

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CALIFORNIA 93001-2801
(805) 585-1800 WWW.COASTAL.CA.GOV



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South Central Coast District Deputy Director's Report for November 2023

Prepared November 08, 2023 (for the November 17, 2023 Hearing)

To: Commissioners and Interested Parties

From: Steve Hudson, South Central Coast District Deputy Director

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs and LCP Certification Reviews for the South Central Coast District Office are being reported to the Commission on November 17, 2023. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's South Central Coast District Office in Ventura. Staff is asking for the Commission's concurrence on the items in the South Central Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on November 17th.

With respect to the November 17th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on November 17, 2023 (see attached)

Immaterial Extensions

- 4-07-066-E14, Halbreich (Malibu)
- 4-10-104-E10, Eko Substance Three LLC (Malibu)
- 4-12-019-E10, Iwashita (Malibu)
- 4-15-0390-E7, Broad Beach (Malibu)

LCP Certification Review

- LCP-4-MAL-22-0043-1, Malibu Middle and High School Campus Specific Plan

Addressing objection letter received

- 4-18-1261-E2, City of Goleta

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November 03, 2023

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that David Halbreich has applied for a one year extension of 4-07-066 granted by the California Coastal Commission on December 11, 2008

for: Construction of a two story, 29 1/2 foot high, 6,841 sq. ft. single family residence, attached 598 sq. ft., 3-car garage, 985 sq. ft. covered decks, pool, hot tub, driveway improvements, shared access road improvements, water tank, solar panel system, septic system, retaining walls, fencing with entrance gate, temporary construction trailer, restore approximately 150 lineal feet of existing roadway, and 3,224 cubic yards of cut grading and 1,569 cubic yards of fill grading, export 1705 cubic yards to disposal site located outside the coastal zone. AMENDED TO: Revision of size and location of building pad, and height and square footage of approved home, resulting in the following revised project description: Construction of a two story, 34 ft. high, 4,998 sq. ft. single family residence, detached 604 sq. ft. 3-car garage, 338 sq. ft. of covered decks, pool and hot tub driveway improvements, shared access road improvements including underground utility extensions within roadway, septic system, retaining walls fencing with entrance gate, temporary construction trailer, restore approximately 150 lineal feet of existing roadway, and 3,100 cubic yards of cut grading and 1,500 cubic yards of fill grading, export 1,600 cubic yards to disposal site located outside the coastal zone. AMENDED TO: Construction of a shared access road and driveway consisting of two retaining walls along the upslope side of the shared access road, including one 300 ft. long retaining wall with maximum height of 8.5 ft. and one retaining wall that is 70 ft. long with a maximum height of 7 ft., a 70 ft. long subterranean interconnected 8 pile retaining wall on the downslope side of the road, and grading quantities totaling 1,000 cubic yards of cut and 400 cubic yards of fill for the shared access road, and 1,100 cubic yards of cut and 500 cubic yards of fill for the driveway. AMENDED TO: Revisions to the design of the approved single-family residence, which include reducing the size of the residence from 4,998 sq. ft. to 4,544 sq. ft. and reducing the height of the residence from 34 ft. to 32 ft. 9 1/2 in. A hammerhead turnaround would be reconfigured at the top of the driveway adjacent to the residence to comply with current Los Angeles County Fire Department access requirements. The reconfigured turnaround would increase the amount of grading for the project by 500 cu. yds. Project grading would change from 4,600 cu. yds. (3,100 cu. yds. cut and 1,500 cu. yds. fill) to 5,100 cu. yds. (4,000 cu. yds. cut and 1,100 cu.yds. fill)

at: 3030 Vista Mar Dr, Malibu (Los Angeles County) (APN(s): 4457023009)

Notice of Extension Request for Coastal Development Permit
4-07-066

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

A handwritten signature in black ink, appearing to read "Diana Gonzalez", written in a cursive style.

Diana Gonzalez
Staff Services Analyst

cc: Commissioners/File

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November 03, 2023

**NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that Eko Substance Three LLC has applied for a one year extension of 4-10-104 granted by the California Coastal Commission on October 11, 2012.

for: Construction of a 7,913 sq. ft. (6,864 sq. ft. living area with 1,049 sq. ft. garage/basement), three-level, 35 ft. high single-family residence, swimming pool, septic system, water well, two 10,000 gal. underground water tanks, a 9,000 gallon underground cistern, fire suppression sprinkler system, entry gate, retaining walls, improvements to 1.18 miles of existing access road, and 16,750 cu. yds. of grading (12,250 cu. yds. cut, 4,500 cu. yds. fill). AMENDED TO: Revise the access road component of the approved project, consisting of a revised grading plan for the improvements to 1.18 miles of existing access road that decreases the overall length of retaining walls from 2,450 to 500 linear feet and reduces the amount of grading from 13,400 cu. yds. (8,900 cu. yds. cut and 4,500 cu. yds. fill) to 9,050 cu. yds. (6,900 cu. yds. of cut and 2,150 cu. yds. fill). The amount of grading for other development on the site (building pad, pool, septic system, water tanks, and cistern) will remain unchanged at 3,350 cu. yds. (3,350 cu. yds. of cut and 0 cu. yds. fill). The total amount of project grading is 12,400 cu. yds. (10,250 cu. yds. cut and 2,150 cu. yds. fill). AMENDED TO: Revise the configuration of the approved pool and patio/deck within the approved development area of the single-family residence. The amount of site grading would not change.

at: 27835 Borna Dr, Malibu (Los Angeles County) (APN(s): 4461039006)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

A handwritten signature in black ink, appearing to read "Julie Reveles".

Julie Reveles
Coastal Program Analyst

cc: Commissioners/File

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November 03, 2023

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that Kazuhiro Iwashita has applied for a one year extension of 4-12-019 granted by the California Coastal Commission on October 11, 2012.

for: Construct a 3,003 sq. ft., 26 ft. high single family residence, 800 sq. ft. under house carport and workshop, 150 sq. ft. pump house with well and solar panel array, 2 water tanks, driveway, retaining walls, septic system, outdoor patio, temporary construction trailer, 20 ft. wide driveway gate, and 2,418 cu. yds. new grading (1,209 cu. yds. cut, 422 cu. yds. fill, 767 cu. yds. export).

at: 24810 Piuma Rd, Malibu (Los Angeles County) (APN(s): 4456037055)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

A handwritten signature in black ink that reads 'Julie Reveles'.

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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November 03, 2023

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that Broad Beach Geologic Hazard Abatement District has applied for a one-year extension of 4-15-0390 granted by the California Coastal Commission on October 9, 2015.

for: Authorization of an approximately 4,150 ft. long rock revetment and re-location of the downcoast approximately 1,600 linear feet of the as-built rock revetment further landward; implementation of a beach nourishment program involving deposition of 300,000 cu. yds. of sand on the beach from inland sand quarries during the first year, with major renourishments of up to approximately 300,000 cu. yds. of sand and interim renourishments of up to 75,000 cu. yds. of sand allowed when certain triggers are reached; periodic sand back passing operations to occur no more than once per year, and dune habitat restoration.

at: 30708 Broad Beach to 6526 Lechuza Point Road, Malibu (Los Angeles County)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

A handwritten signature in dark ink, appearing to read "Julie Reveles".

