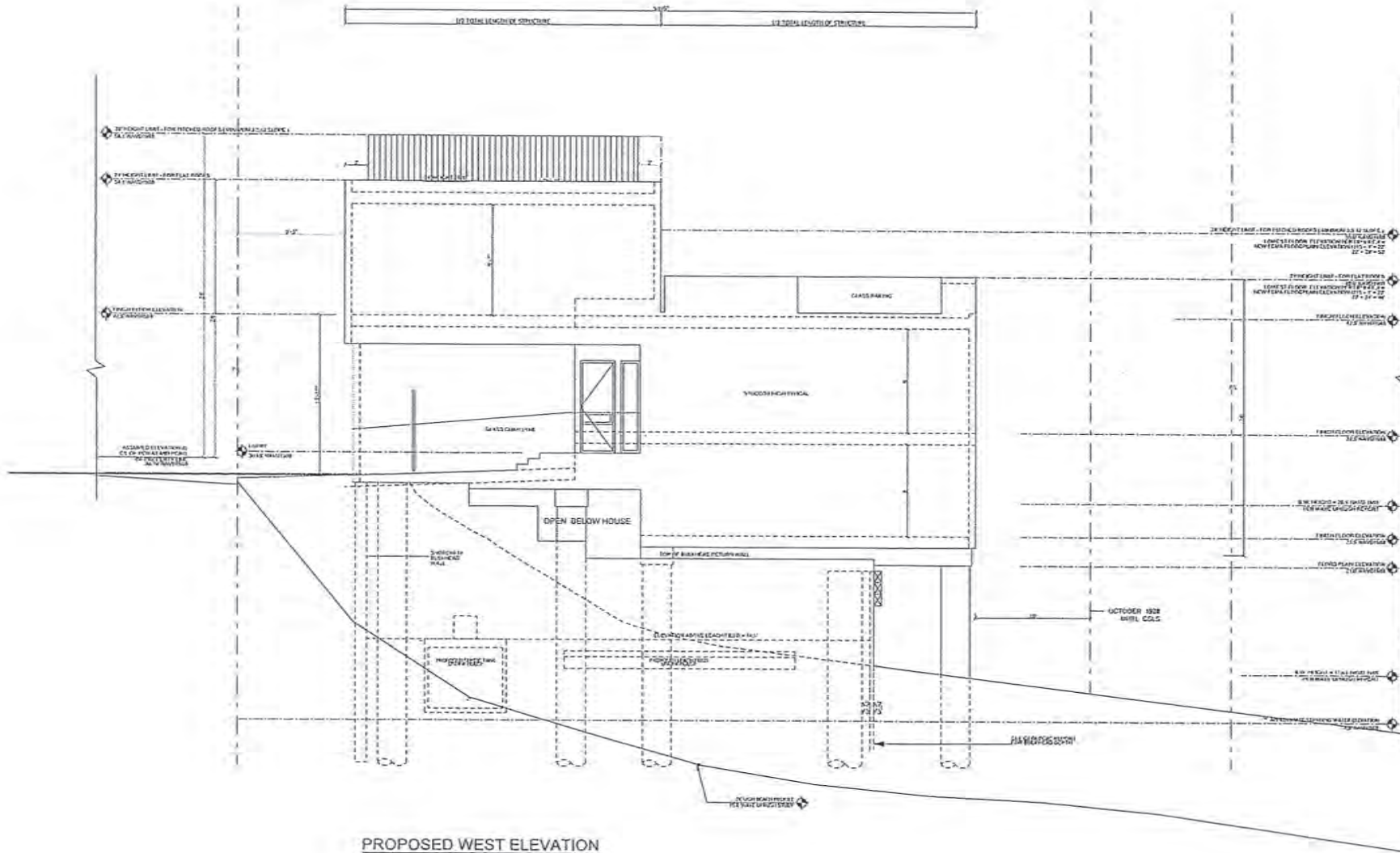
BUILDING TYPE-Y
ECONOMY-CLASS ONLY

SEPTEMBER 1, 2017

EAST ELEVATION

A.3.2





PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

NO.	DATE	DESCRIPTION	BY	CHK
1	10/1/17	100% COMPLETE	AT	AT
2	10/1/17	100% COMPLETE	AT	AT
3	10/1/17	100% COMPLETE	AT	AT
4	10/1/17	100% COMPLETE	AT	AT
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98	10/1/17	100% COMPLETE	AT	AT
99	10/1/17	100% COMPLETE	AT	AT
100	10/1/17	100% COMPLETE	AT	AT

ARCHITECT
A. T. TORRES AIA
PROJECT NO. 1701
1000 PACIFIC COAST HIGHWAY
MIRAGE, CA 90275
408.504.7811
at@at-torres.com

PROJECT
M&M TRUST
1000 PACIFIC COAST HIGHWAY
MIRAGE, CA 90275

SITE AND CLIENT INFORMATION
JOB DATE: 10/1/17
1000 PACIFIC COAST HIGHWAY
MIRAGE, CA 90275
CLIENT CONTACT:
ARCHITECT: A. THOMAS TORRES & ASSOCIATES
PROJECT ORIGINATOR:
M&M TRUST
1000 PACIFIC COAST HIGHWAY
MIRAGE, CA 90275
TEL: 408.504.7811
FAX: 408.504.7812
BUILDING TYPE: V
ACCURACY: 1/4" = 1'-0"



DATE: 10/1/17
WEST ELEVATION

A.3.3



NO.	DATE	DESCRIPTION	BY	CHKD
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99	10/1/13	REVISED FOR COMMENTS	AT	AT
100	10/1/13	REVISED FOR COMMENTS	AT	AT

ARCHITECT
A. T. TORRES AIA
 10500 11th
 HUNTER CA 90035
 310 458 7661
 atorres@attarch.com

PROJECT
M&M TRUST
 10500 PACIFIC COAST HIGHWAY
 HUNTER CA 90035

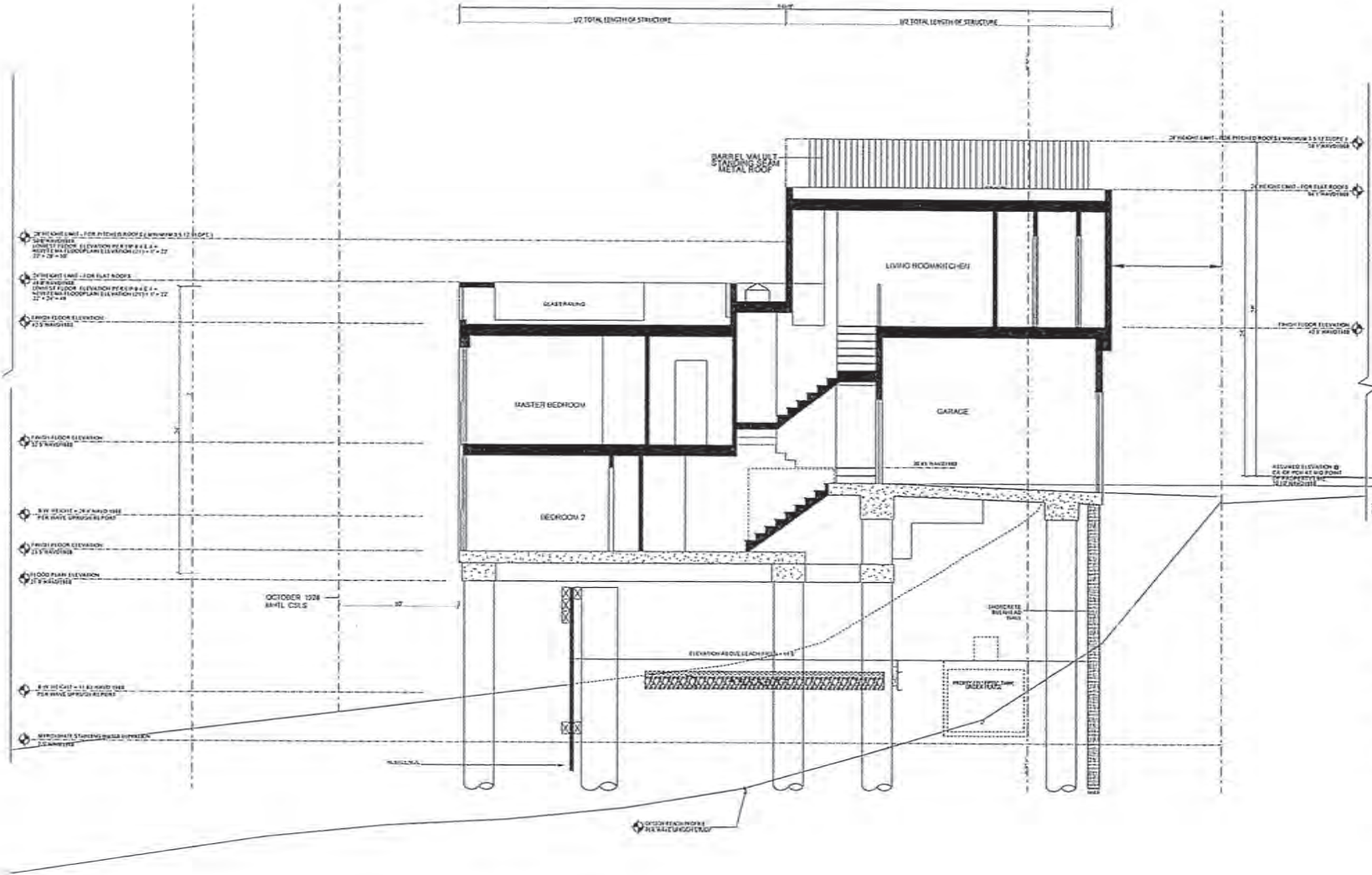
SITE AND CLIENT INFORMATION
 JOB SITE
 10500 PACIFIC COAST HIGHWAY
 HUNTER CA 90035
 CLIENT CONTACT
 ARCHITECT
 A. THOMAS TORRES & ASSOCIATES
 PROJECT DESCRIPTION
 NEW TWO STORY STR.
 RES. DWG.
 LEGAL DESCRIPTION
 TAX ACCESSORIS TO 44400 000 010
 BUILDING USE RESIDENTIAL
 BUILDING TYPE V
 OCCUPANCY R1 (DLY SNA)



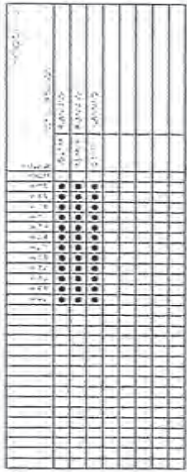
SEPTEMBER 1 2013

SECTION A-A

A.4.1



SECTION A-A
 SCALE: 1/4" = 1'-0"



PO BOX 4184
MAYFIELD CA 94553
310-456-2225 R
310-456-7968 F
dregyn@attworld.com

PROJECT

M&M TRUST

2027 PACIFIC COAST HIGHWAY
MALIBU CA 90265

SITE AND CLIENT INFORMATION

2015

2022 PACIFIC COAST HIGHWAY
SALES CA 90215

**QUEST CONTACT
ARONCE**

PROJECT DESCRIPTION

NEVE FRODOY SAH
NEVONITS

LEGAL DESCRIPTION
TRANSACTIONS ID: 84450-203-012

BUILDING USE RESIDENTIAL
BUILDING TYPE W

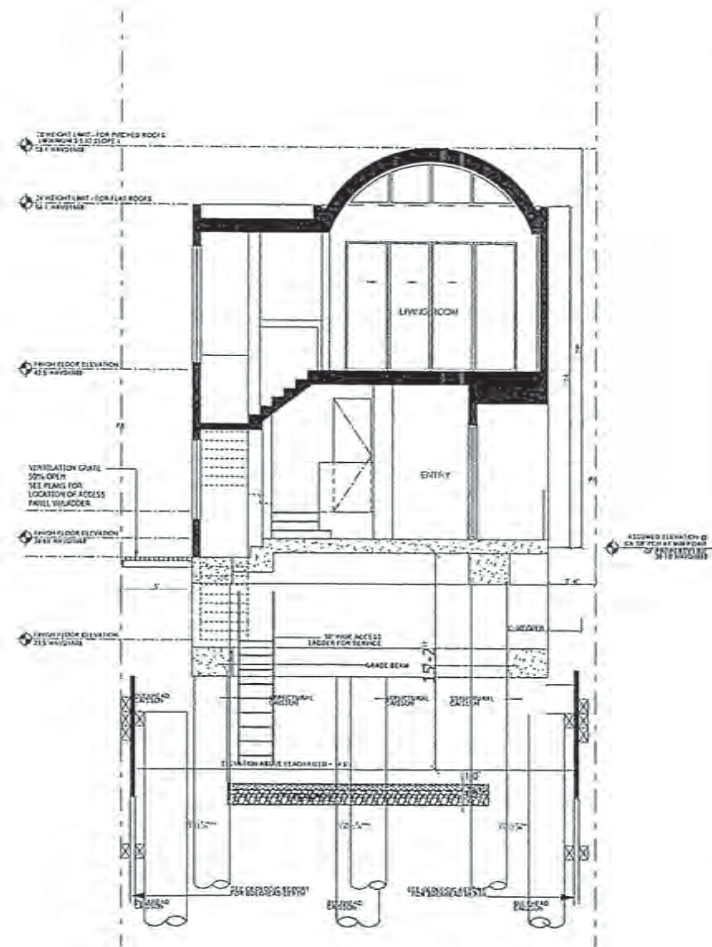
OCCEFACT REVIEW



SEPTEMBER 6, 2017

SECTION B - B

A.4.2



SECTION B-B
SCALE: 1/4" = 1'-0"

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CA 90802-4416
VOICE (562) 590-5071 FAX (562) 590-5084

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Dorinne and Dennis Graves

Mailing Address: 20224 Pacific Coast Highway

City:

Zip Code:

Phone:

Malibu

90265

(323) 536-9407

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of Malibu

2. Brief description of development being appealed:

New construction of a SFR at 20222 Pacific Coast Highway that is tri-level with several variances granted by the City of Malibu.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

20222 Pacific Coast Highway

APN: 4450-003-012

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-4-MAL-19-0202

DATE FILED: October 18, 2019

DISTRICT: South Central Coast

Exhibit 5
Appeal No. A-4-MAL-19-0202
Appeal

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5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
- ☒ City Council/Board of Supervisors
- ☐ Planning Commission
- ☐ Other

6. Date of local government's decision: NOFA Issued: 10-07-19

7. Local government's file number (if any): Appeal No. 18-009;
Variance ##: 15-021; 15-022; 18-042

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Sacha Neumann, A. Thomas Torres Architects
P.O. Box 1181
Malibu, California 90265
Owner: GKGD Heritage Trust

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Dennis Graves
2209 N. Hobart Blvd
Los Angeles, California 90027

(2) Dorinne Graves
20222 Pacific Coast Highway
Malibu, California 90265

(3) Darren Graves
2000 Alberta Ave., #23
Venice, California 90291

(4) Adrienne Graves-Brown
110 Brooks Ave., #4
Venice, California 90291

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SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

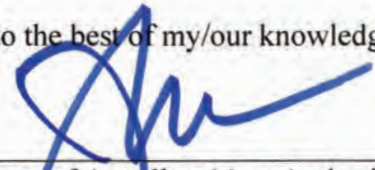
- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

The City of Malibu Planning Commission ("CMPC"), on November 5, 2018, approved Resolution 18-75 to allow construction on a lot that has been vacant for 35 years after the Big Rock Mesa Landslide in 1983. In this approval, the CMPC granted three variances, two of which seriously jeopardize the safety of our home. (1) Variance 18-042, to allow building on slopes steeper than 2.5, will have a significantly negative impact on our property and may undermine the PCH. In the October 12, 2018, Coastal Commission letter, it's noted that the applicant's lot does not meet the factor of safety and the Coastal Commission does not agree with the said impact on site stability. Further, the Coastal Commission noted that there has not been adequate demonstration by City Staff that the project will not have significant adverse impacts on the site stability or structural integrity from geologic, flood, or fire hazards. According to the documents we have seen, the applicant's geotechnical consultant (SubSurface Designs, Inc.) made only 3 subsurface borings (25 feet apart) to substantiate their findings. One boring was within the cliff and the other two were sand pits dug on the beach. Half the year, our beach is only rocks, no sand at all. The Coastal Commission letter continues on that the applicant's request does not meet the factor of safety requirements as set forth in LIP Section 9.4(D). (2) Variance 15-022, to reduce the required geotechnical factor of safety related to the underlying landslide, will significantly endanger our home, because it has an adverse impact on site stability. The lot at 20222 PCH is at the toe of the Big Rock Mesa landslide. The proposed plans call for a sea wall to be built 18 inches from our pilings. This is to protect their on-site wastewater treatment system (OWTS) from high tides. However, any tide above 5.0 will hit the wall and bounce back directly into our pilings, undermining their stability. A majority of our home sits on piles. Tides hit this area constantly, but now, have no backwash. Waves angle in from the west, bringing and taking away 4 to 5 feet of sand. The proposed sea wall will push water directly into our piles and will inhibit the natural flow of sand to and from the beach. In the CMPC Resolution No. 18-75, it states the proposed project "will blend in with the surrounding development." This is a false statement. In the mile from the Big Rock signal to the Moonshadows Restaurant, there are only 11 two-story homes. Within 500 yards in each direction from the applicant's lot, all homes are one-story above street level. The proposal for a two-story, three-level home built to the maximum height allowable is totally inconsistent with the neighborhood character. This proposed house has 46 fixtures. Our home, and the others on our beach, have 16 to 20 fixtures. In summary, the owners of 20222 PCH wish to build a house that is more than twice as large as its neighbors and requires new construction and a sea wall 18" from our piles. Both the construction process itself and the result of the construction threaten the stability of our home.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

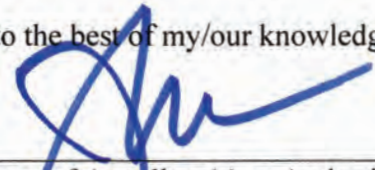
SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date:



10-16-19



Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize



John S. Cha of Raines Feldman LLP

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date:

10-16-19

October 17, 2019

Fax: 424.239.1613
jcha@raineslaw.com

VIA FED EX

Denise Venegas
Coastal Program Analyst
California Coastal Commission
South Central Coast District
89 South California Street, Suite 200
Ventura, CA 93001

Received

OCT 18 2019

California Coastal Commission
South Central Coast District

Re: Local Government Application Number: 4-MAL-19-1852
Appeal Number: 18-009

Dear Ms. Venegas::

As counsel for Dorinne and Dennis Graves, I am enclosing the following documents as my clients' appeal package:

1. Appeal from Coastal Permit Decision of Local Government;
2. Presentation letter by Dorinne Graves to the Malibu City Counsel Meeting on August 26, 2019;
3. My presentation letter to the Malibu City Counsel Meeting on August 26, 2019;
4. Letter dated October 15, 2019, to the California Coastal Commission, signed by both Appellants Dorinne and Dennis Graves;
5. Statement dated October 15, 2019, by Darren Graves; and
6. Photos and architectural renderings as they relate to the proposed project.

Please acknowledge receipt by reply email and let me know if you require additional information. Thank you for your assistance.

Sincerely,

John S. Cha



Malibu City Council Meeting, August 26, 2019

Presentation by Dorinne Graves to that City Council:

Mayor Wagner, and the Honorable Members of the City Council:

Thank you for allowing this presentation. I am here because of the serious and significant concerns I have over the safety and stability of my home.

My family lived here through the Big Rock slide. The house that was at 20222 PCH was pushed out, and eventually moved into our house! That's why it was torn down. Just look at the pilings at 20218 east of the lot. I was told that now there is a 14" drop from the front of the house to the beachfront deck.

The proposed height of the project means that my bedroom windows and front patio will be in shade ½ the day. Their proposed front door is 9 feet across from my bedroom windows and opens toward our house, so that there will be no privacy for either home. This feature of the proposed construction must be altered.

The applicant bought this "package" (lot, plans, reports) in March, 2018. I believe that they do not know Malibu or what it is like to live next to a highway.

When the story poles were erected, they were only up for 4 days, which was mentioned at the Planning Commission meeting. Supposedly this was because there was concern the wind could blow them into the electric, cable, and phone wires strung along the highway. I think it is because they didn't want many people to see how outrageous this project is. In erecting the story poles, a street light was broken off. It laid in front of the lot for months. I finally called the city and the DWP to remove it, which they finally did. The light has not been replaced. It is now dark at night east of our home. Every other telephone pole has a light on it.

I have been brief in order to give our attorney an opportunity to provide more detail and to raise additional considerations.

Thank you for listening, and hopefully reevaluating your staff recommendations.

Mayor Wagner and the Honorable Members of the City Council:

Thank you for allowing this presentation. I am counsel for Mrs. Dorinne Graves and Mr. Dennis Graves. We are here because of the serious and significant concerns my clients have over the safety and stability of their home, which is next to the applicant's proposed project.

We understand that in May 2019, the City's geotechnical consultant (Sub Surface Designs, Inc.) submitted a letter addressing my clients' concerns. However, the seawall to protect the OWTS from storm surge is 18" from my clients' pilings was not addressed. As Mrs. Graves stated at the October 1, 2018, Planning Commission hearing, the seawall as proposed will force water sideways and thereby directly affect the two homes adjacent to the proposed project. This issue remains a serious concern.

