

Council Agenda Report

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

Prepared by: Richard Mollica, Planning Director

Approved by: Steve McClary, City Manager

Date prepared: September 21, 2023 Meeting date: October 9, 2023

Subject: Consideration of Local Coastal Program Amendment No. 21-001, Malibu Middle and High School Campus Specific Plan, General Plan Map Amendment No. 21-002, Zoning Text Amendment No. 22-002, and Zoning Map Amendment No. 22-001 (Malibu Middle and High School Campus Specific Plan Overlay District)

RECOMMENDED ACTION: 1) Adopt Resolution No. 23-48 (Attachment 1) amending the Local Coastal Program Amendment (LCPA) No. 21-002 specific to the Local Coastal Program (LCP) Land Use Plan (LUP) and corollary amendments to the Malibu Middle and High School (MMHS) Campus Specific Plan and General Plan Map Amendment (GPMA) No. 21-001, as adopted by Resolution No. 22-33 and pursuant to the conditional certification action taken by the California Coastal Commission (CCC) on September 8, 2023 in order to obtain final certification of the submitted LCPA application for the MMHS Campus Specific Plan Overlay 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 (CEQA; 2) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 512 (Attachment 2), an ordinance of the City of Malibu amending LCPA No. 21-002, Zoning Text Amendment (ZTA) No. 22-002, and Zoning Map Amendment (ZMA) No. 22-001, as adopted by Ordinance No. 501 and pursuant to the conditional certification action taken by the CCC on September 8, 2023 in order to obtain final certification of the submitted LCPA application for the MMHS Campus Specific Plan Overlay 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 CEQA required; 3) Direct staff to schedule a second reading and adoption of Ordinance No. 512 for the October 23, 2023 Regular City Council meeting; and 4) Direct staff to notify the CCC when the LCPA has been adopted.

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

WORK PLAN: This item was not included in the Adopted Work Plan for FY 2022-23. This project is part of normal staff operations. Staff continue to work on ongoing projects and normal business while the FY 2023-24 Work Plan is finalized.

BACKGROUND: On September 27, 2022, the City Council adopted Resolution No. 22-33 approving the MMHS Campus Specific Plan, LCPA No. 21-002, and GPMA No. 21-002 to: A) to amend the LUP to add a new Environmentally Sensitive Habitat Area (ESHA) Policy 3.24; and B) to amend the City of Malibu General Plan Land Use Map to review the land use designation for three parcels identified as Assessor Parcel Numbers (APNs) 4469-017-900, 4469-018-903, and 4469-018-904 located at 30215 Morning View Drive (Santa Monica-Malibu Unified School District [SMMUSD]).

On September 27, 2022, the City Council also adopted Ordinance No. 501 approving LCPA No. 21-002, ZTA No. 22-002, and ZMA No. 22-001 to: A) add Section 3.4.6 to LCP Local Implementation Plan (LIP) Section 3.4 to incorporate the 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 (APNs 4469-017-900, 4469-018-903, and 4469-018-904) located at 30215 Morning View Drive; F) add MMHS Campus Specific Plan 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 (SMMUSD).

For reference, a summary of the MMHS Campus Specific Plan is provided as Attachment 3 including maps depicting the site’s vicinity, development phasing, and APNs included in the MMHS Campus Specific Plan.

DISCUSSION: On September 8, 2023, the CCC conducted a public hearing on LCPA No. 21-001 and declined to approve the LCPA as approved and submitted by the City. The CCC asserted several reasons for its decision including that the proposed LCPA was “written too broadly in the types of development uses that would be allowed within the ESHA buffer, did not include specific provisions requiring ESHA impacts from development with a reduced ESHA buffer to be fully mitigated, and did not require development standards for pool lighting to ensure pool lighting is minimized and directed away from ESHA.” Further, the CCC found that the ESHA Restoration Plan did not include implementing language or requirements for why, when, and how the onsite riparian habitat restoration plan must be implemented. However, in order to ensure consistency with the

LCP, further the intent and implementation of the LCP, and avoid ambiguity, the CCC conditionally approved the LCPA on September 8, 2023, subject to twelve suggested modifications to LUP and LIP text, figures, and maps. For reference, staff has included a redlined version of the LUP and LIP text as modified by the CCC in Attachment 4, with corollary modifications made to the ZTA text in Attachment 5.

Because the LCPA was modified by the CCC, the LCPA must come back to the Council for consideration. The Council has until March 8, 2024, six months following CCC's action, to either accept the modified LCPA or withdraw the LCPA. If the Council does not act within six months, the LCPA would not become effective.

If the Council accepts the modified LCPA, the Council will need to adopt a resolution (Attachment 1) and ordinance (Attachment 2). The resolution would amend LUP, the MMHS Campus Specific Plan, and the General Plan land use map pursuant to the CCC's suggested modifications. The ordinance would amend LIP and MMC text and maps pursuant to the CCC's suggested modifications. If adopted, the resolution and ordinance would be transmitted to the CCC Executive Director for a final determination that the Council's acceptance is consistent with the CCC's action in September 2023. The modified LCPA would only become final when the CCC Executive Director reports its determination to the CCC at its next regularly scheduled meeting after receipt of the City's resolution and ordinance. Once reported, the LCPA becomes effective and is part of the City's LCP and the corollary amendments to the General Plan and MMC would then be in effect.

The CCC's approval of the amendment included twelve suggested modifications as summarized below (Attachment 6):

Suggested Modification 1: Provides minor clarifying edits to LUP Policies 3.23 and 3.25.

Suggested Modification 2: Modifies the proposed language for LUP Policies 3.24 and 3.37 to limit the types of development to only those that are a part of a project proposed under the MMHS Campus Specific Plan and adds clarifying language that these types of development are only allowed "where fully mitigated in the form of riparian habitat restoration so it does not significantly disrupt the ESHA habitat values."

Suggested Modification 3: Deletes a proposed statement in LUP Policy 6.7 regarding building heights to avoid ambiguity.

Suggested Modification 4: Provides various revisions to the proposed MMHS Campus Specific Plan text in LIP Section 3.4.6 including re-titling the section as MMHS Campus Specific Plan Overlay District and revisions to the section Introduction and Development Standards (height, yards/setbacks, site-specific development criteria, and wayfinding and informational signage). The CCC found the suggested modifications as being necessary

clarifications to LIP text in order to further the intent and implementation of the LCP, ensure internal consistency, and avoid ambiguity.

Suggested Modification 5: Adds a new development standards section under the proposed Overlay District (LIP Section 3.4.6(A)(5)) to incorporate provisions to ensure that the pool lighting shall be minimized, 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.

Suggested Modification 6: Adds a new development standards section under the proposed Overlay District (LIP Section 3.4.6(A)(6)) to incorporate total maximum grading amounts that can be allowed for each of the four phases of the campus redevelopment project. These amounts are listed in table format.

Suggested Modification 7: Modifies the proposed language for LIP Section 3.4.6(A)(7) (Permitted Uses in ESHA Buffer) to limit the types of development to only those that are a part of a project proposed under the Overlay District and adds clarifying language that these types of development are only allowed “where fully mitigated in the form of riparian habitat restoration so it does not significantly disrupt the ESHA habitat values.”

Suggested Modification 8: Adds language to LIP Section 3.4.6(A)(8) clarifying that that the proposed restoration plan is mitigation for allowing new development within the existing developed portions of the MMHS campus, may have a reduced buffer of less than 100 feet from the creek, and the applicant would be required to mitigate the adverse impacts of reduced ESHA buffers by providing mitigation for all ESHA that will not have a 100-foot buffer from development. The suggested modification also includes language requiring the restoration work to occur before or concurrently with the construction of the redevelopment project and requires maintenance and monitoring of the restoration for five years to ensure the proposed LIP Section 3.4.6(7) conforms to the mitigation requirements and provisions of LIP Section 4.8 (Mitigation).

Suggested Modification 9: Includes minor modifications to proposed language in LIP Sections 3.15.3(J) – Prohibited Signs, 4.5.4 – ESHA Buffers, and 4.6.1(1) – Stream/Riparian Buffers to ensure consistency with the LCP and avoid ambiguity.

Suggested Modification 10: Deletes the proposed delineation of the Specific Plan boundary on LIP Zoning Map No. 2 in order to facilitate the creation of a separate Overlay District map per Suggested Modification No. 11. As such, the CCC clarified that the underlying Institutional zoning and land use designation shall remain.

Suggested Modification 11: Creates an Overlay District map in the LIP that is applied to the MMHS Campus Specific Plan parcels identified as APNs 4469-017-900, 4469-018-903, and 4469-018-904.

Suggested Modification 12: Minor edit to the title of the MMHS ESHA Restoration Maps to reflect the Overlay District.

ENVIRONMENTAL IMPACT: The City has analyzed the amended LCPA and corollary amendments to the MMHS Campus Specific Plan, GPMA, ZTA, and ZMA herein proposed by the California Coastal Commission and finds that pursuant to Public Resources Code Section 21080.9, 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, GPMA, ZTA, and ZMA, 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 and the LIP as previously adopted by Ordinance No. 501 (CCC File Reference LCPA No. LCP-4-MAL-22-0043-1). The City 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 resolution and ordinance were 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 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 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.

ATTACHMENTS:

1. Resolution No. 23-48
2. Ordinance No. 512
3. MMHS Campus Summary and Maps
4. CCC Modifications to City LCPA (redlined version)
5. Corollary Modifications to City ZTA (redlined version)
6. CCC Staff Report and Attachments, September 8, 2023
7. Public Hearing Notice

RESOLUTION NO. 23-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU AMENDING THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN, LOCAL COASTAL PROGRAM AMENDMENT NO. 21-002 TO AMEND THE LOCAL COASTAL PROGRAM LAND USE PLAN AND GENERAL PLAN MAP AMENDMENT NO. 21-002, AS ADOPTED BY RESOLUTION NO. 22-33 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 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 Resolution No. 22-33 approving the Malibu Middle and High School (MMHS) Campus Specific Plan, Local Coastal Program Amendment (LCPA) No. 21-002, and General Plan Map Amendment (GPMA) No. 21-002 to: A) to amend the Local Coastal Program (LCP) Land Use Plan (LUP) to add a new Environmentally Sensitive Habitat Area (ESHA) Policy 3.24; and B) to amend the City of Malibu General Plan Land Use Map to review the land use designation for three parcels identified as Assessor Parcel Numbers (APNs) 4469-017-900, 4469-018-903, and 4469-018-904 located at 30215 Morning View Drive (Santa Monica-Malibu Unified School District [SMMUSD]).

B. On September 8, 2023, the California Coastal Commission (CCC) took action to conditionally certify the City's LCPA for Resolution No. 22-33 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 Resolution amending the MMHS Campus Specific Plan, LCPA No. 21-002 (Exhibit B 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, 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.

D. On October 9, 2023, the City Council held a duly noticed public hearing on the proposed Resolution amending the MMHS Campus Specific Plan, LCPA No. 21-002 (Exhibit B

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.

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 LCP Local Implementation Plan (LIP) Section 19.5(B), the City Council adopts the following amendments to the LUP 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 in the LUP as adopted by Exhibit B of Resolution No. 22-33 for LCPA No. 21-002 as follows:

A. That LUP Policy 3.23 be amended as recommended by the CCC, which was not originally included in Exhibit B of Resolution No. 22-33:

3.23 Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width, except for the cases addressed in Policy 3.27.

B. That the revised language in LUP Policy 3.24, adopted by Exhibit B of Resolution No. 22-33, be deleted and revert to certified language as shown below, as recommended by the CCC:

3.24 New development adjacent to parklands, where the purpose of the park is to protect the natural environment and ESHA, shall be sited and designed to minimize impacts to habitat and recreational opportunities, to the maximum extent feasible. Natural vegetation buffer areas shall be provided around parklands. Buffers shall be of a sufficient size to prevent impacts to parkland resources, but in no case shall they be less than 100 feet in width.

C. That LUP Policy 3.25 be amended as recommended by the CCC, which was not originally included in Exhibit B of Resolution No. 22-33:

3.25 New development, including, but not limited to, vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted in required ESHA or park buffer areas, except for those cases addressed in Policy 3.27. Habitat restoration and invasive plant eradication may be permitted within required buffer areas if designed to protect and enhance habitat values.

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.

B. As a part of the LUP, the MMHS Campus Specific Plan Overlay District ensures that future development projects and land uses within the Specific Plan conform to applicable LCP policies, goals, and provisions while taking into consideration the protection and enhancement of environmental resources and consistency with relevant LUP ESHA protection policies.

SECTION 6. Specific Plan Amendment.

The City Council adopts the following corollary amendments to the MMHS Campus Specific Plan 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 in the MMHS Campus Specific Plan as adopted by Exhibit A of Resolution No. 22-33 as follows:

A. That Subsection 5.2(A)(1-3) (Building Height Measurements) of Section 5.0 (Development Standards) be replaced in its entirety as follows, 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. 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.
 - a. 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.
 - b. 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.
 - c. Building H: Theater/Performing Arts shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - d. Building J: High School Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - e. 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.
 - f. 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).
 - g. In no event shall the maximum number of stories above grade be greater than two.

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 LCPA No. 21-002:

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

C. That Subsection 5.4 (Landscaping) of Section 5.0 (Development Standards) 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. Permitted Uses in ESHA Buffer

The following types of new development and redevelopment, as provided in the MMHS Campus Specific Plan, 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 2 below, so that it does not significantly disrupt the habitat values of ESHA:

- i. ESHA and creek-related educational uses and permeable pads for viewing areas;
- ii. 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;
- iii. Fuel modification required by the California Department of Forestry and Fire Protection;
- iv. Exterior lighting solely for accessibility and safety purposes; and
- v. Fences necessary for public safety, restoration, and protection of habitat.

2. ESHA Restoration Plan

i. 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 1 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 Maps”, and incorporates the following phased restoration work:

(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.

4. 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.
5. 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.

SECTION 7. Specific Plan Findings.

The amended MMHS Specific Plan will effectuate amendments made to LCPA No. 21-002 for the MMHS Campus Specific Plan as adopted by Resolution No. 22-33 on September 27, 2022 and conditionally certified by the CCC on September 8, 2023. The amendments to the MMHS Specific Plan will allow the text of the Specific Plan to be amended consistent with amended LCPA No. 21-002 and is only corollary of that action. Based on evidence in the whole record, the City Council hereby finds that the proposed amendments to the MMHS Specific Plan continue to meet the requirements of and are in compliance with the General Plan policies, objectives, and implementation measures as adopted in Section 3 of Resolution No. 22-33.

SECTION 8. General Plan Map Amendment.

The City Council adopts the following corollary amendment to GPMA No. 21-002 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 amendment modifies the General Plan Land Use Map as adopted by Exhibit C of Resolution No. 22-33 for GPMA No. 21-002 as follows:

A. That the modifications to the General Plan Land Use Map adopted by Exhibit C of Resolution No. 22-33 be removed in its entirety, as shown in Exhibit A of this resolution, 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; and 2) the underlying land use designation of “Institutional” on APNs 4469-017-900, 4469-018-903, and 4469-018-904 be restored.

B. That a new overlay district map titled “Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District” be added to the General Plan Land Use Map, as shown in Exhibit B of this resolution, 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.

SECTION 9. General Plan Map Amendment Findings.

The GPMA will effectuate previous amendments made to LCPA No. 21-002 for the MMHS Campus Specific Plan as adopted by Resolution No. 22-33 on September 27, 2022 and conditionally certified by the CCC on September 8, 2023. The GPMA will allow the land use map of the General Plan to be amended consistent with amended LCPA No. 21-002 and is only

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 ____ day of _____, 2023.

STEVE UHRING, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

Date: _____

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

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

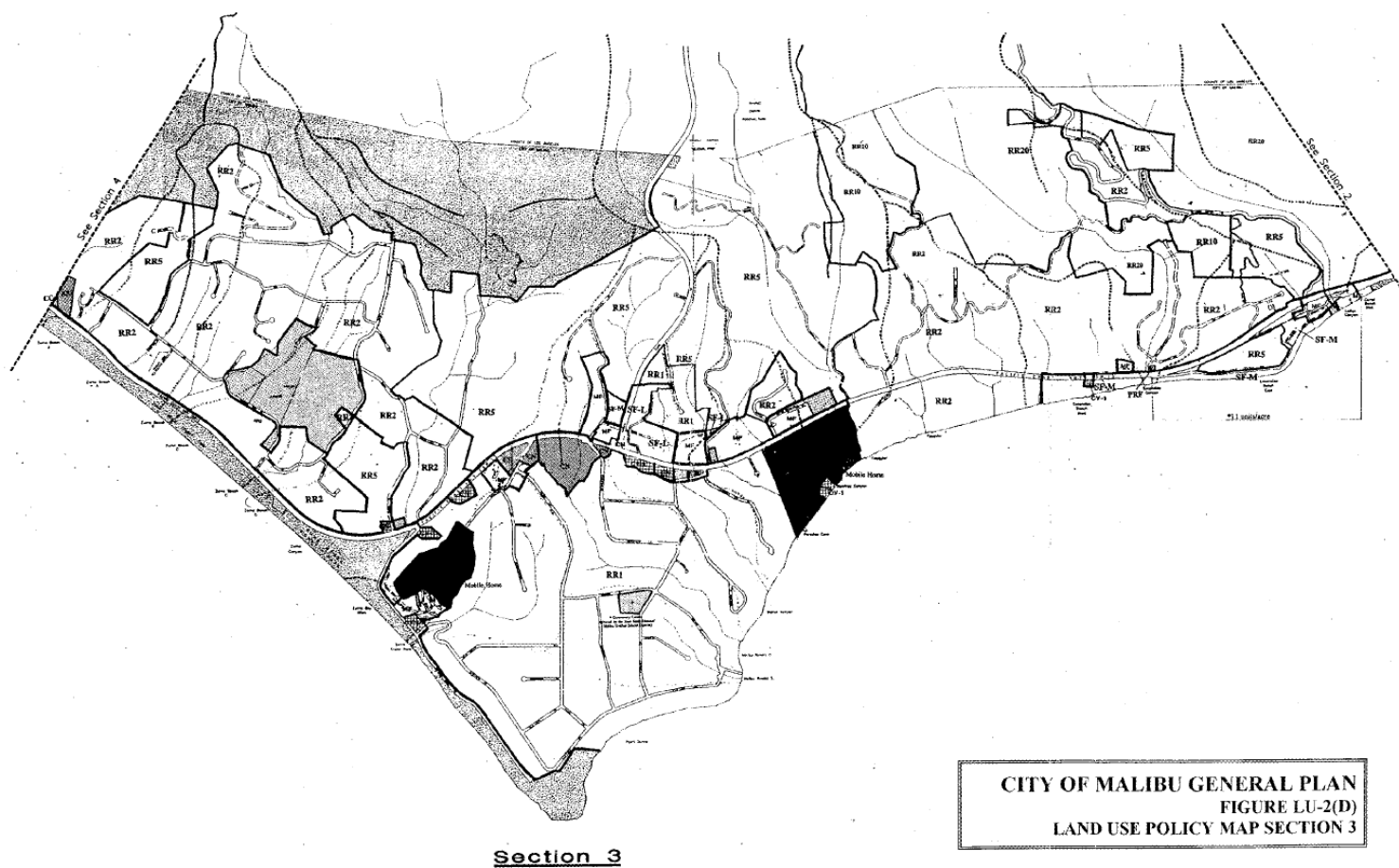
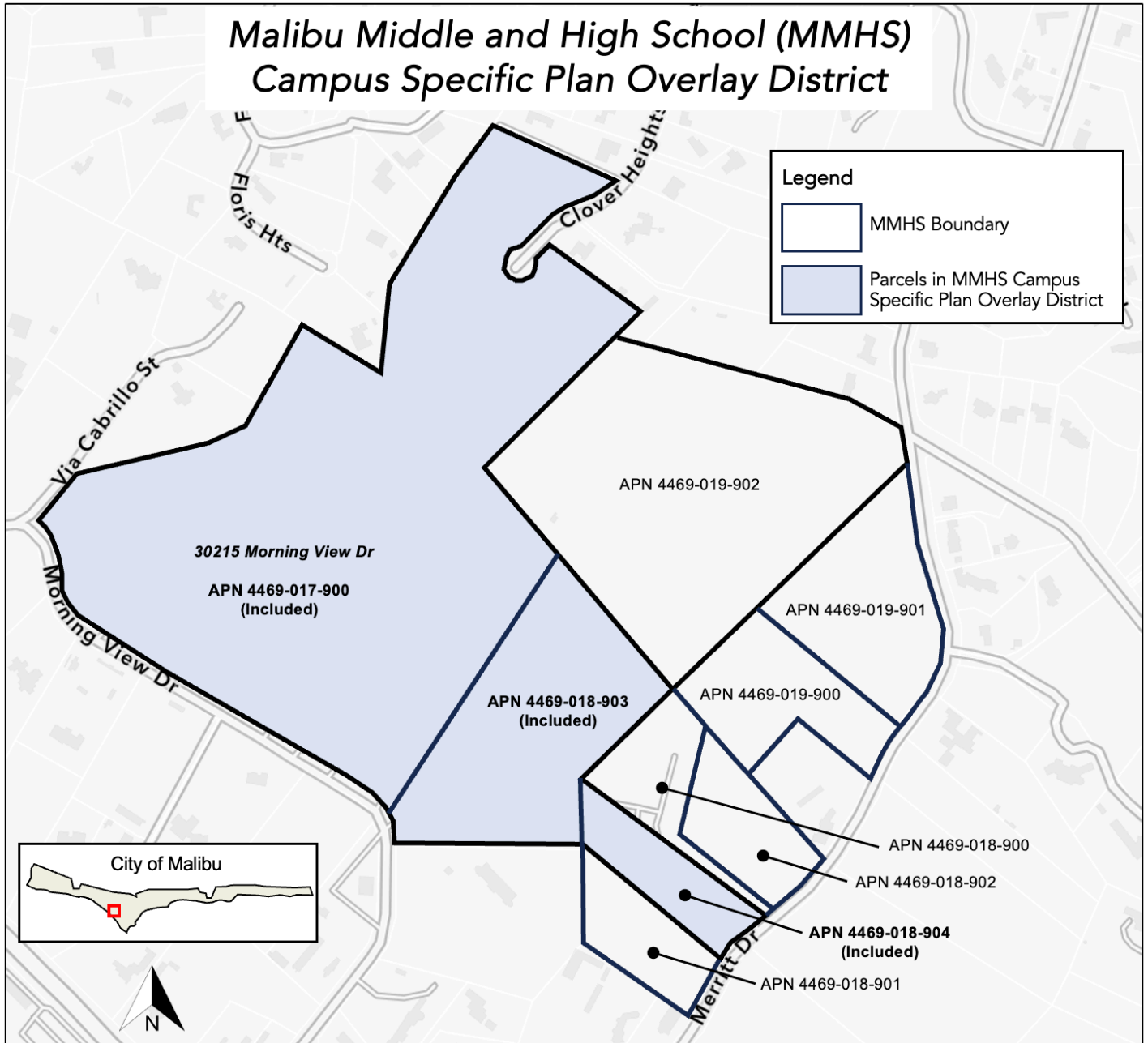


EXHIBIT B

General Plan MMHS Campus Specific Plan Overlay District Map



Note: The City of Malibu Planning Department prepared this map on September 22, 2023 (GPMA No. 21-002).