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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Prepared November 1, 2023 (for November 17, 2023 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dr. Kate Huckelbridge, Executive Director
Barbara Carey, South Central Coast District Manager
Deanna Christensen, District Supervisor
Denise Gonzalez, Coastal Program Analyst

Subject: Certification Review for City of Malibu LCP Amendment Number LCP-4-MAL-22-0043-1 (Malibu Middle and High School Campus Specific Plan)

On September 8, 2023, the California Coastal Commission considered a proposed City of Malibu LCP amendment (LCP-4-MAL-22-0043-1) to accommodate the redevelopment of campus facilities at the Malibu Middle and High School (MMHS) Campus through the creation of a new overlay district with special development standards. At that time, and after a public hearing, the Commission conditionally certified the amendment provided it was modified as suggested by the Commission.

The City of Malibu City Council considered the Commission's conditional certification on October 9, 2023, and October 23, 2023, and approved a modified version of the LCP amendment that day in response to the Commission's conditional certification, including the suggested modifications (see attachments).

The Executive Director has reviewed the City's October 9, 2023, and October 23, 2023 actions, and has determined that it is legally adequate to meet all of the Commission's conditional certification requirements. The Executive Director will report that determination to the Coastal Commission at the Commission's November meeting on November 17, 2023 as part of the South Central Coast District Director's Report. The Commission meeting starts at 9am on November 17th, and the District Director's Report is item number 10 on the agenda for that day. Interested persons are welcome to submit comments and/or to sign-up to testify to the Commission regarding this matter under that agenda item (see the Commission's website at www.coastal.ca.gov for further information and instructions to participate in these ways).

Please note that this certification review is not a time to revisit any substantive issues associated with the approval of the subject LCP amendment, as certification review is limited to the question of whether the County adopted the suggested modifications to the LCP amendment approved by the Commission. Please further note that the Executive Director's determination is not subject to any required concurrence or approval by the Commission, but rather is simply being reported to the Commission as is required by the Commission's regulations in order to allow for the amended LCP to be

ORDINANCE NO. 512

AN ORDINANCE OF THE CITY OF MALIBU AMENDING LOCAL COASTAL PROGRAM AMENDMENT NO. 21-002, ZONING TEXT AMENDMENT NO. 22-002, AND ZONING MAP AMENDMENT NO. 22-001, AS ADOPTED BY ORDINANCE NO. 501 AND PURSUANT TO THE CONDITIONAL CERTIFICATION ACTION TAKEN BY THE CALIFORNIA COASTAL COMMISSION ON SEPTEMBER 8, 2023, IN ORDER TO OBTAIN FINAL CERTIFICATION OF THE SUBMITTED LOCAL COASTAL PROGRAM AMENDMENT APPLICATION FOR THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN LOCATED AT 30215 MORNING VIEW DRIVE (SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT); AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONSISTENT WITH THE EIR FOR THE PROJECT WITH NO FURTHER ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIRED

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Findings.

A. On September 27, 2022, the City Council adopted Ordinance No. 501 approving Local Coastal Program Amendment (LCPA) No. 21-002, Zoning Text Amendment (ZTA) No. 22-002, and Zoning Map Amendment (ZMA) No. 22-001 to: A) add Section 3.4.6 to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 3.4 to incorporate the Malibu Middle and High School (MMHS) Campus Specific Plan into the LIP; B) exempt MMHS from the prohibition of electronic message center signs required by LIP Section 3.15.3; C) amend Malibu Municipal Code (MMC) section 17.42.020 to add Subsection "M." to incorporate the MMHS Campus Specific Plan into the MMC consistent with the proposed LCPA language; D) exempt MMHS from the prohibition of electrical message center signs required by MMC Section 17.52.040; E) amend LCP Zoning Map No.2 to add a boundary line around the MMHS Campus Specific Plan Area, denoting the boundaries of the MMHS Campus Specific Plan area for three parcels (Assessor's Parcel Map Numbers 4469-017-900, 4469-018-903, and 4469-018-904) located at 30215 Morning View Drive; F) add MMHS Campus Specific Plan Environmental Sensitive Habitat Area (ESHA) Restoration Map Nos. 1, 2, and 3 to the LIP; G) add the proposed site plan for the MMHS Campus Specific Plan to the LIP; and H) amend the MMC Zoning Map consistent with the update to LCP Zoning Map No. 2 located at 30215 Morning View Drive (Santa Monica-Malibu Unified School District).

B. On September 8, 2023, the California Coastal Commission (CCC) took action to conditionally certify the City's LCPA for Ordinance No. 501 with amendments (CCC File Reference LCPA No. LCP-4-MAL-22-0043-1).

C. On September 14, 2023 a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu indicating that the City Council would hold a public hearing on October 9, 2023 to consider the proposed Ordinance amending LCPA No. 21-002 (Exhibits A, C, and D of Ordinance No. 501), ZTA No. 22-002 (Exhibit B of

and recommends that no further analysis or environmental documentation is necessary. Accordingly, the proposed City Council actions are merely a step-in furtherance of the original project for which environmental review was performed and no supplemental or subsequent CEQA has been triggered, and no further environmental review is required.

SECTION 3. Acknowledgement of CCC's Resolution of Certification.

The City of Malibu hereby acknowledges receipt of the CCC's Resolution of Certification of City of Malibu LCPA No. LCP-4-MAL-22-0043-1 (MMHS Campus Specific Plan Overlay District), including any suggested modifications therein.

SECTION 4. Local Coastal Program Amendments.

Pursuant to LIP Section 19.5(B), the City Council adopts the following amendments to the LIP pursuant to the conditional certification action taken by the CCC on September 8, 2023 in order to obtain final certification of LCPA No. 21-002. Specifically, the amendments modify text and zoning maps in the LIP as adopted by Exhibits A, C, and D of Ordinance No. 501 for LCPA No. 21-002 as follows:

A. That LIP Section 3.4.6 "Specific Plan Overlay District" be renumbered and retitled as "LIP Section 3.4.7 – Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District" and the section replaced in its entirety as follows, which amends the proposed regulations included in Exhibit A of Ordinance No. 501, as recommended by the CCC:

LIP Section 3.4.7 – Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District

The MMHS Campus Specific Plan Overlay District is intended to provide for the classification and development of a parcel or parcels of land as a coordinated, comprehensive project that will result in a more desirable development or physical environment than would be possible through the strict application of conventional zoning regulations and standards. The provisions of this section shall apply to the MMHS Campus (30215 Morning View Drive/APNs 4469-017-900, 4469-018-903, and 4469-18-904), as identified in the MMHS Campus Specific Plan Overlay District map.