The geotechnical engineer stated that the previous home at 20222 PCH was demolished due to storm damage. That's an incomplete and uninformed statement. **My clients' family lived there through the Big Rock slide.** The 20222 PCH house was pushed out, and slowly continued to move until it was pushed into my clients' house, which is why it was demolished. Just look at the pilings at 20218, just east of the lot. There is a picture in the record on page 151, or on pages 4 and 5 of the handout we have (which is also in the record). That house was also pushed out by the slide, just not as severely. There is a 14" drop from the front of the house to the beachfront deck.

In the October 12, 2018, Coastal Commission letter, it's noted that the applicant's lot does not meet the factor of safety and the Coastal Commission does not agree with the impact on site stability. Further,

the Coastal Commission's letter notes that there has not been adequate demonstration by City Staff that the project will not have significant adverse impacts on the site stability or structural integrity from geologic, flood, or fire hazards. The Coastal Commission's letter states:

"Additionally, LIP Section 9.3(A) requires written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity and other potential hazards relative to the proposed development must be included in support of all approvals, denials or conditional approvals of development located in areas subject to potential hazards. The findings shall explain the basis for the conclusions and decisions of the City and shall be supported by substantial evidence in the record. In this case, the site is located within the Big Rock Mesa landslide and although the staff report concludes that the proposed project will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards, we do not agree that this has been adequately demonstrated. The staff report does not specifically address how the proposed project, located on a landslide, has been designed and conditioned to ensure stability of the proposed development and project site."

The letter continues on that the applicant's request for a variance to construct the single-family residence on property that does not meet the factor of safety requirements as set forth in Local Implementation Plan ("LIP") Section 9.4(D) is NOT appropriate, and the City Staff report does not include adequate support for this Council to rubber-stamp the variance recommendation.

Local Implementation Plan ("LIP") Section 9.4(D)1. specifically states that "The analyses shall demonstrate a factor of safety greater than or

equal to 1.5 for the static condition and greater than or equal to 1.1 for seismic condition. "Shall" is a mandatory term.

Under LIP Section 13.26.5A, in order to grant variances, there must be "substantial evidence that THERE ARE SPECIAL CIRCUMSTANCES OR EXCEPTIONAL CHARACTERISTICS APPLICABLE TO THE SUBJECT PROPERTY, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classifications."

With the applicant's project, there are no such applicable "special circumstances or exceptional characteristics."

Resolution 18-75 adopted on November 5, 2018, simply refers to the "special circumstances or exceptional characteristics" language, but there's no "substantial evidence" to support those references. For variance No. 17-026 – to reduce unenclosed parking requirement – the resolution simply refers to the "narrow 34 feet of frontage of the lot" as the basis for the required "special circumstances or exceptional characteristics." A narrow frontage is a natural characteristic of this property and is certainly not "special" or "exceptional."

As to the variance from the required geologic factor of safety, again, there must be "substantial evidence that THERE ARE SPECIAL CIRCUMSTANCES OR EXCEPTIONAL CHARACTERISTICS APPLICABLE TO THE SUBJECT PROPERTY." The only "special circumstances" the resolution refers to is the fact that "the location of the subject site [is] within the Big Rock Assessment District." This is not a special circumstance nor is it exceptional. It's simply a statement of fact. Again, there must be substantial evidence why the variance should be granted. There is none articulated....

In the other part of the resolution dealing with variance for construction on slopes in excess of 2.5 to 1, the terms “SPECIAL CIRCUMSTANCES OR EXCEPTIONAL CHARACTERISTICS” do not appear at all. Why NOT? The resolution simply states that if a variance is not granted and the zoning ordinance is strictly applied, then this would “prevent the construction of a single-family residence.” That is not a special circumstance or exhibit exceptional characteristics. The resolution simply concludes, without factual support, let alone substantial evidence, that “the installation of piles into the slope will not result in instability to the site.”

We believe variance 18-042 to allow building on slopes steeper than 2.5 – subject to landslide activity -- will have a significantly negative impact on my clients’ property and may even undermine the highway. The bottom line is it's just dangerous to increase weight or add more water anywhere in the AD 98-1 right now.

As to the “scenic, visual, and hillside resource protection” section, the statement by Staff that “the proposed residence will blend in with the surrounding development” is misguided. The proposed house is 3 levels, 2 stories plus a raised front structure to the maximum height allowed. In the mile from the Big Rock signal to the Moonshadows, there are only 11 two story homes, and they are all just west of the signal. The proposed building is inconsistent with the neighborhoods’ character.

On January 8, 2019 (AND ALSO presented to the City Council on June 10, 2019, by Jo Drummond, a BIG ROCK MESA PROPERTY OWNER’S ASSOCIATION Dewatering Committee member and Board member), there was a report presented at the Big Rock homeowners Assoc. meeting cautioning them to cut down on their water use due to the possibility (even probability) of causing another slide. It included the

statement "We have been warned that the slide may be reactivated if we do not decrease our water usage." This was just before our huge rain storms.

As the Council well knows, this report, a detailed 87-page analysis, is called the GEOLOGIC ASPECTS OF REDEVELOPMENT -- BIG ROCK MESA LANDSLIDE AREA and was prepared for the BIG ROCK MESA PROPERTY OWNER'S ASSOCIATION by E.D. MICHAEL, Consulting Geologist, on November 20, 2018. As Mayor Wagner is well aware, the deteriorated de-watering system in Big Rock will take years to repair. Adding the current project to a precarious situation is irresponsible. The current application is the first to come before the City Council after the Council was made aware of Mr. Michael's report. I urge the Council to take seriously the dire conclusions and recommendations contained in Mr. Michael's report and analysis.

In his conclusion section, he wrote: "The field data developed for this review, although only of a reconnaissance character, justify the conclusion that the evidence most reasonably implies renewed movement of the slide debris mass as a unit, rather than simply indicative of localized internal readjustments of stress, although both conditions could be occurring simultaneously.

Mr. Michael also wrote: "The badly deteriorated condition of the BRM de-watering system is to be regarded without more as symptomatic of a single overriding defect a failure to rehabilitate. Furthermore, not nearly enough is done to limit the extent to which ground water saturates the subsurface both in the slide debris mass and almost certainly in a section underlying the mass as well."

Mr. Michael cautioned that "Throughout the BRM area, enlarging developments accompanied by a departmental policy of Public Health, or Public Works, or both, that simply forbids increased water usage of a

redevelopment over that which applied originally – apparently a sort of honor system – which while perhaps politically or sociologically acceptable elsewhere in Malibu, certainly has no place in the BRM area where only pious assurances are acceptable to the City while ignoring the necessity to increase the water demand due to the occupancy of those four bunk beds in the room labeled on the plan: “Library,” or some such similar ploy.”

Ominously, Mr. Michael cautioned: “The fact that water currently imported to the BRM system is well in excess of that when the BRM landslide occurred, should be taken as a warning that slide reactivation is imminent. The force that caused the failure in 1983 may have been far more than that now sufficient to reactivate the main slide debris mass. It is to be presumed that a basal surface now exists that has significantly less shear strength than that which was overcome in 1983.”

Despite these warnings, it's our understanding that Chris Dean, the City geologist, has not responded to Mr. Michael's report other than to say that the scope of Mr. Michael's analysis is not within his (Chris Dean's) expertise. As of now, Mr. Michael's report, analysis, recommendations, and conclusions are undisputed.

The Geotechnical Engineering firm makes recommendations to monitor movement. My clients request that they be made mandatory, and that the seismic monitoring of all my clients' east facing piles be monitored daily, if not two or three times per week. A lot can go down in a week!

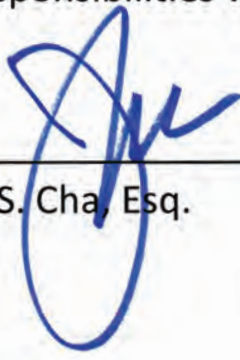
Variance 15-021 to reduce parking spaces from 4 to 3. Along the highway, there are already significant problems with parking. The proposed project is over twice as big as the other houses in the surrounding area. There will invariably be more than 3 cars, and the real concern is that these additional cars will park in front of my clients'

property and others. That variance to reduce to a single uncovered parking on PCH is, therefore, unacceptable as proposed.

My clients' bedroom windows and front patio will be in shade ½ the day because of the height proposed. The project's proposed front door is 9 feet across from my clients' bedroom windows and opens toward my clients' house. There will be no privacy for either home. This feature of the proposed construction must be altered.

The applicant bought this "package" (lot, plans, reports) in March 2018. They do not know Malibu or what living on a highway entails. When the story poles were erected, they were up for only 3 days, because there was concern the wind could blow them into the electric cable and phone wires strung along the highway. There is a picture in the report (on pages 152 and 153) showing how out of character this project is, and how potentially dangerous it can be if those wires are touched. In erecting the story poles, a street light was broken off. It laid in front of the lot for months. My clients finally called the City and the DWP to remove it. It is now dark at night east of my clients' home.

Thank you for the opportunity. I hope the City Council will undertake its responsibilities with the seriousness these issues present.



John S. Cha, Esq.

October 15, 2019

TO: California Coastal Commission

FROM: Dorinne Graves & Dennis Graves (Appellants)

Owners 20224 Pacific Coast Highway
Malibu, CA. 90265

RE: Appeal of the City of Malibu City Council approving Coastal Development Permit No. 15-042 to construct a home on the coastline at 20222 Pacific Coast Highway.

The Planning Commission, on November 5, 2018, approved resolution 18-75 to build on a vacant lot, vacant for 35 years due to the Big Rock Mesa Landslide in 1983. In this approval, they awarded three variances, two of which seriously jeopardize the safety of our home, as discussed below:

- (1) Variance 18-042 to allow building on slopes steeper than 2.5 – subject to landslide activity: this will have a significantly negative impact on our property and may undermine the highway. In the October 12, 2018, Coastal Commission letter, it's noted that the applicant's lot does not meet the factor of safety and the Coastal Commission does not agree with the said impact on site stability. Further, the Coastal Commission's letter notes that there has not been adequate demonstration by City Staff that the project will not have significant adverse impacts on the site stability or structural integrity from geologic, flood, or fire hazards. The letter continues on that the applicant's request does not meet the factor of safety requirements as set forth in LIP Section 9.4(D).

On January 8, 2019, there was a report presented at the Big Rock Homeowners Assoc. meeting cautioning them to cut down on water usage due to the possibility of causing another slide.

- (2) Variance 15-022 to reduce the required geotechnical factor of safety related to the underlying landslide. This would significantly endanger our home, because it has an adverse impact on site stability.

On November 20, 2018, E.D. Michael, Consulting Geologist, presented a report entitled "Geologic Aspects of Redevelopment Big Rock Mesa Landslide Area". He noted that the deteriorated de-watering system in Big Rock will take years to repair. He wrote "The field data developed for this review, although only of a reconnaissance character, justify the conclusion that the evidence most reasonably implies renewed movement of the slide debris mass as a unit, rather than simply indicative of localized internal readjustments of stress, although both conditions could be occurring simultaneously."

The applicant's geotechnical consultant (Sub Surface Designs, Inc.) made only two borings, 25 feet apart, to substantiate their findings: one is on the cliff, and one (only five feet deep) in the sand. My understanding is that borings should be over the entire area and only 10 feet apart. Our beach changes constantly: only rocks, then in the last three months, four feet of sand.

The applicant's team has made many assurances that this project will not affect the neighboring properties. However, they have not demonstrated specifically how this will be accomplished, other than how their pilings will be drilled.

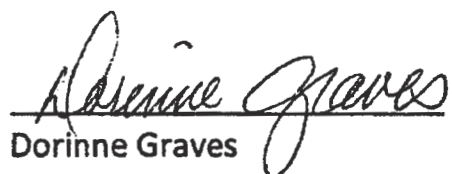
The lot at 20222 PCH is at the toe of the Big Rock Mesa landslide.

The proposed plans call for a sea wall to be built 18 inches from our pilings. This is to protect their onsite wastewater treatment system (OWTS) from high tides. However, the waves will hit the wall and bounce back directly into our pilings, undermining their stability. A majority of our home sits on piles. Tides hit this area of our piles constantly, but now, have no backwash. Waves angle in from the west. The proposed sea wall will push water directly into our piles. I understand the sea wall can only be 42" tall. Is this 42" from the rock beach we have in the winter, or 42" from the sand we have in the summer? Either way, it will be huge, or covered with sand – if it doesn't preclude the coming and going of sand on our beach.

In the Planning Commission Resolution No. 18-75, they say the proposed project "will blend in with the surrounding development". This is absolutely untrue. They also stated that "the project has been conditioned to require a floodplain variance from the City Council for the construction of the seawall and AOWTS". This has not been discussed!

In the mile from the Big Rock signal to the Moonshadows Restaurant, there are only 11 two-story homes – all of which are just after the Big Rock signal. Within 500 yards each direction from this lot, all homes are one-story above street level. The proposal for a two-story, three-level home built to the maximum height allowable is totally inconsistent with the neighborhood character. This proposed house has 46 fixtures. Our home, and the others on our beach have 16 to 20 fixtures.

In summary, the applicant wishes to build a house that is more than twice as large as its neighbors and requires new construction and a sea wall 18" from our piles. Both the construction process itself and the result of the construction threatens the stability of our home.


Dorinne Graves


Dennis Graves

October 15, 2019

Statement by Darren Graves:

The primary concerns regarding CDP 15-042 are tied to the geologic and structural hazard that the proposed development may cause on adjacent properties, 20224 and 20218 Pacific Coast Highway.

While the May 1 letter from SubSurface Designs addresses some of my concerns, I believe that all provisions of the letter need to become conditions of approval if this CDP is to move forward. I also would like to make it clear that the geotechnical recommendations established in the February 2015 report by SubSurface Designs were written for the previous owner of the property, not the applicant of the current project. The previous owner heeded the warnings in the report, and determined that the construction would be either too costly or too risky to proceed, and has since sold the property to the applicant, who may not be aware of the risks inherent in the proposed development. Accordingly, it would appear the applicant is choosing to move forward without taking into consideration all of the recommendations in the geotechnical report or the recent report by ED Michaels, which has determined that the dewatering efforts of the BRM are not enough to prevent another landslide. Building at the toe of the BRM is a risky and irresponsible endeavor at this point.

The May 1 letter from SubSurface Designs does not address the timber wall or the concrete stairs, the two elements which are the closest to adjacent properties. The timber wall, (which the City Staff corrected us, is not a seawall) looks like it is supported by a timber bulkhead which is going to be 28 inches from easternmost piles which support 20224 Pacific Coast Highway, while the concrete stair will be 10 inches away from the existing piles of 20218 Pacific Coast Highway. (These elements are indicated on Sheets A2.1 and A2.2 in the CDP, which are pages 180 and 181 in the Agenda from the Malibu City Council Meeting). **The proposed plans by AT Torres are too preliminary to ascertain the construction process by which these elements will be formed, but in my experience overseeing residential, commercial and healthcare construction projects for the last 15 years, such elements require excavation, and such excavation so close to wood piles is risky at best, regardless of what consulting firms may state. In my experience, geotechnical firms are 40 percent correct, if borings are taken at every 10 feet on center across the subject parcel. The findings presented by the applicant and City Staff do not make it clear how many borings were taken on the subject parcel, except on Sheet A2.1, I see that there is one boring indicated in the cliff, rather than in the sand, and one test pit in the sand. These are over 25 feet apart, and may not reflect the actual subsurface conditions. The excavation associated with constructing these elements will most likely present a hazard for both properties, especially when one considers that the piles of 20218 Pacific Coast Highway are not protected by concrete or any other type of encasement or reinforcement. Accordingly, we would like to propose a condition of approval to have both adjacent structures monitored daily during excavation and construction, if this is allowed to move forward.**

Finally, I have concerns about the proximity of the proposed structure to the adjacent structures as it relates to shadowing, privacy and fire safety. The proposed development has 28 feet of occupied space above Pacific Coast Highway and 41 feet of occupied space above the sea-facing side of the property. In order to achieve that space, AT Torres has masterfully designed a project which exploits the LIP, and has created a tiered floor system which creates 3 livable floors which are actually seen as 2 stories, not 3.

However the height of the project will cast shadows on the adjacent properties, thus mitigating any potential energy saving solar panel installations adjacent properties may want to use in the future. LADBS and the State of California have adopted 2016 CalGreen Building Standards Guide; section A4.106.7 prohibits the shadowing of solar panels; while the adjacent properties currently do not have solar panels, the only place they could have them (the roof) would be severely limited by the proposed development. I would hope the City of Malibu, as it is very environmentally conscientious, would protect the ability for homeowners to generate solar power on their rooftops, rather than allow development which precludes such a sustainable approach to energy creation.

The proposed development will have two and three story walls which are approximately 40 inches away from 20224 PCH and 72 inches away from 20218 PCH (as indicated on Sheets A2.2 and A2.3 prepared by AT Torres, which are pages 182 and 183 in the Agenda from the Malibu City Council Meeting). You may also see this on pages 6 through 9 of the document we prepared for the Planning Commission on Oct. 15, 2019.

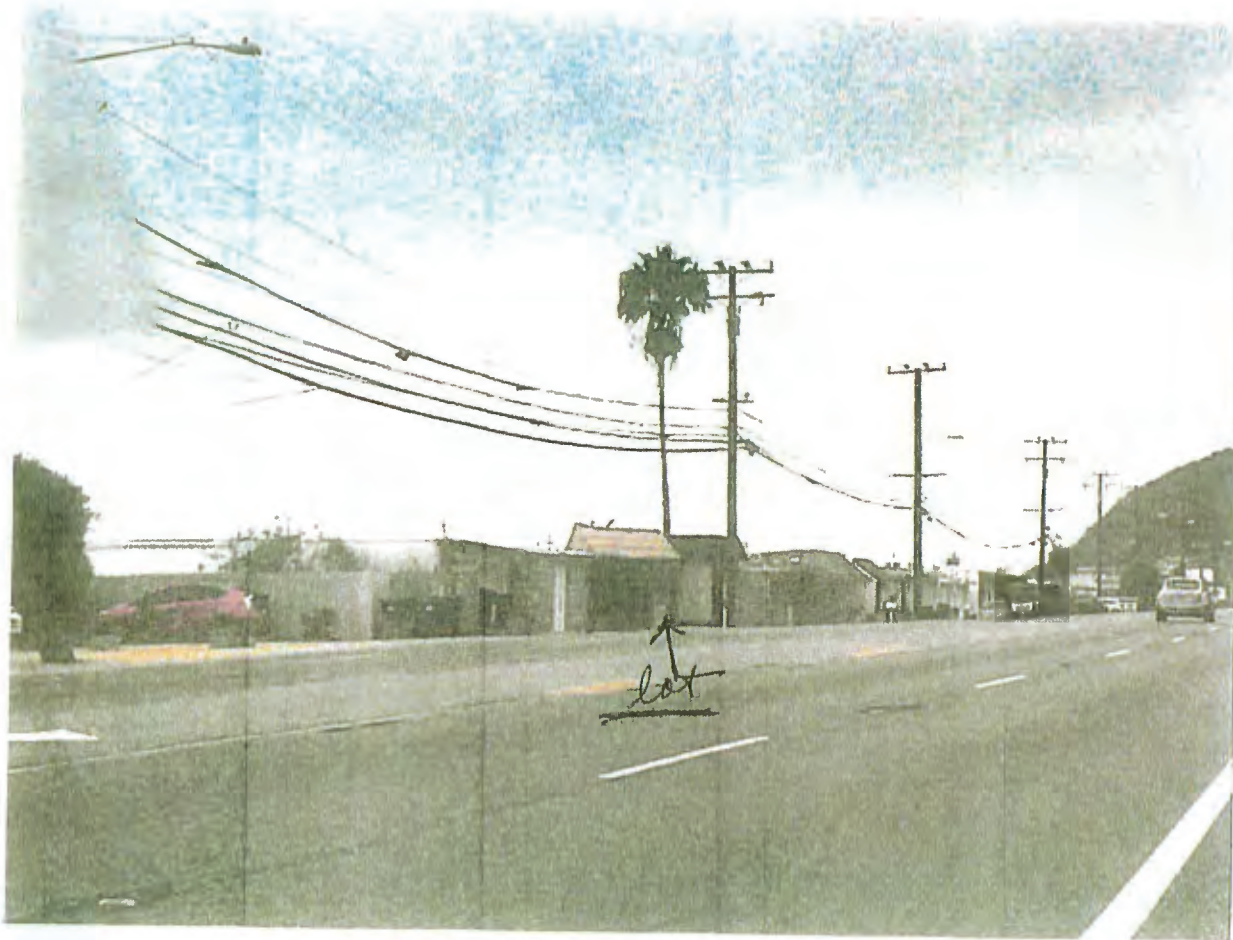
The roof level patio, which will serve as a dining room and outdoor recreation area, is located 2 feet higher than the highest point of adjacent rooftops, and 12 feet higher than adjacent balconies. It will allow future inhabitants to look down on the rooftops and balconies of all 6 structures that are within 100 feet of the subject parcel, and there is a glass handrail section on both the east and west side of the patio that will allow the inhabitants to see directly into bedroom windows of both 20224 and 20218 PCH, as indicated on page 12 of the handout (page 171 of the Agenda from the Malibu City Council Meeting). This glass handrail, while a nice aesthetic touch by Mr. Torres to break up the monotonous façades of the proposed house, violates privacy of the adjacent properties. I believe the council should also be made aware that the front door of the proposed structure will be 9 feet away and facing a bedroom window in 20224 Pacific Coast Highway, which could be construed as an overt violation of privacy for both the applicant and the existing property owners, as well as a breach in the fire rating requirements of such close structures, unless this is a fire rated door. The plans are too preliminary to determine, but I would argue that both the east and west walls of the proposed development be constructed with a 1 hour fire rating, in accordance with 2016 CBC Chapter 7. I understand that this house will also need to be fully sprinklered, but I see no indication of fire sprinklers in the documents by AT Torres. Finally, Sheet A2.4 in the proposed plans indicates a fireplace; please have the City Staff confirm that this is not a wood burning fireplace, which is illegal in new construction in the State of California.