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

Ordinance No. 501), and ZMA No. 22-001 (Exhibit F of Ordinance No. 501), as adopted by Ordinance No. 501 on September 27, 2022, 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.

D. On October 9, 2023, the City Council held a duly noticed public hearing and introduced on first reading the proposed Ordinance amending LCPA No. 21-002 (Exhibits A, C, and D of Ordinance No. 501), ZTA No. 22-002 (Exhibit B of Ordinance No. 501), and ZMA No. 22-001 (Exhibit F of Ordinance No. 501), as adopted by Ordinance No. 501 on September 27, 2022, reviewed and considered written reports, public testimony, and related information.

E. On October 23, 2023, the City Council conducted a second reading and adopted Ordinance No. 512.

SECTION 2. Environmental Review.

The City Council has analyzed the amended LCPA and corollary amendments to the ZTA and ZMA 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 ZTA and ZMA, 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 LIP as previously adopted by Ordinance No. 501 (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.

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.

B. Development Standards.

The Institutional Development Standards contained in LIP Section 3.9 shall not apply. The following are the development standards for the MMHS Campus Specific Plan Overlay District:

1. 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 LIP Section 13.27.1(A)(8), all development proposed above eighteen (18) feet in height must require a Site Plan Review, pursuant to Section 13.27 of the Malibu LIP. 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.
 - a. 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.
 - b. 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.
 - c. Building H: Theater/Performing Arts shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - d. Building J: High School Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - e. 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.
 - f. 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).
 - g. In no event shall the maximum number of stories above grade be greater than two.
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.
- 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.

5. Lighting.

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.

6. 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

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:

- (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.
- b. 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 a 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 8(a)(1) and 8(a)(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.

B. That the added language to Subsection J of LIP Section 3.15.3 (Prohibited Signs) adopted by Exhibit A of Ordinance No. 501 be deleted and revert to certified language as shown below, as recommended by the CCC:

“J. Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs.”

C. That the added language to LIP Section 4.5.4 (Environmentally Sensitive Habitat 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. Public accessways and trails, including directional signs.
2. Interpretive signage designed to provide information about the value and protection of the resources.
3. Restoration projects where the primary purpose is restoration of the habitat.
4. Invasive plant eradication projects if they are designed to protect and enhance habitat values.

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

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.

B. As a part of the LIP, the MMHS Campus Specific Plan Overlay District ensures that future development projects and land uses within the Specific Plan conform to applicable LCP policies, goals, and provisions while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for the build-out of the MMHS Campus achieves LIP Sections 1.2(D) and (G) (guides future growth and development), LIP Section 1.2(F) (promotes public health, safety, and general welfare), and LIP Section 1.2(K) (assures adequate public uses, facilities, and improvements).

SECTION 6. Zoning Text 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 text in the MMC as adopted by Exhibit B of Ordinance No. 501 for ZTA No. 22-002 as follows:

A. That Subsection M (Specific Plan Overlay District) of MMC Section 17.42.020 (Overlay districts) be retitled as "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 B of Ordinance No. 501, corollary to the recommendations by the CCC for LCPA No. 21-002:

M. Malibu Middle and High School (MMHS) 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.

1. 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.

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.

- iii. 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.
- c. Site-Specific Development Criteria. All proposed construction shall comply with the following site-specific development standards:
 - i. 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 general plan, where additional significant public benefits and amenities are provided as part of the project.
 - ii. 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 17.48.050(E) 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.
 - iii. Pool and pool deck lighting must be consistent with the Malibu Dark Sky Ordinance.
 - iv. 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.
- d. Wayfinding and Informational Signage

The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

- i. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.
- ii. 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 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.

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

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.

g. 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 h below, so that it does not significantly disrupt the habitat values of ESHA:

- i. ESHA and creek-related educational uses and permeable pads for viewing areas;
- ii. 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;
- iii. Fuel modification required by the California Department of Forestry and Fire Protection;
- iv. Exterior lighting solely for accessibility and safety purposes; and
- v. Fences necessary for public safety, restoration, and protection of habitat.

h. ESHA Restoration Plan

i. 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 g 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:

- (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.

B. That a new overlay district map titled “Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District” be added to the MMC Zoning Map, as shown in Exhibit E 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.

SECTION 8. Zoning Text/Map Amendment Findings.

The ZTA will effectuate amendments made to LPCA No. 21-002 for the MMHS Campus Specific Plan as adopted by Ordinance No. 501 on September 27, 2022 and conditionally certified by the CCC on September 8, 2023. The ZMA will allow the maps of the MMC to be amended consistent with amended LPCA No. 21-002 and is only corollary of that action. Based on evidence in the whole record, the City Council hereby finds that the proposed ZMA meets the requirements of and is in compliance with the General Plan as follows:

A. The ZTA and ZMA are consistent with the objectives, policies and general land uses in the General Plan, as amended by the LPCA.

B. The ZTA and ZMA will allow the MMC to be amended and be consistent with the amended LIP text and LCP zoning maps and is only a corollary of that action.

C. The ZTA and ZMA are necessary for the proposed LPCA and will only be approved if the LPCA is approved, and on the condition that the ZTA and ZMA only take effect if the LPCA is certified by the CCC.

SECTION 9. Submittal to California Coastal Commission.

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

SECTION 10. Effective Date.

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

SECTION 11. Severability.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of this Ordinance shall be and shall remain in full force and effect, valid, and enforceable.

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 ____ day of _____, 2023.

STEVE UHRING, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

Date: _____

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)

EXHIBIT A
LCP Zoning Map No. 2

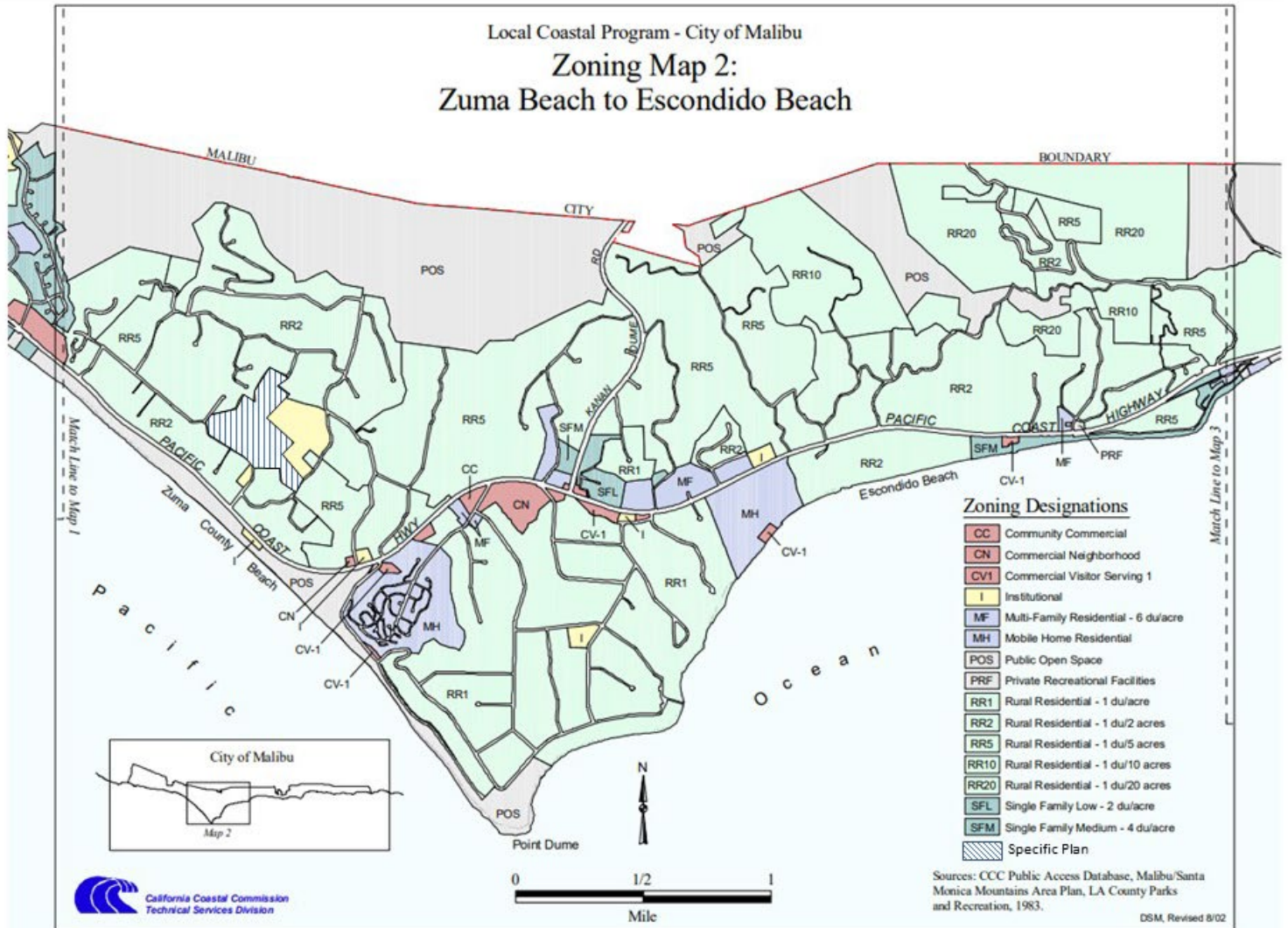
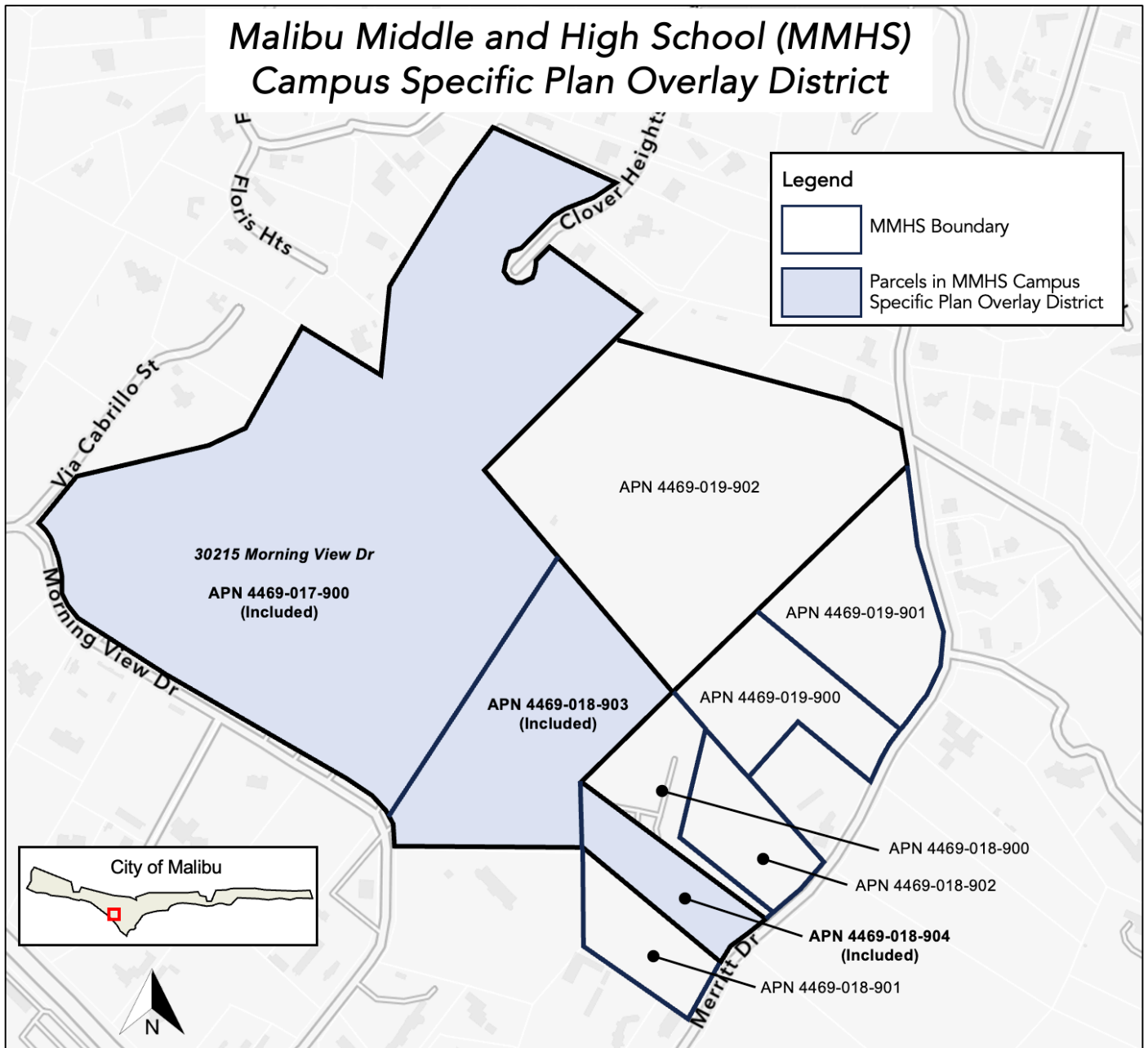


EXHIBIT B

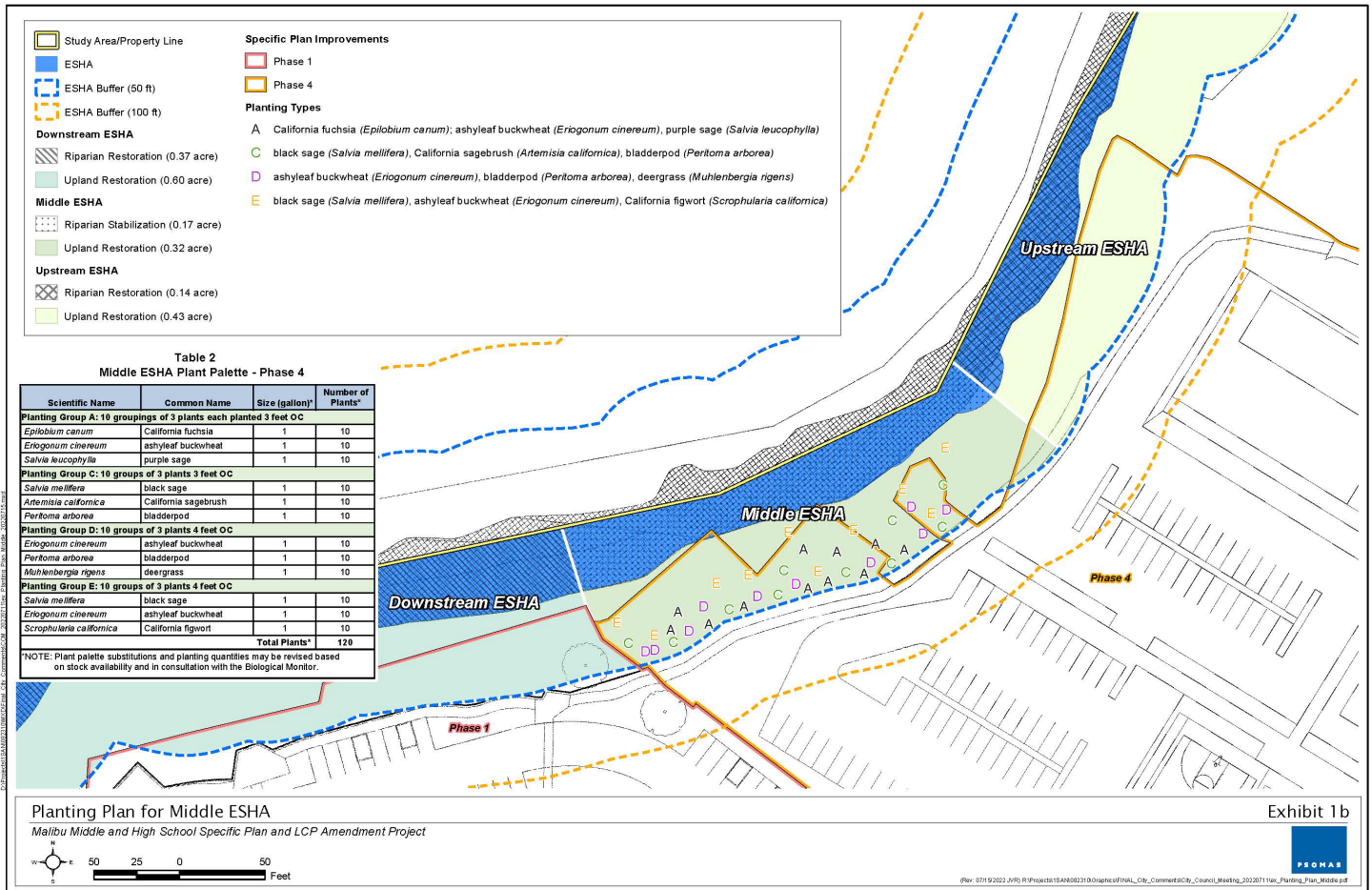
LCP MMHS Campus Specific Plan Overlay District Map



Note: The City of Malibu Planning Department prepared this map on September 22, 2023 (LCPA No. 21-001).