A. Malibu Middle and High School Campus Specific Plan.

The provisions of this section provide custom development criteria and uses for the redevelopment of the MMHS campus, as described in MMHS Campus Specific Plan (August 2022), a plan which establishes the development standards and plan for the redevelopment of campus facilities in multiple phases to enhance and modernize facilities and improve campus circulation, as illustrated on the MMHS Campus Site Plan of the LIP.

- c. Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.
3. Site-Specific Development Criteria. All proposed construction shall comply with the following site-specific development standards:
- a. Structure Size. The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the Land Use Plan, where additional significant public benefits and amenities are provided as part of the project.
 - b. Landscaping and Site Permeability. Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 3.14.5 (E)(1) of the Malibu LIP shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to permeable surfaces.
 - c. All parking areas within the 100-foot ESHA buffer area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.
4. Wayfinding and Informational Signage

The provisions of LIP Section 3.15.3(J) shall not apply. The following describes the types of allowed signs:

- a. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.
- b. Marquee signs. Two double-sided monument signs would be allowed on Morning View Drive. The monument signs would be a maximum of five feet tall and contain an LED display screen, 10 mm pixel spacing with dimmable brightness that is oriented perpendicular to Morning View Drive facing east. The signs would be placed on concrete wall support and have an internally illuminated logo and must be turned off within one-half hour of all school events. Marquee sign lighting shall be dimmable in the evenings when not required for student/community communication.

The export of cut material may be required to preserve the natural topography of the project site. Cut material may only be exported to an appropriate landfill or a site permitted to accept material.

7. Permitted Uses in ESHA Buffer

The following types of new development and redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan Overlay District, shall provide an ESHA buffer that is the maximum feasible width extent but no less than 50 feet and where fully mitigated in conjunction with the ESHA Habitat Restoration Plan requirements of subsection 8 below, so that it does not significantly disrupt the habitat values of ESHA:

- a. ESHA and creek-related educational uses and permeable pads for viewing areas;
- b. Roadways (and associated retaining walls), road rights-of-way, utilities, storm drains, and permeable parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
- c. Fuel modification required by the California Department of Forestry and Fire Protection;
- d. Exterior lighting solely for accessibility and safety purposes; and
- e. Fences necessary for public safety, restoration, and protection of habitat.

8. ESHA Restoration Plan

a. Habitat Restoration Plan

To allow for clustering of new development within the existing, developed portions of the MMHS Campus, limited development may have a reduced buffer of less than 100 feet from the creek located on the western side of campus, as specifically allowed pursuant to subsection 7 above. Habitat buffers less than 100 feet place these habitat areas at risk of significant degradation caused by the adjacent development. The applicant shall mitigate the adverse impacts of reduced buffers by providing mitigation for all ESHA that will not have a 100-foot buffer from development.

As a condition of approval of and prior to issuance of a coastal development permit for new development requiring a less than 100-foot ESHA buffer within the overlay district, the applicant shall be required to submit for review and approval by the City Biologist, a final revised Habitat Restoration Plan that shall substantially conform to the "Habitat Restoration Plan for MMHS Campus, Malibu" (PSOMAS, 2021) and "ESHA Restoration Map Nos. 1, 2, and 3" of the LIP, and incorporates the following phased restoration work:

D. That the added language to Subsection 1 of LIP Section 4.6.1 (Buffers) adopted by Exhibit A of Ordinance No. 501 be deleted and revert to certified language as shown below, as recommended by the CCC:

1. Stream/Riparian

New development shall provide a buffer of no less than 100 feet in width from the outer edge of the canopy of riparian vegetation. Where riparian vegetation is not present, the buffer shall be measured from the outer edge of the bank of the subject stream.

However, in the Point Dume area, new development shall be designed to avoid encroachment on slopes of 25 percent grade or steeper.

E. That the following modifications to LIP Zoning Map No. 2 (Zuma Beach to Escondido Beach) adopted by Exhibit C of Ordinance No. 501 be removed in their entirety, as shown in Exhibit A of this ordinance, as recommended by the CCC: 1) the crosshatching added to Assessor Parcel Numbers (APN) 4469-017-900, 4469-018-903, and 4469-018-904 located at 30215 Morning View Drive be deleted; 2) the zoning designation titled "Specific Plan" be deleted; and 3) the underlying zoning designation of "Institutional" on APNs 4469-017-900, 4469-018-903, and 4469-018-904 be restored.

F. That a new overlay district map titled "Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District" be added to the LIP, as shown in Exhibit B of this ordinance, that depicts the outline of the area subject to the overlay, including APNs 4469-017-900, 4469-018-903, and 4469-018-904 and the corresponding addresses and APNs to differentiate which parcels are subject to the MMHS Campus Specific Plan Overlay District, as recommended by the CCC.

G. That the "MMHS Campus Specific Plan ESHA Restoration Map Nos. 1, 2, and 3" added to the LIP as adopted by Exhibit D of Ordinance No. 501 be retitled as "MMHS Campus Specific Plan Overlay District ESHA Restoration Map Nos. 1, 2, and 3," as shown in Exhibit C of this ordinance, as recommended by the CCC.

H. That Exhibit E (Proposed Site Plan for MMHS Campus Specific Plan) remain in the LIP as adopted by Ordinance No. 501 with no modifications.

I. That the revision to Policy 6.7 of LCP Land Use Plan (LUP) Chapter 6 (Scenic and Visual Resources) is not required to be included in Ordinance No. 501.

SECTION 5. Local Coastal Program Amendment Findings.

A. The amendments to the LCP meet the requirements of and are in conformance with the goals, objectives, and purposes of the LCP pursuant to the conditional certification by the CCC on September 8, 2023. Development standards specific to the Malibu Middle and High School Campus Specific Plan Overlay District ensure that the development of the school campus will

2. Development Standards.

The institutional development standards contained in Section 17.40.110 shall not apply. The following are the development standards for the MMHS Campus Specific Plan

Overlay District:

- a. Height. Except as allowed in this section structures shall not exceed eighteen (18) feet above finished or natural grade, whichever results in lower building height, except for chimneys, rooftop antenna, and light standards. Notwithstanding the provisions of Section 17.62.040(A)(12), all development proposed above eighteen (18) feet in height must require a Site Plan Review, pursuant to Sections 17.62.040 and 17.62.060 of the Malibu Municipal Code. Should a Site Plan Review be required, the entire development above eighteen (18) feet, including all roof projections, requires the installation of story poles to ensure private view protection.
 - i. Building C: High School Building shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty-one (41) feet above finished grade.
 - ii. Building D: Middle School Gym/Multi-Purpose Room and Student Activities and Food Service structures shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty (40) feet above finished grade.
 - iii. Building H: Theater/Performing Arts shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - iv. Building J: High School Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - v. Building L: Aquatics Center/Field House shall not exceed a maximum height of twenty-eight (28) feet above finished grade, inclusive of chimneys, rooftop antenna, and light standards.
 - vi. For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).
 - vii. In no event shall the maximum number of stories above grade be greater than two.
- b. Yards/Setbacks.
 - i. Front yard setbacks shall be ten (10) feet from the street easement.
 - ii. Side yard setbacks shall be five feet. When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.

e. Lighting.