In conclusion, I believe the proposed development is too big, too risky, and too irrespective of the rights of existing homes to be allowed to move forward. I believe the CDP needs to be amended to take into consideration all of the points raised in the Malibu City Council Meeting and raised by the Coastal Commission.

Thank you for your consideration.



Darren Graves



PCH - Big Rock - area of
proposed building.



our
home
20224

lot
20222

piling at 20220¹⁸ PCH

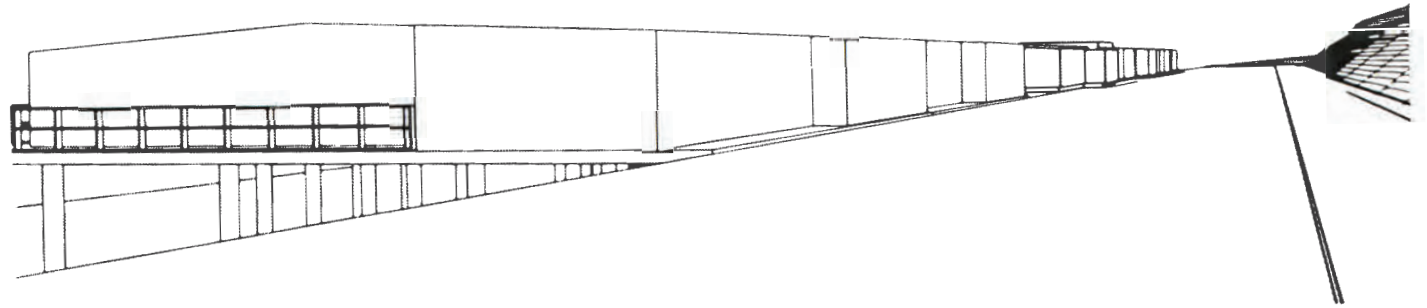


proposed
building—
totally out
of proportion
to area.

height
unacceptable



MOONSHADOWS AND PACIFIC COAST HIGHWAY



in response to COASTAL DEVELOPMENT PERMIT
15-042

Darren Graves
October 15, 2018

RE: Coastal Development Permit 15-042
APN 4450-0053-012
20222 Pacific Coast Highway

The project proposed under Coastal Development Permit 15-042 consists of 2536 sq. ft. of new residential space, and accompanying development, and is being filed with three requests for variances.

Please consider the enclosed studies* when taking this planning application under review; the contextual diagrams of the project vicinity illustrate that this proposed project should not be exempt from the California Environmental Quality Act nor does the project application prove that it need not comply with LIP Section 13.26.5 (Geologic Factor of Safety).

The neighborhood immediately adjacent to the project in question consists of single-story, 1200 sq. ft. beach cottages. Moonshadows Restaurant serves as the landmark for this beachside enclave, and it is also only a single story tall. A multi-level, tiered party house is not a reasonable addition to this streetscape. We also believe that this proposal will be a detriment to the beachscape and create a structural risk to existing properties on Assessors Parcel Numbers 4450-003-011 and 4450-003-013.

Thank you for considering this study in correlation with the above mentioned Permit Application.

- Darren Graves
October 15, 2018

* The enclosed studies are based on planning documents submitted to the City of Malibu, released in item 5.A in the Commission Agenda Report for October 15, 2018

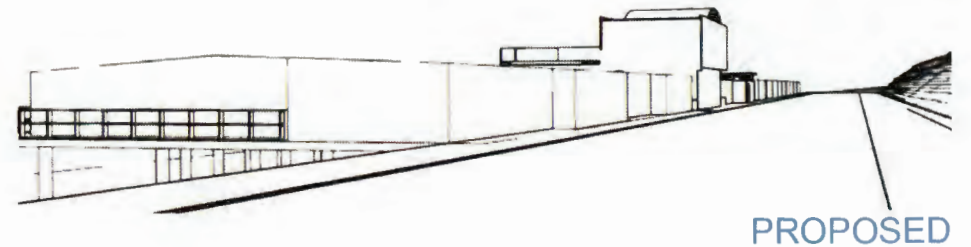
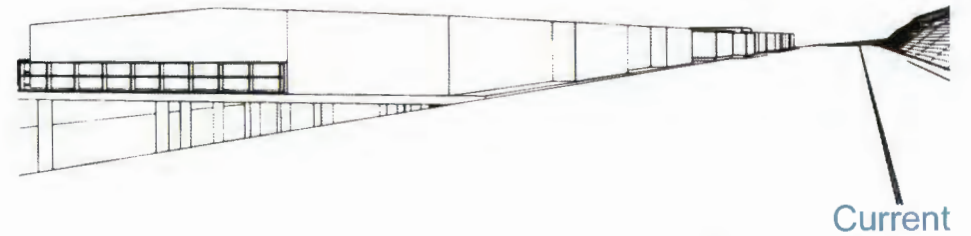
RE: Coastal Development Permit 15-042
APN 4450-0053-012
20222 Pacific Coast Highway

The Big Rock Mesa Landslide subject property 20272 Inland Avenue which has been granted a variance along the same lines as Variance 15-022 shall not be compared to the property at 20222 Pacific Coast Highway, as the former sits on top of the Big Rock Bluff, while the latter property (20222 PCH) sits at the base of the bluff. It is clear that the steep slope between Pacific Coast Highway and the beach needs to be properly shored up if there is to be any construction on Parcel 4450-003-012.

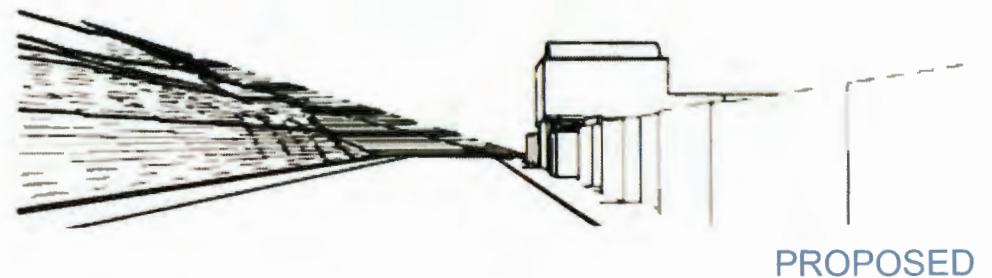
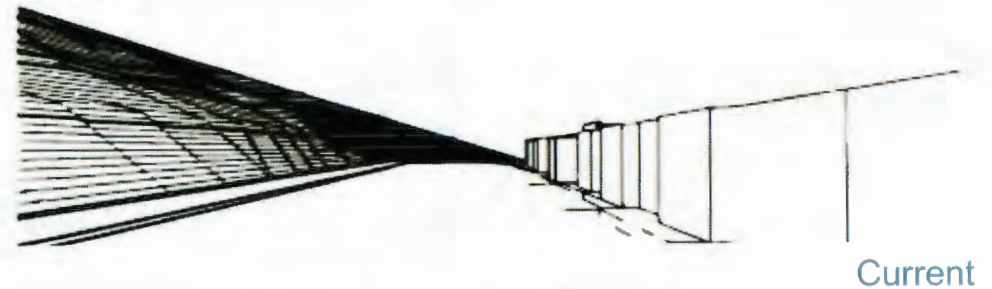
An 18 inch thick shotcrete wall (as shown on Section A4.1 from A. T. Torres submittal) seems wholly inadequate for shoring up PCH and the tributary loads from Big Rock Mesa Land Bluff.



LOOKING WEST DOWN PACIFIC COAST HIGHWAY



LOOKING EAST DOWN PACIFIC COAST HIGHWAY



The proposed development under Coastal Development Permit 15-042 is enormously out of context. All existing single family dwellings within the vicinity of 20222 Pacific Coast Highway are approximately 10 feet tall. The proposed project is 28 feet tall...

....almost three times taller than its neighbors.

LOOKING WEST DOWN BEACH (PACIFIC SIDE)



The proposed development under Coastal Development Permit 15-042 will require structural shoring walls (to allow for drilled piers to be constructed) within 18 inches of (e) piles on parcels 4450-003-011 and 4450-003-013.

How does the geotechnical study or subsurface engineering report prove that these existing piles will not be disturbed during the course of construction of such a project?

To my knowledge, shoring for construction typically relies on soiled-nail embedment in earth, or bedrock, meaning, will we expect to see a soiled-nail shoring design? How will the shoring wall hold back sand and water?

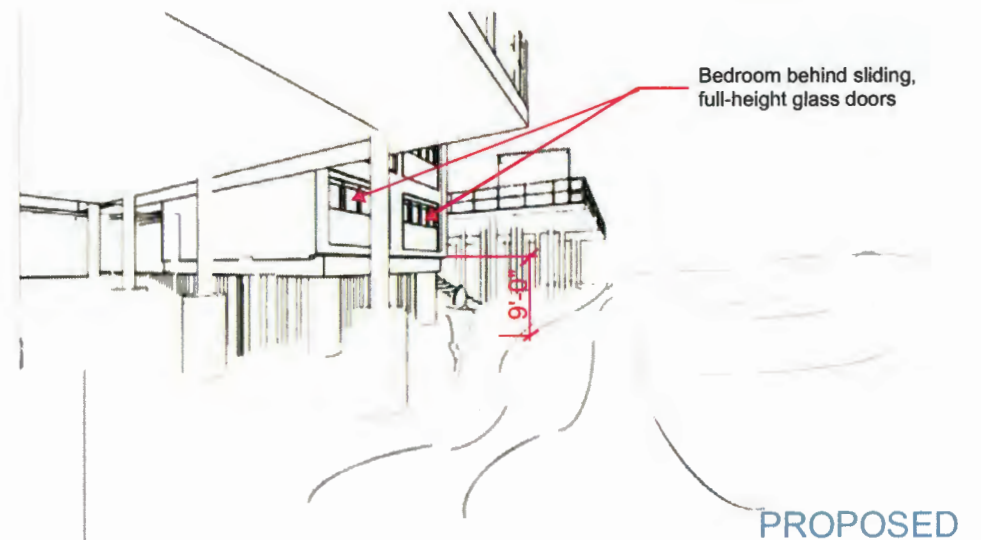


LOOKING EAST DOWN BEACH (PACIFIC SIDE)



The proposed development under Coastal Development Permit 15-042 will bring a very transparent pair of sliding glass door arrangements to within 9 vertical feet of the public beach below.

How does the proposed design respect the existing beach scape? No other houses along this stretch of beach have any windows or doors this close to the sand; if they do, they are solid wood doors that lead up a staircase, not a glass door that separate the beach from a private bedroom or bathroom.

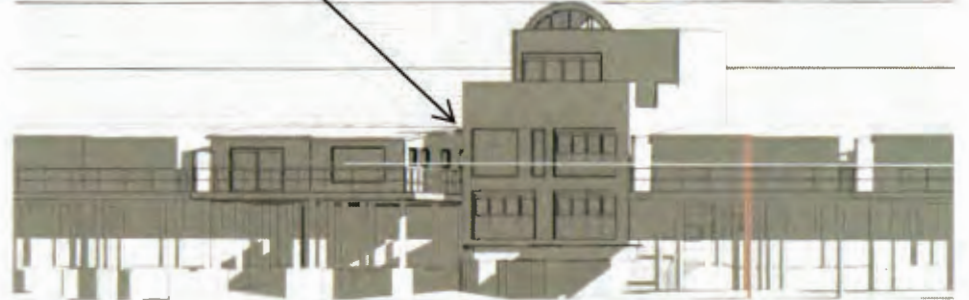


SHADOW STUDY



Sunrise- Current

All morning light is blocked from three windows



Sunrise-PROPOSED

Proper height house: morning light still in east facing windows for 20224 Pacific Coast Highway

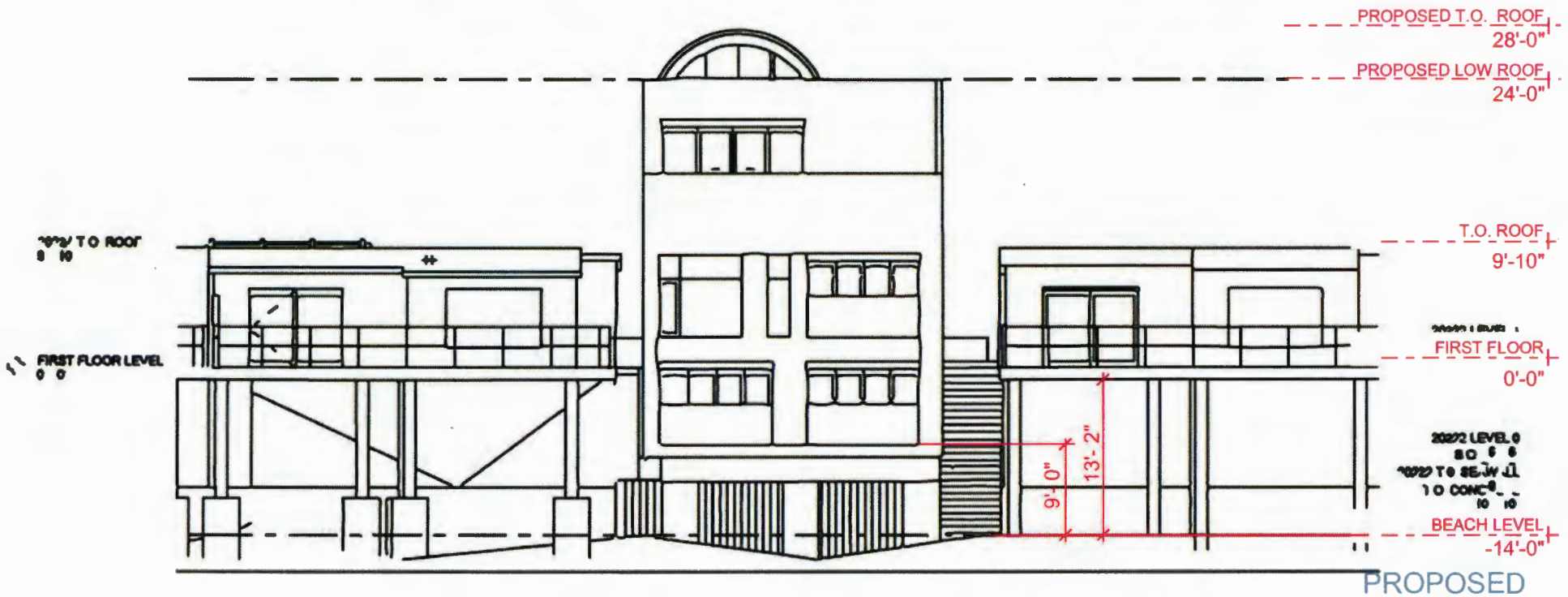
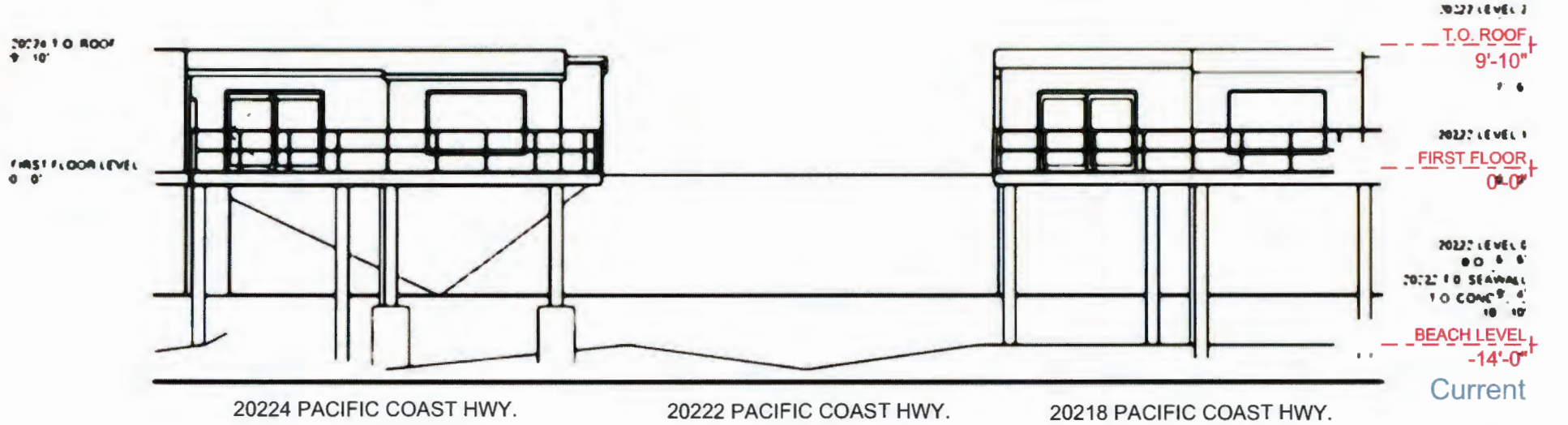


Sunrise-Ideal

The proposed development under Coastal Development Permit 15-042 will block the sunlight from adjacent properties on parcels 4450-003-011 to the West and 4450-003-013 to the east.

A properly sized proposal will not overwhelm the neighborhood in this manner.

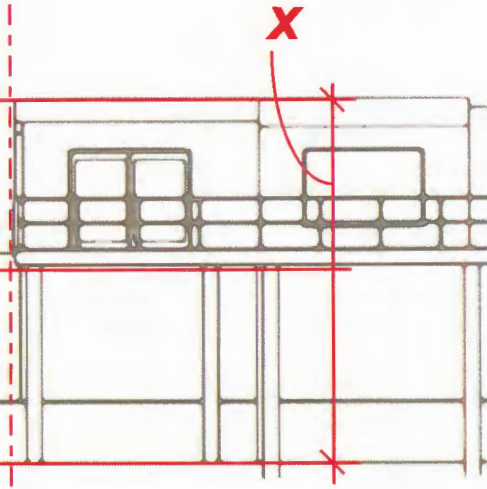
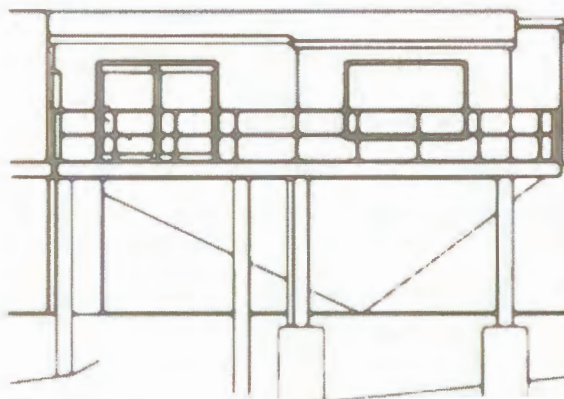
SOUTH ELEVATION STUDY



SOUTH ELEVATION MASSING STUDY

TOP TO ROOF
9'-10"

FIRST FLOOR LEVEL
0'-0"



T.O. ROOF
9'-10"

FIRST FLOOR
0'-0"

BEACH LEVEL
-14'-0"

Current

20224 PACIFIC COAST HWY.

20222 PACIFIC COAST HWY.

20218 PACIFIC COAST HWY.

PROPOSED T.O. ROOF
28'-0"

PROPOSED LOW ROOF
24'-0"

3.5x

only 28 inches of space between (e) pile and shoring for foundation work
Unsafe. Request structural and geotechnical review

T.O. ROOF
9'-10"

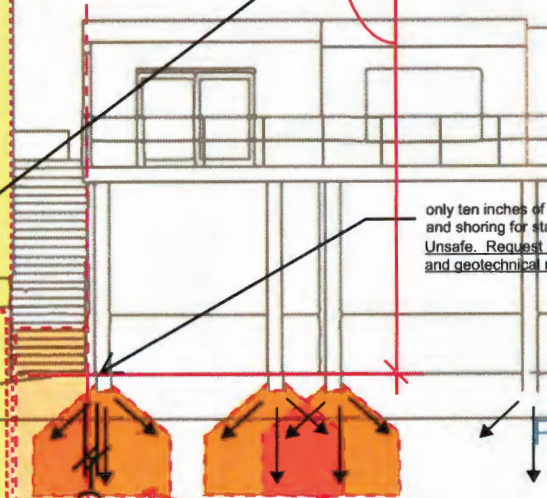
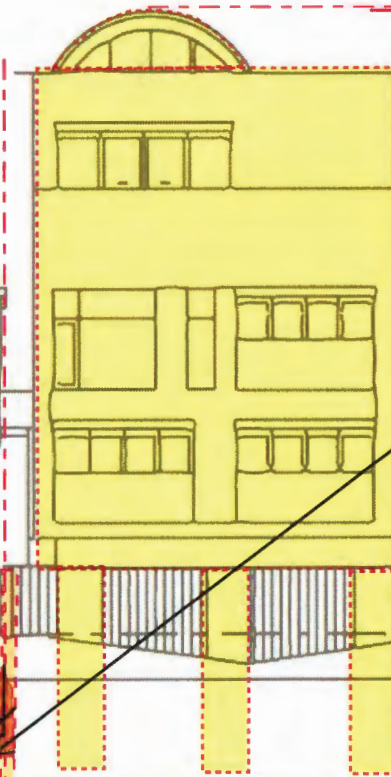
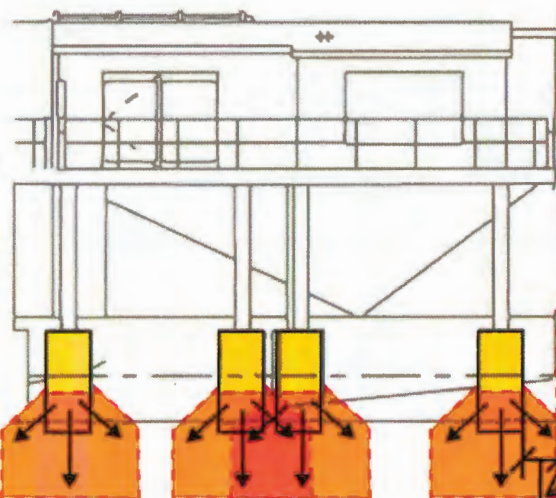
FIRST FLOOR
0'-0"