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





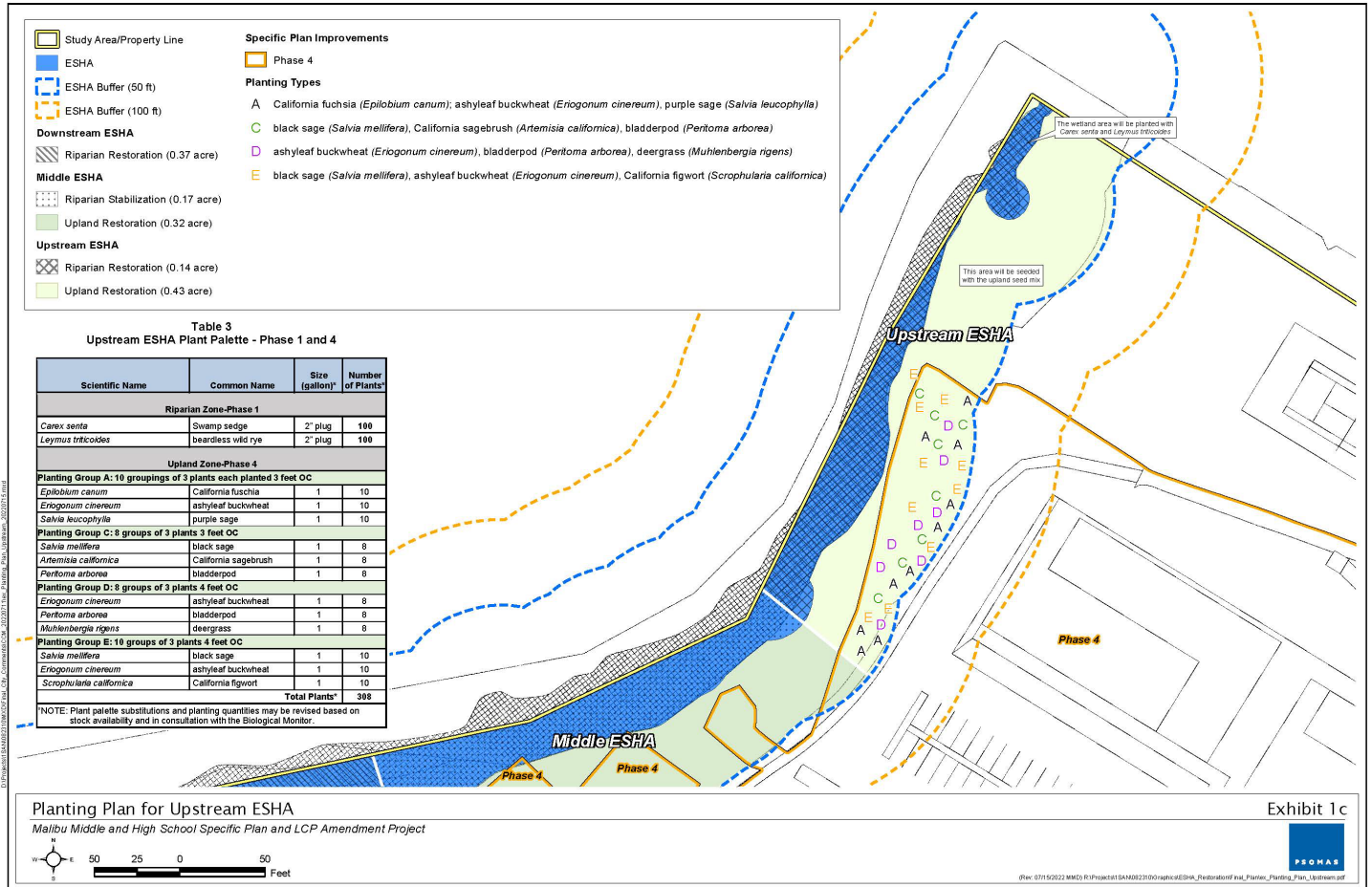


EXHIBIT D
MMC Zoning Map

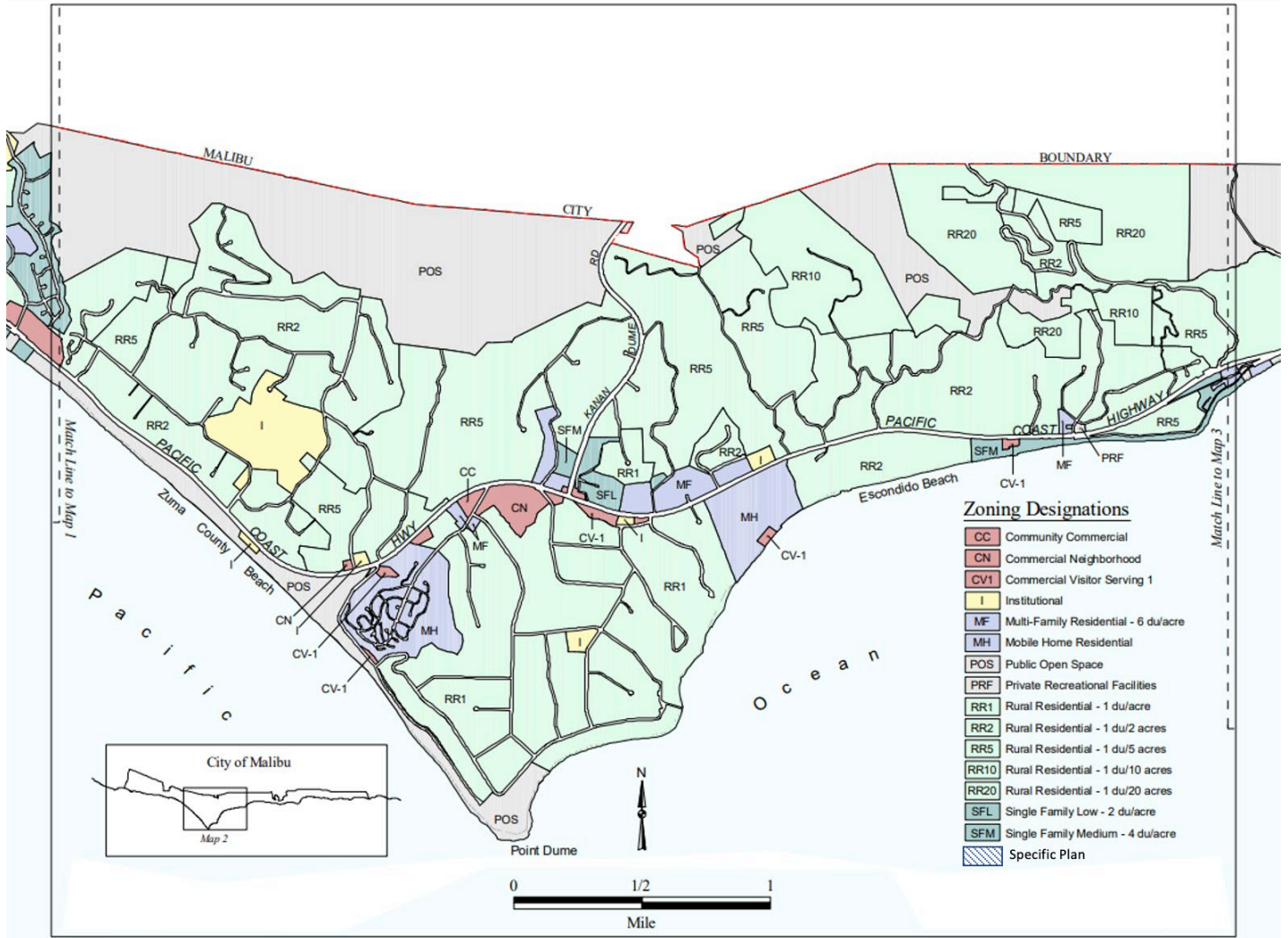
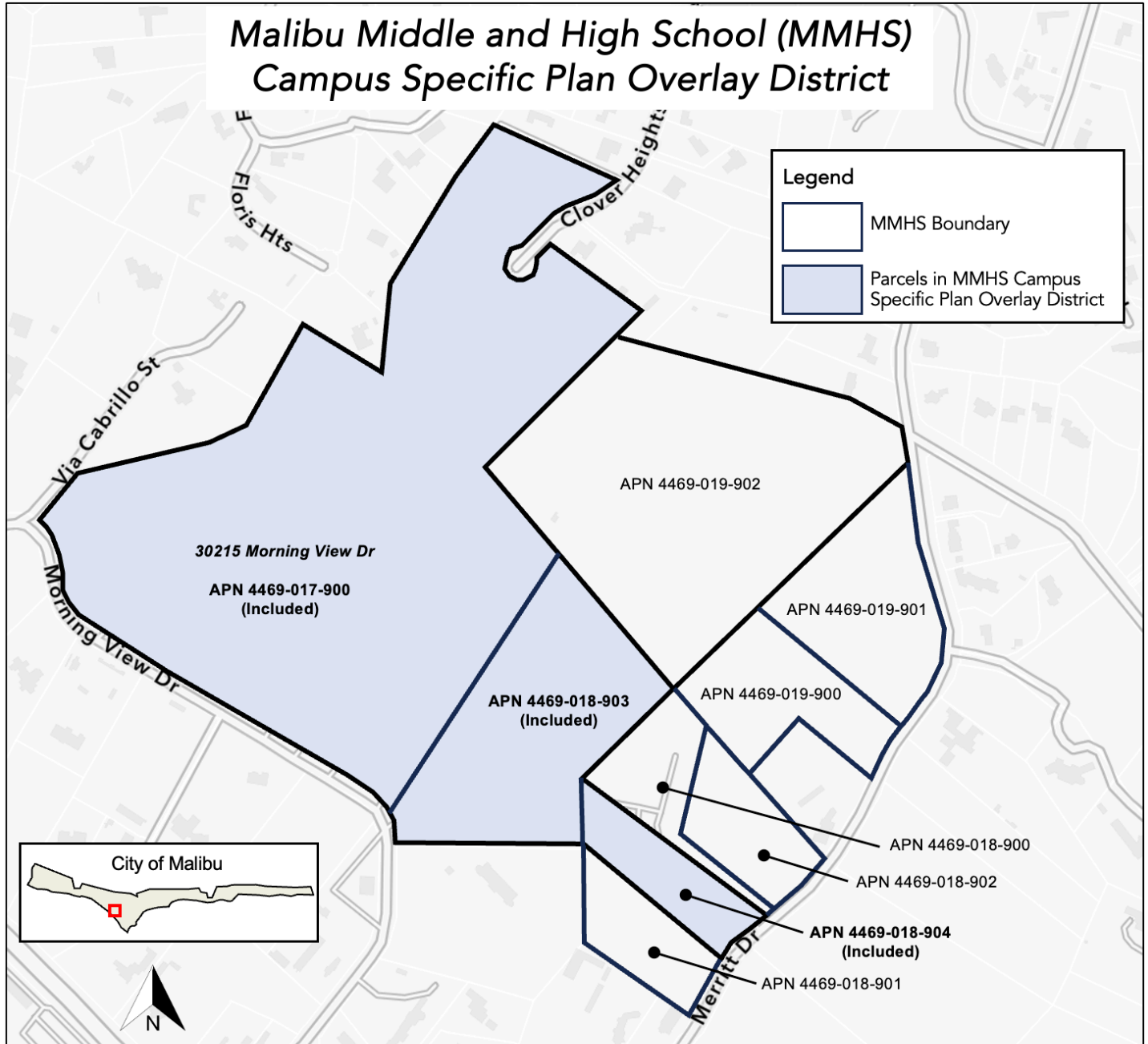


EXHIBIT E

MMC MMHS Campus Specific Plan Overlay District Map



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

MMHS Campus Summary and Maps

Located in the Malibu Park neighborhood in west Malibu, the Malibu Middle and High School (MMHS) campus includes MMHS, the former Juan Cabrillo Elementary School (JCES), the Boys and Girls Club, several outdoor sports fields and courts, support facilities and infrastructure, the Malibu Equestrian Center and approximately ten acres of undeveloped land. As depicted in Figure 1, the MMHS campus is located on Morning View Drive, approximately one-quarter mile northeast of both Pacific Coast Highway (PCH) and Zuma Beach and generally between Merritt Drive to the west, Via Cabrillo Street to the east, and Harvester Road to the north.

Figure 1 – Vicinity Map



As shown in Figure 2, the MMHS Campus Specific Plan would be constructed in four phases:

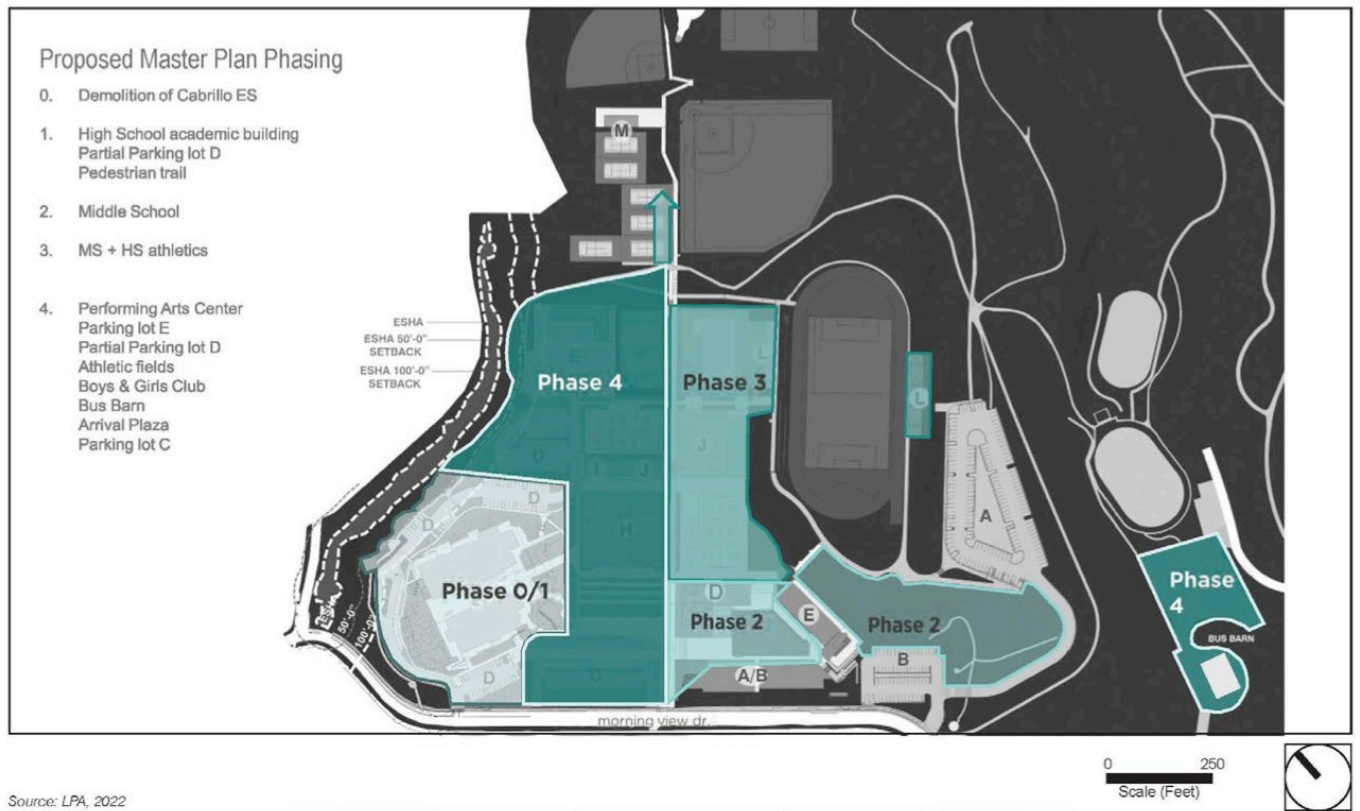
Phase 1: Phase 1 is the current phase and includes the demolition of all existing former JCES buildings (already completed via CDP 22-034), relocation of portables P6 and P7 and construction of Building C, Parking Lot C, Parking D, and the Drop-off/Pick-up area Phase 1. The original timeline had construction anticipated to begin in Fall 2022 with a completion of Summer 2024. However, due to timing associated with the CCC's review and certification of the Local Coastal Program Amendment (LCPA) for the Specific Plan, this timeline was extended.

Phase 2: Phase 2 is the next phase and would consist of the construction of Building D and the Middle School Quad. Phase 2 is anticipated to begin after Phase 1 is completed and is estimated two-year build. Note that a new bond will be required before subsequent phases can move forward.

Phase 3: Phase 3 would consist of the demolition of MMHS Buildings F and I; the existing field house; and the modular buildings adjacent to the existing pool, and the construction of Buildings J, L and M, and Parking Lots E and F. Phase 3 is anticipated to begin after Phase 1 is completed and is estimated two-year build. Original timing had Phase 3 completed by Fall 2030.

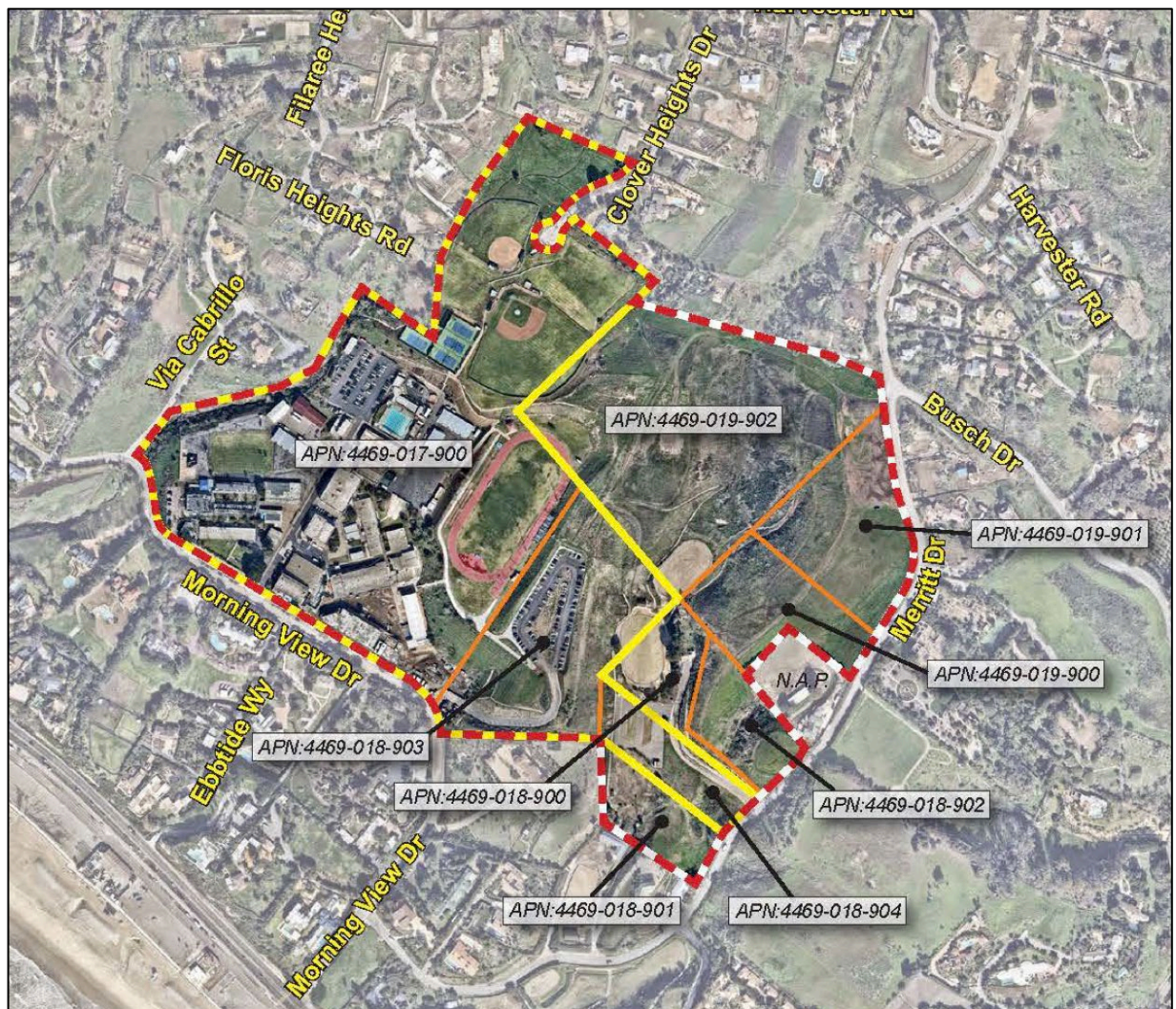
Phase 4: Phase 4 would involve the demolition of MMHS Buildings K, J and J1; the pool and pool building; and Bus Barn, and the demolition and/or relocation of the Boys & Girls Club and construction of the new Buildings H and I. This phase would also require the demolition of the existing MMHS Building H. Phase 4 is anticipated to begin prior to the completion of Phase 3 and is an estimated one-year build.

Figure 2 – Phasing Plan



As shown in Figure 3, the MMHS campus is made up of nine parcels of which three are associated with the MMHS Campus Specific Plan. These parcels are outlined in yellow and identified as APNs 4469-017-900, 4469-018-903, and 4469-018-904.

Figure 3 – APN Exhibit



Proposed Amendments to Local Coastal Program Amendment No. 21-002 (Exhibit A of Ordinance No. 501) per CCC Suggested Modifications to LCPA No. 21-002

The City's proposed amendment language to the certified LCP as adopted by Ordinance No. 501 is shown in straight type. Language approved by the CCC to be modified is shown in redline ~~strikethrough~~ and underline.

LUP Chapter 3 – Marine and Land Resources
LUP Policies 3.23 and 3.25

LUP Policy 3.23

Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width, except for the cases addressed in Policy 3.27.

LUP Policy 3.24.

New development adjacent to parklands, where the purpose of the park is to protect the natural environment and ESHA, shall be sited and designed to minimize impacts to habitat and recreational opportunities, to the maximum extent feasible. Natural vegetation buffer areas shall be provided around parklands. Buffers shall be of a sufficient size to prevent impacts to parkland resources, but in no case shall they be less than 100 feet in width.

LUP Policy 3.25

New development, including, but not limited to, vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted in required ESHA or park buffer areas, except for those cases addressed in Policy 3.27. Habitat restoration and invasive plant eradication may be permitted within required buffer areas if designed to protect and enhance habitat values.

LUP Policy 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.

LUP Policy 6.7

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.

LIP Chapter 3 – Zoning Designations and Permitted Uses

LIP Section 3.4.6

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.

B. Development Standards.

The Institutional Development Standards contained in LIP Section 3.9 shall not apply. The following are the development standards for the MMHS Campus Specific Plan

Overlay District:

1. 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 LIP Section 13.27.1(A)(8), all development proposed above eighteen (18) feet in height must require a Site Plan Review, pursuant to Section 13.27 of the Malibu LIP. 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.
 - a. 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.
 - b. 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.
 - c. Building H: Theater/Performing Arts shall not exceed a maximum height of forty-five (45) feet above finished grade.

- d. Building J: High School Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - e. 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.
 - f. 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).
 - g. In no event shall the maximum number of stories above grade be greater than two.
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.

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.

5. Lighting.

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.

6. 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

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) “ESHA Restoration Map Nos. 1, 2, and 3” of the LIP, and incorporates the following phased restoration work:

- (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.

b. 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 a 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 8(a)(1) and 8(a)(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.

Chapter 3 – Signs

LIP Section 3.15.3(J) – Prohibited Signs.

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs.

Chapter 4 – Environmentally Sensitive Habitat Area Overlay

LIP Chapter 4.5. PERMITTED USES

LIP Section 4.5.4 Environmentally Sensitive Habitat Buffers

1. Public accessways and trails, including directional signs
2. Interpretive signage designed to provide information about the value and protection of the resources
3. Restoration projects where the primary purpose is restoration of the habitat.
4. Invasive plant eradication projects if they are designed to protect and enhance habitat values.

4.6.1. Buffers

New development adjacent to the following habitats shall provide native vegetation buffer areas to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect.

Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in Section 4.6.1 (E) or (F) of the Malibu LIP. The following buffer standards shall apply:

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.

2. Wetlands

New development shall provide a buffer of no less than 100 feet in width from the upland limit of the wetland.

3. Woodland ESHA

New development shall provide a buffer of no less than 100 feet in width from the outer edge of the tree canopy for oak or other native woodland.

4. Coastal Bluff ESHA

New development shall provide a buffer of no less than 100 feet from the bluff edge.

5. Coastal Sage Scrub ESHA

New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and 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 coastal sage scrub plant community.

6. Chaparral ESHA

New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and 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 chaparral plant community.

7. Other ESHA

For other ESHA areas not listed above, the buffer recommended by the Environmental Review Board or City biologist, in consultation with the California Department of Fish and Game, as necessary to avoid adverse impacts to the ESHA shall be required.

Proposed Corollary Amendments to Zoning Text Amendment No. 22-002 (Exhibit B of Ordinance No. 501) per CCC Suggested Modifications to LPCA No. 21-002

The City's proposed amendment language to Title 17 (Zoning) of the MMC as adopted by Ordinance No. 501 is shown in straight type. Corollary amendments based on language approved by the CCC to be modified in LPCA No. 21-002 is shown in redline ~~striketrough~~ and underline.

MMC Chapter 17.42 – Custom Development Criteria
MMC Section 17.42.020(M)

M. Malibu Middle and High School (MMHS) 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.

1. 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.

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.
 - iii. 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.
- c. Site-Specific Development Criteria. All proposed construction shall comply with the following site-specific development standards:
- i. 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 general plan, where additional significant public benefits and amenities are provided as part of the project.

- ii. 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 17.48.050(E) 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.
- iii. Pool and pool deck lighting must be consistent with the Malibu Dark Sky Ordinance.
- iv. 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.

d. Wayfinding and Informational Signage

The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

- i. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.
- ii. 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 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.

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

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.

g. 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 h below, so that it does not significantly disrupt the habitat values of ESHA:

- i. ESHA and creek-related educational uses and permeable pads for viewing areas;
 - ii. 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;
 - iii. Fuel modification required by the California Department of Forestry and Fire Protection;
 - iv. Exterior lighting solely for accessibility and safety purposes; and
 - v. Fences necessary for public safety, restoration, and protection of habitat.
- h. ESHA Restoration Plan
- i. 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 f 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) “ESHA Restoration Map Nos. 1, 2, and 3” of the LIP, and incorporates the following phased restoration work:

- (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.