- i. All lighting at the MMHS campus, including pool lighting, shall be minimized, restricted to low intensity features, directed downward and away from ESHA, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views and wildlife to the maximum extent feasible.
- ii. Sports field lighting shall be limited to the main sports field at Malibu High School. All sport field lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G.
- iii. Pool lighting shall be limited to only the extent necessary to achieve safety illumination regulations per the Illuminating Engineering Society of North America (IESNA) for a Class II facility.
- iv. Pool lighting shall be turned off no later than ½ hour after aquatic use and safety perimeter lighting shall be turned off with all other automatic campus lighting.
- v. All outdoor lighting shall be extinguished by 11:00 p.m. or close of campus use, whichever is later, except for security lighting activated by motion sensor which extinguishes ten (10) minutes after activation and lighting at the building entrances and driveway egress points.

f. Grading.

The grading requirements of LIP Section 3.8(B) shall not apply. Grading shall not exceed the following quantities, inclusive of all grading categories without distinction between exempt, nonexempt, and remedial grading:

Phase	Cut (cy)	Fill (cy)	Project Phase Total (cy)
1	35,200	10,400	45,600
2	5,175	-	5,175
3	25,300	14,000	39,300
4	10,000	33,350	43,350
Total	40,475	47,350	87,825

- (1) During Phase 1 demolition of hardscape within the 100-foot buffer of the downstream area, the habitat restoration plan shall require weed abatement along the upstream, middle, and downstream riparian and upland habitat, broadcast of native seed in the downstream riparian and upland habitat as well as upstream upland habitat, and planting of native stock in the downstream riparian and upland habitat. Bank stability improvements and erosion control would occur in the upstream, middle, and downstream portions of the ESHA during Phase 1, which include the proposed pedestrian trail and new roadways.
- (2) During Phase 4 demolition of developed hardscape areas within the 100-foot buffer of the upstream and middle stream area, the habitat restoration plan shall require restoration of the upland area of the upstream and middle stream portion of the habitat. Upon completion of Phase 4, the pedestrian trail would be completed and connected to existing trails on the campus.

ii. Habitat Restoration Plan Implementation

As a condition of approval for Phase 1 and Phase 4 development requiring a less than 100-foot ESHA buffer within the overlay district, the applicant shall be required to implement the final approved Habitat Restoration Plan required pursuant to subsection i above. Restoration work under the final Habitat Restoration Plan shall be carried out prior to or concurrently with construction of the development project. Maintenance and monitoring of the restoration shall commence immediately after installation and continue for five years in each portion of the riparian and upland habitat areas (downstream, middle, and upstream). In any case, the implementation portion of the ESHA restoration project described in subsections (h)(i)(1) and (h)(i)(2) above, shall be complete prior to the issuance of certificates of occupancy for any structures approved in the coastal development permit. Any proposed changes to the approved Habitat Restoration Plan must be approved by the City Biologist and reported to the Executive Director of the Coastal Commission.

SECTION 7. Zoning Map Amendment.

Pursuant to Section 17.74.040 of the MMC, the City Council adopts the following corollary amendments to Title 17 of the MMC pursuant to the conditional certification action taken by the CCC on September 8, 2023 in order to obtain final certification of LCPA No. 21-002. Specifically, the amendments modify the MMC Zoning Map as adopted by Exhibit F of Ordinance No. 501 for ZMA No. 22-001 as follows:

A. That the modifications to the MMC Zoning Map adopted by Exhibit F of Ordinance No. 501 be removed in their entirety, as shown in Exhibit D of this ordinance, as follows: 1) the crosshatching added to Assessor Parcel Numbers (APN) 4469-017-900, 4469-018-903, and 4469-018-90 located at 30215 Morning View Drive be deleted; 2) the zoning designation titled "Specific Plan" be deleted; and 3) the underlying zoning designation of "Institutional" on APNs 4469-017-900, 4469-018-903, and 4469-018-904 be restored.

SECTION 12. Certification.

The City Clerk shall certify the passage and adoption of this Ordinance and enter it into the book of original ordinances.

PASSED, APPROVED AND ADOPTED this 23rd day of October, 2023.



STEVE UHRING, Mayor

ATTEST:



KELSEY PETTIJOHN, City Clerk
(seal)

Date: 10/24/23

APPROVED AS TO FORM:



TREVOR RUSIN, City Attorney

Exhibit A: LCP Zoning Map

Exhibit B: LCP MMHS Campus Specific Plan Overlay District Map (LCPA No. 21-002)

Exhibit C: MMHS Campus Specific Plan Overlay District ESHA Restoration Map Nos. 1, 2, and 3

Exhibit D: MMC Zoning Map

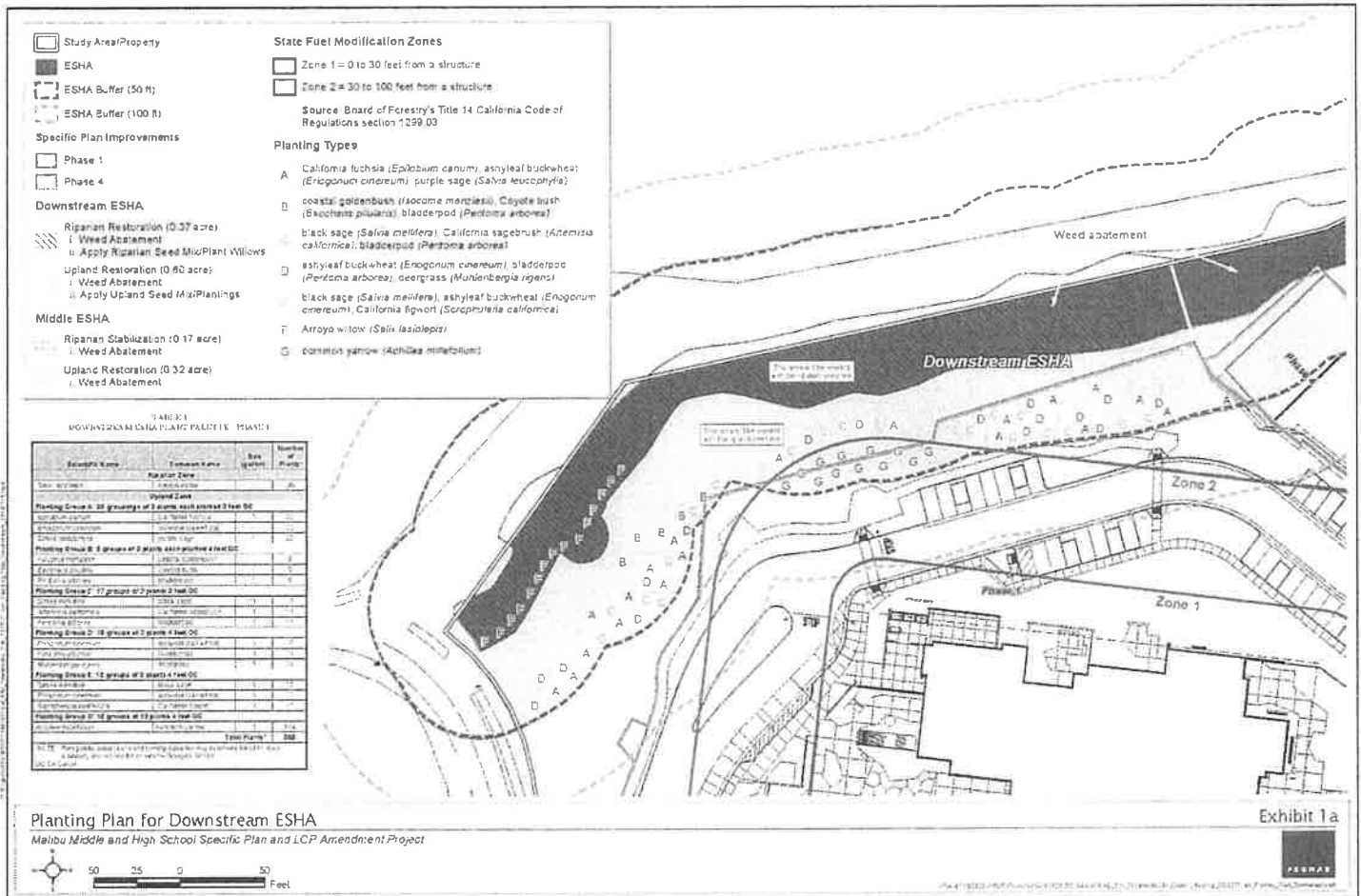
Exhibit E: MMC MMHS Campus Specific Plan Overlay District Map (ZMA No. 22-001)