BEACH LEVEL
-14'-0"

PROPOSED

TOP TO ROOF
9'-10"

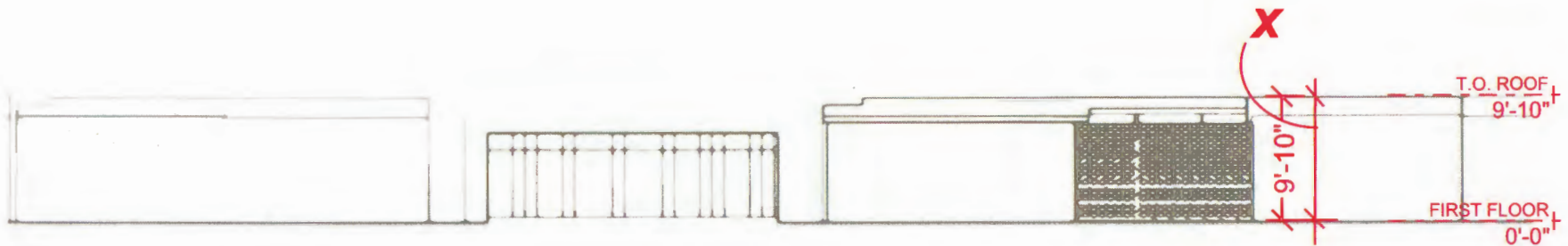
FIRST FLOOR LEVEL
0'-0"



only ten inches of space between (e) pile and shoring for stair.
Unsafe. Request structural and geotechnical review

Tributary load from pile

NORTH ELEVATION MASSING STUDY

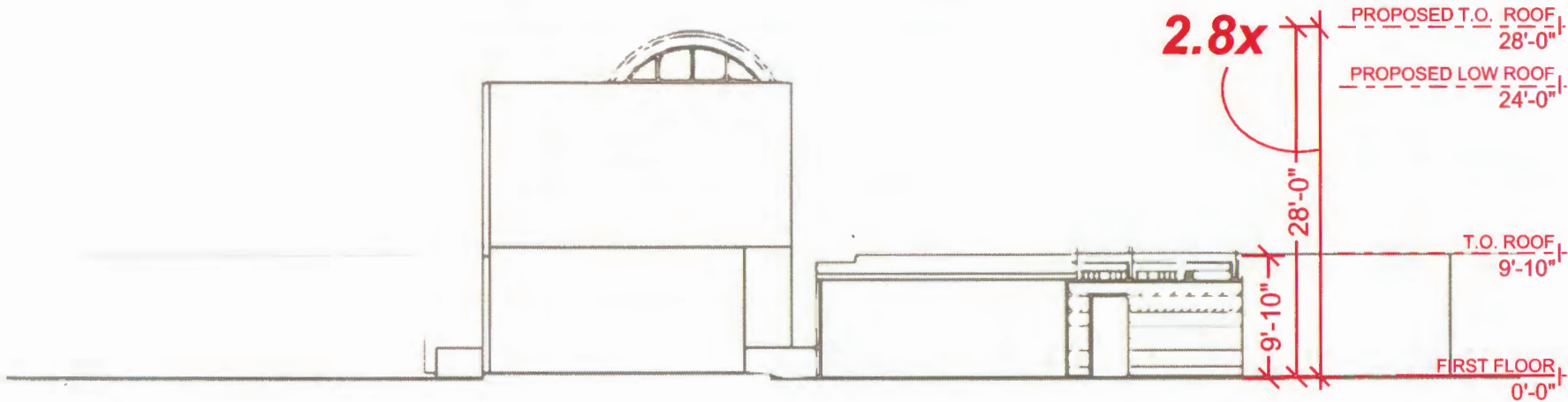


20218 PACIFIC COAST HWY.

20222 PACIFIC COAST HWY.

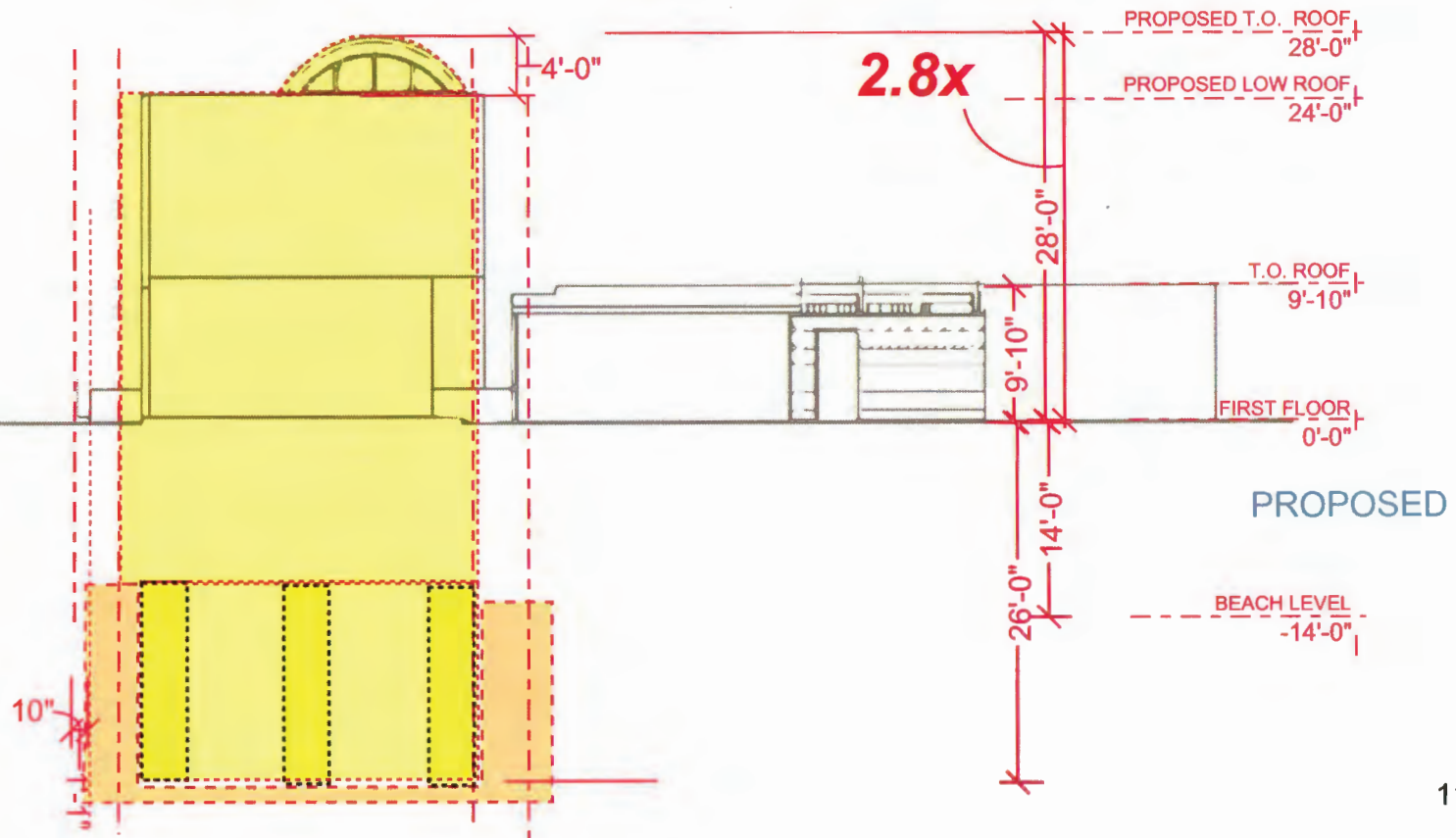
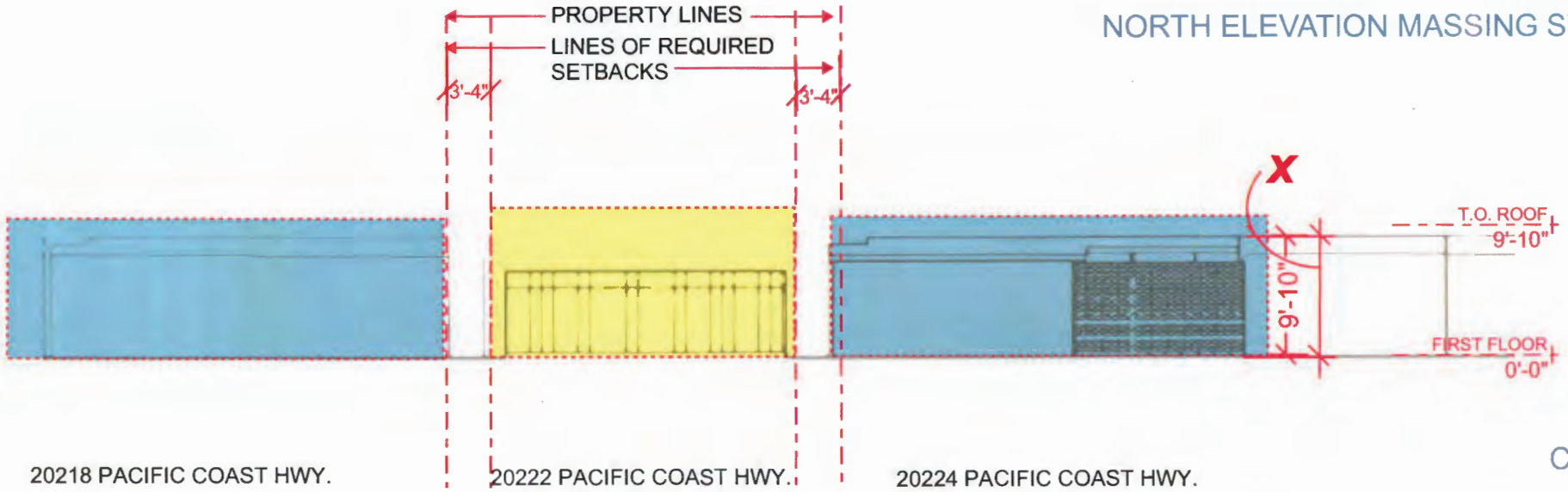
20224 PACIFIC COAST HWY.

Current

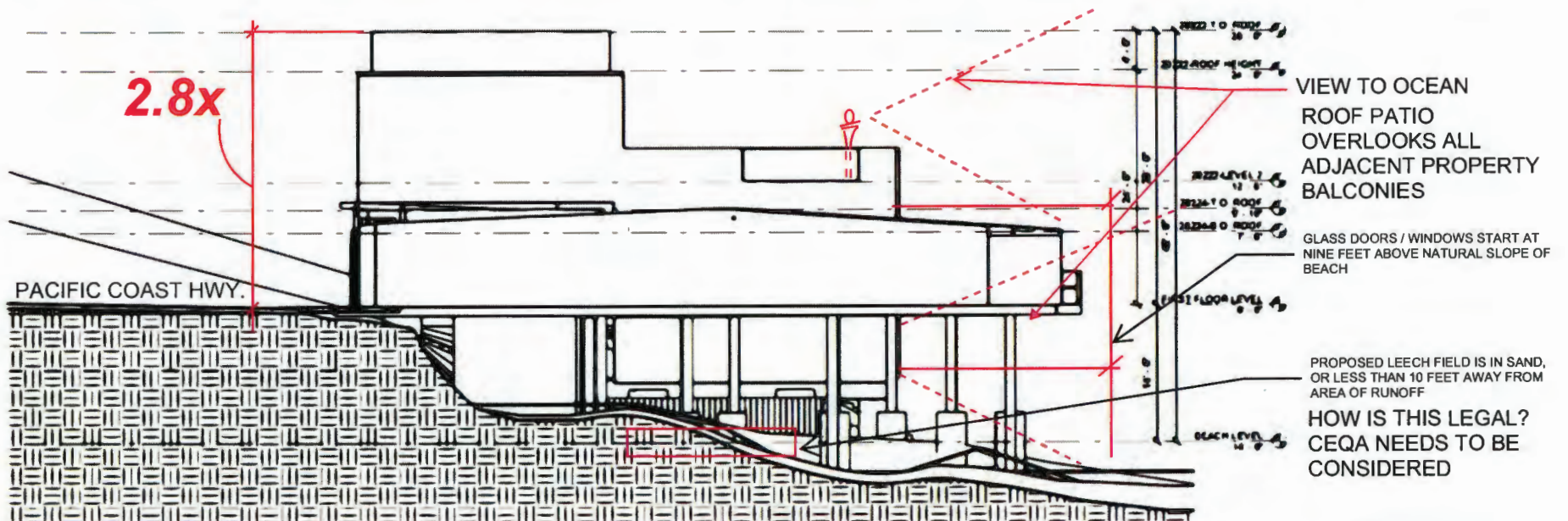
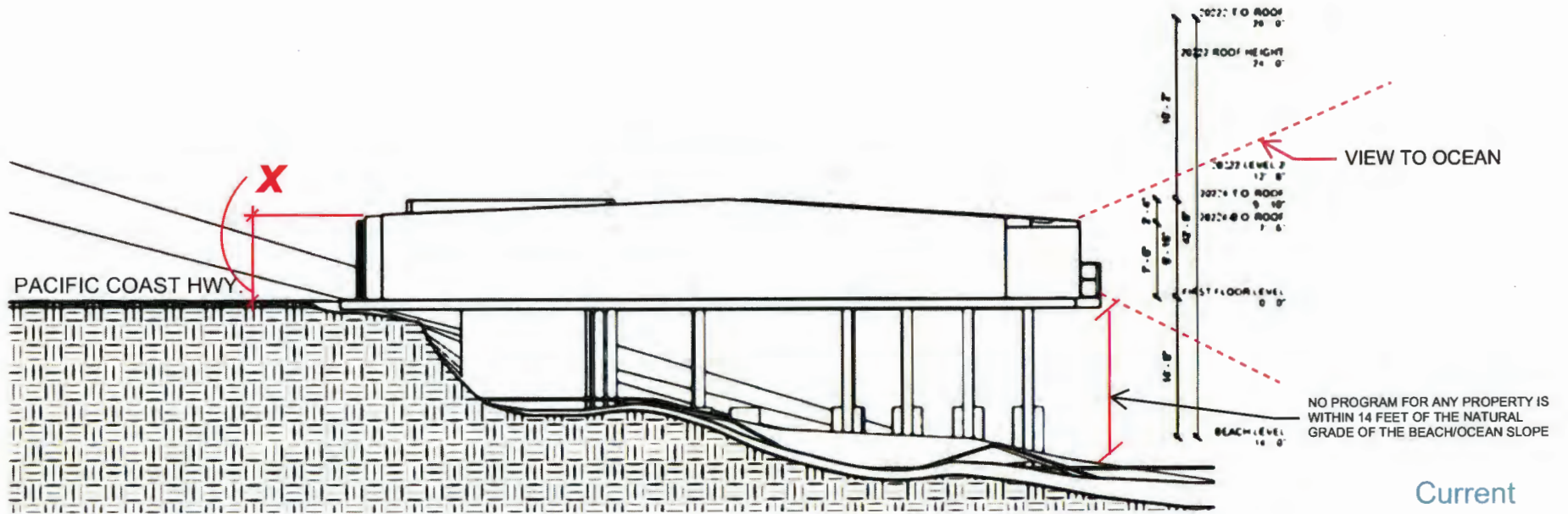


PROPOSED

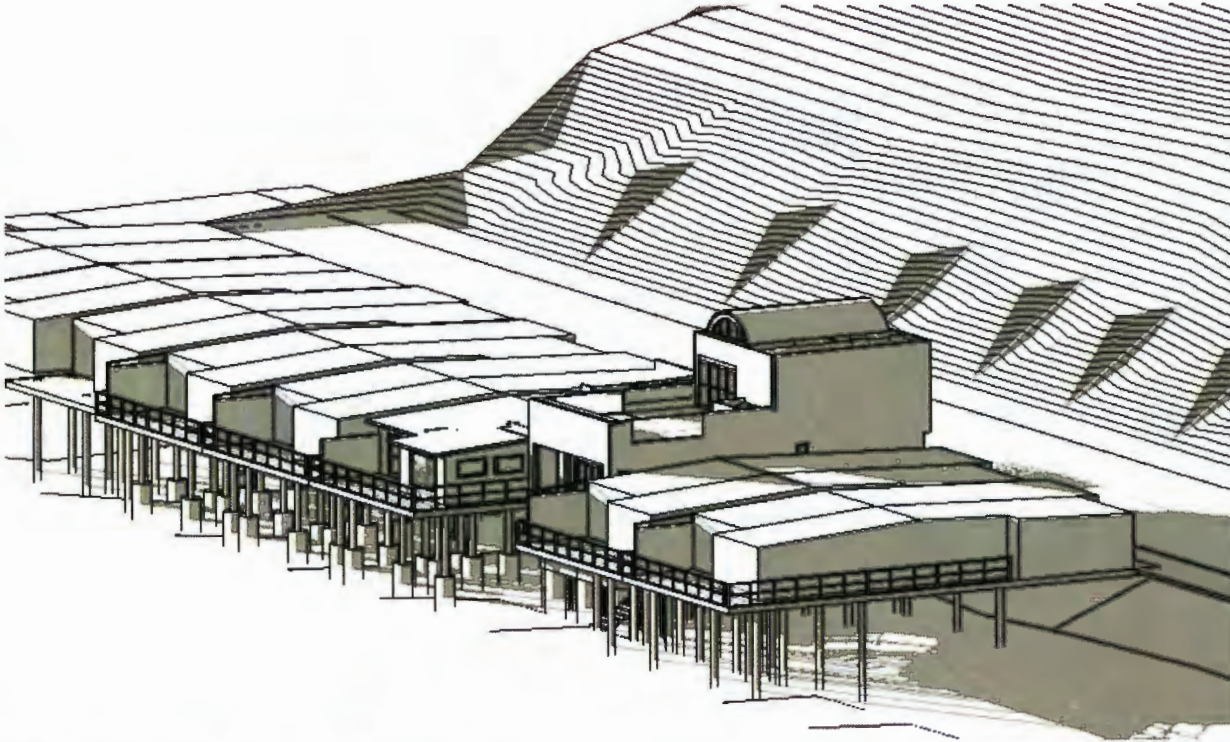
NORTH ELEVATION MASSING STUDY



SECTIONAL STUDY



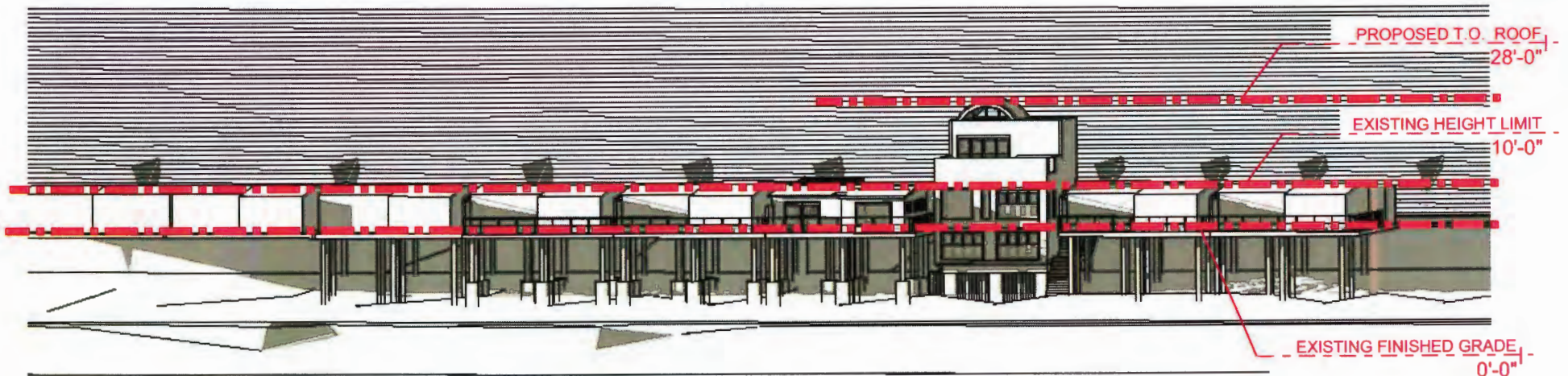
VOLUMETRIC STUDY



The proposed development under Coastal Development Permit 15-042 will block the sunlight from adjacent properties on parcels 4450-003-011 to the West and 4450-003-013 to the east.