Chapter 17.52 – Signs

MMC Section 17.52.040(J) – Prohibited Signs.

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs.

CALIFORNIA COASTAL COMMISSION

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



F8a

DATE: August 24, 2023

TO: Commissioners and Interested Persons

FROM: Steve Hudson, District Director
Barbara Carey, District Manager
Deanna Christensen, District Supervisor
Denise Gonzalez, Coastal Program Analyst

SUBJECT: City of Malibu Local Coastal Program Amendment No. LCP-4-MAL-22-0043-1 (Malibu Middle and High School Campus Specific Plan) for September 8, 2023 Commission Meeting

SUMMARY OF STAFF RECOMMENDATION

The City of Malibu's ("City") proposed Local Coastal Program (LCP) Amendment No. LCP-4-MAL-22-0043-1 consists of changes to the Land Use Plan (LUP) and Local Implementation Plan (LIP) portions of its certified LCP. Staff recommends that the Commission, after public hearing, **deny** the proposed LUP/LIP amendments as submitted and **approve** the proposed LUP amendment with three suggested modifications and the proposed LIP amendment with nine suggested modifications. The modifications are necessary to ensure that the proposed LUP amendment is consistent with and meets the requirements of the policies of Chapter 3 of the Coastal Act and the proposed LIP amendment conforms with, and is adequate to carry out, the provisions of the certified LUP, as amended. The motions to accomplish these recommendations are found on Pages 7-9 of this staff report.

The City is requesting an amendment to the LUP and LIP portions of its certified LCP to accommodate the redevelopment of campus facilities ("project") at the Malibu Middle and High School (MMHS) Campus at 30215 Morning View Drive (APNs 4469-017-900, 4469-018-903, and 4469-018-904) ("subject site"). Specifically, the LUP amendment proposes to modify existing LUP Policy 3.24 to allow certain types of new development to be designed with a reduced buffer setback from environmentally sensitive habitat areas (ESHA) from the standard 100 feet to 50 feet. The LIP amendment proposes the creation of a new overlay district (MMHS Campus Specific Plan) with special development standards to facilitate the redevelopment of campus facilities in multiple phases to enhance and modernize facilities and improve campus circulation on the subject site, as generally described in the Malibu Middle and High School Campus Specific Plan ("Specific Plan"). The amendment also includes increasing the development's allowable building heights higher than permitted under the existing LCP and modifying the development setbacks from ESHA areas to facilitate the proposed project. Additionally, the LIP amendment incorporates the proposed site plan and proposed habitat restoration plans for the MMHS Campus Specific Plan

project as maps under Appendix B of the LIP. Although the project-driven LCP amendment is based on the development proposed in the Specific Plan, the City Council action on the LCPA does not incorporate the Specific Plan into the LCP but rather incorporates individual development standards to accommodate the campus project into a new overlay district within the LCP.

The standard of review for the changes to the Land Use Plan is whether the amendment meets the requirements of and is consistent with the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed changes to the Local Implementation Plan is whether the amendment conforms with and is adequate to carry out the provisions of the Land Use Plan portion of the certified City of Malibu LCP as amended.

The subject MMHS Campus property is located within the Malibu Park neighborhood in west Malibu. The campus is developed with elementary, middle, and high school facilities, including classrooms and administrative buildings, parking lots, a bus barn, a swimming pool, and sports fields. The campus is set amongst rolling hills at the base of the Santa Monica Mountains, and its buildings and athletic fields are terraced into a semi-rural hillside setting surrounded by residential properties. The Malibu LCP designates stream ESHA along the campus' western property line. The stream extends approximately 1,088 feet and varies between approximately 24 and 85 feet wide. The proposed campus redevelopment project includes siting new development consisting of habitat viewing pad areas/outdoor learning spaces, trails, roadways, storm drains, permeable pavement parking lots, fuel modification, exterior lighting, and fencing within 50 feet to 100 feet of this ESHA habitat, along with restoration of the ESHA through the removal of existing hardscape, invasive plant species, and planting, maintenance, and monitoring of native plant species in riparian and upland areas of the stream corridor. The LCP amendment includes requirements for minimum ESHA buffer, allowable uses, and restoration phasing.

However, as proposed, the LUP and LIP amendments are inadequate in ensuring that new development will avoid and/or minimize impacts to ESHA, provide adequate buffers from ESHA, and mitigate impacts that cannot be avoided through the implementation of siting and design alternatives. The proposed amendments are written too broadly in the types of development uses that would be allowed within the ESHA buffer, did not include specific provisions requiring ESHA impacts from development with a reduced ESHA buffer to be fully mitigated, and did not require development standards for pool lighting to ensure pool lighting is minimized and directed away from ESHA. To ensure consistency with Coastal Act Section 30240 and relevant LUP ESHA protection policies, **Suggested Modification Two (2)** and **Seven (7)** modifies the proposed language to limit the types of development to only those that are a part of the project proposed under the MMHS Campus Specific Plan, and adds clarifying language that these types of development are only allowed "where fully mitigated in the form of riparian habitat restoration so it does not significantly disrupt the ESHA habitat values."

Furthermore, the proposed overlay district ESHA Restoration Plan LIP Section 3.4.6(7) did not include implementing language or requirements for why, when, and how the onsite riparian habitat restoration plan must be implemented. Therefore, to ensure the trade-off of ESHA restoration for reduced ESHA buffers proposed in the subject LCP amendment is implemented accordingly, **Suggested Modification Eight (8)** adds language clarifying that

the proposed restoration plan is mitigation for allowing new development within the existing developed portions of the MMHS Campus, may have a reduced buffer of less than 100 feet from the creek, and the applicant is required to mitigate the adverse impacts of reduced ESHA buffers by providing mitigation for all ESHA that will not have a 100-foot buffer from development.

Additionally, **Suggested Modification Five (5)** adds a new development standards section under the proposed overlay district (LIP Section 3.4.6(A)(5)) to incorporate provisions to ensure that the pool lighting shall be minimized, 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. The remaining suggested modifications are necessary clarifications to LIP text and figures that further the intent and implementation of the LCP, ensure internal consistency, and avoid ambiguity.

For the reasons described in this report, Staff recommends that the Commission find that the proposed LUP amendment, only if modified as suggested, is consistent with and meets the requirements of the policies of Chapter 3 of the Coastal Act, and find the proposed LIP amendment, only if modified as suggested, is consistent with and adequate to carry out the applicable policies of the certified LUP as amended.

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Exhibits

[Exhibit 1 – Proposed LUP Amendment Text Changes in Strikethrough/Underline](#)

[Exhibit 2 – Proposed LIP Amendment Text Changes in Strikethrough/Underline](#)

[Exhibit 3 – Proposed Zoning Map No. 2](#)

[Exhibit 4 – Proposed MMHS Campus Specific Plan Site Plan](#)

[Exhibit 5 – Proposed MMHS Campus Specific Plan Restoration Maps](#)

[Exhibit 6 – Vicinity Map](#)

[Exhibit 7 – Aerial View of the Subject Parcels](#)

[Exhibit 8 – Parcel Map](#)

[Exhibit 9 – MMHS Campus Specific Plan Construction Phasing Plan](#)

[Exhibit 10 - Habitat Restoration Plan for MMHS Campus, Malibu \(PSOMAS, 2021\)](#)

I. PROCEDURAL OVERVIEW

A. Standard of Review

The Coastal Act provides:

The Commission shall certify a land use plan, or amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200) ... (Section 30512(c))

The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...(Section 30513)

...The Commission may only reject zoning ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out together with its reasons for the action taken...(Section 30513)

The Commission may suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the commission, shall be deemed approved upon confirmation by the executive director...(Section 30513)

Any proposed amendments to a certified local coastal program shall be submitted to, and processed by, the commission in accordance with the applicable procedures and time limits specified in Sections 30512 and 30513... (Section 30514(b))

Pursuant to Section 30512(c), the standard of review that the Commission utilizes in reviewing the adequacy of the proposed amendment to the City's certified land use plan (LUP) is whether the proposed amendment is consistent with, and meets the requirements of, the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the City's certified local implementation plan (LIP), pursuant to Sections 30513 and 30514(b) of the Coastal Act, is whether the proposed amendment is in conformance with, and adequate to carry out, the provisions of the LUP portion of the City's certified local coastal program (LCP).

B. Procedural Requirements

If the Commission certifies the LCP amendment as submitted, no further City Council action will be necessary pursuant to Section 13544(b)(2) of Title 14 of the California Code of Regulations. Should the Commission deny the LCP Amendment, as submitted, without suggested modifications, no further action is required by either the Commission or the City

Council, and the LCP amendment is not effective, pursuant to Section 13542(f). Should the Commission deny the LCP Amendment, as submitted, but then approve it with suggested modifications, then the City Council may consider accepting the suggested modifications and submitting them by resolution to the Executive Director for a determination that the City Council's acceptance is consistent with the Commission's action. In that scenario, pursuant to Section 13544(c) of Title 14 of the California Code of Regulations, the modified LCP Amendment will become final when the Executive Director reports the determination that the local government's action is legally adequate to the Commission at its next regularly scheduled public meeting. If the City Council does not accept the suggested modifications within six months of the Commission's action, then the LCP amendment remains uncertified and not effective.

C. Public Participation

Section 30503 of the Coastal Act requires public input in the preparation, approval, certification, and amendment of any LCP. The City held public hearings on this amendment and received oral and written comments regarding the proposed changes from concerned parties and members of the public. The hearings were duly noticed, consistent with the provisions of Section 13515 of Title 14 of the California Code of Regulations. Notice of the Coastal Commission's consideration of the subject amendment has been distributed to all known interested parties.

II. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS FOR THE LAND USE PLAN AMENDMENT

Following public hearing, staff recommends the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided.

A. DENIAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED

MOTION I:

I move that the Commission certify Land Use Plan Amendment No. LCP-4-MAL-22-0043-1 as submitted by the City of Malibu.

STAFF RECOMMENDATION OF DENIAL:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the Land Use Plan amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY AS SUBMITTED:

The Commission hereby **denies** certification of the City of Malibu Land Use Plan

Amendment No. LCP-4-MAL-22-0043-1 as submitted by the City of Malibu and adopts the findings set forth below on the grounds that the amendment as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan amendment as submitted.

B. CERTIFICATION OF THE LAND USE PLAN AMENDMENT IF MODIFIED

MOTION II:

I move that the Commission certify Land Use Plan Amendment No. LCP-4-MAL-22-0043-1 for the City of Malibu if it is modified as suggested in this staff report.

STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the amendment with suggested modifications and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY WITH SUGGESTER MODIFICATIONS:

The Commission hereby **certifies** the City of Malibu Land Use Plan Amendment No. LCP-4-MAL-22-0043-1, if modified as suggested, and adopts the findings set forth below on the grounds that the amendment with the suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment, if modified as suggested, complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the land use plan amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the land use plan amendment may have on the environment.

III. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS FOR THE LOCAL IMPLEMENTATION PLAN AMENDMENT

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided prior to each resolution.

A. DENIAL OF THE LOCAL IMPLEMENTATION PLAN AS SUBMITTED

MOTION I:

I move that the Commission reject Local Implementation Plan Amendment No. LCP-4-MAL-22-0043-1 as submitted by the City of Malibu.

STAFF RECOMMENDATION OF DENIAL:

Staff recommends a **YES** vote. Passage of this motion will result in denial of the Implementation Plan Amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY AS SUBMITTED:

The Commission hereby **denies** certification of the Local Implementation Plan Amendment No. LCP-4-MAL-22-0043-1 as submitted by the City of Malibu and adopts the findings set forth below on the grounds that the Local Implementation Plan Amendment, as submitted, does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Local Implementation Plan Amendment would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the local implementation plan amendment as submitted.

B. APPROVAL OF THE LOCAL IMPLEMENTATION PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS

MOTION II:

I move that the Commission certify Local Implementation Plan Amendment No. LCP-4-MAL-22-0043-1 for the City of Malibu if it is modified as suggested in this staff report.

STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the local implementation plan amendment with suggested modifications and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

The Commission hereby **certifies** the Local Implementation Plan Amendment No. LCP-4-MAL-22-0043-1 for the City of Malibu, if modified as suggested, and adopts the findings set forth below on the grounds that the local implementation plan amendment with the suggested modifications will meet the requirements of and be in conformity with the policies of the Land Use Plan as amended. Certification of the local implementation plan amendment, if modified as suggested, complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been

incorporated to substantially lessen the any significant adverse effects of the land use plan amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the local implementation plan amendment may have on the environment.

IV. SUGGESTED MODIFICATIONS ON THE LAND USE PLAN AMENDMENT

The Commission finds and suggests that the following **three suggested modifications** to the proposed LUP amendment are necessary to ensure the LUP is consistent with the Coastal Act. Existing language of the certified Local Implementation Plan is shown in straight type. Language proposed to be added by the City of Malibu in this amendment is shown in underlined. Language proposed to be deleted by the City of Malibu in this amendment is shown as ~~strike through~~. The Commission's additions are double underlined, and language to be deleted is shown in ~~double strike through~~.

Suggested Modification No. 1

Land Use Plan Policies 3.23 and 3.25 shall be modified as follows:

LUP Policy 3.23:

Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width, except for the cases addressed in Policy 3.27.

LUP Policy 3.25:

New development, including, but not limited to, vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted in required ESHA or park buffer areas, except for ~~those~~ cases addressed in Policy 3.27. Habitat restoration and invasive plant eradication may be permitted within required buffer areas if designed to protect and enhance habitat values.

Suggested Modification No. 2

Delete added Land Use Plan Policy 3.24 language and revert to certified language as shown below. Land Use Plan Policy 3.27 shall be modified as follows:

LUP Policy 3.24:

New development adjacent to parklands, where the purpose of the park is to protect the

~~natural environment and ESHA, shall be sited and designed to minimize impacts to habitat and recreational opportunities, to the maximum extent feasible. Natural vegetation buffer areas shall be provided around parklands. Buffers shall be of a sufficient size to prevent impacts to parkland resources, but in no case shall they be less than 100 feet in width. The following types of new development and substantial redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan, may provide a 50-foot ESHA buffer, if it does not significantly disrupt the ESHA habitat values:~~

- ~~1. Habitat creation, restoration, and/or enhancement activities;~~
- ~~2. Public accessways, trails, and associated minor improvements;~~
- ~~3. Directional, educational, and interpretive signs;~~
- ~~4. ESHA and creek-related educational uses and viewing platforms;~~
- ~~5. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and 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;~~
- ~~6. Fuel modification required by the Los Angeles County Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and~~
- ~~7. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
 - ~~a. Limited exterior lighting for safety purposes; and~~
 - ~~b. Fences necessary for safety, restoration, and protection of habitat.”~~~~

LUP Policy 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.

Suggested Modification No. 3

Land Use Plan Policy 6.7 shall be modified as follows:

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. ~~The maximum height for buildings on the MMHS Campus shall be established in the MMHS Campus Specific Plan.~~

V. SUGGESTED MODIFICATIONS ON THE LOCAL IMPLEMENTATION PLAN AMENDMENT

The Commission finds and **suggests nine modifications** to the proposed LIP amendment to ensure consistency with the LUP, as amended, as shown below. Existing language of the certified Local Implementation Plan is shown in straight type. Language proposed to be added by the City of Malibu in this amendment is shown in underlined. Language proposed to be deleted by the City of Malibu in this amendment is shown as ~~striketrough~~. Language recommended by the Commission to be inserted is shown in double underlined. Language recommended by the Commission to be deleted is shown in ~~double striketrough~~.

Suggested Modification No. 4

LIP Section 3.4.6 (Specific Plan Overlay District) shall be modified as follows:

Chapter 3 – Zoning Designations and Permitted Uses

LIP Section 3.4.67 –Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District

The MMHS Campus Specific ePlan 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 4469-018-904), as identified in the MMHS Campus Specific Plan Overlay District map. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone

~~(unless otherwise specified), other provisions of this ordinance, and other provisions of law.~~

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 Malibu Middle and High School (MMHS) Campus Specific Plan which establishes the development standards and plan for the Malibu Middle and High School Campus 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. Development on the property covered by the specific plan will be governed by the specific plan guidelines and regulations in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.~~

B. Development Standards.

~~The Institutional Development Standards contained in LIP Section 3.9 shall not apply. The following are the development standards for the MMHS Campus Specific Plan Overlay District:~~

- ~~1. 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 LIP Section 13.27.1(A)(8), All development proposed above eighteen (18) feet in height must require a Site Plan Review, pursuant to Section 13.27 of the Malibu LIP. 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.~~
 - ~~a. 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 approved grading plan.~~
 - ~~b. 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.~~
 - ~~c. Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.~~
 - ~~d. Building J: High School Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.~~
 - ~~e. Building L: Aquatics Center/Field House shall not exceed a maximum height of eighteen twenty-eight (428) feet above finished grade, except for inclusive of chimneys, rooftop antenna, and light standards that shall not exceed a~~

~~maximum height of 28 feet.~~

...

2. Yards/Setbacks.

~~a. Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.~~

~~b. Any future buildings must comply with the following:~~

~~a. (1) Front yard setbacks shall be ten (10) feet from the street easement.~~

~~b. (2) Side yard setbacks shall be five feet. (a) 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.~~

~~(b) When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50 feet from the ESHA.~~

~~c. (3) 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 within the MMHS Campus Specific Plan 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 general 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. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G~~

- ~~dc.~~ 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.

54. Wayfinding and Informational Signage.

The provisions of LIP Section 3.15.3(J) shall not apply. The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

...

- 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.

Suggested Modification No. 5

The following shall be added to Subsection A of LIP Section 3.4.6 (Specific Plan Overlay District) as follows:

5. Lighting.

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.

Suggested Modification No. 6

The following shall be added to Subsection A of LIP Section 3.4.6 (Specific Plan Overlay District) as follows:

6. 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:

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

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.

Suggested Modification No. 7

Subsection A of LIP Section 3.4.6 (Specific Plan Overlay District) shall be modified as follows:

...

67. Permitted Uses in ESHA Buffer.

The following types of ~~New development and substantial redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan Overlay District, shall provide an~~ may be allowed in the 100-foot-ESHA buffer that is the maximum feasible width extent, but in no case closer than less than 50 feet and where fully mitigated in conjunction with the ESHA Habitat Restoration Plan requirements of subsection 6 below, so that as shown on MMHS Campus Specific Plan ESHA Restoration Map Nos. 1, 2, and 3 of the Malibu LIP, if it does not significantly disrupt the habitat values of ESHA and may include:

4a. ESHA and creek-related educational uses and permeable pads for viewing areasplatforms;

2b. Relocation of existing roadsRoadways (and associated retaining walls), road rights-of-way, utilities, storm drainspublic infrastructure and facilities, and

~~permeable Parking Lots, D and E as depicted on the Proposed Site Plan MMHS Campus Specific Plan of the Malibu LIP. The redevelopment shall be accomplished 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;~~

~~3c. Fuel modification required by the California Department of Forestry and State Fire Protection Marshall to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and~~

~~4. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:~~

~~ad. Limited Exterior lighting solely for accessibility and safety purposes; and~~

~~be. Fences necessary for public safety, restoration, and protection of habitat.~~

Suggested Modification No. 8

Subsection A of LIP Section 3.4.6 (Specific Plan Overlay District) shall be modified as follows:

78. 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 5 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 The ESHA Restoration Plan shall be implemented as part of Phase 1 of the MMHS Campus Specific Plan and completed by Phase 4 as specified in the plan. Work shall be completed as shown on "ESHA Restoration Map Nos. 1, 2, and 3" of the LIP, and incorporates the following phased restoration work: As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the

~~Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.~~

- ~~1. During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area, the habitat restoration plan shall require would occur. Restoration activities that would occur within the entire reach include 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 and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream, middle, and downstream portions of the ESHA during Phase 1, which includes the proposed pedestrian trail and new roadways drive aisles.~~
- ~~2. During Phase 4 Ddemolition 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 would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connected to existing trails on the campus.~~

~~Any proposed changes to the ESHA Restoration Plan on file with the City must be approved by the City Biologist in consultation with the California Coastal Commission Biologist.~~

B. 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 A 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 8(A)(1) and 8(A)(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.

Suggested Modification No. 9

LIP Section 3.15.3(J) (Prohibited Signs), LIP Section 4.5.4 (Environmentally Sensitive Habitat Buffers), and LIP Section 4.6.1 (Buffers) shall be modified as follows:

LIP Section 3.15.3(J):

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs, ~~except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.~~

LIP Section 4.5.4 Environmentally Sensitive Habitat Buffers

1. Public accessways and trails, including directional signs
2. Interpretive signage designed to provide information about the value and protection of the resources
3. Restoration projects where the primary purpose is restoration of the habitat.
4. Invasive plant eradication projects if they are designed to protect and enhance habitat values.
5. ~~Uses listed in LIP Section 3.4.6(A)(6) for the Malibu Middle and High School Campus Specific Plan project.~~

LIP Section 4.6.1 Buffers

...

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 ~~and new development and substantial redevelopment of the Malibu Middle and High School Campus shall meet the standards in Section 3.46(A)(2).~~

Suggested Modification No. 10

Modify the LIP Zoning Map (attached as Exhibit 3 of this staff report) to remove the cross-hatching and restore the underlying zoning designation of "Institutional" on assessor parcel numbers 4469-017-900, 4469-018-903, and 4469-018-904, and delete the Zoning Designation titled "Specific Plan."

Suggested Modification No. 11

Create and adopt a new overlay district map titled "Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District" that depicts the outline of the area subject to the overlay, including assessor parcel numbers 4469-017-900, 4469-018-903, and 4469-018-904 and add corresponding addresses and assessor parcel numbers to differentiate which parcels are subject to the Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District.