LCP Zoning Map No. 2



EXHIBIT C

MMHS Campus Specific Plan Overlay District ESHA Restoration Map Nos. 1, 2, And 3



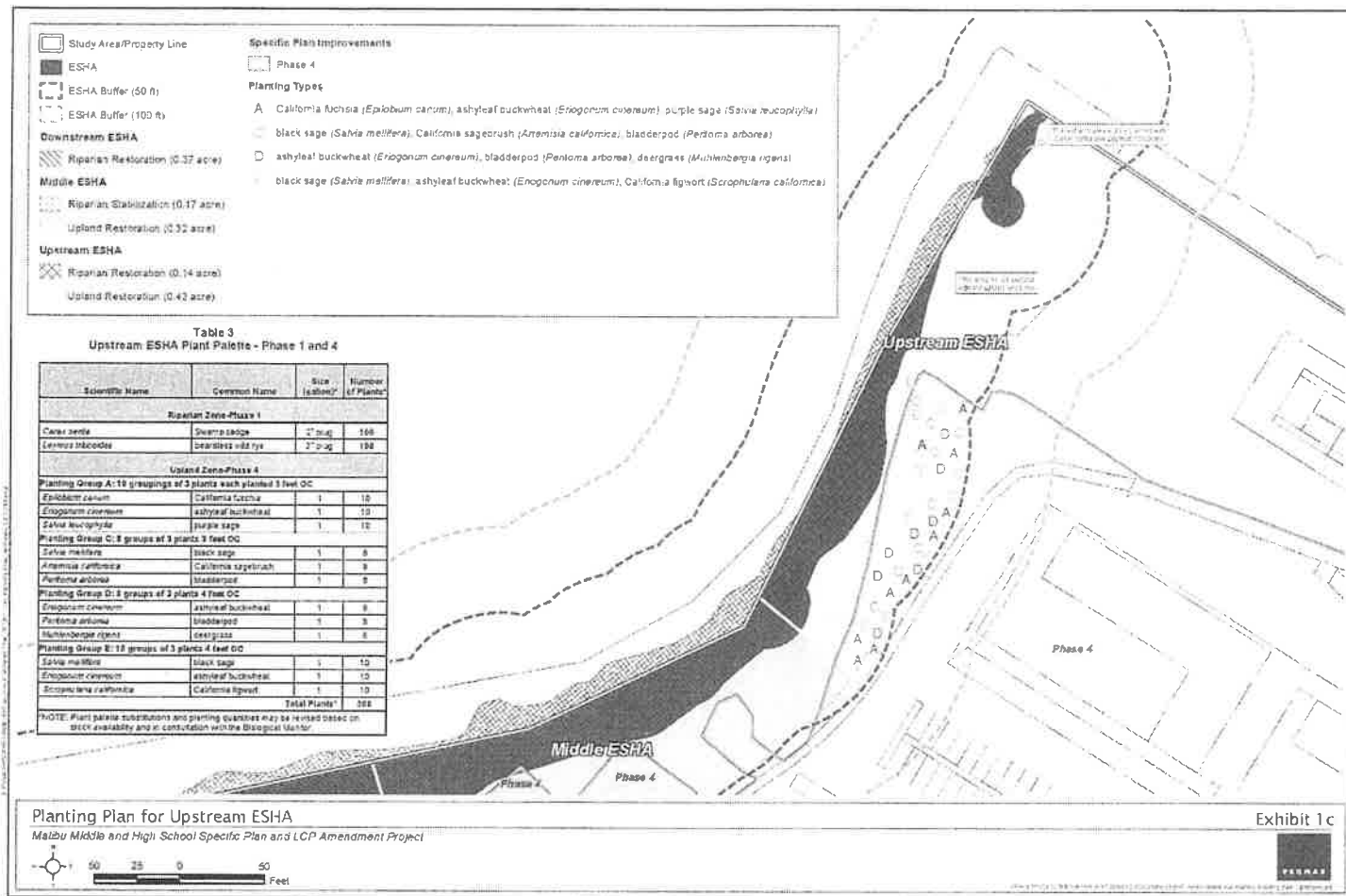
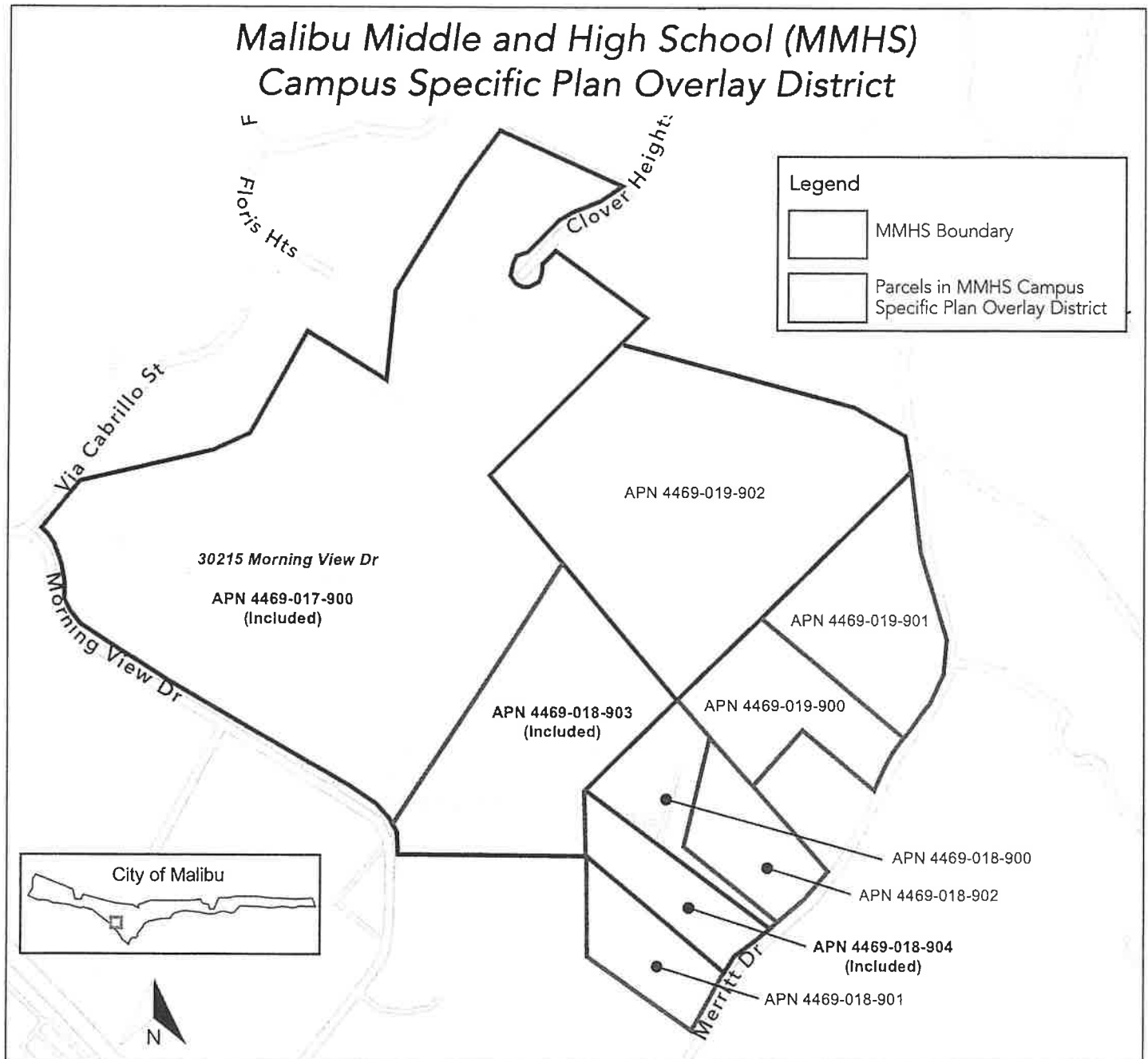