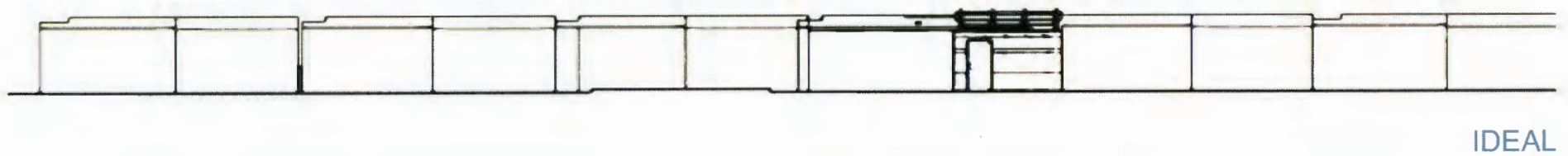
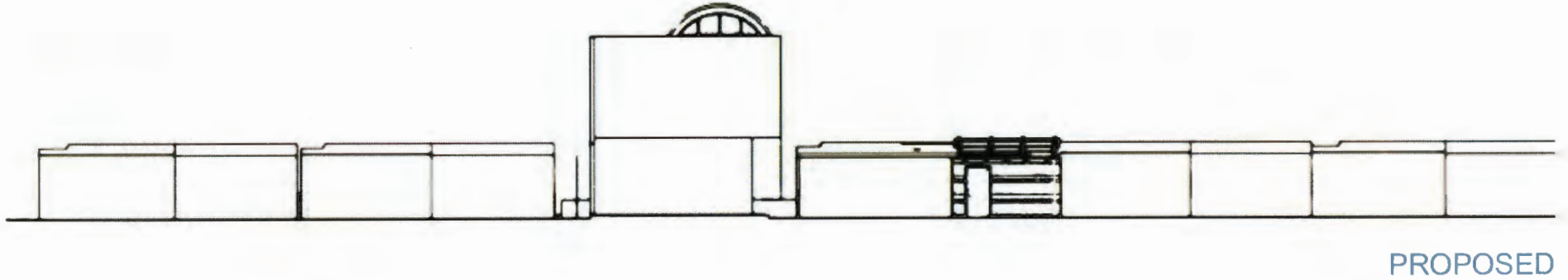
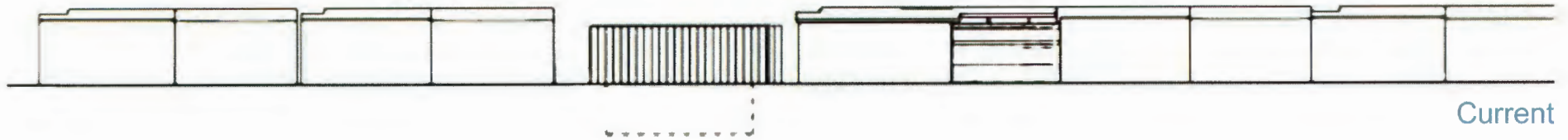
This proposed project will also invade privacy for all adjacent parcels, as the 'third level patio' is actually 2 feet higher than the existing roofs and twelve feet above the existing balconies on all six houses originally constructed on this stretch of Pacific Coast Highway in Malibu.

Considering the structural issues, geologic issues and concerns over planning and architectural design apparent in this permit application, please do not consider it for exemption from CEQA, LIP Section 13.26.5 or LIP Section 13.26.



EVIDENT HEIGHT LIMIT BASED ON
VICINITY STUDY 10' - 0"

NORTH ELEVATION STUDY



PROJECTS SUMMARY	
PROJECT CODE DATA	
BUILDING CODE 2013 CBC WITH CITY OF MALIBU AMENDMENTS	MUNICIPAL CODE 2002 CITY OF MALIBU LUP, LIP
OCCUPANCY: R3 GARAGE: U1	SFM
TYPE OF CONSTRUCTION: V-N	FIRE ZONE 4

PROJECT STATISTICS

CONSTRUCTION OF NEW TWO STORY SINGLE FAMILY RESIDENCE, NEW DECK,
NEW DOWNS AND BULKHEAD, NEW HOME TO BE FIRE SPRINKLERED

GROSS LOT AREA	=	2.881 SQ. FT.
ALLOWABLE SQ. FT. OF DEVELOPMENT AREA	=	EXEMPT
<u>PROPOSED NEW STRUCTURE:</u>		
LOWER LEVEL	=	636 SQ. FT.
FIRST FLOOR	=	842 SQ. FT.
GARAGE	=	407 SQ. FT.
TOTAL FIRST FLOOR	=	1,249 SQ. FT.
SECOND FLOOR	=	651 SQ. FT.
TOTAL _____	=	2,536 SQ. FT.

CONSTRUCTION OF NEW TWO STORY SINGLE FAMILY RESIDENCE, NEW DECK, NEW COWTS AND BULKHEAD NEW HOME TO BE FIRE SPRINKLERED		
GROSS LOT AREA		= 2,881 SQ. FT.
ALLOWABLE SQ. FT. OF DEVELOPMENT AREA		EXEMPT
<u>PROPOSED NEW STRUCTURE:</u>		
LOWER LEVEL		= 636 SQ. FT.
FIRST FLOOR		= 842 SQ. FT.
GARAGE		= 407 SQ. FT.
TOTAL FIRST FLOOR		= 1,249 SQ. FT.
SECOND FLOOR		= 651 SQ. FT.
TOTAL		= 2,536 SQ. FT.

IMPERMEABLE SURFACES:

TOTAL FIRST FLOOR	=	1,249 SQ. FT.
NEW DECKS AND WALKWAYS AT FIRST FLOOR	=	603 SQ. FT.
NEW DECKS AND WALKWAYS AT LOWER LEVEL	=	118 SQ. FT.
TOTAL PROPOSED IMPERMEABLE SURFACE AREA	=	1,970 SQ. FT.
ALLOWABLE IMPERMEABLE SURFACE AREA	=	EXEMPT
REQUIRED FRONT YARD SETBACK = AVERAGE OF ADJACENT PROPERTIES	=	$10' - 3" \div 4 = 2' - 10\frac{1}{2}" \div 2 =$

PROPOSED FRONT YARD SETBACK = 9' - 3"

REQUIRED SIDE YARD SETBACK = 10% LOT WIDTH OR 5' - 3" MAXIMUM

REQUIRED VIEW CORRIDOR = 0% OF LOT WIDTH OR 25' - 6" MINIMUM

PROPOSED SIDE YARD SETBACKS = 5' - 3" - 4' - 8"

THREE OFF STREET PARKING SPACES PROVIDED TWO IN GARAGE

CONSTRUCTION REQUEST SUBMITTED WITHIN THE 10' DRIVE ZONE

VARIANCE REQUEST FOR CONSTRUCTION IN A SLIDE AREA

LEGAL DESCRIPTION	
ASSESSOR'S PARCEL NUMBER : 4450-003-012	OWNER: KATE McCULLOUGH

ASSESSOR'S PARCEL NUMBER : 4450-003-012 OWNER: KATE McCULLOUGH

INDEX TO DRAWINGS
ARCHITECTURAL

A.0.1	COVER SHEET
	SURVEY
A.1.1	SITE PLAN
A.2.1	FOUNDATION PLAN
A.2.2	LOWER LEVEL FLOOR PLAN
A.2.3	FIRST FLOOR PLAN
A.2.4	SECOND FLOOR PLAN
A.2.5	ROOF PLAN
A.3.1	NORTH AND SOUTH ELEVATIONS
A.3.2	EAST ELEVATION
A.3.3	WEST ELEVATION
A.4.1	SECTION AA
A.4.2	SECTION BB

CONSULTANTS

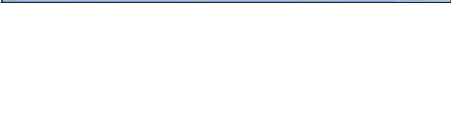
ENGINEERING GEOCOST: MARK TRIEDROCK CEG 1798 10000 104TH AVE. S. SILVERDALE, CA 94132 P 650-896-4000 WWW.JUNSIUSERFORDDESIGNS.COM	CONST. ENGINEER: REX K. BROWN PEAK SURVEYS INC. 10000 104TH AVE. S. SUITE #50 SILVERDALE, CA 94132 P 650-896-4000 WWW.PEAKCON.COM	SURVEYOR PEAK SURVEY GARETH CRITES PEAK SURVEYS INC. 10000 104TH AVE. S. SUITE D WEST SILVERDALE, CA 94132 P 650-896-4000 WWW.PEAKCON.COM
GEO TECHNICAL ENGINEER: JOHN MANN RCE 60293 SUBSURFACE DESIGN INC. 10000 104TH AVE. S. SILVERDALE, CA 94132 P 616-896-1595 P 617-896-4003 WWW.JUNSIUSERFORDDESIGNS.COM	SEPTIC ENGINEER: KEVIN POTTENFANGER PE 60699 EPO CONSULTANTS 10000 104TH AVE. S. CARSON, CA P 616-896-1595 P 617-896-4003 WWW.BEPO.NET/CON	

<p>ENGINEERING GEOLOGIST: MARK TRIBBLE CEG 1796 SUBSURFACE DESIGNS INC. 12848 FORTNELL ROAD SYLMAR, CA 91342 818-898-4003 info@SJSURFDESIGNS.COM</p>	<p>COASTAL ENGINEER: BOB K. BROWNE PACIFIC ENGINEERING GROUP 800 E. CANNING AVE. SUITE #250 OXNARD, CA 93030 805-465-7014 info@SGEORGE@aol.com</p>	<p>SURVEYOR/PEAK SURVEY GARETH CRITES PEAK SURVEYS INC. 10885 TOWNSHIP ROAD SUITE D WESTLAKE VILLAGE, CA 91316 805-495-7014 WWW.PEAKINC.COM</p>
<p>GEOTECHNICAL ENGINEER: JON MAHN REC 62923 SUBSURFACE DESIGNS INC. 12848 FORTNELL ROAD SYLMAR, CA 91342 818-898-4003 info@SJSURFDESIGNS.COM</p>	<p>SEPTIC ENGINEER: KEVIN POPFENBERGER PE 69089 EVOP CONSULTANTS 2022 E. 10TH STREET CARSON, CA 310-421-6566 KEVIN@PEP-NET.COM</p>	

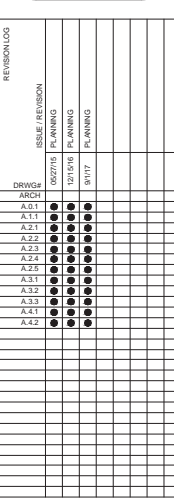
VICINITY MAP

The vicinity map shows the project location in Pacific Coast Highway, Malibu, CA. The map highlights the project site (2022) and the 2015 County Drain (2015) near the Pacific Coast Highway. A north arrow and a scale bar (NOT TO SCALE) are also present.

The map shows the project site location relative to the Pacific Coast Highway. The highway is shown as a yellow line running horizontally across the middle of the map. The project site is marked with a red dot and labeled "PROJECT SITE" and "PACIFIC COAST HIGHWAY STATION". The map also shows the Pacific Coast Highway Station, which is a bus stop located near the project site. The map includes a north arrow and a scale bar.



NEW SINGLE FAMILY RESIDENCE
20222 PACIFIC COAST HIGHWAY - MALIBU, CA. 90265



A. T. TORRES AIA
PO BOX 1181
MALIBU CA 90265
310 456 2355 T
310 456 7966 F
design@attarch.com

PO BOX 1181
MALIBU CA 90265
310 456 2355 T
310 456 7966 F
design@attarch.com

0222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

JOB SITE:
20222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

CLIENT CONTACT:
ARCHITECT
A. THOMAS TORRES & ASSOCIATES

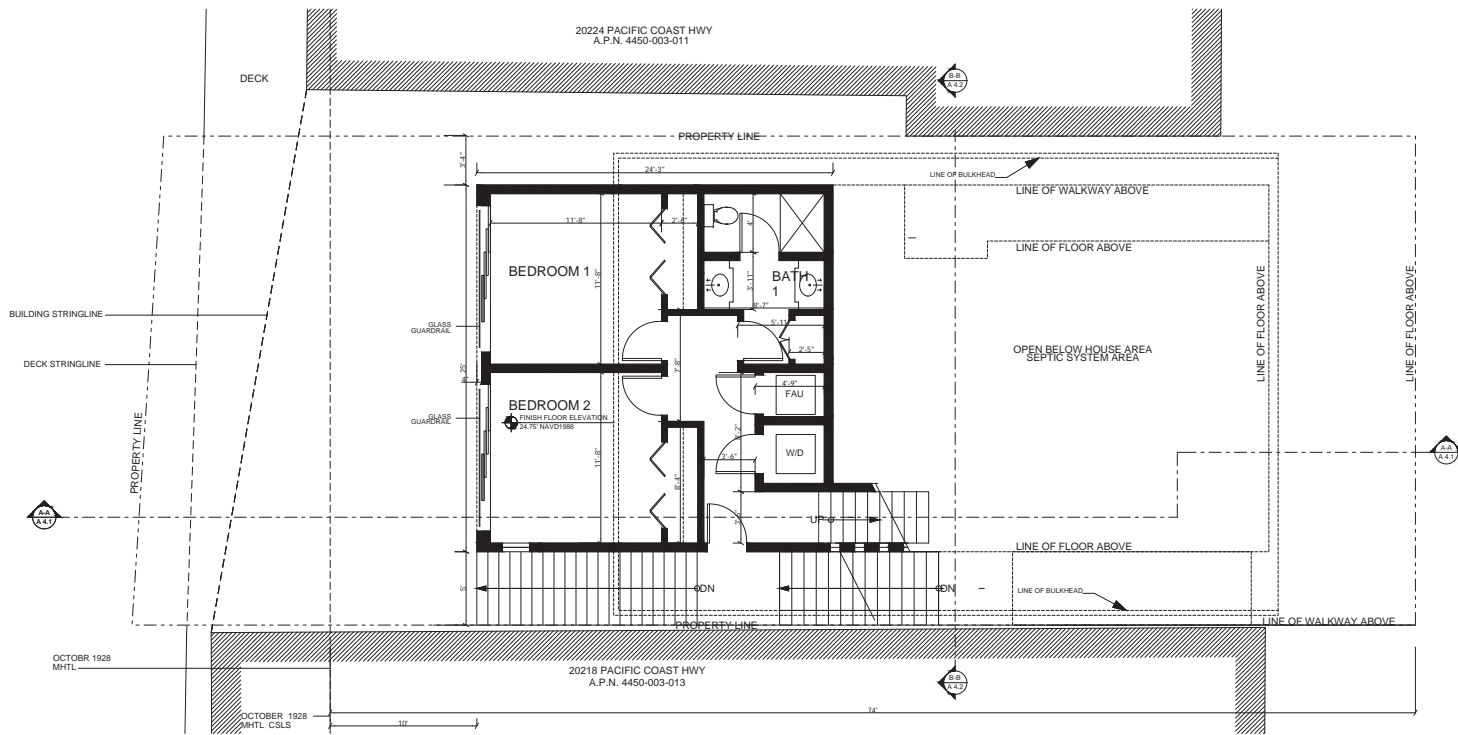
NEW TWO STORY SPR
NEW OWTS
LEGAL DESCRIPTION:
TAX ASSESSOR'S I.D. #4450-003-012
BUILDING USE: RESIDENTIAL
BUILDING TYPE: V
OCCUPANCY: R1 DIV 3U1

A.0.1

L-19-0202
t Plans

Exhibit 6
Appeal No. A-4-MAL-19-0202
Revised Project Plans

☐ NO EXCEPTIONS TAKEN
☐ MAKE CORRECTIONS OBSERVED:
☐ REVISIT AND RE-SUBMIT
 THIS REVIEW IS FOR THE CONFORMANCE WITH THE REQUIREMENTS CONTAINED IN THE
 (LOCAL) ENGINEERING REPORT BY PACIFIC ENGINEERING GROUP/ DATE: 9/18/2020
 ONLY. PROJECT ARCHITECT HAS PROJECT STRUCTURAL PROGRAM AND RESPONSIBILITY FOR ALL
 DIMENSIONS AND PROJECT DESIGN. DISTRIBUTION OF THE CONSTRUCTION DOCUMENTS BY THE
 ARCHITECTURAL FIRM/PROJECT/DATE: 10/20/2021
 DATE: 10/20/2021
 NAME OF ARCHITECT:
 A. T. TORRES
 OF FIRM:



PROPOSED LOWER LEVEL FLOOR PLAN
 SCALE: 1/4" = 1'-0"



REVISION LOG	ISSUE / REVISION	DATE	BY
1	ISSUE / REVISION	09/27/21	PLANNING
2	ISSUE / REVISION	09/27/21	PLANNING
3	ISSUE / REVISION	09/27/21	PLANNING
4	ISSUE / REVISION	09/27/21	PLANNING
5	ISSUE / REVISION	09/27/21	PLANNING
6	ISSUE / REVISION	09/27/21	PLANNING
7	ISSUE / REVISION	09/27/21	PLANNING
8	ISSUE / REVISION	09/27/21	PLANNING
9	ISSUE / REVISION	09/27/21	PLANNING
10	ISSUE / REVISION	09/27/21	PLANNING
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48	ISSUE / REVISION	09/27/21	PLANNING
49	ISSUE / REVISION	09/27/21	PLANNING
50	ISSUE / REVISION	09/27/21	PLANNING

ARCHITECT
A. T. TORRES AIA
 PO BOX 1181
 MALIBU CA 90265
 310 456 2365 T
 310 456 7166 F
 design@ataarch.com

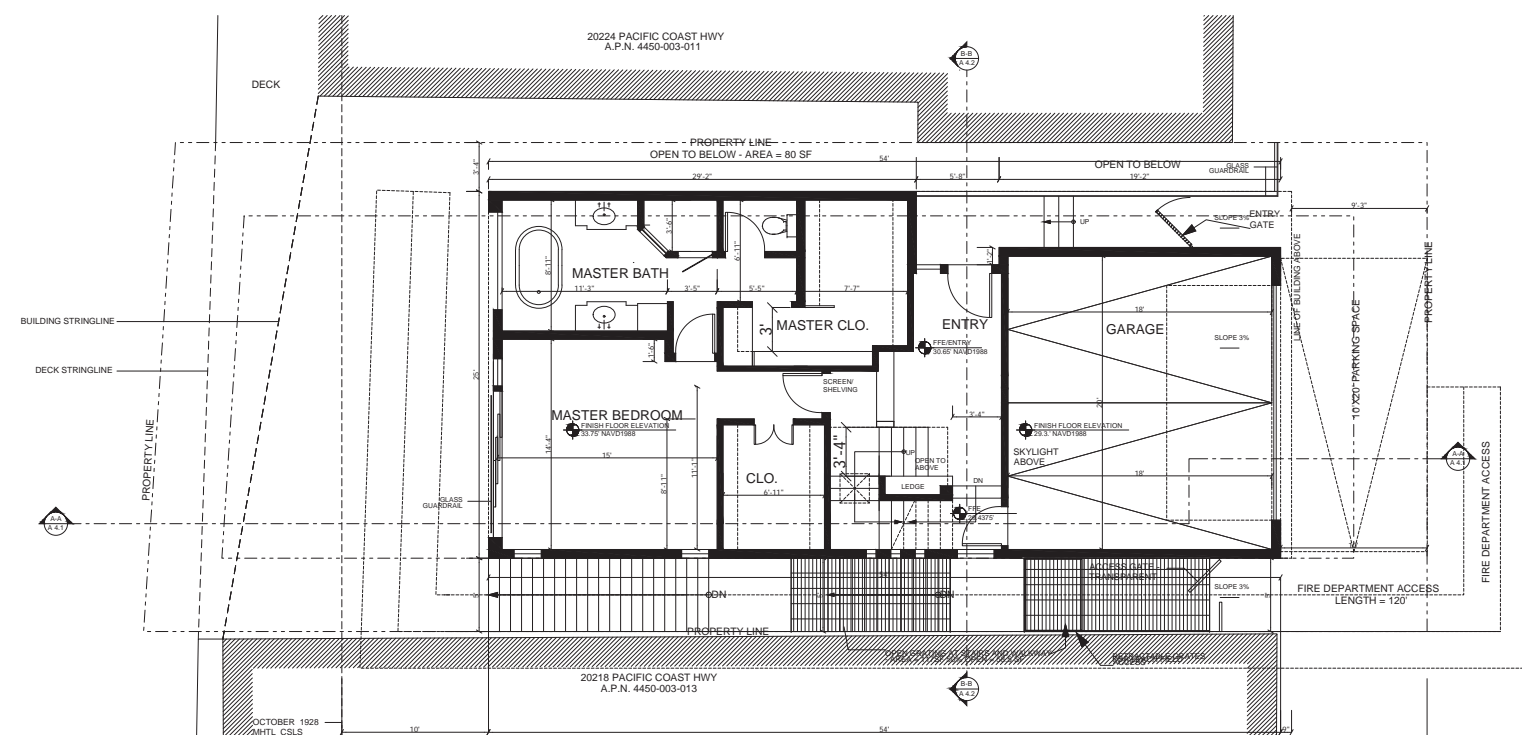
PROJECT
KATE McCULLOUGH
 20222 PACIFIC COAST HIGHWAY
 MALIBU, CA 90265

SITE AND CLIENT INFORMATION
 JOB SITE:
 20222 PACIFIC COAST HIGHWAY
 MALIBU, CA 90265
 CLIENT CONTACT:
 ARCHITECT
 A. THOMAS TORRES & ASSOCIATES
 PROJECT DESCRIPTION:
 NEW TWO STORY SFR
 NEW DWIS
 LEGAL DESCRIPTION:
 TAX ASSESSOR'S ID: 44450-003-012
 BUILDING USE: RESIDENTIAL
 BUILDING TYPE: V
 OCCUPANCY: R1 DIV 3U1