Suggested Modification No. 12

Modify the title of the proposed MMHS Campus Specific Plan ESHA Restoration Map Nos. 1, 2, and 3 (attached as Exhibit 5 of this staff report) as follows:

MMHS CAMPUS SPECIFIC PLAN OVERLAY DISTRICT ESHA RESTORATION MAP NOS. 1, 2, AND 3

VI. FINDINGS FOR DENIAL OF THE LUP/LIP AMENDMENT, AS SUBMITTED, AND APPROVAL OF THE LUP/LIP AMENDMENT, IF MODIFIED AS SUGGESTED

The following findings support the Commission's denial of the proposed Land Use Plan and Local Implementation Plan amendment as submitted, and approval of the Local Implementation Plan Amendment if modified as suggested (detailed in Section IV. Suggested Modifications above).

The Commission hereby finds and declares as follows:

A. Amendment Description and Background

The City of Malibu ("City") is requesting an amendment to the Land Use Plan (LUP) and Local Implementation Plan (LIP) portions of its certified LCP to allow for new campus development to be designed with a reduced buffer setback from environmentally sensitive habitat areas (ESHA) and to incorporate a new overlay district to establish the development standards for the redevelopment of Malibu Middle and High School Campus facilities at 30215 Morning View Drive (APNs 4469-017-900, 4469-018-903, and 4469-018-904) ("subject site").

Specifically, the LUP amendment proposes to modify existing LUP Policy 3.24 to allow certain types of new development to be designed with a reduced buffer setback from environmentally sensitive habitat areas (ESHA) from the standard minimum of 100 feet to 50 feet. The LUP amendment further proposes to modify LUP Policy 6.7 to add language that the building heights for MMHS campus development are established under the MMHS Campus Specific Plan.

The LIP amendment proposes to incorporate a new overlay district (Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District) to LIP Section 3.4 to establish the development standards for the redevelopment of Malibu Middle and High School Campus facilities in multiple phases to enhance and modernize facilities and improve campus circulation on the subject site, as generally described in the Malibu Middle and High School Campus Specific Plan (dated August 2022), and discussed in detail below.

The LIP amendment further proposes to amend the LIP Zoning Map No. 2 (Exhibit 3) 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 (APNs 4469-017-

900, 4469-018-903, and 4469-018-904) and indicating that the area is zoned “Specific Plan.” Additionally, the LIP amendment incorporates the proposed site plan (Exhibit 4) and proposed habitat restoration plans (Exhibit 5) for the MMHS Campus Specific Plan project as maps under Appendix B of the LIP.

The proposed overlay site is currently zoned “Institutional” and contains educational facilities, associated administrative buildings, and athletic fields. The proposed MMHS Campus redevelopment project includes the construction of a new high school building, gymnasium, and theater/performing arts center building, which proposes building heights greater than currently allowed under the Institutional Zone development standards of the City’s LCP. Additionally, the project includes a new electronic message center sign, which is currently prohibited under the LCP, and a reduction of the 100-foot ESHA buffer to 50 feet to accommodate new parking areas and roadways and fuel modification, which is also not currently allowed under the LCP. Therefore, the City determined that a new overlay district with specific development standards (heights, setbacks, sign requirements, permitted uses) is needed to accommodate some of the proposed campus development. Lastly, the LIP amendment adds language to existing LIP Section 3.15.3(J) (Prohibited Signs), LIP Section 4.5.4 (Environmentally Sensitive Habitat Buffers), and LIP Section 4.6.1 (Buffers) to include cross-references to the overlay district development standards to clarify that exemptions to the standards under LIP Sections 3.15.3(J), 4.5.4, and 4.6.1 are provided for under the subject overlay district.

Project Setting

The subject 52-acre MMHS Campus property is located at 30215 Morning View Drive, in the Malibu Park neighborhood in west Malibu (Exhibit 6). The campus includes Malibu Middle and High School, the former Juan Cabrillo Elementary School (JCES), several outdoor sports fields and courts, a swimming pool, support facilities, infrastructure, the Malibu Equestrian Center, and approximately ten acres of undeveloped land. The campus is approximately one-quarter mile northeast of Pacific Coast Highway and Zuma Beach and generally between Merritt Drive to the west, Via Cabrillo Street to the east, and Harvester Road to the north. The campus is set amongst rolling hills at the base of the Santa Monica Mountains, and its buildings and athletic fields are terraced into a semi-rural hillside setting surrounded by residential properties. Existing light sources on campus include security, parking lot, and limited sports field lighting. Public viewing areas in the vicinity include Zuma Beach County Park, approximately 1,400 feet to the south, and National Park Service land, approximately 4,000 feet inland to the north. The Zuma Ridge Trail traverses in an east-west direction and is situated near the National Park Service land to the north.

The Malibu LCP Environmentally Sensitive Habitat Area Overlay Map delineates a blue-line unlined stream along the campus’ western property line. The stream consists of an underground pipe from Floris Heights Road that flows under the school property and daylights into a natural streambed along the campus’ western property line. The stream extends approximately 1,088 feet and varies between approximately 24 and 85 feet wide. Although the stream contains degraded riparian vegetation, the site-specific biological assessment that was prepared for previous campus projects (“Biological Assessment – Malibu Middle and High School Campus Improvements”, prepared by Glenn Lukos

Associates (GLA) – December 2009), provided evidence that the stream contains habitat meeting the definition of ESHA and surveyed the limits of this stream ESHA in the field. The Commission concurs with the conclusions reached regarding the site's biological resources in the above-mentioned biological assessment.

Malibu Middle and High School Campus Specific Plan and Project Description

The MMHS Campus Specific Plan (Specific Plan) establishes the goals, development standards, and plan for the redevelopment of the former Juan Cabrillo Elementary School (JCES) campus and the existing MMHS campus, to create a new campus that provides separate learning spaces for the middle and high school students as well as shared amenities, to be implemented in four phases over the next 10 to 15 years. The existing MMHS campus was constructed as Malibu Park Junior High School in 1963, and in 1992 the school was converted for use as a combined middle school and high school. The Specific Plan area where redevelopment is proposed is defined by three of nine contiguous parcels owned by the Santa Monica-Unified School District (SMMUSD): Assessor Parcel Numbers (APNs) 4469-017-900 (40 acres), 4469-018-900 (9.4 acres), and 4469-018-904 (2.57 acres). The total acreage of the project site is 52.03 acres.

Apart from the recently completed Buildings A, B, and E, SMMUSD needs to support 21st-century learning, including technology improvements and flexible classrooms for multiple learning modalities. The Specific Plan would result in the demolition of 18 existing buildings on the combined campuses, retention of the existing athletic fields and the recently completed Buildings A, B, and E on the MMHS campus, and the construction of a new campus with dedicated spaces for middle and high schools. The Specific Plan would result in 32 classrooms and 8 labs and 173,595 square feet of new building space. While the Specific Plan will upgrade the MMHS campus, it does not increase the floor area ratio (FAR) nor allow for an increase in the maximum student population from the existing development.

The Specific Plan would be constructed in four phases (Exhibit 9):

Phase 1: Phase 1 would demolish all existing former JCES campus buildings and portable classrooms, construction of Building C (High School Building), Parking Lots C and D, and the Drop-off/Pick-up area.

Phase 2: Phase 2 consists of constructing Building D (Middle School Gym/Multi-Purpose Room) and Middle School Quad.

Phase 3: Phase 3 would consist of the demolition of MMHS Buildings F and I; the existing field house; and the modular buildings adjacent to the existing pool, and the construction of Buildings J (High School Gym), L (Aquatics Center/Field House), and M (Upper Field House) and Parking Lots E and F.

Phase 4: Phase 4 would involve the demolition of MMHS Buildings K, J, and J1; the pool and pool building; and Bus Barn, and the demolition and/or relocation of the Boys and Girls Club and construction of the new Buildings H

(Theater/Performing Arts) and I (Special Education and Campus Wellness Center).

The Specific Plan also includes a phased restoration plan for the riparian habitat ESHA along the western edge of campus. Phases 1 and 4 under the Specific Plan would add to the overall restoration plan area. In total, 2.03 acres of ESHA would be restored, with the removal of approximately 0.50 acres of hardscape and structures currently encroaching within 100 feet of the ESHA boundary.

The Specific Plan recommends changes to several existing LCP development standards to implement the campus redevelopment plan. These changes include increasing building heights, allowing an electronic message center sign, reducing the ESHA setback for development, and increasing maximum grading quantities. Although the project-driven LCP amendment is based on the development standards listed in the Specific Plan, the City's intention is not to incorporate the Specific Plan into the LCP but instead to incorporate the modified development standards required for the campus redevelopment project into a new overlay district within the LCP.

An EIR was prepared and adopted for the project by the City pursuant to CEQA. The City is also currently reviewing the local coastal development permit application for phase one of the Campus Specific Plan project, which includes the demolition of the former Juan Cabrillo Elementary School (JCES) campus and the construction of a new high school building with associated parking lots and roadways.

Commission, City, and the Santa Monica Mountains United School District ("District") staff have coordinated extensively on the contents of the subject amendment. During amendment pre-submittal discussions, respective staff identified and addressed the key issues and worked out an approach to various issues. This coordination effort began in 2019. Since receipt of the subject amendment, the Commission and City staff have continued to coordinate extensively on the proposed amendment language. The suggested modifications are primarily a result of the new and modified language. The suggested modifications include additional development standards, requirements for timing of mitigation, as well as clarifications that are not substantive changes.

The City of Malibu submitted the subject LCP Amendment to the Commission on October 3, 2022. The amendment submittal was deemed complete by Commission staff and filed on April 12, 2023. At its July 2023 Commission meeting, the Commission extended the 90 working-day time limit to act on the LCP amendment for a period not to exceed one year from the original deadline of August 18, 2023.

The full text of the City's proposed changes to the LCP is included as Exhibits 1-5 of this report.

B. Environmentally Sensitive Habitat Areas and Water Quality

The following Coastal Act policies are applicable:

Section 30107.5 of the Coastal Act states:

Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The Coastal Act policies above have been incorporated in their entirety into the certified Land Use Plan. In addition, the following LUP policies are applicable in this case:

Land Use Plan Policy 3.1 states:

Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments are Environmentally Sensitive Habitat Areas (ESHAs) and are generally shown on the LUP ESHA Map. The ESHAs in the City of Malibu are riparian areas, streams, native woodlands, native grasslands/savannas, chaparral, coastal sage scrub, dunes, bluffs, and wetlands, unless there is site-specific evidence that establishes that a habitat area is not especially valuable because of its special nature or role in the ecosystem. Regardless of whether streams and wetlands are designated as ESHA, the policies and standards in the LCP applicable to streams and wetlands shall apply. Existing, legally established agricultural uses, confined animal facilities, and fuel modification areas required by the Los Angeles County Fire Department for existing, legal structures do not meet the definition of ESHA.

Land Use Plan Policy 3.8 states:

Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

Land Use Plan Policy 3.9 states:

Public accessways and trails are considered resource dependent uses. Accessways and trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible. Measures, including but not limited to, signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

Land Use Plan Policy 3.12 states:

No development shall be allowed in wetlands unless it is authorized under Policy 3.89. For all ESHA other than wetlands, the allowable development area (including the building pad and all graded slopes, if any, as well as permitted structures) on parcels where all feasible building sites are ESHA or ESHA buffer shall be 10,000 square feet or 25 percent of the parcel size, whichever is less. If it is demonstrated that it is not feasible from an engineering standpoint to include all graded slopes within the approved development area. For parcels over 40 acres in size, the maximum development area may be increased by 500 sq. ft. for each additional acre in parcel size to a maximum of 43,560-sq. ft. (1-acre) in size. The development must be sited to avoid destruction of riparian habitat to the maximum extent feasible. These development areas shall be reduced, or no development shall be allowed, if necessary to avoid a nuisance, as defined in California Civil Code Section 3479. Mitigation of adverse impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be required.

Land Use Plan Policy 3.14 states:

New development shall be sited and designed to avoid impacts to ESHA. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impact shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective in the context of a Natural Community Conservation Plan that is certified by the Commission as an amendment to the LCP. Mitigation shall not substitute for implementation of the project alternatives that would avoid impacts to ESHA.

Land Use Plan Policy 3.15 states:

Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or

enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the City annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. However, if after ten years, performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

Land Use Plan Policy 3.23 states:

Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width, except for the case addressed in Policy 3.27.

Land Use Plan Policy 3.24 states:

New development adjacent to parklands, where the purpose of the park is to protect the natural environment and ESHA, shall be sited and designed to minimize impacts to habitat and recreational opportunities, to the maximum extent feasible. Natural vegetation buffer areas shall be provided around parklands. Buffers shall be of sufficient size to prevent impacts to parkland resources, but in no case shall they be less than 100 feet in width.

Land Use Plan Policy 3.25 states:

New development, including, but not limited to, vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted in required ESHA or park buffer areas, except for that case addressed in Policy 3.27. Habitat restoration and invasive plant eradication may be permitted within required buffer areas if designed to protect and enhance habitat values.

Land Use Plan Policy 3.26 states:

Required buffer areas shall extend from the following points:

- a. The outer edge of the canopy of riparian vegetation for riparian ESHA.
- b. The outer edge of the tree canopy for oak or other native woodland ESHA.
- c. The top of bluff for coastal bluff ESHA.

Land Use Plan Policy 3.28 states:

Variances or modifications to buffers or other ESHA protection standards shall not be granted, except where there is no other feasible alternative for siting the development and it does not exceed the limits on allowable development pursuant to Policies 3.10-3.13.

Land Use Plan Policy 3.51 states:

Disturbed areas ESHAs shall not be further degraded, and if feasible, restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.

Land Use Plan Policy 3.53 states:

Fencing or walls shall be prohibited within riparian, bluff, Point Dume canyon or dune ESHA, except where necessary for public safety or habitat protection or restoration. Fencing or walls that do not permit the free passage of wildlife shall be prohibited in any wildlife corridor.

Land Use Plan Policy 3.56 states:

Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHA in order to minimize impacts on wildlife. High intensity perimeter lighting and lighting for sports courts or other private recreational facilities in ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA is prohibited.

Land Use Plan Policy 3.62 states:

All new development shall include mitigation for unavoidable impacts to ESHA from the removal, conversion, or modification of natural habitat for new development, including required fuel modification and brush clearance.

Land Use Plan Policy 3.95 states:

New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:

- a. Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss.
- b. Limiting increases of impervious surfaces.
- c. Limiting land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss.
- d. Limiting disturbance of natural drainage features and vegetation.

The following Local Implementation Plan (LIP) sections are specifically applicable in this case:

LIP Section 4.8 (Mitigation), in relevant part, states:

4.8 Mitigation

- A. New development shall be sited and designed to avoid impacts to ESHA. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Residual adverse impacts to ESHA shall be fully mitigated, with priority given to onsite mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts onsite or where off-site mitigation is more protective in the context of a Natural Community Conservation Plan that is certified by the Coastal Commission as an amendment to the Malibu LCP. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA. The permit shall include conditions that require implementation of all feasible mitigation measures that would significantly reduce adverse impacts of the project.
- B. When mitigation measures are required by Section 4.8 (A) of the Malibu LIP for impacts to ESHA, such measures including habitat restoration and/or enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the City annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. The restoration will be considered successful after the success criteria have been met for a period of at least 2 years without any maintenance or remediation activities other than exotic species control. At the City's discretion, final performance monitoring will be conducted by an independent monitor supervised by the city biologist and paid for by the applicant. If success criteria are not met within 10 years, the applicant shall submit an amendment proposing alternative mitigation.

Environmentally Sensitive Habitat Areas

One of the chief objectives of the Coastal Act is the preservation, protection, and enhancement of coastal resources, including land and marine habitats and water quality. The rarest and most ecologically important habitats are given particular protection from development. Section 30107.5 of the Coastal Act defines Environmentally Sensitive Habitat Area as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." Coastal Act Section 30231

requires that the biological productivity and quality of coastal waters be maintained. Coastal Act Section 30240 requires the protection of environmentally sensitive habitat areas (ESHA) against any significant disruption of habitat values. No development, with the exception of uses dependent on the resources, is allowed within any ESHA. This policy further requires that development adjacent to ESHA is sited and designed to prevent impacts that would significantly degrade ESHA and must be compatible with the continuance of the habitat areas. The Malibu LUP ESHA Map contains most known watercourses and ESHA locations throughout the Malibu Coastal Zone. LUP Policies 3.8, 3.14, and 3.23 require new development to avoid and/or minimize impacts to ESHA, provide adequate buffers from ESHA, mitigate impacts that cannot be avoided through the implementation of siting and design alternatives, and ensure that ESHA is protected against any significant disruption of habitat values. Additionally, LUP Policy 3.56 states that exterior night lighting shall be minimized and directed away from ESHA in order to minimize impacts on wildlife.

The Malibu Middle and High School campus covers approximately 52 acres and is situated within the coastal terrace between Zuma Beach and the southern flanks of the western portion of the Santa Monica Mountains. The elevation of the campus site ranges from approximately 100 feet along Morning View Drive on the south side up to approximately 208 feet on the north side of campus. The campus is developed with elementary, middle, and high school facilities, including classrooms and administrative buildings, parking lots, a bus barn, a swimming pool, and sports fields. The surrounding area is characterized by primarily semi-rural residential development. A large berm separates the school's athletic field area from the existing equestrian park to the east.

The Malibu LCP Environmentally Sensitive Habitat Area Overlay Map delineates stream ESHA along the campus' western property line. The stream consists of an underground pipe from Floris Heights Road that flows under the school property and daylights into a natural streambed along the campus' western property line. The stream extends approximately 1,088 feet and varies between approximately 24 and 85 feet wide. Although the stream contains degraded riparian vegetation, the site-specific biological assessment that was prepared for previous campus projects ("Biological Assessment – Malibu Middle and High School Campus Improvements," prepared by Glenn Lukos Associates (GLA) – December 2009) provided evidence confirming that the stream contains habitat meeting the definition of ESHA. This study also includes a survey of the limits of the stream ESHA in the field. Currently, existing campus development within an area of approximately 0.50 acres encroaches within 100 feet of the riparian stream ESHA habitat.

MMHS Campus Redevelopment Project-Specific LCP Amendment

As described above, the project-driven LCP amendment is to accommodate the redevelopment and modernization of the existing Malibu Middle and High School (MMHS) campus and the former Juan Cabrillo Elementary School (JCES) campus with a new high school building, classrooms, and labs, two gymnasium/physical education buildings, theater/performing arts building, sport field houses, new 50-meter swimming pool with associated pool lighting, parking lots and drive aisles, as detailed in the MMHS Campus Specific Plan. Specifically, the proposed campus redevelopment project proposes siting

new development consisting of habitat viewing pad areas/outdoor learning spaces, trails, roadways, storm drains, permeable pavement parking lots, fuel modification, exterior lighting, and fencing within 50 feet to 100 feet of the adjacent riparian ESHA habitat along the western edge of the campus. Additionally, the project would remove portions of as-built non-conforming development (approximately 0.50 acres) currently encroaching within the 100-foot buffer area of the riparian stream ESHA. Although none of the proposed MMHS Campus Specific Plan development would be located directly within ESHA, the above-mentioned development would not conform to the requirements of LUP Policy 3.23, which states that development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible and shall have a buffer of a minimum of 100 feet in width from ESHA.

In addition, Coastal Act Section 30240 requires that development in areas adjacent to ESHA be sited and designed to prevent impacts which would significantly degrade those areas and LUP Policy 3.14 states that new development shall be sited and designed to avoid impacts to ESHA. If no feasible alternative can eliminate all impacts, the alternative that would result in the fewest or least significant impacts shall be selected. While LUP Policy 3.28 allows for a reduced ESHA buffer, the LUP only allows the reduction when there is no other feasible alternative for siting the development. Given that the proposed project does not provide for a full 100-foot buffer from ESHA and therefore does not minimize impacts to habitat values or sensitive species to the maximum extent feasible, the City evaluated different project alternatives to determine the alternative with the fewest or least significant impacts. The first alternative included siting the proposed development beyond the required 100-foot ESHA setback, such as moving the high school building and associated drive aisles and parking lots farther east and away from the riparian ESHA. However, this alternative would require large retaining walls, building elevators, and ramps, resulting in increased building heights and visibility, additional landform alteration, and increased grading due to the site's topographic constraints. A second alternative involved locating the associated drive aisles and parking lots in the center of campus and away from the riparian ESHA; however, this alternative would not meet the district's student safety requirements and objective of siting roads and parking on the perimeter of the site and maintaining a vehicle-free, and therefore safer, campus for students to move freely between the High and Middle Schools and shared amenities and retaining a pedestrian-only paseo through the middle of campus.

Ultimately, the City determined that the project proposed under the MMHS Campus Specific Plan, which includes clustering new development within the existing developed portions of the site, utilizing previously disturbed areas, and reducing landform alteration, was the alternative with the least significant impacts. It's important to note that while some limited types of development would still be located within the 100-foot ESHA buffer under the preferred alternative, all new buildings (including the new high school building) would maintain the LCP-required 100-foot ESHA buffer, and no permanent removal of ESHA would occur.

Thus, the City determined that the preferred alternative proposed under the MMHS Campus Specific Plan would require an exception from the LCP-required 100-foot ESHA setback standard to accommodate the project. In exchange for the reduced ESHA buffers,

the City required the district to provide for mitigation of the impacts to habitat values and sensitive species by not providing the full 100-foot buffer (as required under LUP Policy 3.14) in the form of habitat restoration of the adjacent degraded riparian habitat ESHA. The district has prepared a restoration plan (Exhibit 10) (Habitat Restoration Plan for MMHS Campus, Malibu (PSOMAS, 2021)) and has incorporated the plan into the MMHS Campus Specific Plan. The LCP amendment also includes incorporating the Habitat Restoration Plan Maps (Exhibit 5) into the LIP.

The proposed habitat restoration plan (Habitat Restoration Plan for MMHS Campus, Malibu (PSOMAS, 2021)) includes the demolition of hardscape within the 100-foot buffer of the downstream area of the riparian habitat, weed abatement, broadcast of native seed and planting of native stock and invasive plant controls along the upstream, middle, and downstream portions of the riparian habitat area. Bank stability improvements and erosion control would occur in the upstream and downstream parts of the ESHA during Phase 1 of the phased project, which would also include the proposed pedestrian trail. After the demolition of as-built hardscape areas within the 100-foot buffer of the upstream and middle stream areas during Phase 4, the habitat restoration plan would include restoration of the upland area of the upstream and middle stream portion of the riparian habitat area. Upon completion of Phase 4, the pedestrian trail would be completed and connected to existing trails on the MMHS campus.