EXHIBIT E

MMC MMHS Campus Specific Plan Overlay District Map



Note: The City of Malibu Planning Department prepared this map on September 22, 2023 (ZMA No. 22-001).

of Resolution No. 22-33, and GPMA No. 21-002 (Exhibit C of Resolution No. 22-33) as adopted by Resolution No. 22-33 on September 27, 2022, reviewed and considered written reports, public testimony, and related information.

SECTION 2. Environmental Review.

The City Council has analyzed the amended LCPA and corollary amendments to the MMHS Campus Specific Plan and GPMA herein proposed by the California Coastal Commission and makes the following findings. Pursuant to Public Resources Code Section 21080.9, the California Environmental Quality Act (CEQA) does not apply to activities and approvals by the City as necessary for the preparation and adoption of an LCPA. This action is for an amendment to the LCP and corollary amendments to the MMHS Campus Specific Plan and GPMA, wherein the updated LCPA must be certified by the CCC before it takes effect. On September 8, 2023, the CCC took action to conditionally certify the City's LCPA, with amendments to the LUP as previously adopted by Resolution No. 22-33 (CCC File Reference LCPA No. LCP-4-MAL-22-0043-1). The City Council has analyzed the amendments and finds that the activities and approvals are necessary by the City for the adoption of the LCPA in order to obtain final certification of the LCPA by the CCC.

Further, the proposed City Council actions, including without limitation, direction to prepare an amended ordinance was adequately covered in a Final Environmental Impact Report (FEIR) adopted by the Santa Monica-Malibu School District (SMMUSD or District) Board of Education (Board) acting as lead agency on January 26, 2022 (State Clearinghouse No. 202008350). Previously, on September 19, 2019, the City accepted the District as the lead agency pursuant to CEQA Guidelines §15051 for the project and the City confirmed its role as a responsible agency. The proposed City Council actions are not a separate "project" for CEQA purposes but rather a subsequent discretionary action related to a previously approved project (CEQA Guidelines § 15378(c)). Additionally, pursuant to CEQA Guidelines Sections 15162 and 15163, and based on the review of the entire record, including without limitation, the Final EIR, the City Council finds that the proposed actions do not require further environmental review as: 1) no substantial changes are proposed to the project and no substantial changes have occurred that require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in severity of previously identified significant effects; and 2) no new information of substantial importance has come to light that (a) shows the project will have one or more significant effects not discussed in the FEIR, (b) identifies significant impacts would not be more severe than those analyzed in the FEIR, (c) shows that mitigation measures or alternatives are now feasible that were identified as infeasible and those mitigation measures or alternatives would reduce significant impacts, and (d) no changes to mitigation measures or alternatives have been identified or are required. Pursuant to CEQA Guidelines §15162(b), the City Council finds and recommends that no further analysis or environmental documentation is necessary. Accordingly, the proposed City Council actions are merely a step-in furtherance of the original project for which environmental review was performed and no supplemental or subsequent CEQA has been triggered, and no further environmental review is required.

D. That LUP Policy 3.27 be amended as recommended by the CCC, which was not originally included in Exhibit B of Resolution No. 22-33:

3.27

- a. Buffers shall be provided from coastal sage scrub and chaparral ESHA that are of sufficient width to ensure that no required fuel modification (Zones A, B, or C, if required) will extend into the ESHA and that no structures will be within 100 feet of the outer edge of the plants that comprise the habitat.
- b. The following types of new development and redevelopment adjacent to riparian ESHA along the western edge of the Malibu Middle and High School Campus shall provide an ESHA buffer that is the maximum feasible width, but no less than 50 feet, and where impacts to riparian ESHA are fully mitigated in the form of riparian and upland habitat restoration so it does not significantly disrupt the ESHA habitat values:
 1. ESHA and creek-related educational uses and permeable viewing pad areas;
 2. Roadways (and associated retaining walls), road right-of-way, utilities, storm drains, and permeable pavement parking lots;
 3. Fuel modification required by the California Department of Forestry and Fire Protection;
 4. Exterior lighting solely for accessibility and safety purposes; and
 5. Fences necessary for public safety, restoration, and protection of habitat.