SEPTEMBER 10, 2020
LOWER LEVEL FLOOR PLAN
A.2.2

ALL INFORMATION CONTAINED
HEREIN IS FOR THE EXCLUSIVE USE OF THE
CLIENT AND IS NOT TO BE REPRODUCED OR
TRANSMITTED IN ANY FORM OR BY ANY
MEANS, ELECTRONIC OR MECHANICAL,
INCLUDING PHOTOCOPYING, RECORDING,
OR BY ANY INFORMATION STORAGE AND
RETRIEVAL SYSTEM, WITHOUT THE
WRITTEN PERMISSION OF THE ARCHITECT.
DATE: 10/10/2020
BY: [Signature]



PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



REVISION LOG	DATE	ISSUE / REVISION	BY	CHKD
1	10/10/2020	ISSUE / REVISION	000715	PLANNING
2	10/10/2020	ISSUE / REVISION	000715	PLANNING
3	10/10/2020	ISSUE / REVISION	000715	PLANNING
4	10/10/2020	ISSUE / REVISION	000715	PLANNING
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11	10/10/2020	ISSUE / REVISION	000715	PLANNING
12	10/10/2020	ISSUE / REVISION	000715	PLANNING
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PROJECT

KATE McCULLOUGH
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MALIBU, CA 90265

SITE AND CLIENT INFORMATION

JOB SITE:
20222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265
CLIENT CONTACT:
ARCHITECT
A. THOMAS TORRES & ASSOCIATES
PROJECT DESCRIPTION:
NEW TWO STORY SFR
NEW DWTS
LEGAL DESCRIPTION:
TAX ASSESSOR'S ID: 44450-003-012
BUILDING USE: RESIDENTIAL
BUILDING TYPE: V
OCCUPANCY: R1 DIV 3U1



SEPTEMBER 10, 2020

FIRST FLOOR PLAN

A.2.3



REVISION LOG		ISSUE / REVISION	DATE	BY	CHKD
DRAWN	ARCH	A.0.1			
		A.1.1			
		A.2.1			
		A.2.2			
		A.2.3			
		A.2.4			
		A.2.5			
		A.3.1			
		A.3.2			
		A.3.3			
PLANNING		A.4.1			
		A.4.2			

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PROJECT

KATE McCULLOUGH

2022 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

SITE AND CLIENT INFORMATION

JOB SITE:
2022 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

CLIENT CONTACT:
ARCHITECT
A. THOMAS TORRES & ASSOCIATES

PROJECT DESCRIPTION:
NEW TWO STORY SFR
NEW DWIS

LEGAL DESCRIPTION:
TAX ASSESSOR'S ID: 44450-003-012

BUILDING USE: RESIDENTIAL

BUILDING TYPE: V

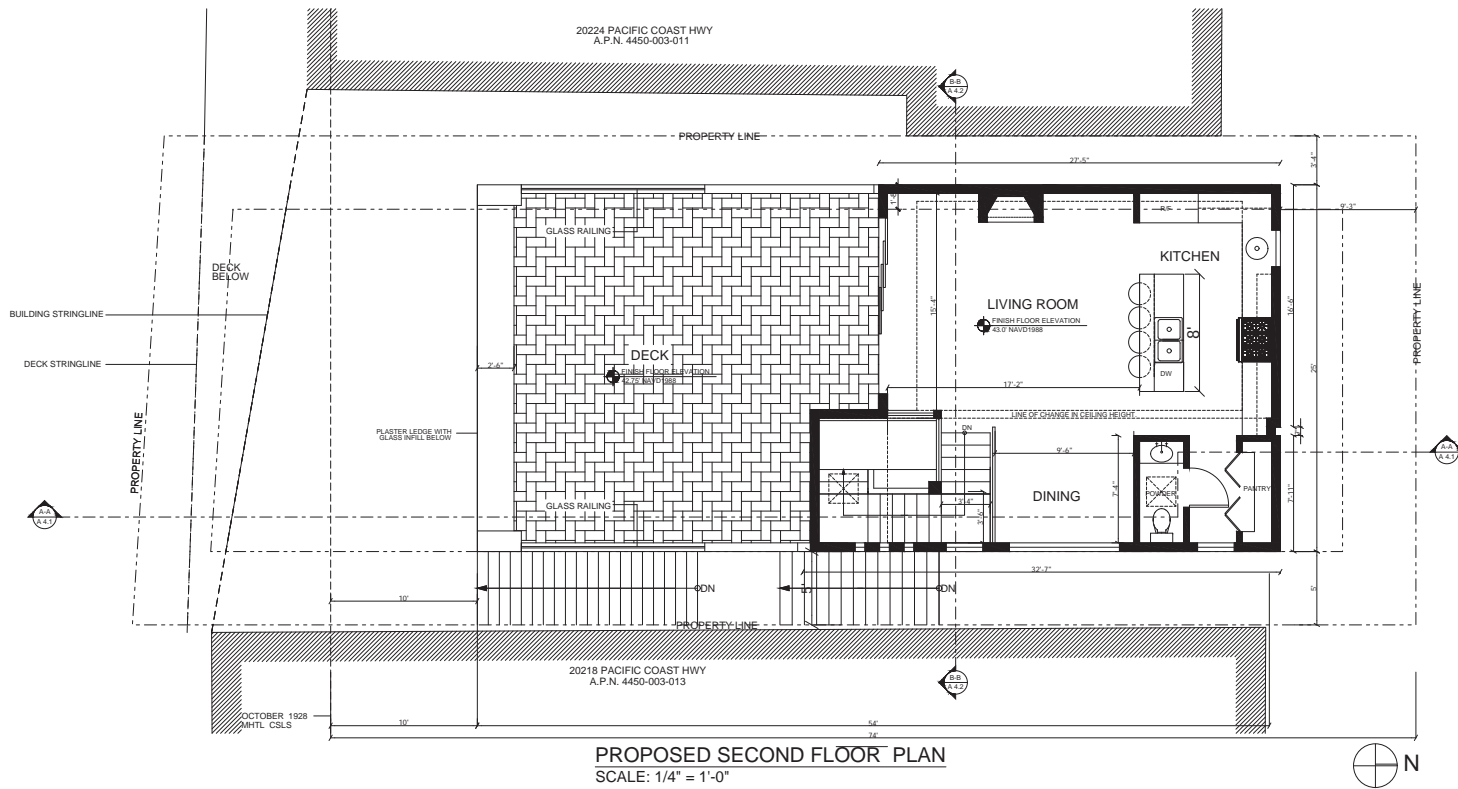
OCCUPANCY: R1 DIV 3U1



SEPTEMBER 10, 2020

SECOND FLOOR
FLOOR PLAN

A.2.4





REVISION LOG	ISSUE / REVISION	DATE	BY	CHKD
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PROJECT

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SITE AND CLIENT INFORMATION

JOB SITE:
2022 PACIFIC COAST HIGHWAY
MALIBU, CA 90265
CLIENT CONTACT:
A. THOMAS TORRES & ASSOCIATES

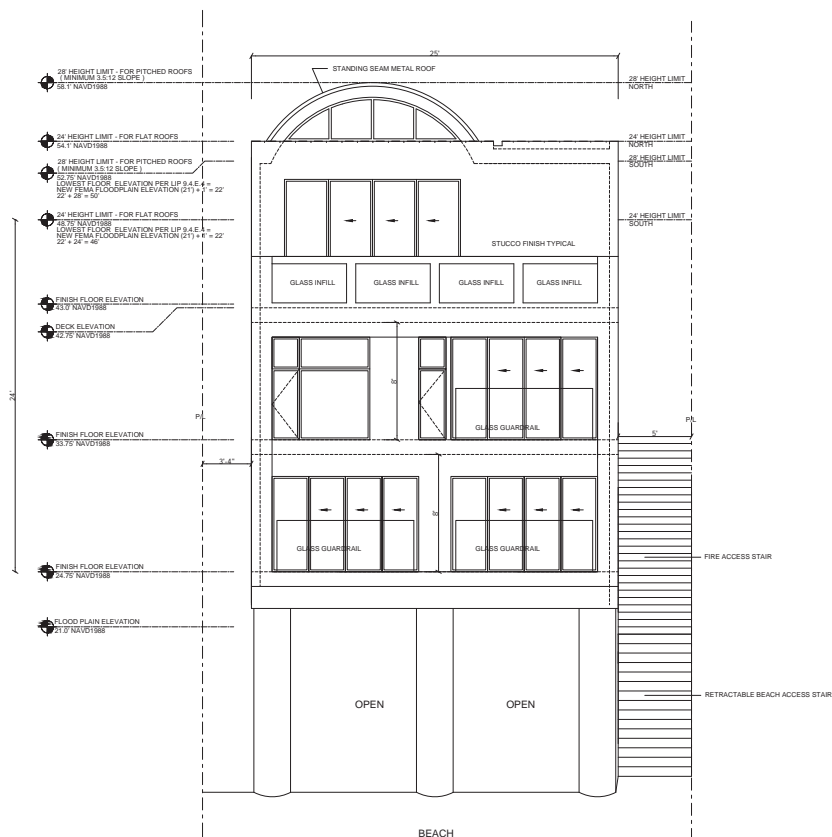
PROJECT DESCRIPTION:
NEW TWO STORY SFR
NEW DWG'S
LEGAL DESCRIPTION:
TAX ASSESSOR'S ID: #4450-003-012
BUILDING USE: RESIDENTIAL
BUILDING TYPE: V
OCCUPANCY: R1 DIV 3U1



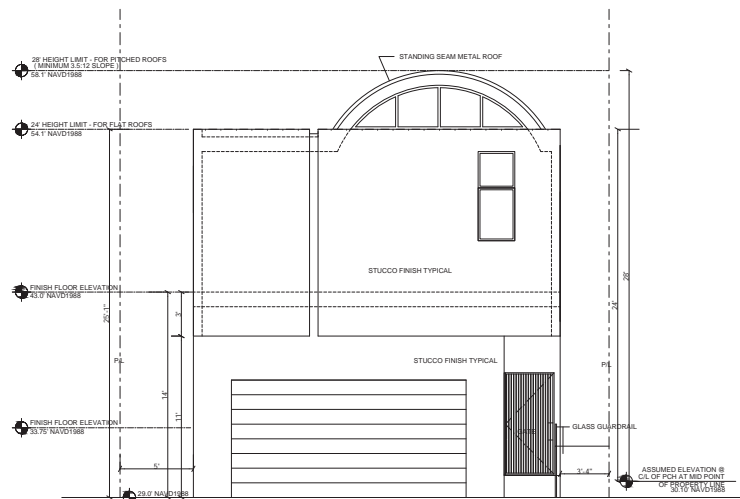
SEPTEMBER 10, 2020

NORTH & SOUTH
ELEVATIONS

A.3.1



PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"





REVISION LOG	ISSUE / REVISION	DATE	BY	CHKD
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PROJECT

KATE McCULLOUGH

20222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

SITE AND CLIENT INFORMATION

JOB SITE:
20222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

CLIENT CONTACT:
ARCHITECT
A. THOMAS TORRES & ASSOCIATES

PROJECT DESCRIPTION:
NEW TWO STORY SFR
NEW DWTS

LEGAL DESCRIPTION:
TAX ASSESSOR'S ID: #4450-003-012

BUILDING USE: RESIDENTIAL
BUILDING TYPE: V

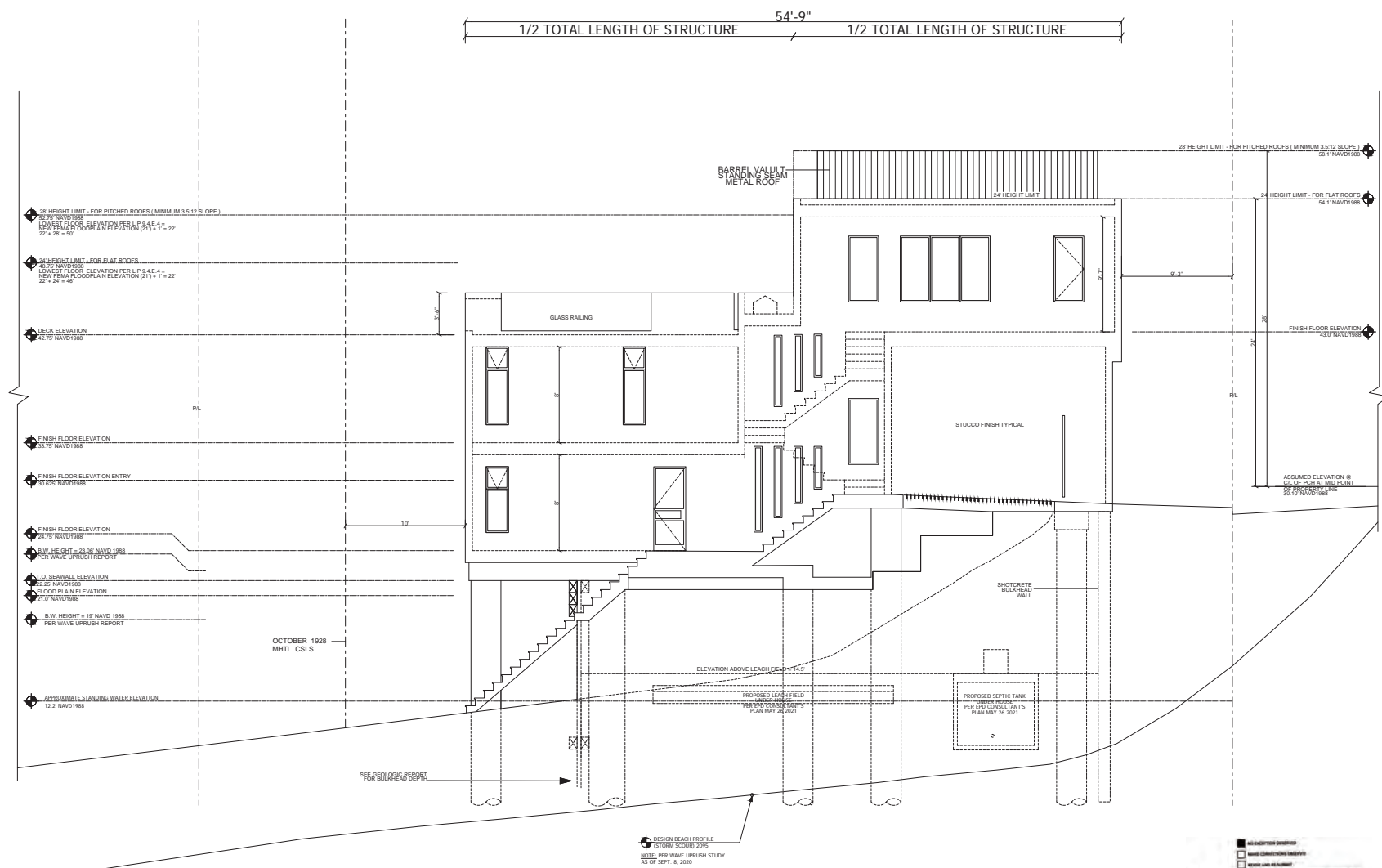
OCCUPANCY: R1 DIV 3U1



SEPTEMBER 10, 2020

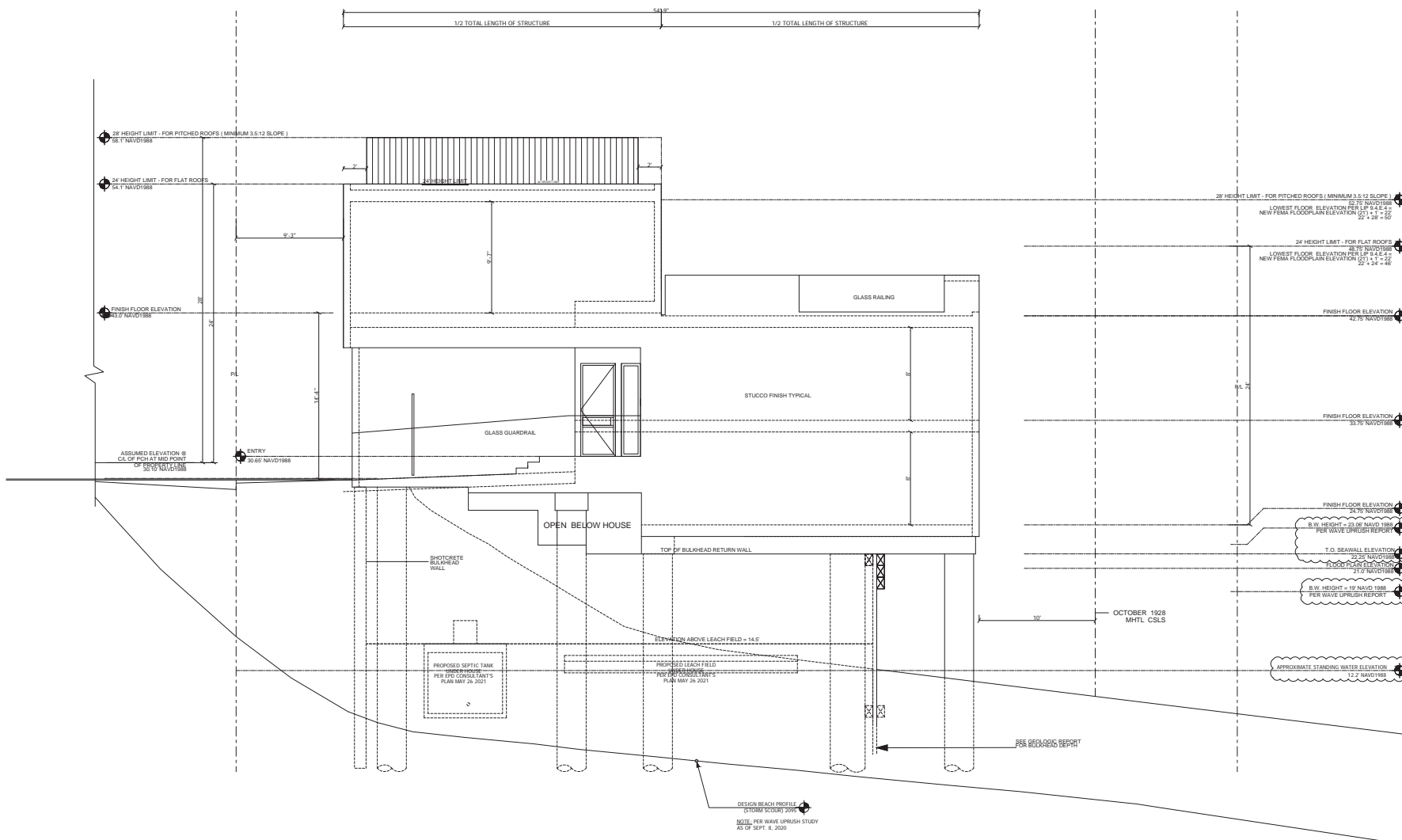
EAST ELEVATION

A.3.2



PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"





PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"



REVISION LOG	ISSUE / REVISION	DATE	BY	CHKD
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PROJECT
KATE McCULLOUGH
20222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

SITE AND CLIENT INFORMATION
JOB SITE:
20222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265
CLIENT CONTACT:
ARCHITECT
A. THOMAS TORRES & ASSOCIATES
PROJECT DESCRIPTION:
NEW TWO STORY SFR
NEW DWIS
LEGAL DESCRIPTION:
TAX ASSESSOR'S ID: #4450-003-012
BUILDING USE: RESIDENTIAL
BUILDING TYPE: V
OCCUPANCY: R1 DIV 3U1



SEPTEMBER 10, 2020

WEST ELEVATION

A.3.3



REVISION LOG	ISSUE / REVISION	DATE	BY	CHKD
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PROJECT
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 MALIBU, CA 90265