The LUP portion of the City's amendment request proposes to modify existing LUP Policy 3.24 to allow for limited types of new campus development to be designed with a reduced buffer setback from environmentally sensitive habitat areas (ESHA) from the standard 100 feet to 50 feet. The LIP portion of the City's amendment creates a new overlay district with specific development standards, including a similar provision that allows for a reduced ESHA buffer setback if the development does not significantly disrupt the habitat values of the ESHA. Additionally, the overlay district development standards include provisions requiring the ESHA restoration plan (Habitat Restoration Plan for MMHS Campus, Malibu (PSOMAS, 2021)) be implemented as a condition of approval for the coastal development permits for phase one and phase four of the redevelopment project. Furthermore, the LIP amendment proposes incorporating the ESHA Restoration Maps of the Habitat Restoration Plan into the LCP as new maps under Appendix B of the LIP. The overlay district development standards also include a provision requiring the proposed restoration work to be completed per the "ESHA Restoration Maps" (Exhibit 5).

However, the City's proposed reduced ESHA buffer provision under LUP Policy 3.24, and similarly written proposed overlay district reduced ESHA buffer provision under LIP Section 3.4.6(A)(6), is written too broadly in the types of development uses that would be allowed within the ESHA buffer. Therefore, as proposed, the provisions could allow for other types of development not associated with the campus redevelopment project to be developed with a reduced ESHA buffer. Additionally, the proposed provisions did not include specific language requiring ESHA impacts from development with a reduced ESHA buffer to be fully mitigated. Therefore, to ensure the proposed LUP/LIP ESHA buffer reduction policies conform to the applicable Coastal Act Section 30240 and LUP policies, **Suggested Modification Two (2)** and **Seven (7)** modifies the proposed language to limit the types of development to only those that are a part of the preferred alternative proposed under the

MMHS Campus Specific Plan and adds clarifying language that these types of development are only allowed “where fully mitigated in the form of riparian habitat restoration so it does not significantly disrupt the ESHA habitat values.”

Furthermore, the proposed overlay district ESHA Restoration Plan LIP Section 3.4.6(7) did not include implementing language or requirements for why, when, and how the restoration plan must be implemented. Therefore, to ensure the trade-off of ESHA restoration for reduced ESHA buffers proposed in the subject LCP amendment is fully implemented in a timely manner, **Suggested Modification Eight (8)** adds language clarifying that the proposed restoration plan is mitigation for allowing new development within the existing developed portions of the MMHS Campus to have a reduced buffer that is the maximum width feasible but in no case less than 50 feet from the creek, and the applicant is required to mitigate the adverse impacts of reduced ESHA buffers by providing mitigation for all ESHA that will not have a 100-foot buffer from development. Furthermore, **Suggested Modification Eight (8)** includes language requiring the restoration work to occur before or concurrently with the construction of the redevelopment project and requires maintenance and monitoring of the restoration for five years to ensure the proposed LIP Section 3.4.6(7) conforms to the mitigation requirements and provisions of LIP Section 4.8 (Mitigation).

Pool Lighting

Another potential impact to ESHA from development is the effect of night lighting on wildlife using these habitat areas. The LCP has specific requirements that limit night lighting to protect ESHA. LUP Policy 3.56 requires exterior night lighting to be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHA to minimize impacts on wildlife. The MMHS campus redevelopment project includes a new 50-meter swimming pool with associated pool lighting. However, the proposed amendment had no requirements, limitations, or development standards for this type of exterior lighting. Furthermore, the LCP amendment does not make a distinction between pool lighting and other types of exterior lighting on campus, so it’s unclear how this new type of pool lighting would be reviewed under the LCP, what potential adverse impacts to coastal resources could occur, and what standards would be applied by the City in its consideration of a future coastal development permit for this use. Through Commission staff’s coordination efforts, City of Malibu staff prepared a new development standards section to be added to the LCP amendment under the proposed overlay district (LIP Section 3.4.6(A)(5)) to incorporate lighting provisions (including pool lighting requirements) to ensure that 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. Pool lighting must also 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. The City has requested that the Commission add these lighting requirements to the overlay district development standards as a suggested modification. **Suggested Modification Five (5)** incorporates LIP Section 3.4.6(A)(5) to the overlay district standards to ensure that lighting impacts are avoided, consistent with the LUP policies.

Conclusion

For the reasons stated above, the Commission finds that the LUP amendment, only if modified as suggested, will meet the requirements of, and be in conformity with, the Chapter 3 policies of the Coastal Act; and the LIP amendment, only if modified as suggested, conforms with, and is adequate to carry out, the policies of the certified Land Use Plan, as amended.

C. Scenic and Visual Resources and LCP Administration

Scenic and Visual Resources

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline reservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The Coastal Act policy above has been incorporated in its entirety into the certified Land Use Plan. In addition, the following LUP policies are applicable in this case:

Land Use Plan Policy 6.1 states:

The Santa Monica Mountains, including the City, contain scenic areas of regional and national importance. The scenic and visual qualities of these areas shall be protected and, where feasible, enhanced.

Land Use Plan Policy 6.2 states:

Places on and along public roads, trails, parklands, and beaches that offer scenic vistas are considered public viewing areas. Existing public roads where there are views of the ocean and other scenic areas are considered Scenic Roads. Public parklands and riding and hiking trails which contain public viewing areas are shown on the LUP Park Map. The LUP Public Access Map shows public beach parks and other beach areas accessible to the public that serve as public viewing areas.

Land Use Plan Policy 6.4 states:

Places on, along, within, or visible from scenic roads, trails, beaches, parklands and state waters that offer scenic vistas of the beach and ocean, coastline, mountains, canyons and other unique natural features are considered Scenic Areas. Scenic

Areas do not include inland areas that are largely developed or built out such as residential subdivisions along the coastal terrace, residential development inland of Birdview Avenue and Cliffside Drive on Point Dume, or existing commercial development within the Civic Center and along Pacific Coast Highway east of Malibu Canyon Road.

Land Use Plan Policy 6.5 states:

New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.

Land Use Plan Policy 6.7 states:

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.

Land Use Plan Policy 6.12 states:

All new structures shall be sited and designed to minimize impacts to visual resources by:

- a. Ensuring visual compatibility with the character of surrounding areas.
- b. Avoiding large cantilevers or understories.
- c. Setting back higher elements of the structure toward the center or uphill portion of the building.

The following Local Implementation Plan (LIP) sections are specifically applicable in this case:

LIP Section 3.9(A)(1), in relevant part, states:

- a. Structures shall not exceed a maximum height of 18 feet above natural or finished grade, whichever results in a lower building height, except for chimneys, rooftop antenna, and light standards. The maximum height of the structure may be

increased up to 28 feet for a flat or pitched roof if approved through a site plan review pursuant to Section 13.27 of the Malibu LIP.

b. Flagpoles, satellite dishes, safety railings, elevator shafts, stairwells, church spires, and belfries may be increased up to a maximum of 35 feet if approved through a site plan review pursuant to Section 13.27 of the Malibu LIP. 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) if approved through a site plan review pursuant to Section 13.27 of the Malibu LIP.

c. In no event shall the maximum number of stories above grade be greater than two.

...

The Malibu LCP provides for the protection of scenic and visual resources, including views of the beach and ocean, views of mountains and canyons, and views of natural habitat areas. The LCP identifies Scenic Roads, which are those roads within the City that traverse or provide views of areas with outstanding scenic quality that contain striking views of natural vegetation, geology, and other unique natural features, including the beach and ocean. The Malibu LCP requires that new development be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads and public viewing areas. Where this is not feasible, new development must minimize impacts through siting and design measures. Section 30251 of the Coastal Act, which is incorporated into the Malibu LUP as a policy, requires that “permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.”

The area surrounding MMHS Campus is developed as a semi-rural residential neighborhood. The area is characterized by rolling slopes that descend southwesterly towards Zuma Beach. Pacific Coast Highway, a designated Scenic Road, lies between the campus and Zuma Beach. The elevation of the campus site ranges from approximately 100 feet along Morning View Drive on the south side, up to approximately 208 feet on the north side of campus. The campus is developed with facilities associated with a middle and high school, including classrooms and administrative buildings, a swimming pool, tennis courts, parking lots, and sports fields. A large berm separates the high school's main sports field area from the equestrian park to the east. Public land/public viewing areas include Zuma Beach County Park, approximately 1,400 feet to the south, and National Park Service land, approximately 4,000 feet inland to the north. The Zuma Ridge Trail, which traverses in an east-west direction, is near the National Parks Service Land to the north.

The LIP portion of the City's amendment proposes to increase the building height standards for campus buildings/structures from a maximum of 28 feet for sloped roofs to a maximum of 45 feet in height from finished grade. Specifically, proposed LIP Section 3.4.6(A)(1) would allow Building H (Theater/Performing Arts) and Building J (High School Gym/Physical Education) to be a maximum of 45 feet above finished grade, Building C

(High School Building) and Building D (Middle School Gym) a maximum of 36 feet from finished grade. The district has indicated that these building height increases are required to modernize the middle and high school buildings to allow for flexible and creative classroom spaces that are characterized by higher ceilings. The proposed additional height allows for improved ventilation, noise attenuation, and natural lighting. Additionally, the district has indicated that to meet the standards established by the District's Educational Specifications, the California Interscholastic Federation, and the National Federation of State High School Association, Buildings D, C, H, and J must be 36 feet on average, with the science lab hood ventilation equipment for the science classrooms extending to 41 feet high. The gymnasium and theater/performing arts building are proposed at a maximum of 45 feet.

The project site is set amongst rolling slopes, with buildings and athletic fields on four terraces set into the hillside, each on a slightly higher elevation. The split-level configuration of the campus serves to blend development within the existing terrain of the project site and the surrounding area. The project site is already developed with existing campus facilities and uses, and the redevelopment of existing buildings and parking lots with a similar use in approximately similar locations would not result in a substantial change in the visual character of the area. While building heights would exceed the LCP-required maximum building heights, the proposed buildings would be terraced within the existing topography, would not block scenic views, and will not result in significant adverse visual resource impacts consistent with LUP Policy 6.7.

In addition, Coastal Act Section 30251 requires new development to be sited and designed to protect views to and along the coast, minimize landform alteration, and be visually compatible with the surrounding area. The City carried out a visual analysis of the proposed project and found visibility from designated scenic routes (Pacific Coast Highway) and scenic areas (beaches and trails) is highly limited and obscured by topography, vegetation, and existing development on campus. The proposed buildings are located entirely within an existing developed educational institution and, therefore, will be visually compatible with the character of the surrounding area. Therefore, the Commission finds that the proposed height increases for the proposed development will not result in the obstruction of public views or other impacts to visual resources and is therefore consistent with and adequate to carry out the visual resource protection policies of the LUP.

The MMHS campus redevelopment project will require associated grading for the new development. However, the proposed amendment had no requirements, limitations, or development standards for total grading amounts for the project to ensure the development minimizes landform alteration consistent with Coastal Act Section 30251. To correct the omission of total grading standards for the proposed development, the City has requested that the Commission add a new development standards section under the proposed overlay district (LIP Section 3.4.6(A)(6)) to incorporate total maximum grading amounts that can be allowed for each phase of the campus redevelopment project. This section is incorporated as **Suggested Modification Six (6)**,

For the reasons stated above, the Commission finds that LIP amendment, only if modified as suggested, conforms with, and is adequate to carry out, the policies of the certified Land

Use Plan, as amended.

LCP Administration

Several proposed revisions relate to the administration of the LCP. **Suggested Modifications One (1), Three (3), Four (4), and Suggested Modifications Nine (9) through Twelve (12)** include minor modifications to the proposed overlay district amendment language necessary to ensure consistency with the LCP, such as correcting typographical errors and incorrect references, adding the corresponding addresses and assessor parcel numbers to the overlay district text and the creation of a new overlay district map, restoring the underlying zoning designation for the project area under the LIP Zoning Map No. 2, and making minor clarifications that further the intent and implementation of the LCP and avoid ambiguity.

For the reasons stated above, the Commission finds that the LIP amendment, as suggested to be modified herein, will ensure internal LCP consistency and conform with and be adequate to carry out the policies of the certified Land Use Plan.

D. California Environmental Quality Act

Section 21080.9 of the California Public Resources Code—within the California Environmental Quality Act (CEQA)—exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission; however, the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is not obligated to prepare an EIR for each LCP action.

Nevertheless, the Commission is required, in approving an LCP submittal, to find that the approval of the proposed LCP, as amended, does conform with CEQA provisions, including the requirement in CEQA section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. 14 C.C.R. §§ 13540(f) and 13555(b).

The City's LCP amendment consists of a Land Use Plan amendment and Local Implementation Plan amendment.

As discussed above, the Land Use Plan amendment has been found not to be in conformance with Chapter 3 policies of the Coastal Act. To resolve the concerns identified, suggested modifications have been made to the proposed amendment. With the incorporation of the suggested modifications, the Land Use Plan amendment is in conformity with the Coastal Act. The proposed Local Implementation Plan amendment is not in conformance with and is not adequate to carry out the Land Use Plan. With the incorporation of the Commission's suggested modifications, the Local Implementation Plan amendment is in conformity with the Land Use Plan as amended. The suggested

modifications minimize or mitigate any potentially significant environmental impacts of the LCP amendment. If modified as suggested, the Commission finds that approval of the LCP amendment will not result in significant adverse environmental impacts within the meaning of the California Environmental Quality Act.

The Commission finds that for the reasons discussed in this report if the LCP amendment is modified as suggested, there are no additional feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts. The Commission further finds that the proposed LCP amendment, if modified as suggested, is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

CALIFORNIA COASTAL COMMISSION

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



F8a

City of Malibu LCP Amendment

LCP-4-MAL-22-0043-1 (MMHS Campus Specific Plan)

September 8, 2023

Exhibits

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Exhibit 5 – Proposed MMHS Campus Specific Plan Restoration Maps

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Exhibit 7 – Aerial View of the Subject Parcels

Exhibit 8 – Parcel Map

Exhibit 9 – MMHS Campus Specific Plan Construction Phasing Plan

Exhibit 10 - Habitat Restoration Plan for MMHS Campus, Malibu (PSOMAS, 2021)

PROPOSED CITY OF MALIBU LAND USE PLAN AMENDMENT TEXT SUMMARY

Amend the LCP Land Use Plan (LUP) to add the following new ESHA policy.

“3.24. The following types of new development and substantial redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan, may provide a 50-foot ESHA buffer, if it does not significantly disrupt the ESHA habitat values:

1. Habitat creation, restoration, and/or enhancement activities;
2. Public accessways, trails, and associated minor improvements;
3. Directional, educational, and interpretive signs;
4. ESHA and creek-related educational uses and viewing platforms;
5. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and 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;
6. Fuel modification required by the Los Angeles County Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
7. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
 - a. Limited exterior lighting for safety purposes; and
 - b. Fences necessary for safety, restoration, and protection of habitat.”

Amend the LCP Land Use Plan (LUP) as follows:

- 6.7** 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. The maximum height for buildings on the MMHS Campus shall be established in the MMHS Campus Specific Plan.

PROPOSED CITY OF MALIBU LOCAL IMPLEMENTATION PLAN AMENDMENT TEXT SUMMARY

Chapter 3 – Zoning Designations and Permitted Uses

LIP Section 3.4.6 – Specific Plan Overlay District

The 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. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

A. Malibu Middle and High School Campus Specific Plan

The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plan for the Malibu Middle and High School Campus. Development on the property covered by the specific plan will be governed by the specific plan guidelines and regulations in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

The following are the development standards for the MMHS Campus Specific Plan:

1. **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. All development proposed above eighteen (18) feet in height must require a Site Plan Review, pursuant to Section 13.27 of the Malibu LIP. 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.
 - a. 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 approved grading plan.
 - b. Building D: Middle School Gym/Multi-Purpose Room and 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.
 - c. Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - d. Building J: Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.

- e. Building L: shall not exceed a maximum height of eighteen (18) feet above finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.
- f. 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).
- g. In no event shall the maximum number of stories above grade be greater than two.

2. Yards/Setbacks.

- a. Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.
- b. Any future buildings must comply with the following:
 - (1) Front yard setbacks shall be ten (10) feet from the street easement.
 - (2) Side yard setbacks shall be five feet
 - (a) 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.
 - (b) When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.
 - (3) 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 Development Criteria. All proposed construction within the MMHS Campus Specific Plan shall comply with the following site 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 general 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) 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 permeable.

- c. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G
- d. All parking areas within the 100-foot ESHA 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.

5. Wayfinding and Informational Signage

The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

- 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.

6. Permitted Uses in ESHA Buffer

New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan may be allowed in the 100-foot ESHA buffer, but in no case closer than 50 feet as shown on MMHS Campus Specific Plan ESHA Restoration Map Nos. 1, 2, and 3 of the Malibu LIP, if it does not significantly disrupt the habitat values of ESHA and may include:

- 1. ESHA and creek-related educational uses and viewing platforms;
- 2. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and Parking Lots D and E as depicted on the Proposed Site Plan MMHS Campus Specific Plan of the Malibu LIP. The redevelopment shall be accomplished 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;

3. Fuel modification required by the State Fire Marshall to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
4. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
 - a. Limited exterior lighting for safety purposes; and
 - b. Fences necessary for safety, restoration, and protection of habitat.

7. ESHA Restoration Plan

The ESHA Restoration Plan shall be implemented as part of Phase 1 of the MMHS Campus Specific Plan and completed by Phase 4 as specified in the plan. Work shall be completed as shown on “ESHA Restoration Map Nos. 1, 2, and 3.” As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.

During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1, which include the proposed pedestrian trail and new drive aisles.

Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.
Any proposed changes to the ESHA Restoration Plan on file with the City must be approved by the City Biologist in consultation with the California Coastal Commission Biologist.

Chapter 3 – Signs

Modify LIP Section 3.15.3(J) – Prohibited Signs.

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs, except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.

Chapter 4 – Environmentally Sensitive Habitat Area Overlay

4.5. PERMITTED USES

4.5.4 Environmentally Sensitive Habitat Buffers

1. Public accessways and trails, including directional signs
2. Interpretive signage designed to provide information about the value and protection of the resources
3. Restoration projects where the primary purpose is restoration of the habitat.
4. Invasive plant eradication projects if they are designed to protect and enhance habitat values.
5. Uses listed in LIP Section 3.4.6(A)(6) for the Malibu Middle and High School Campus Specific Plan project.

4.6.1. Buffers

New development adjacent to the following habitats shall provide native vegetation buffer areas to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect.

Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in Section 4.6.1 (E) or (F) of the Malibu LIP. The following buffer standards shall apply:

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 and new development and substantial redevelopment of the Malibu Middle and High School Campus shall meet the standards in Section 3.46(A)(2).

2. Wetlands

New development shall provide a buffer of no less than 100 feet in width from the upland limit of the wetland.

3. Woodland ESHA

New development shall provide a buffer of no less than 100 feet in width from the outer edge of the tree canopy for oak or other native woodland.

4. Coastal Bluff ESHA

New development shall provide a buffer of no less than 100 feet from the bluff edge.

5. Coastal Sage Scrub ESHA

New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and 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 coastal sage scrub plant community.

6. Chaparral ESHA

New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and 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 chaparral plant community.

7. Other ESHA

For other ESHA areas not listed above, the buffer recommended by the Environmental Review Board or City biologist, in consultation with the California Department of Fish and Game, as necessary to avoid adverse impacts to the ESHA shall be required.