E. That the revised language in LUP Policy 6.7 be deleted and revert to certified language as shown below, as recommended by the CCC (the language was not originally included in Exhibit B of Resolution No. 22-33 but was inadvertently included in Ordinance No. 501 adopted by the City Council on September 27, 2022 for LCPA No. 21-002):

The height of structures shall be limited to minimize impacts to visual resources. The maximum allowable height, except for beachfront lots, shall be 18 feet above existing or finished grade, whichever is lower. On beachfront lots, or where found appropriate through Site Plan Review, the maximum height shall be 24 feet (flat roofs) or 28 feet (pitched roofs) above existing or finished grade, whichever is lower. Chimneys and rooftop antennas may be permitted to extend above the permitted height of the structure.

SECTION 5. Local Coastal Program Amendment Findings.

A. The amendments to the LCP meet the requirements of and are in conformance with the goals, objectives, and purposes of the LCP pursuant to the conditional certification by the CCC on September 8, 2023. Development standards specific to the MMHS Plan Overlay District ensure that the development of the school campus will allow for the modernization of the school while maintaining standards to require that uses within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources.

2. Yards/Setbacks.

- a. Front yard setbacks shall be ten (10) feet from the street easement.
- b. Side yard setbacks shall be five feet. When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater
- c. Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

3. Site-Specific Development Criteria. All proposed construction shall comply with the following site-specific development standards:

- a. Structure Size. The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the Land Use Plan, where additional significant public benefits and amenities are provided as part of the project.
- b. Landscaping and Site Permeability. Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 3.14.5 (E)(1) of the Malibu LIP shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to permeable surfaces.
- c. All parking areas within the 100-foot ESHA buffer area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

No changes to Subsection 5.2(A)(4) Grading.

B. That Subsection 5.3 (Wayfinding and Informational Signage) of Section 5.0 (Development Standards) be amended to include the following provision, which amends the proposed regulations included in Exhibit A of Resolution No. 22-33, corollary to the recommendations by the CCC for LPCA No. 21-002:

Marquee sign lighting shall be dimmable in the evenings when not required for student/community communication.

(1) During Phase 1 demolition of hardscape within the 100-foot buffer of the downstream area, the habitat restoration plan shall require weed abatement along the upstream, middle, and downstream riparian and upland habitat, broadcast of native seed in the downstream riparian and upland habitat as well as upstream upland habitat, and planting of native stock in the downstream riparian and upland habitat. Bank stability improvements and erosion control would occur in the upstream, middle, and downstream portions of the ESHA during Phase 1, which include the proposed pedestrian trail and new roadways.

(2) During Phase 4 demolition of developed hardscape areas within the 100-foot buffer of the upstream and middle stream area, the habitat restoration plan shall require restoration of the upland area of the upstream and middle stream portion of the habitat. Upon completion of Phase 4, the pedestrian trail would be completed and connected to existing trails on the campus.

ii. Habitat Restoration Plan Implementation

As a condition of approval for Phase 1 and Phase 4 development requiring a less than 100-foot ESHA buffer within the overlay district, the applicant shall be required to implement the final approved Habitat Restoration Plan required pursuant to subsection i above. Restoration work under the final Habitat Restoration Plan shall be carried out prior to or concurrently with construction of the development project. Maintenance and monitoring of the restoration shall commence immediately after installation and continue for five years in each portion of the riparian and upland habitat areas (downstream, middle, and upstream). In any case, the implementation portion of the ESHA restoration project described above, shall be complete prior to the issuance of certificates of occupancy for any structures approved in the coastal development permit. Any proposed changes to the approved Habitat Restoration Plan must be approved by the City Biologist and reported to the Executive Director of the Coastal Commission.

D. That Subsection 7.4 (Lighting) of Section 7.0 (Infrastructure) be amended to include the following provisions, which amends the proposed regulations included in Exhibit A of Resolution No. 22-33, corollary to the recommendations by the CCC for LCPA No. 21-002:

1. All lighting at the MMHS campus, including pool lighting, shall be minimized, restricted to low intensity features, directed downward and away from ESHA, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views and wildlife to the maximum extent feasible.
2. Sports field lighting shall be limited to the main sports field at Malibu High School. All sport field lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G.
3. Pool lighting shall be limited to only the extent necessary to achieve safety illumination regulations per the Illuminating Engineering Society of North America (IESNA) for a Class II facility.

corollary of that action. The City Council finds that the GPMA is necessary for the proposed LCPA and will only be approved if the LCPA is approved, and on the condition that the GPMA only take effect if the LCPA is certified by the CCC.

SECTION 10. Submittal to California Coastal Commission.

The City Council hereby directs staff to submit LCPA to the California Coastal Commission per Title 14, California Code of Regulations Section 13544(c).

SECTION 11. Effective Date.

The LCP amendment, and GPMA approved in this Resolution shall become effective only upon certification by the California Coastal Commission of this amendment to the LCP.

SECTION 12. Certification.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 9th day of October, 2023.


STEVE UHRING, Mayor

ATTEST:


KELSEY PETTIJOHN, City Clerk
(seal)

Date:

10/23/23

APPROVED AS TO FORM:

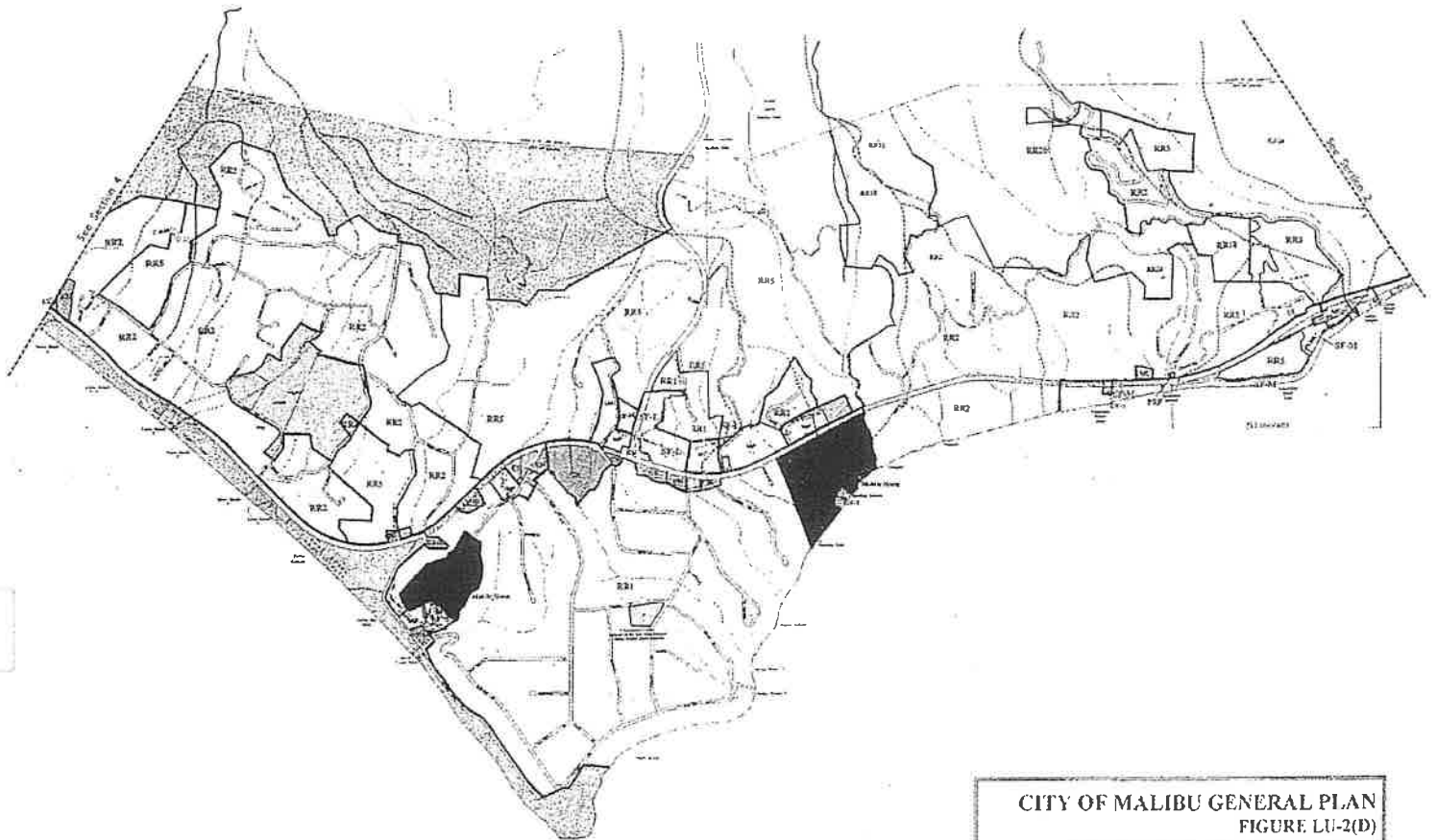

TREVOR RUSIN, City Attorney

Exhibit A: General Plan Land Use Map

Exhibit B: General Plan MMHS Campus Specific Plan Overlay District Map (GPMA No. 21-002)

EXHIBIT A

General Plan Land Use Map



Section 3

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-2801
PHONE (805) 585-1800

**OBJECTION RECEIVED TO EXECUTIVE DIRECTOR'S DETERMINATION**

Date: October 26, 2023

To: Commissioners and Interested Persons

From: Dr. Kate Huckelbridge, Executive Director

Re: Objection to Executive Director's Determination Regarding Extension of Coastal Development Permit (CDP) No. 4-18-1261-E2 (City of Goleta)

The applicant requests a one-year Time Extension to Coastal Development Permit No. 4-18-1261, which was previously approved by the Commission on September 10, 2020. This Permit is for:

Construction of an 11,600 sq. ft. one-story fire station with three drive-through bays and associated apparatus, a 1,250 gallon above-ground fuel tank, 16 parking spaces, removal and replacement of 69 non-native trees, installation of drought tolerant landscaping, new sidewalk, extension of the westbound Class II bicycle lane on Hollister Ave., and 3,400 cu. yds. of grading, including 1,100 cu. yds. of cut and 2,300 cu. yds. of fill on a vacant parcel.

The Executive Director determined that there were no changed circumstances affecting the proposed development's consistency with the Coastal Act, and notice of this determination was mailed on September 29, 2023. This Determination will be reported to the Commission at the November 17, 2023, Commission meeting. Pursuant to the Commission's Regulations, 14 Cal. Admin. Code Section 13169(c):

If the executive director received a written objection to his or her determination but concludes that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act or a certified local coastal program, if applicable, the executive director shall report this conclusion to the commission at the same time that the executive director reports the determination to the commission in accordance with subsection (b) above. The executive director shall provide a copy of the letter(s) of objection to the commission with the report. If three commissioners object to the extension on grounds that there are changed circumstances that affect consistency, the executive director shall schedule the extension for hearing(s) in accordance with subsection (d) below. If three commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit.

On October 11, 2023 following notice of the Executive Director's Determination, a letter of objection to the time extension was received within 10 working days of the mailed notice (**Exhibit 1**). The letter is from Mr. Michael Rieder, an occupant of a property adjacent to

the subject parcel. The letter states that Mr. Rieder objects to the extension of the subject permit because the approved project will remove 69 non-native trees, most of which are eucalyptus, that contribute to the scenic character of Goleta and act as a buffer to traffic noise associated with Highway 101. Mr. Rieder also asserts that the City of Goleta has the opportunity to connect the subject property to the Sandpiper Golf Course and the Pacific Ocean. Additionally, Mr. Rieder contends that the eucalyptus trees at the subject site should be preserved for monarch butterfly habitat.

The eucalyptus trees on the subject property are described in the staff report for the Commission's original approval of the project in September 2020 as an important component of the visual character of the western Goleta area; however, the staff report also notes that the subject site is suitable for development since it is within an existing developed area and the subject project was designed to mitigate visual impacts. The subject site is surrounded on three sides by public roads and a railroad: Hollister Avenue to the south, Cathedral Oaks Road to the west, and the Union Pacific Railroad and Highway 101 to the north. Due to a difference in elevation, the subject project would not block views to the Pacific Ocean from either the Union Pacific Railroad or Highway 101. Further, the project would retain eight of the existing trees on site and replace the other 69 trees at a 1:1 ratio, with 33 trees planted on-site and the remaining trees planted off-site on City-owned property in the Coastal Zone. In its approval of the subject project, the Commission found that the vegetation on site did not support monarch butterfly habitat and did not constitute environmentally sensitive habitat area.

In this case, the letter of objection does not assert that there are any changed circumstances on site that affect the development's consistency with the Coastal Act. Although the letter details the objection by Mr. Rieder to the Commission's original approval of the subject coastal development permit based on the project's potential impacts to the visual character of Goleta and biological resources on site, these issues were fully evaluated by the Commission in its approval of CDP 4-18-1261. All of the circumstances cited in the letter of objection existed at the time the permit was approved in September of 2020.

A second letter of objection to the time extension was received from Mr. Howard Gabel on October 16, 2023. Section 13169(b)(1) of the Commission's Regulations requires letters of objection to be received within 10 working days of the mailed notice, and Mr. Gabel's letter was received after the 10 working days of the mailed notice. Although the letter was received after the required deadline, Mr. Gabel's letter indicated that he objects to the project and did not assert that there are any changed circumstances.

Therefore, for the reasons stated above, the Executive Director has determined that there are no changed circumstances on site that affect the development's conformity with the Coastal Act. The Executive Director is reporting the time extension and the objection to the Commission pursuant to the above referenced regulation. If three Commissioners object to the Executive Director's determination on the time extension, it will be scheduled for hearing as a material permit extension at a subsequent meeting.