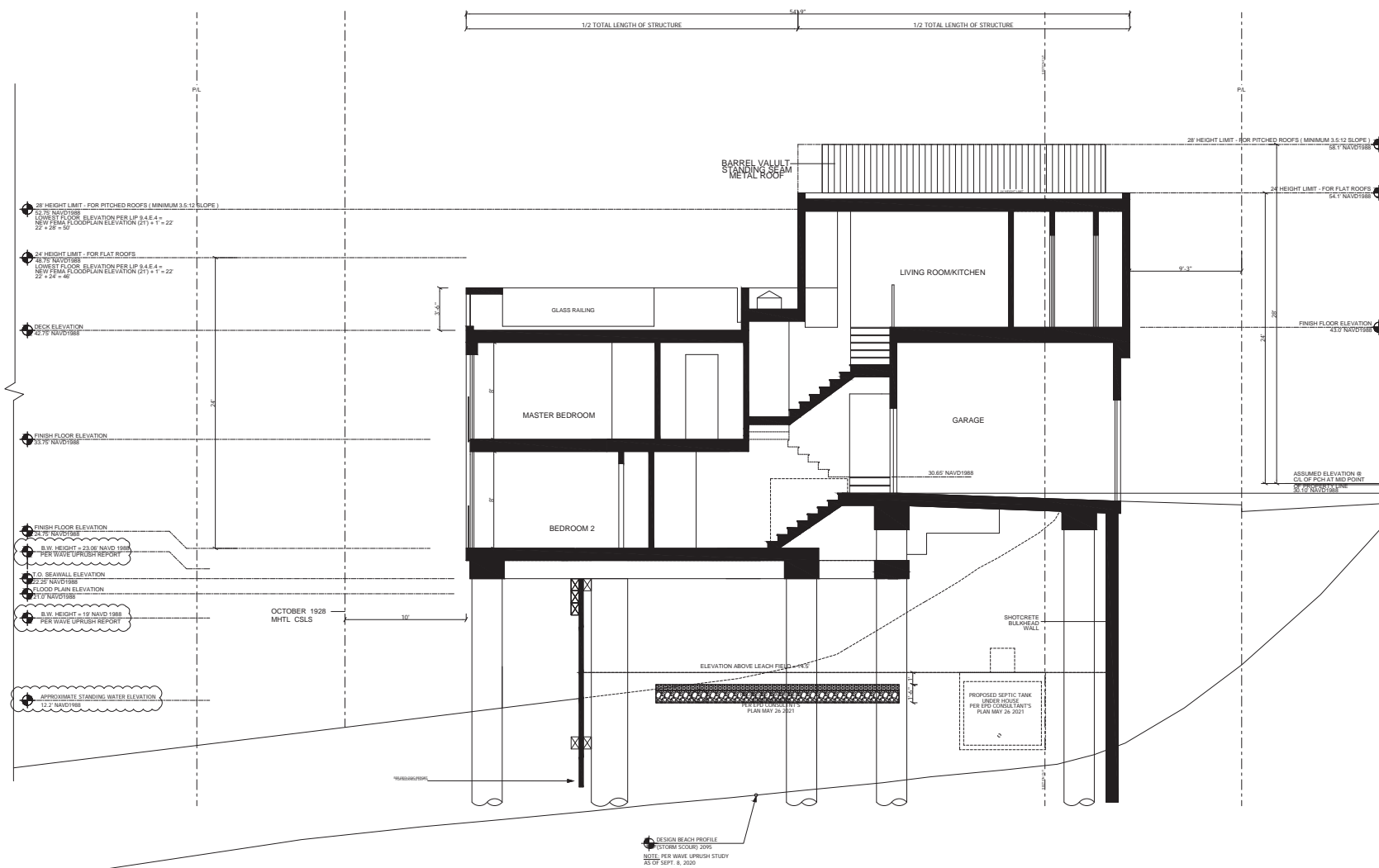
SITE AND CLIENT INFORMATION
 JOB SITE:
 20222 PACIFIC COAST HIGHWAY
 MALIBU, CA 90265
 CLIENT CONTACT:
 ARCHITECT
 A. THOMAS TORRES & ASSOCIATES
 PROJECT DESCRIPTION:
 NEW TWO STORY SFR
 NEW DWTS
 LEGAL DESCRIPTION:
 TAX ASSESSOR'S ID: #4480-003-012
 BUILDING USE: RESIDENTIAL
 BUILDING TYPE: V
 OCCUPANCY: R1 DIV 3U1



SEPTEMBER 10, 2020

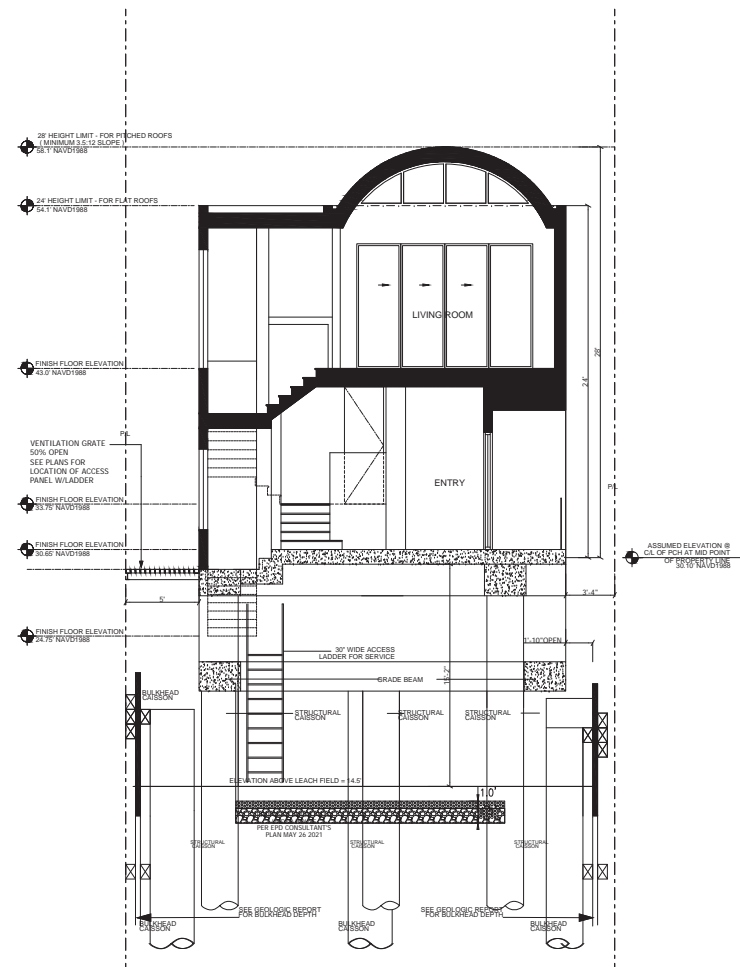
SECTION A-A

A.4.1



SECTION A-A
 SCALE: 1/4" = 1'-0"

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SECTION B-B
SCALE: 1/4" = 1'-0"



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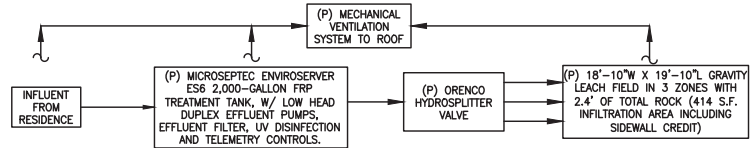
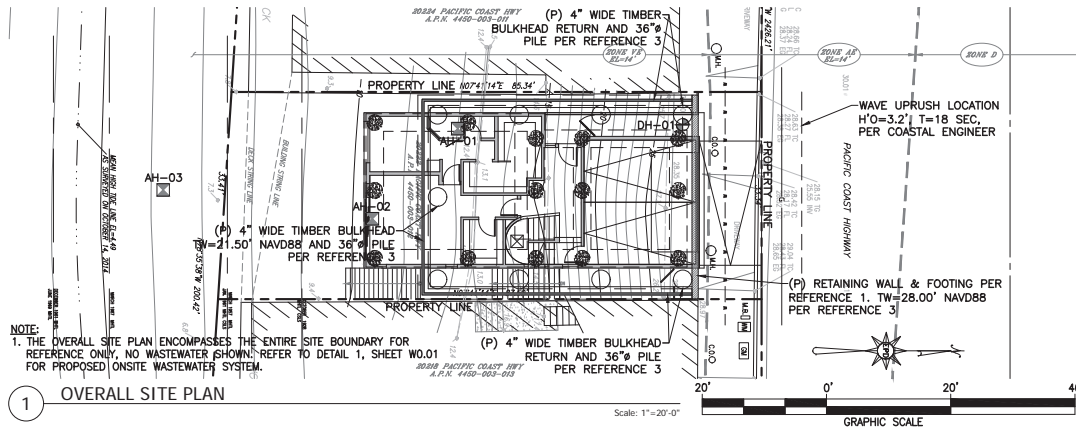
PROJECT
KATE McCULLOUGH
20222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

SITE AND CLIENT INFORMATION
JOB SITE:
20222 PACIFIC COAST HIGHWAY
MALIBU, CA 90265
CLIENT CONTACT:
A. THOMAS TORRES & ASSOCIATES
PROJECT DESCRIPTION:
NEW TWO STORY SFR
NEW DWTS
LEGAL DESCRIPTION:
TAX ASSESSOR'S LD. #4460-003-012
BUILDING USE: RESIDENTIAL
BUILDING TYPE: V
OCCUPANCY: R1 DIV 3U1



SEPTEMBER 10, 2020
SECTION B - B

A.4.2



REQUIRED REDUCTION IN SETBACK CERTIFICATIONS			
OWS COMPONENT	SITE ELEMENT	CODE SETBACK REQUIREMENT	ACTUAL SETBACK
WASTEWATER TANK	FOUNDATION PILES	5'-0"	1'-9"
WASTEWATER TANK	BULKHEAD PILES	5'-0"	2'-10"
WASTEWATER TANK	STRUCTURE ABOVE (MECH. VENT)	5'-0"	0'-0"
WASTEWATER TANK	LEACH FIELD	5'-0"	2'-7"
LEACH FIELD	FOUNDATION PILES	8'-0"	0'-0"
LEACH FIELD	BULKHEAD PILES	8'-0"	2'-4"
LEACH FIELD	BULKHEAD WHALER	8'-0"	5'-4"
LEACH FIELD	STRUCTURE ABOVE (MECH. VENT)	8'-0"	0'-0"

1. THESE PLANS ARE ACCURATE FOR ONSITE WASTEWATER SYSTEM (OWS) ONLY. ALL SEPTIC LINES SHOWN HEREIN ARE APPROXIMATE LOCATIONS.
2. TOPOGRAPHIC MAP PROVIDED BY PEAK SURVEYS INC., DATED OCTOBER 14, 2014. ALL ELEVATIONS ARE APPROXIMATE PER THE REFERENCED PLANS AND PROVIDED IN NAVD88 DATUM.
3. ALL TEST PITS (AH-OX) AND BORINGS (DH-OX) ARE APPROXIMATE LOCATIONS PER SUBSURFACE DESIGNS INC. GEOLOGIC MAP, DATED MAY 2017.
4. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.
5. ALL EXISTING SEPTIC SYSTEM COMPONENTS SHALL BE ABANDONED OR REMOVED AS NECESSARY BY THE CONTRACTOR PER THE MPC. REMOVAL OF ALL EXISTING SEPTIC SYSTEM COMPONENTS SHALL FOLLOW ASTM D1557 AND BE EXECUTED IN ACCORDANCE WITH APPLICABLE OSHA AND CAL/OSHA STANDARDS. PRIOR TO COMMENCING WORK TO ABANDON, REMOVE, OR REPLACE EXISTING OWS COMPONENTS AN "OWS ABANDONMENT PERMIT" SHALL BE OBTAINED FROM THE CITY OF MALIBU. ALL WORK PERFORMED IN THE OWS ABANDONMENT, REMOVAL, OR REPLACEMENT AREA SHALL BE PERFORMED IN STRICT ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL AND OCCUPATIONAL SAFETY AND HEALTH REQUIREMENTS. THE OBTAINMENT OF ANY SUCH REQUIRED PERMITS OR APPROVALS FOR THIS SCOPE OF WORK SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND THEIR AGENTS.

NOTE: THE (P) REDUCTION IN SETBACKS LISTED IN THE ABOVE TABLE ARE BEING PROVIDED FOR ALL DESIGN CONSULTANTS ON THE PROJECT TEAM FOR COORDINATION AND PREPARATION OF THE REDUCTION IN SETBACK CERTIFICATION LETTERS AND PLANS REQUIRED BY THE CITY OF MALIBU. THE REQUIRED REDUCTION IN SETBACK CERTIFICATIONS SHALL BE PREPARED BY THE PROJECT ARCHITECT, STRUCTURAL ENGINEER, MECHANICAL ENGINEER AND SOILS ENGINEER AS NECESSARY. REFER TO KEYNOTES 9, 10, 11, & 12 PER DETAIL 4 THIS SHEET. REDUCTION IN SETBACK CERTIFICATIONS FROM ALL CONSULTANTS DETAILING ALL STRUCTURAL, MECHANICAL AND WATERPROOFING MITIGATION MEASURES HAVE NOT BEEN COMPLETED AND AWAIT THE CONCLUSIONS OF THESE PLANS AND SHALL BE SUBMITTED IN CONJUNCTION WITH THESE PLANS.

1. (P) MICROSEPTIC ENVIROSERVER ES-6 TREATMENT TANK HOUSED IN A 2,000-GALLON FRP TANK PROVIDED BY THE MFR W/ TWO (2) 24" & ONE (1) 30" FRP LIDS/RISERS TO GRADE PER MFR, HIGH LOW DUPLEX EFFLUENT DISCHARGE PUMPS, EFFLUENT FILTER, UV DISINFECTION AND AND TELEMTRY CONTROLS, SPECIFIED GAS AND WATERTIGHT, VENT TO ROOF PER MPC. SUPPLEMENTAL MECHANICAL VENTILATION SYSTEM TO THE ROOF PER THE MPC TO BE DESIGNED BY OTHERS FOR TANK BELOW RESIDENCE STRUCTURE.
2. WATERPROOFING MEMBRANE. SEE LINER NOTES ON SHEET W1.02
3. (P) 18'-10"W x 19'-10"L GRAVITY LEACH FIELD IN 3 ZONES WITH 2.4' OF TOTAL ROCK (414 S.F. INFILTRATION AREA INCLUDING SIDEWALL CREDIT). LEACH FIELD SHALL BE INSTALLED IN BEACH SAND DEPOSITS. CONTRACTOR SHALL REMOVE ALL EARTH FILL AND NON-BEACH SAND CATEGORY SOILS WITHIN 5-FT OF LEACH FIELD DISPERSAL AREA AND REPLACE W/ CLEAN DOUBLE WASHED SAND. GEOLOGIST TO PROVIDE FIELD OBSERVATION. AIR COIL SYSTEM FLUSH LINE UNDER ROCK. SUPPLEMENTAL MECHANICAL VENTILATION SYSTEM TO THE ROOF PER THE MPC IS TO BE DESIGNED BY OTHERS FOR LEACH FIELD BELOW RESIDENCE STRUCTURE.
4. (P) MICROSEPTIC TELEMTRY CONTROL PANEL (CP-1). REQUIRES DEDICATED "UNBLOCKED" PHONE LINE AND POWER TO THE PANEL. LICENSED ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES. MOUNT TO CONTROL BOARD.
5. (P) GEOWFLOW CONTROL PANEL (CP-2). CONNECT CP-2 TO CP-1 FOR ALTERNATING DUPLEX PUMP RELAY. LICENSED ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES. MOUNT TO CONTROL BOARD.
6. (P) ONE (1) MICROSEPTIC HIBLOW HP-120 AIR COMPRESSOR IN ABOVE GROUND ENCLOSURE PER MFR.
7. (P) GRAVITY CLEANOUT TO GRADE.
8. (P) ORENCO HYDROSPITTER VALVE MODEL HSA200-03-10 INSTALLED IN ORENCO HSSR3024 ENCLOSURE W/ 30" LID/RISER TO GRADE PER MFR WITH THREE (3) DISCHARGE LINES TO THE LEACH FIELD DISPERSAL SYSTEM.

9. (P) SUPPLEMENTAL MECHANICAL VENTILATION SYSTEM FOR SEPTIC TANKS (TYP. OF 2) AND LEACH FIELD LOCATED BELOW RESIDENCE STRUCTURE. INSTALL EXHAUST REGISTERS AND DUCTS BELOW RESIDENCE STRUCTURE TRANSITIONED THROUGH STRUCTURE UP TO THE ROOF WITH EXHAUST FAN ON ROOF PER MPC. SUPPLEMENTAL MECHANICAL VENTILATION SYSTEM AND SIZING REQUIRED BELOW RESIDENCE STRUCTURE TO PROVIDE 12 AIR CHANGES PER HOUR (MIN.) TO BE DESIGNED BY OTHERS.
10. REDUCTION IN SETBACK FOR ALL PORTIONS OF THE (P) FOUNDATION PILES AND BULKHEAD PILES SITUATED LESS THAN 8-FT FROM THE (P) LEACH FIELD PER MPC TABLE H101.8. THE REDUCED SETBACKS WILL BE STRUCTURALLY ADDRESSED AS WELL AS WITH WATERPROOFING WITHIN 8-FT MINIMUM OF THE (P) LEACH FIELD AS REQUIRED PER THE ARCHITECT, STRUCTURAL ENGINEER AND SOILS ENGINEER RECOMMENDATIONS. THE (P) FOUNDATION PILES AND BULKHEAD PILES ARE TO BE CONSTRUCTED SO THAT NO EXTERNAL LOAD IS PLACED UPON THE (P) LEACH FIELD AND SO THAT LEACH FIELD MAINTENANCE CAN BE MADE AVAILABLE. REFER TO DETAIL 5 THIS SHEET.
11. REDUCTION IN SETBACK FOR ALL PORTIONS OF THE (P) FOUNDATION PILES AND BULKHEAD PILES SITUATED LESS THAN 5-FT FROM THE (P) SEPTIC TANKS (TYP. OF 2) PER MPC TABLE H101.8. THE REDUCED SETBACKS WILL BE STRUCTURALLY ADDRESSED AS WELL AS WITH WATERPROOFING AS NECESSARY WITHIN 5-FT MINIMUM OF THE (P) SEPTIC TANKS AS REQUIRED PER THE ARCHITECT, STRUCTURAL ENGINEER AND SOILS ENGINEER RECOMMENDATIONS. THE (P) FOUNDATION PILES AND BULKHEAD PILES ARE TO BE CONSTRUCTED SO THAT NO EXTERNAL LOAD IS PLACED UPON THE (P) SEPTIC TANKS AND SO THAT SEPTIC TANK MAINTENANCE CAN BE MADE AVAILABLE. REFER TO DETAIL 5 THIS SHEET.
12. REDUCTION IN SETBACK FOR ALL PORTIONS OF THE (P) RESIDENCE STRUCTURE CONSTRUCTED ABOVE THE (P) SEPTIC TANKS (TYP. OF 2) AND LEACH FIELD PER MPC TABLE H101.8. IT IS UNDERSTOOD BY THIS OFFICE THAT THE REDUCED SETBACKS WILL BE ADDRESSED WITH A SUPPLEMENTAL MECHANICAL VENTILATION SYSTEM DESIGNED BY A MECHANICAL ENGINEER SEE REFERENCE 6. THE ARCHITECT SHALL PROVIDE VENTILATION FROM THE EXHAUST REGISTER AND DUCT BELOW THE RESIDENCE STRUCTURE TRANSITIONED THROUGH THE STRUCTURE UP TO THE ROOF WITH EXHAUST FAN ON THE ROOF PER MPC. THE ARCHITECT IS ALSO PROVIDING A 9.6' WIDE x 7.8' HIGH OPEN AREA AT THE LANDING OF THE (P) STAIRS ALONG THE EAST SIDE OF THE (P) RESIDENCE STRUCTURE WITH A PERMANENT LADDER TO PROVIDE ACCESS UNDER THE RESIDENCE STRUCTURE FOR OWS ROUTINE SERVICE AND FUTURE REPLACEMENT. REFER TO KEYNOTE 9 AND DETAIL 5 THIS SHEET.

TOTAL BEDROOMS: 3
TOTAL DRAINAGE FIXTURE UNITS: 36
1 BEDROOM @ 300 GPD/BED = 300 GPD
2 BEDROOMS @ 150 GPD/BED = 300 GPD

PEAK DESIGN DAILY FLOWRATE: 600 GPD
AVERAGE DESIGN DAILY FLOWRATE: 350 GPD
WASTE STRENGTH OF SEPTIC TANK EFFLUENT: 200mg/L OR LESS

MIN. CONVENTIONAL SEPTIC TANK PER MPC TABLE H201.1(1)
(BASED UPON BEDROOM COUNT ONLY) = 1,000 GALLONS

MIN. LEACH FIELD AREA REQUIRED PER MPC TABLE H201.1(3): 375 S.F.

EFFLUENT DISPERSAL = 18'-10"W x 19'-10"L GRAVITY LEACH FIELD
IN 3 ZONES WITH 2.4' OF TOTAL ROCK (414 S.F. INFILTRATION AREA
INCLUDING SIDEWALL CREDIT)

PEAK DESIGN EFFLUENT LOADING RATE = 1.45 GPD/SF
AVG DESIGN EFFLUENT LOADING RATE = 0.85 GPD/SF

6 SYSTEM CALCULATIONS

PRELIMINARY - NOT FOR CONSTRUCTION

3 ONSITE WASTEWATER SYSTEM GENERAL NOTES

4 ONSITE WASTEWATER SYSTEM KEYNOTES



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CARSON, CA 90745
Phone (310) 241-6565
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DATE:	BY:	CB	AS
5/30/17	5/26/21		
NO. REVISIONS:	CITY CORRECTIONS	CCC INFO & ARCH REV	
1			
2			

SHEET TITLE:	PROJECT:	DATE	SCALE	DRAWN BY
ONSITE WASTEWATER SYSTEM	20222 PACIFIC COAST HIGHWAY MALIBU, CA 90265	5/29/15	AS SHOWN	CB

PROJECT NO.
T335
DRAWING NO.