LOCAL COASTAL PROGRAM ZONING MAP NO. 2

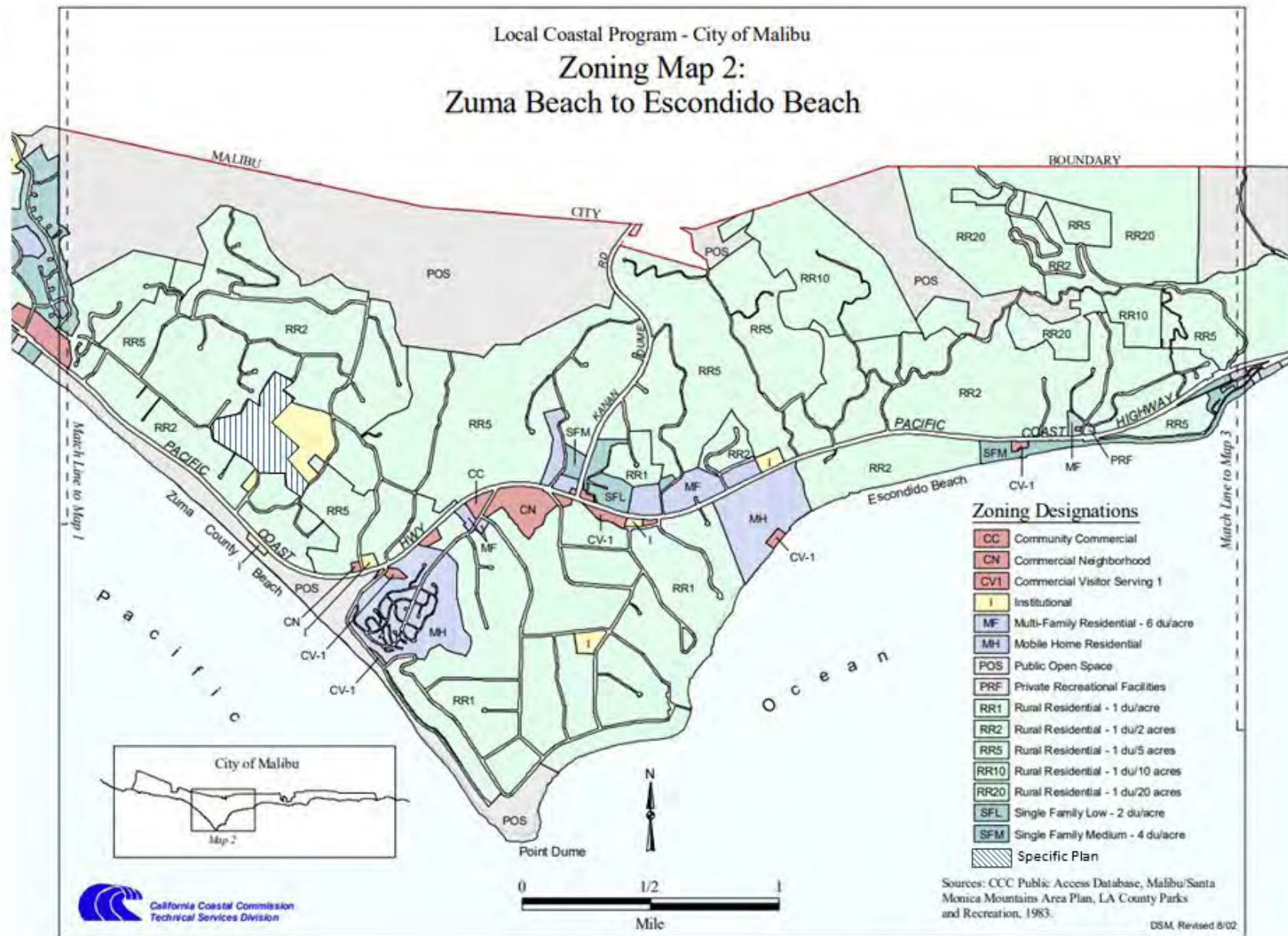


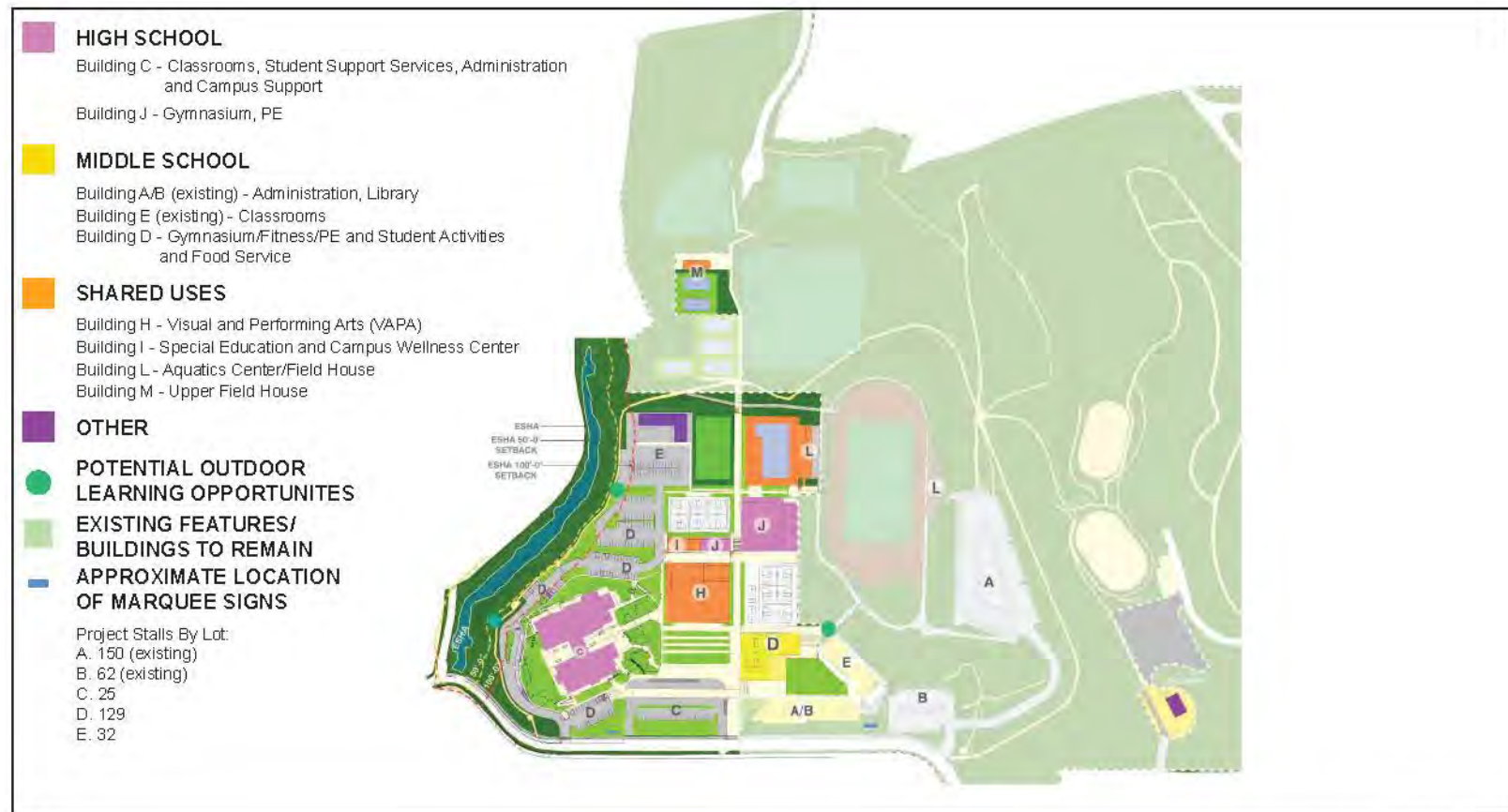
Exhibit 3
Proposed Zoning Map No. 2
LCP-4-MAL-22-0043-1

PROPOSED SITE PLAN FOR THE MMHS CAMPUS SPECIFIC PLAN

MMHS CAMPUS SPECIFIC PLAN

JULY 2022

Figure 6 Proposed Site Plan



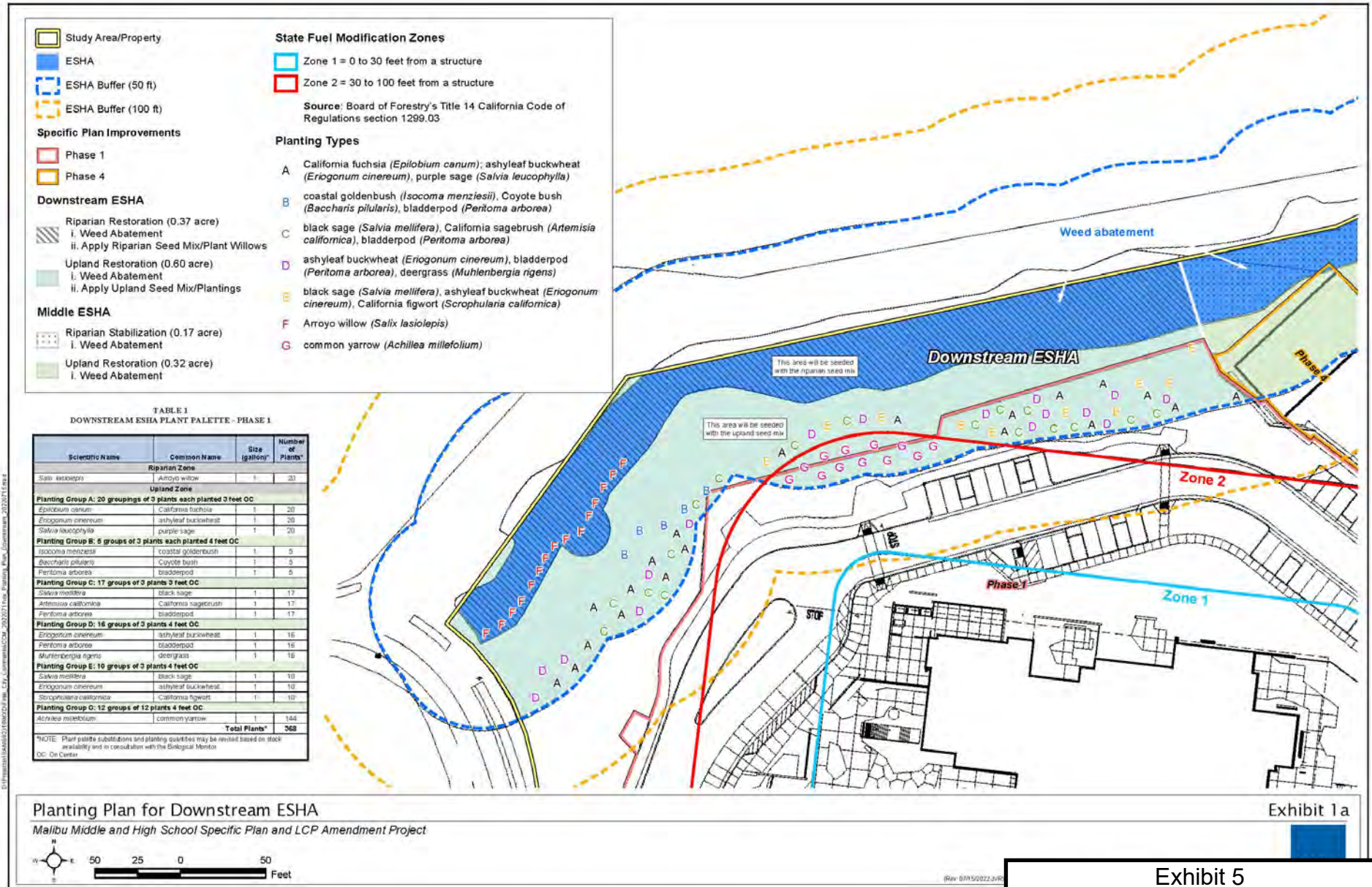
Source: LPA, 2022

0 450
Scale (Feet)



Exhibit 4
Proposed MMHS Campus Specific
Plan Site Plan
LCP-4-MAL-22-0043-1

MMHS CAMPUS SPECIFIC PLAN ESHA RESTORATION MAP NOS. 1, 2, AND 3



Study Area/Property Line

ESHA

ESHA Buffer (50 ft)

ESHA Buffer (100 ft)

Downstream ESHA

Riparian Restoration (0.37 acre)

Upland Restoration (0.60 acre)

Middle ESHA

Riparian Stabilization (0.17 acre)

Upland Restoration (0.32 acre)

Upstream ESHA

Riparian Restoration (0.14 acre)

Upland Restoration (0.43 acre)

Specific Plan Improvements

Phase 1

Phase 4

Planting Types

A California fuchsia (*Epilobium canum*); ashyleaf buckwheat (*Eriogonum cinereum*), purple sage (*Salvia leucophylla*)

C black sage (*Salvia mellifera*), California sagebrush (*Artemisia californica*), bladderpod (*Peritoma arborea*)

D ashyleaf buckwheat (*Eriogonum cinereum*), bladderpod (*Peritoma arborea*), deergrass (*Muhlenbergia rigens*)

E black sage (*Salvia mellifera*), ashyleaf buckwheat (*Eriogonum cinereum*), California figwort (*Scrophularia californica*)

Table 2
Middle ESHA Plant Palette - Phase 4

Scientific Name	Common Name	Size (gallon)*	Number of Plants*
Planting Group A: 10 groupings of 3 plants each planted 3 feet OC			
<i>Epilobium canum</i>	California fuchsia	1	10
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Salvia leucophylla</i>	purple sage	1	10
Planting Group C: 10 groupings of 3 plants 3 feet OC			
<i>Salvia mellifera</i>	black sage	1	10
<i>Artemisia californica</i>	California sagebrush	1	10
<i>Peritoma arborea</i>	bladderpod	1	10
Planting Group D: 10 groupings of 3 plants 4 feet OC			
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Peritoma arborea</i>	bladderpod	1	10
<i>Muhlenbergia rigens</i>	deergrass	1	10
Planting Group E: 10 groupings of 3 plants 4 feet OC			
<i>Salvia mellifera</i>	black sage	1	10
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Scrophularia californica</i>	California figwort	1	10
Total Plants*			120

*NOTE: Plant palette substitutions and planting quantities may be revised based on stock availability and in consultation with the Biological Monitor.

Planting Plan for Middle ESHA

Malibu Middle and High School Specific Plan and LCP Amendment Project

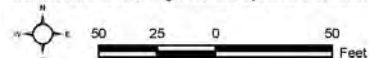
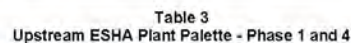


Exhibit 1b



(Rev: 01/15/2022 JAF) F:\Projects\SA\0221\Graphics\FINAL_City_Council\Meeting_01/25/21\Map_Planting_Plan_Middle.pdf



Planting Plan for Upstream ESHA

Malibu Middle and High School Specific Plan and LCP Amendment Project

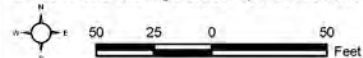


Exhibit 1c



(Rev. 07/15/2022 MMD) R:\Project\15MMD\62310\Original\ESHA_Restoration\Final_Plans_Planting_Plan_Upstream.plt



**Project
Location**

**Point
Dume**

Zuma Beach

Westward Beach

Image © 2023 TerraMetrics
Data USGS

Google

Exhibit 6
Vicinity Map
LCP-4-MAL-22-0043-1

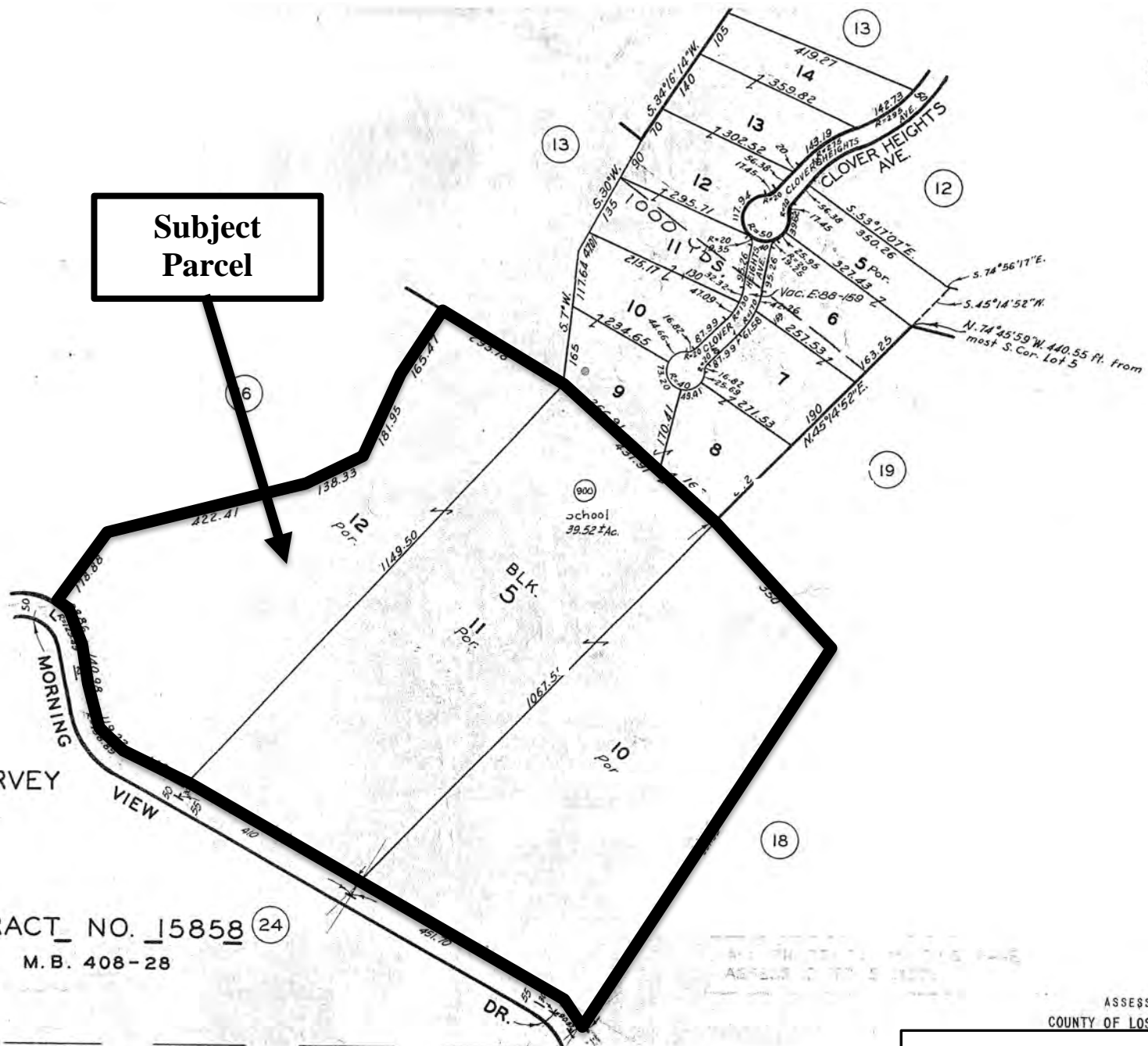
Figure 3 Aerial Photograph



1992



Subject
Parcel



RECORD OF SURVEY
R. S. 56-14-17

CODE
10853

TRACT NO. 15853 (24)
M. B. 408-28

FOR PREV. ASSM'T. SEE:
4469-17

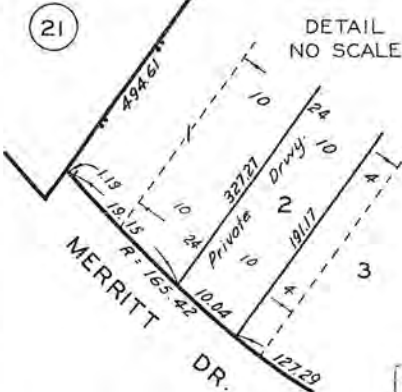
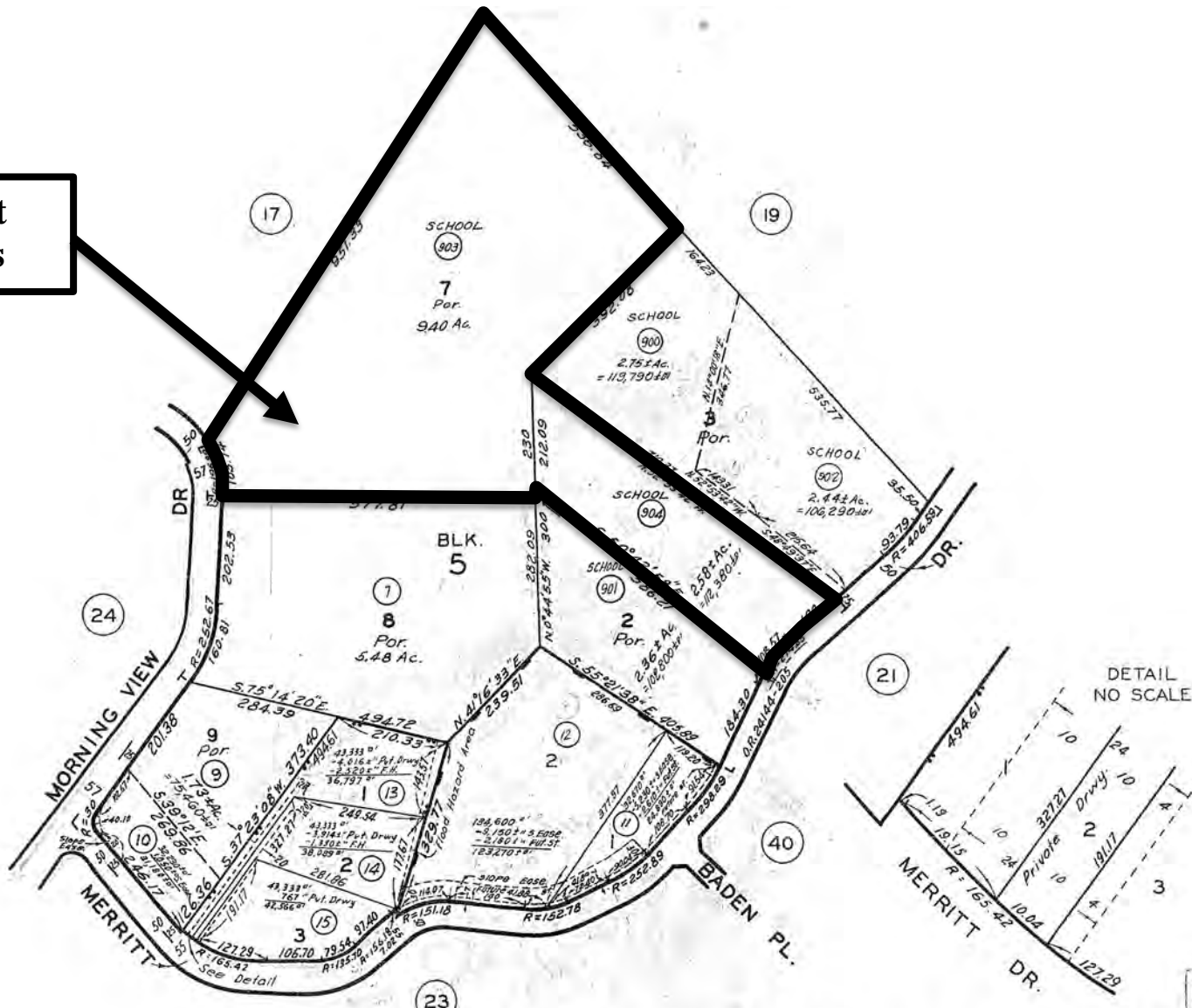
ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