W0.00

SHEET 1 OF 3 SHEETS

SHEET TITLE: ONSITE WASTEWATER SYSTEM SITE PLAN		
PROJECT: 20222 PACIFIC COAST HIGHWAY MALIBU, CA 90265		
DATE	SCALE	DRAWN BY
5/29/15	AS SHOWN	CB

DRAWING NO.

SHEET 2 OF 3 SHEETS



REFERENCES:

1. A. THOMAS TORRES, AIA: (A) ARCHITECTURAL PLANS, DATED MAY 27, 2015; (B) ARCHITECTURAL PLANS, DATED DECEMBER 15, 2016; (C) ARCHITECTURAL PLANS, DATED SEPTEMBER 1, 2017.
2. EPD CONSULTANTS, INC.: (A) PRELIMINARY ENGINEERING FEASIBILITY REPORT, DATED MAY 29, 2015; (B) ADDENDUM I ENGINEERING REPORT, DATED MAY 30, 2017.
3. PACIFIC ENGINEERING GROUP: (A) WAVE UPRUSH STUDY, DATED MAY 19, 2015; (B) COASTAL ENGINEERING REPORT ADDENDUM I, DATED JULY 1, 2015; (C) COASTAL ENGINEERING REVIEW RESPONSES, DATED MARCH 24, 2017; (D) FUTURE GROUNDWATER ELEVATIONS FOR OWTS DESIGN, DATED MAY 27, 2021.
4. PEAK SURVEYS INC.: TOPOGRAPHIC MAP, DATED OCTOBER 14, 2014.
5. SUBSURFACE DESIGNS INC.: (A) GEOLOGIC AND SOILS ENGINEERING INVESTIGATION, DATED FEBRUARY 28, 2015; (B) RESPONSE TO ENVIRONMENTAL HEALTH REVIEW SHEET, DATED JULY 6, 2015; (C) ADDENDUM II RESPONSE TO GEOTECHNICAL REVIEW SHEET, DATED MAY 4, 2017.
6. CITY OF MALIBU: (A) ENVIRONMENTAL HEALTH REVIEW SHEET, DATED JUNE 22, 2015; (B) GEOTECHNICAL REVIEW SHEET, DATED JULY 2, 2015; (C) COASTAL ENGINEERING REVIEW, DATED JULY 22, 2015.

LINER NOTES:

1. FOR REDUCTION IN SETBACK FROM PROPOSED LEACH FIELD TO PROPOSED SEPTIC TANK; CONTRACTOR SHALL INSTALL FIRESTONE PONDGARD 45mi EPDM GEOMEMBRANE LINER WITH CHRISTY 6-OUNCE POLYETHYLENE GEOTEXTILE UNDERLAMENT INSTALLED ON BOTH SIDES OF GEOMEMBRANE LINER. CONTRACTOR SHALL INSTALL PER MANUFACTURER RECOMMENDATIONS.
2. ALL PIPE PROTRUSIONS THROUGH LINER(S) SHALL BE FASTENED WITH BULKHEAD FITTINGS.
3. LINER(S) SHALL BE SEALED AND WATERTIGHT TO ISOLATE EXCAVATIONS.
4. LINER(S) SHALL BE WATER TESTED PRIOR TO BACKFILL.
5. AREA OF EXCAVATION TO BE GRAVEL FILLED TO THE TOP OF THE TANK.

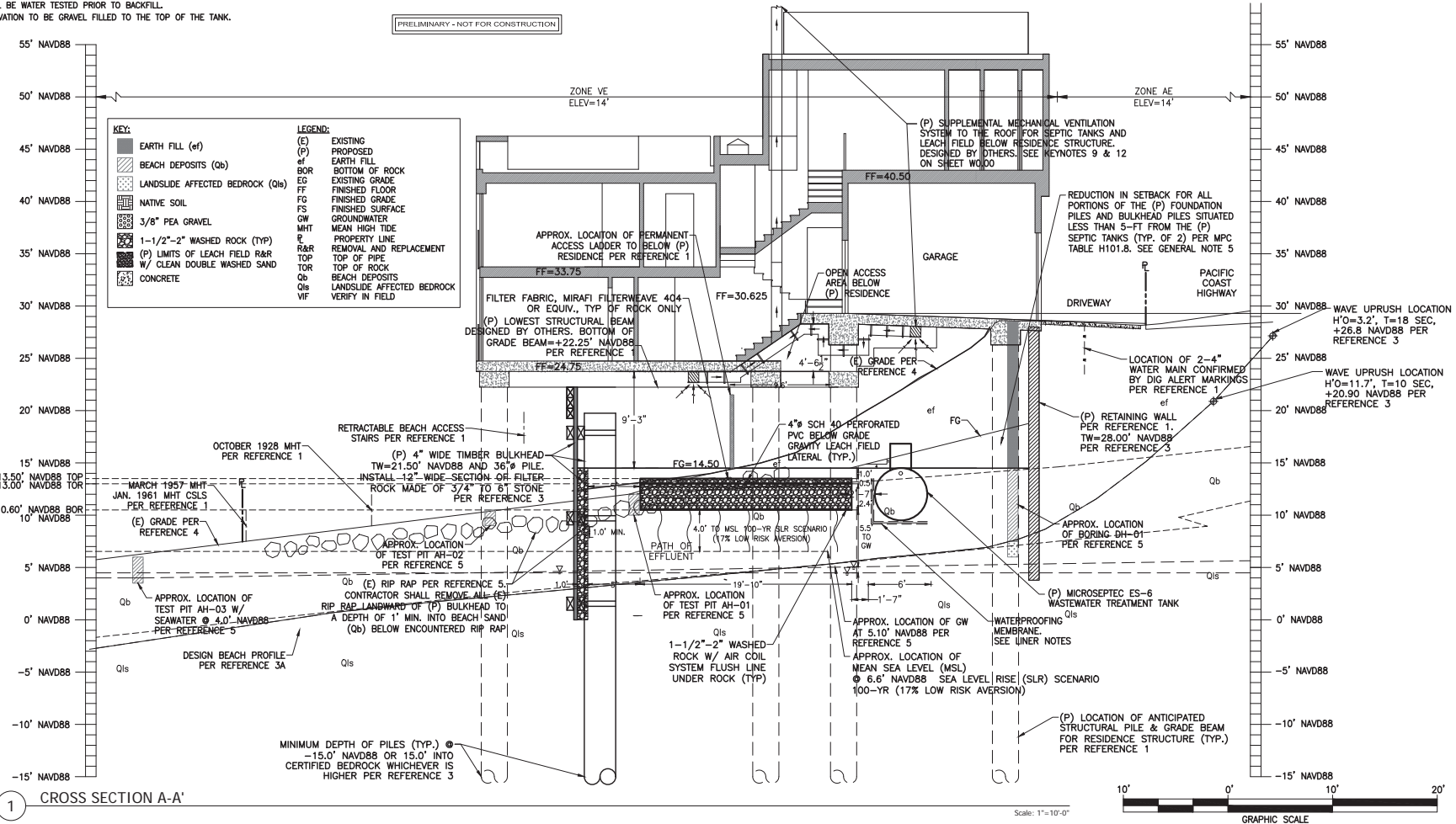
GENERAL NOTES:

1. THESE PLANS ARE ACCURATE FOR ONSITE WASTEWATER SYSTEM (OWS) ONLY.
2. TOPOGRAPHIC MAP PROVIDED BY PEAK SURVEYS INC., DATED OCTOBER 14, 2014. ALL ELEVATIONS ARE APPROXIMATE PER THE REFERENCED PLANS AND PROVIDED IN NAVD88 DATUM.
3. ALL TEST PITS (AH-0X) AND BORINGS (DH-0X) ARE APPROXIMATE LOCATIONS PER SUBSURFACE DESIGNS INC. GEOLOGIC MAP, DATED MAY 2017.
4. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.
5. THE PROJECT ARCHITECT, STRUCTURAL ENGINEER, MECHANICAL ENGINEER AND SOILS ENGINEER SHALL PROVIDE RECOMMENDATIONS AND DESIGN DETAILS FOR UPGRADES TO THE (P) BULKHEAD PILES AND FOUNDATIONS PILES FOR ALL REDUCTION IN SETBACKS LESS THAN 8'-FT FROM THE (P) LEACH FIELD AND LESS THAN 5'-FT FROM THE (P) SEPTIC TANKS PER MPC TABLE H101.8. CONTRACTOR SHALL ENSURE ALL ARCHITECTURAL, STRUCTURAL, MECHANICAL, WASTEWATER AND SOILS ENGINEERING RECOMMENDATIONS ARE FOLLOWED INCLUDING BUT NOT LIMITED TO WATERPROOFING AND VENTILATION. ARCHITECTURAL, STRUCTURAL, MECHANICAL AND SOILS ENGINEERING REDUCTIONS IN SETBACK LETTERS AND PLANS HAVE NOT BEEN COMPLETED AND AWAIT THE CONCLUSIONS OF THESE PLANS. REFER TO KEYNOTES 9, 10, 11 & 12 PER DETAIL 4 ON SHEET W0.00 AND DETAIL 5 ON SHEET W0.00.

LEACH FIELD NOTES:

1. CONTRACTOR TO MEET ON JOBSITE W/ GEOLOGIST & ENGINEER PRIOR TO COMMENCEMENT OF WORK. GEOLOGIST TO PROVIDE FIELD OBSERVATION MEMO DOCUMENTING ALL WORK. GEOLOGIST TO VERIFY BOTTOM OF ALL EXCAVATIONS TO DETERMINE IF ADDITIONAL REMOVAL AND REPLACEMENT IS NECESSARY.
2. DURING CONSTRUCTION ALL EARTH FILL AND NON-BEACH SAND CATEGORY SOILS SHALL BE REMOVED BY THE CONTRACTOR WITHIN 5'-FT OF THE LEACH FIELD DISPERSAL AREA, AND REPLACED WITH CLEAN DOUBLE WASHED SAND PER THE PLANS AND SPECIFICATIONS. THIS IS SUBJECT TO FIELD VERIFICATION AND WRITTEN APPROVAL BY THE SYSTEM ENGINEER. ALL REPLACEMENT SAND SHALL BE CLEAN DOUBLE WASHED AND CONFORM TO PORTLAND CEMENT CONCRETE SAND, PER STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (SSPWC "GREENBOOK"), LATEST EDITION. COMPACTED MATERIAL SHALL BE PER THE SOILS REPORT BUT NOT LESS THAN 90% OF THE MODIFIED STANDARD PROCTOR MAXIMUM DENSITY AS DETERMINED BY A.S.T.M. SOIL COMPACTION TEST D-1557. CONTRACTOR SHALL PROVIDE SUBMITTAL TO ENGINEER OF PROPOSED REPLACEMENT SAND AND PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE AND APPROVE ALL EXCAVATIONS PRIOR TO PLACEMENT OF SAND OR GRAVEL BACKFILL TO ENSURE ENCOUNTERED GEOLOGIC CONDITIONS DO NOT DIFFER FROM THOSE ENCOUNTERED DURING THE ORIGINAL EXPLORATORY WORK AND TO ENSURE THAT BEACH SAND DEPOSITS UNDERLIE THE LEACH FIELD. THE CONTRACTOR SHALL OBTAIN A FIELD OBSERVATION MEMO FROM THE GEOLOGIST DOCUMENTING ALL WORK.
3. THE SPACE ABOVE ANY SEPTIC TANK RISER, PRESENT OR FUTURE DISPERSAL FIELD, OR OTHER SYSTEM COMPONENT SHALL HAVE A MINIMUM OF THE FOLLOWING:
 - A. 6'-0" VERTICAL CLEARANCE TO THE BOTTOM OF ANY STRUCTURAL ELEMENT;
 - B. 4'-0" VERTICAL CLEARANCE TO THE BOTTOM OF ANY STRUCTURAL BEAMS PROVIDED THEY ARE SPACED NOT LESS THAN 4'-0" ON CENTER HORIZONTALLY CENTER TO CENTER;
 - C. THE REQUIRED VERTICAL CLEARANCE SHALL BE MAINTAINED OVER ALL SYSTEM COMPONENTS AND SHALL EXTEND HORIZONTALLY TO THE OPEN OCEAN SIDE OF THE BUILDING WITH NO OBSTRUCTIONS OTHER THAN A LEGALLY PERMITTED SHORELINE PROTECTION DEVICE (IF REQUIRED).
4. UNOBSTRUCTED OPENINGS TO THE OUTSIDE AIRSPACE SHALL BE PROVIDED ON AT LEAST TWO (2) SIDES ABOVE AND ADJACENT TO EACH PORTION OF THE ONSITE WASTEWATER TREATMENT SYSTEM. THE MINIMUM UNOBSTRUCTED CLEARANCE TO THE OUTSIDE AIRSPACE SHALL NOT BE NOT LESS THAN 4'-0" IN ANY DIMENSION WITH NO ENCROACHMENTS.

PRELIMINARY - NOT FOR CONSTRUCTION



1 CROSS SECTION A-A'

Scale: 1"=10'-0"



BY:	CB	AS
DATE:	5/30/17	5/26/21
REVISIONS:	CITY CORRECTIONS	CCC INFO & ARCH REV
NO.	1	2

SHEET TITLE:	CROSS SECTION A-A'
PROJECT:	20222 PACIFIC COAST HIGHWAY MALIBU, CA 90265
DRAWN BY:	CB
SCALE:	AS SHOWN
DATE:	5/29/15

PROJECT NO.	T335
DRAWING NO.	W0.02
SHEET	3 OF 3 SHEETS

Projected Flooding with 6.6 ft. Sea Level Rise and No Storm Scenario

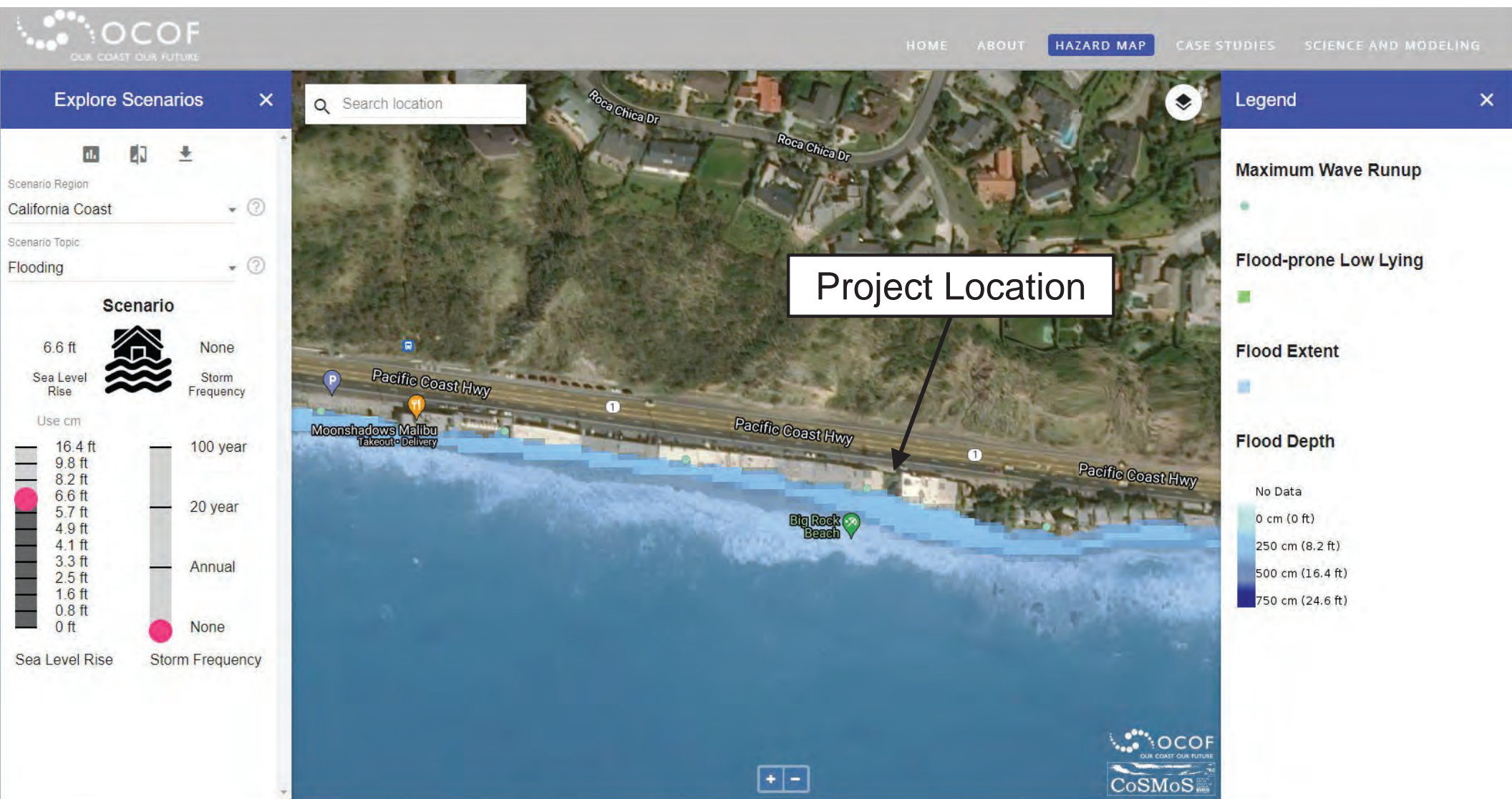
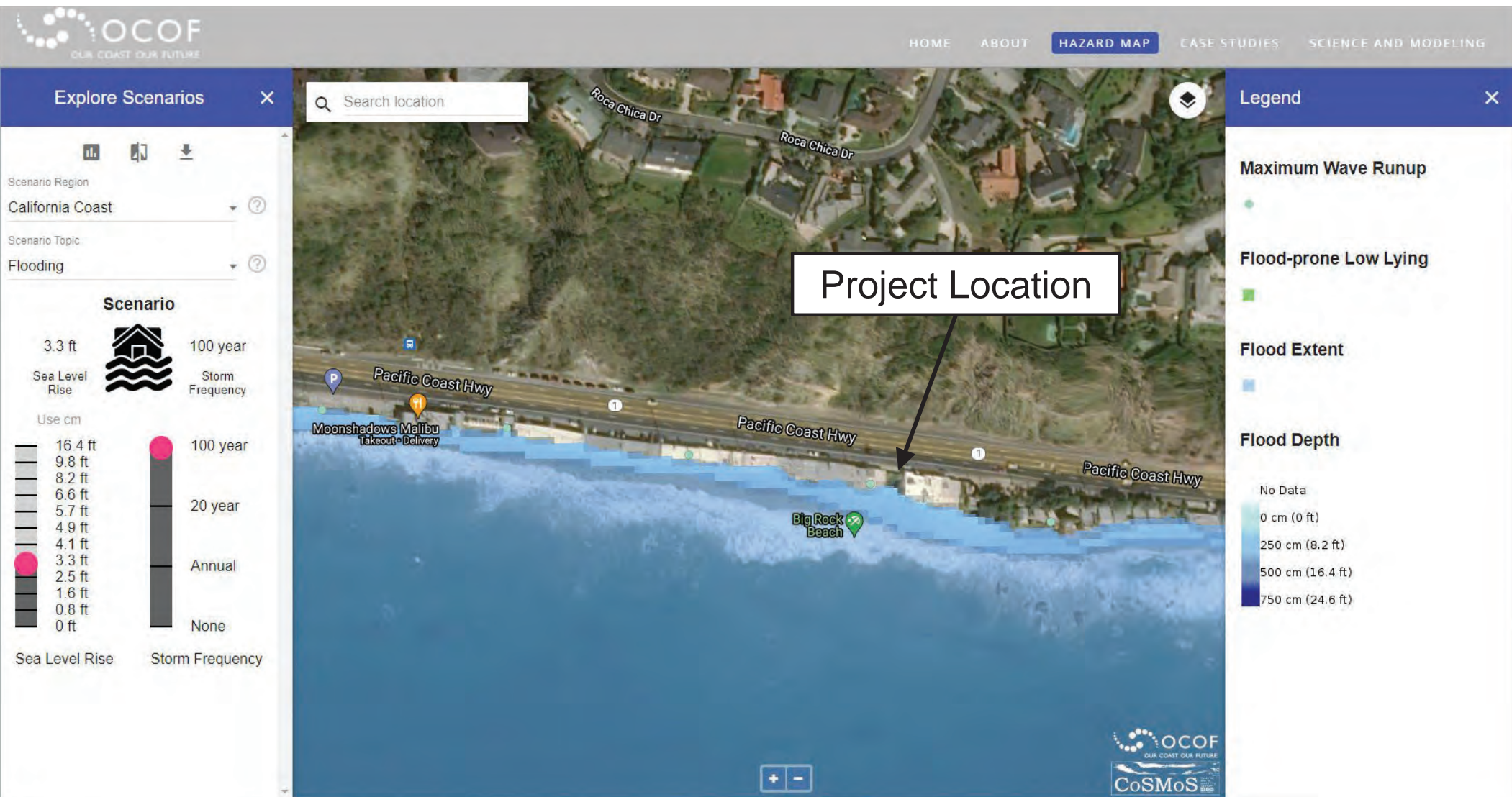


Exhibit 7
Appeal No. A-4-MAL-19-0202
CoSMoS Maps

Projected Flooding with 3.3 ft. Sea Level Rise and 100 Year Storm



Projected Flooding with 6.6 ft. Sea Level Rise and 100 Year Storm