Exhibit 8
Parcel Map
LCP-4-MAL-22-0043-1

1992

Subject
Parcels

11-25-64 REVISED
1-20-60
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690211
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690731503
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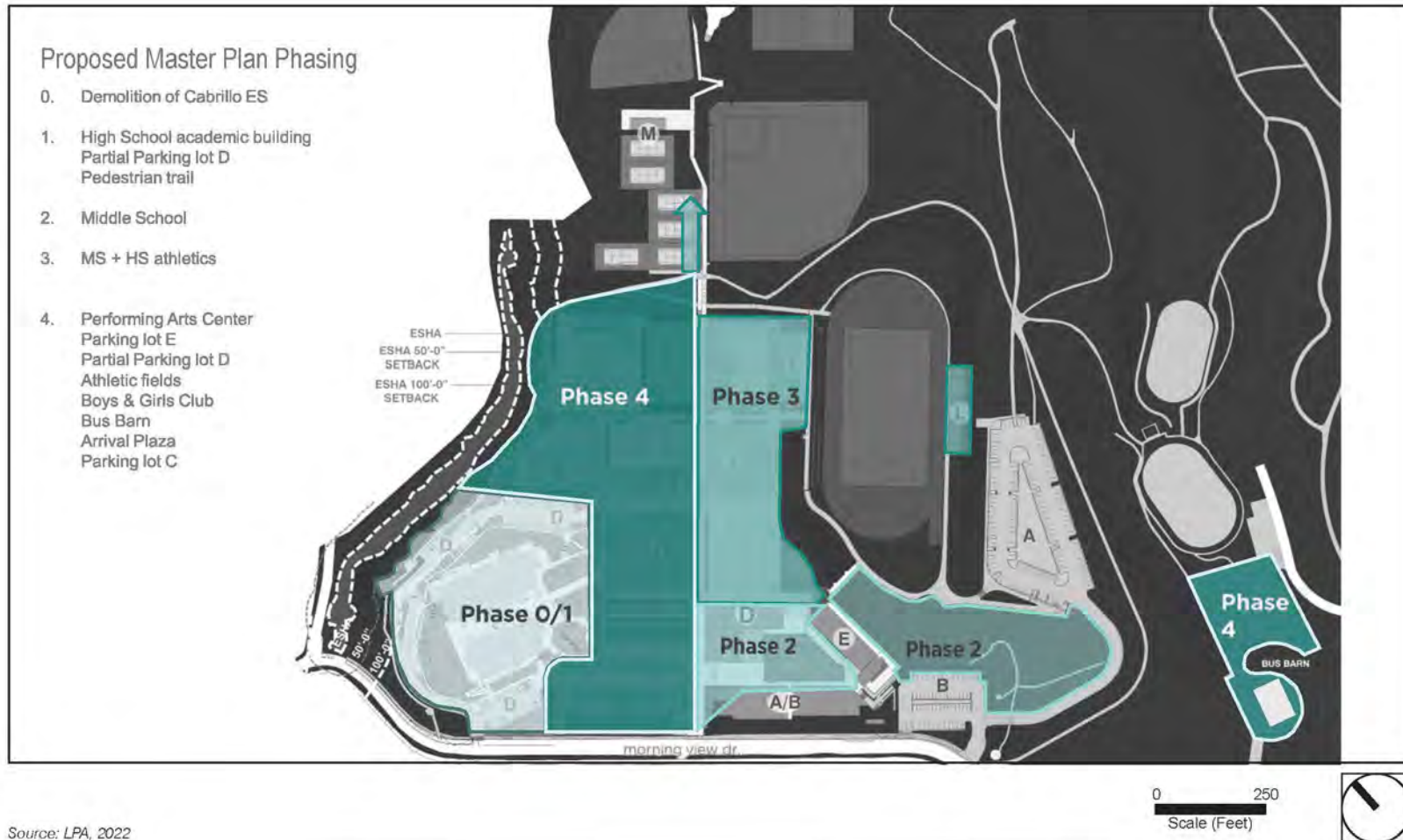
FOR PREV. ASSMT. SEE:
4469-18

RECORD OF SURVEY
R.S. 56-14-17

PARCEL MAP
P.M. 91-52-53

PARCEL MAP
P.M. 232-57-58

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

Figure 8 Specific Plan Phasing-Construction

Source: LPA, 2022

September 29, 2021
Updated September 26, 2022

Noemi Avila-Zamudio
Deputy Bond Program Manager
Bond Construction Program
Santa Monica-Malibu Unified School District
Facility Improvement Projects
2828 Fourth Street
Santa Monica, California 90405

VIA EMAIL
navila-zamudio@smmusd.org

Subject: Habitat Restoration Plan for an Environmentally Sensitive Habitat Area in Support of the Malibu Middle and High School Campus Specific Plan and Local Coastal Plan Amendment Project, Malibu, California

Dear Noemi Avila-Zamudio:

This Habitat Restoration Plan (Plan) has been prepared for the Santa Monica-Malibu Unified School District (District) as a component of the Malibu Middle and High School Campus Specific Plan and Local Coastal Program (LCP) Amendment Project (proposed project). The Plan describes restoration efforts for the Environmentally Sensitive Habitat Area (ESHA), and adjacent buffer located on District property comprised of the former Juan Cabrillo Elementary School and Malibu Middle and High Schools, collectively referred to as the Malibu Campus. This Plan describes the following:

- Project location and a brief project description;
- Regulatory framework;
- Existing conditions for biological and jurisdictional resources;
- Hydrological/hydraulics studies for the ESHA; and
- Restoration program, including site preparation, plant/seed palettes, planting/seeding plan and recommended maintenance and monitoring procedures over a 2-year period.

On September 26, 2022, this plan was updated to include the final planting plan and construction documents (**Appendix 3**).

PROJECT LOCATION

The Malibu Campus is located at 30215 Morning View Drive in the City of Malibu, Los Angeles County, California (**Exhibit 1**, Regional Location). It is located east of Via Cabrillo, north of Morning View Drive, west of Merritt Drive, and south of Heights Road, approximately 0.25-mile northeast of Pacific Coast Highway. The Study Area is depicted on the U.S. Geological Survey's (USGS') Point Dume 7.5-minute topographic quadrangle of the San Bernardino Meridian in Township 02 South, Range 19 West, Section 01 (**Exhibit 2**, USGS 7.5 Minute Digital Quadrangle). The Study Area considered in this Plan consists of the Specific Plan boundary and includes the entire property owned by the District. It is within the Sa

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Exhibit 10
Habitat Restoration Plan
(PSOMAS, 2021)
LCP-4-MAL-22-0043-1

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Bay Watershed (Hydrologic Unit Code 18070104). The Specific Plan area shares the District's property with the former Cabrillo Elementary School to the west and Malibu Equestrian Park to the east and is set among rolling hills with its buildings and athletic fields terraced into the hillside setting. A drainage designated as an ESHA by the California Coastal Commission (CCC), pursuant to California Coastal Act extends for approximately 1,100-feet along the western property boundary (**Exhibit 3**, Location of ESHA).

PROJECT DESCRIPTION

The District seeks to redevelop the Malibu Campus to create a new campus for the Middle and High School with core areas that provide separate learning spaces for the middle and high school students as well as shared amenities. The proposed project would result in the demolition of 18 existing buildings. The recently completed buildings (Buildings A, B, and E), the existing athletic fields, and Malibu Equestrian Park would remain largely unchanged. Implementation of the proposed project would not result in an increase in student enrollment or capacity.

The proposed project site is currently the subject of a Specific Plan that will guide redevelopment of the campus when adopted by the City of Malibu (Malibu) and will serve as the foundation for the phased development of the campus consistent with the regulations, standards, and design guidelines specified therein. The scope of restoration efforts as described in this Plan is consistent with the District's goals and objectives for the proposed project.

Environmental studies both past and present, including those related to biological resources in support of the Malibu Middle and High School Campus Specific Plan and LCP Amendment Project have verified the presence of a drainage along the western boundary of the District's property line. Pursuant to Malibu's Local Coastal Program, this drainage is designated as an ESHA (City of Malibu 2002, GLA 2009, Psomas 2021a).

Consistent with guidelines provided in the Local Coastal Implementation Plan, Psomas delineated the ESHA boundary as the outer edge of the canopy of riparian vegetation and where riparian vegetation was not present, the ESHA boundary was determined by the top of bank. While the LCP ESHA overlay zone specifies a buffer to "ensure continued protection of the habitat areas" and for new development specifically references a 100 foot buffer "from the outer edge of the bank of the subject stream as the area within the top of bank and outer riparian canopy boundaries", it was noted that over 85% of the ESHA's 100 foot buffer had been developed in the years prior to the enactment of the California Coastal Act of 1972.

During the early stages of the specific planning process, among other project objectives, the District recognized that the ESHA offered opportunities to enhance their educational goals of providing for outdoor learning spaces and interpretive opportunities; as well as providing an opportunity to restore the natural environment and improve campus connectivity through the development of the proposed pedestrian pathways. The District recognized that the existing conditions included incompatible development into the edge of the ESHA bank as well as the degraded nature of the ESHA itself. In discussions with the CCC, the District decided that it could restore the degraded drainage comprised of approximately 0.7 acres as well as 1.35 acres of upland areas within the ESHA's 50-foot buffer, and still meet the educational and design goals for the campus. In addition, within the remaining 50 feet beyond the 50-foot ESHA buffer, the proposed project would include land uses compatible with the natural habitat that would not incur in significant disruption of the natural habitat including a looping trail, interpretive stations overlooking the ESHA, and largely native landscaping within the campus itself contributing to the high scenic quality of the area.

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The ecological benefits of the restoration will increase the diversity and cover of native riparian and upland plants within the ESHA and its 50-foot buffer by the removing non-native species (including those rated by the California Invasive Plant Council); improve conditions for wildlife species including pollinator species that rely on wetland, riparian, and adjacent upland habitats for food and shelter; and reduce erosion and sedimentation. The students and local residents that will use the loop trail and the educational nodes will not only be able to enjoy the natural surroundings, but they will also be able to learn about the plants that reside in the riparian and upland zones as well as the local and seasonal wildlife that will undoubtedly frequent the site.

REGULATORY FRAMEWORK

U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (Corps) Regulatory Branch regulates activities that discharge dredged or fill materials into waters of the United States (WOTUS) under Section 404 of the Federal Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Its authority applies to all WOTUS where the material (1) replaces any portion of a water of the United States with dry land or (2) changes the bottom elevation of any portion of any WOTUS. Activities that result in fill or dredge of WOTUS require a permit from the Corps. Presently, WOTUS are defined to include territorial seas and Traditional Navigable Waters (TNWs)¹; perennial and intermittent tributaries that contribute surface water flow to such waters; certain lakes, ponds, and impoundments of jurisdictional waters; and wetlands adjacent to other jurisdictional waters (USACE and USEPA 2010).

Regional Water Quality Control Board

The State Water Resources Control Board (SWRCB), in conjunction with the nine Regional Water Quality Control Boards (RWQCBs), is the primary agency responsible for protecting water quality in California through the regulation of discharges to surface waters under the CWA and the California Porter-Cologne Water Quality Control Act (Porter-Cologne Act). The SWRCB's and RWQCB's jurisdictions extend to all WOTUS, but also to waters of the State that are outside federal jurisdiction, including wetlands.

On August 28, 2019, the Office of Administrative Law approved the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to waters of the State. The procedures went into effect on May 28, 2020. Under these new regulations, the SWRCB and its nine RWQCBs assert jurisdiction over all existing WOTUS, and all waters that would have been considered WOTUS under the 2015 Rule. Thus, the WOTUS that would no longer be under Corps jurisdiction would be under SWRCB jurisdiction.

California Department of Fish and Wildlife

The California Department of Fish and Wildlife (CDFW) regulates activities that may affect rivers, streams, and lakes pursuant to the *California Fish and Game Code* (§§1600–1616). According to Section 1602 of the *California Fish and Game Code*, the CDFW has jurisdictional authority over any work that will (1) substantially divert or obstruct the natural flow of any river, stream, or lake; (2) substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or (3) deposit or dispose of

¹ Traditional Navigable Waters are “all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide” (33 *Code of Federal Regulations* § 328.3).

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debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

California Coastal Commission

The CCC, in partnership with coastal Cities and Counties, plans and regulates the use of land and water in the Coastal Zone, an area covering a 3-mile-wide band of ocean and extending inland from the mean high tide line to a variable distance based on surrounding land cover. Development in the Coastal Zone requires a Coastal Development Permit issued by either the CCC or a local government with a certified LCP.

Malibu has a certified LCP that provides for protection and preservation of ESHAs. An ESHA is defined as “any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem which could be easily disturbed or degraded by human activities and developments”. ESHAs include rare or valuable habitat, habitat that contributes to the viability of plant or animal species that are designated or are candidates for listing under State or Federal law, habitat that contributes to the viability of species that are designated as “fully protected” or “species of special concern” under State law, habitat that contributes to the viability of species for which there is other compelling evidence of rarity (e.g., species with a California Rare Plant Rank of 1 or 2), designated Areas of Special Biological Significance, or Marine Protected Area, and Streams.

EXISTING CONDITIONS

The ESHA consists of an approximately 1,100-foot long drainage along the western edge of the Campus (**Exhibit 3**). It receives flow from an undeveloped lot north of the property, road runoff, and runoff from an adjacent parking lot. A culvert at the cul-de-sac of Clover Heights Avenue also carries flow underground and into this drainage. At the downstream end, the drainage flows into a corrugated pipe culvert under Morning View Drive. Based on aerial imagery and USGS topographic contours, this drainage continues primarily above ground until it is undergrounded at Pacific Coast Highway and discharges onto Zuma Beach at the Pacific Ocean.

The drainage is unlined along its entire length in the Study Area. The upstream end of the drainage has a broad, concave cross-section with no abrupt break in bank slope. Soils in this area were saturated and surface water was present during multiple site visits. The middle and downstream end of the drainage is more incised, with steep slopes and a narrow channel bed. Some banks are eroded or undercut. Surface water was not present during multiple site visits and the soils were not saturated near the surface along the middle and downstream portions of the drainage.

The ESHA and surrounding areas burned in the 2018 Woolsey fire. Some vegetation experienced mortality as a result of the fire while other vegetation is recovering.

Vegetation Types

Vegetation types within the ESHA and 50-foot buffer consist of riparian herb and arroyo willow thicket in the drainage bottom transitioning to coyote brush – California sagebrush scrub/upland mustards, upland mustards, and ornamental – native planting. Each is type is further detailed below:

Riparian herb vegetation grows along the drainage bed. This area contains a mix of native species typical of a riparian understory and non-native species. The upstream end is heavily dominated by the non-native Saint Augustine grass (*Stenotaphrum secundatum*) extending out from the drainage centerline with the native watercress (*Nasturtium officinale*) growing in the center, wetter portion of the drainage. Other

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species in this area include flatsedge (*Cyperus* sp.), bristly ox-tongue (*Helminthotheca echoioides*), common plantain (*Plantago major*), and cheeseweed (*Malva parviflora*). Downstream, as the drainage banks become steeper and the substrate becomes drier, herbaceous vegetation becomes sparser in the drainage. The middle and downstream portions of the drainage have more patchily distributed watercress with species such as California rose (*Rosa californica*), California blackberry (*Rubus ursinus*), castor bean (*Ricinus communis*), tree tobacco (*Nicotiana glauca*), and garden nasturtium (*Tropaeolum majus*) present. No single species is dominant throughout the length of the drainage.

Arroyo willow thicket occurs along the drainage and consists of individuals and patches of arroyo willows (*Salix lasiolepis*) with a small amount of western sycamore (*Platanus racemosa*). Prior to the Woolsey fire, this vegetation was more extensive. Many of the trees burned and some are regrowing while others remain as dead standing snags. Understory vegetation, where present, is similar in composition to the riparian herb vegetation, described above. The downstream end is degraded by the presence of castor bean.

Coyote brush – California sagebrush scrub/upland mustards occurs in upland areas at the downstream end of the drainage. This vegetation type has approximately 15 to 20 percent cover of native species, primarily coyote brush (*Baccharis pilularis* ssp. *consanguinea*) and laurel sumac (*Malosma laurina*). It has been heavily degraded by the presence of non-native, weedy species such as shortpod mustard (*Hirschfeldia incana*), castor bean, tree tobacco, and non-native grasses such as bromes (*Bromus* spp.) or oats (*Avena* spp.).

Upland mustards occur in upland areas in the central and northern portion of the drainage. This vegetation type is dominated by non-native, weedy species—primarily shortpod mustard with fennel and Russian thistle (*Salsola tragus*).

Ornamental – native planting occurs in the central and northern portion of the drainage. This vegetation type is very heterogeneous and consists of a mix of native and non-native planted individuals and naturalized weedy species. The vegetation isn't closely associated with structures and doesn't appear “formally landscaped”, even though many of the species appear to have been planted. These areas burned during the Woolsey fire. Species observed include natives such as laurel sumac and Coulter's matilija poppy (*Romneya coulteri*), and non-natives such as petty spurge (*Euphorbia peplus*), shortpod mustard, castor bean, curly dock (*Rumex crispus*), red valerian (*Centranthus ruber*), myoporum (*Myoporum laetum*), ornamental sage (*Salvia microphylla*), pride of Madeira (*Echium candicans*), cape honeysuckle (*Tecoma capensis*), and tree tobacco.

Jurisdictional Resources

A jurisdictional delineation was performed to determine the type and extent of water resources under the regulatory authority of the Corps, the RWQCB, the CDFW, and the CCC for the entire Study Area (Psomas 2021a); however, for the purpose of this Plan, the jurisdictional resources are described are limited to the ESHA and do not include all jurisdictional waters in the Study Area.

WOTUS under regulatory authority of the Corps were determined to be present in the ESHA drainage. Given that the drainage ultimately discharges into the Pacific Ocean, it has connectivity to a TNW. Relatively permanent waters connected to a TNW are considered WOTUS. Since surface water and soil saturation were observed at the upstream end of the drainage on multiple site visits that were not preceded by rainfall events, the drainage is considered to exhibit surface flow more than just ephemerally. Therefore, it is considered a WOTUS under the regulatory authority of the Corps. The extent of WOTUS was based on indicators of Ordinary High-Water Mark and included a change in sediment texture, a change in vegetation species and cover, and a break in bank slope. A total of 0.070 acre of WOTUS are

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present. Of this, 0.007 acre was determined to be wetland WOTUS based on the presence of hydrophytic vegetation, hydric soils, and wetland hydrology. **Table 1** summarizes the type and extent of Corps and RWQCB jurisdictional waters for the ESHA (**Exhibit 4**, Jurisdictional Resources: Ordinary High-Water Mark).

TABLE 1
SUMMARY OF ESHA JURISDICTIONAL RESOURCES

Regulatory Authority	Amount in Study Area (acres)
Corps Waters of the United States	
Wetlands	0.007
Non-wetland Waters	0.063
Total Corps Waters of the United States	0.070
RWCQB Waters of the State	
Wetlands	0.007
Non-wetland Waters	0.063
Total RWQCB Waters of the State	0.070
Total CDFW Jurisdictional Resources	0.68
Total CCC Jurisdictional Resources	0.68
Corps: U.S. Army Corps of Engineers; RWQCB: Regional Water Quality Control Board; CDFW: California Department of Fish and Wildlife; CCC: California Coastal Commission	

Waters under the regulatory authority of the Corps are also subject to the jurisdictional of the RWQCB and considered waters of the State. Therefore, approximately 0.070 acre of waters of the State are present. Of this, 0.007 acre was determined to be wetland waters of the State.

Streams are under the regulatory authority of the CDFW. The drainage has a defined bed and banks, with a riparian canopy over portions of its length. Therefore, approximately 0.68 acre of waters subject to the regulatory authority of the CDFW are present (**Exhibit 5**, Top of Bank/Riparian Canopy).

Because the CCC uses a one parameter approach to identify the limits of jurisdictional wetlands, the drainage is subject to CCC jurisdiction. Approximately 0.68 acre of wetlands subject to the regulatory authority of the CCC are present (**Exhibit 5**). The drainage is considered an ESHA in Malibu's LCP because it encompasses both wetland and riparian habitat and is consistent with its consideration as a designated ESHA in previous biological assessments (GLA 2009).

HYDROLOGICAL AND HYDROLICS STUDY

A hydrologic analysis was conducted utilizing the Los Angeles County hydrologic methodology to establish flow rates for various storm events up to the 50-year event contributing runoff to the ESHA. A total drainage area of approximately 320 acres contributes stormwater runoff to the ESHA, of which, half is moderate urban development and the other half mountainous area. Hydrologic soil groups found within the drainage area are comprised of Type C and Type D, indicating a high amount of runoff and minimal infiltration into the soil. Additionally, the area is subject to wildfires which increases the total runoff as well as sediment and debris flows.

A hydraulic analysis of the ESHA was performed using HEC-RAS and the peak flow rates established during the hydrologic study. Flow depths and velocity results from the model were used to identify the extents of improvements required to stabilize the channel and prevent future erosion. Potential

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improvements may include slope reductions, bank protection, drop structures, and revegetation, or a combination thereof. Improvements were designed to be permanent and self-sustaining to the extent possible, while maintaining a balance between the natural and built environment, encouraging wildlife passage, and reestablishing habitat (Psomas 2021b).

RESPONSIBLE ENTITIES

Responsible entities are those individuals or entities responsible for the successful implementation of the Plan. These entities include but are not limited to, the District as property owner, the Landscape Contractor, the Project Engineer, the Biological Monitor, and the Resource Agencies.

The District, or its designees, are responsible for retaining the following qualified entities:

- Landscape Contractor to install and maintain the habitat restoration areas, including any stabilization features for the ESHA;
- Project Engineer to oversee the stabilization measures that result from the hydrological and hydraulics studies of the ESHA; and
- Biological Monitor to monitor program installation, long-term maintenance, and long-term site performance.

The Landscape Contractor (Contractor) will be responsible for performing all site preparation to address vegetation and soil procedures, ESHA stabilization measures, container species planting, seed mix application, and long-term maintenance tasks. The Landscape Contractor is also responsible for coordinating with the Biological Monitor regarding implementation status.

The Project Engineer will be responsible for overseeing implementation of ESHA stabilization measures in coordination with the Landscape Contractor.

The Biological Monitor will be responsible for monitoring all implementation activities and for facilitating compliance with specifications and resource agency requirements. The Biological Monitor will also coordinate with the District, the Landscape Contractor, the Project Engineer, and the Resource Agencies regarding site status.

Outreach to Resource Agencies including the CCC, Corps, CDFW, and RQWCB took place as part of early coordination efforts to refine and finalize early conceptual features of this Plan and to determine regulatory permits that would be required prior to implementation of the restoration. The final version of this Plan will become a component of the proposed project that will require approval by the District as lead agency pursuant to the California Environmental Quality Act (CEQA) as well as Malibu in coordination with the CCC pursuant to the LCP Amendment.

RESTORATION OPPORTUNITIES

Opportunities for restoration are present at Upstream, Middle and Downstream portions of the ESHA, in undeveloped areas within the 50-foot buffer of the ESHA, as well as in areas that are currently developed and scheduled for demolition during later phases of the proposed project (**Exhibit 6**, ESHA Restoration Areas). The ESHA restoration areas are also depicted in relation to the proposed project in **Exhibit 7**, ESHA Restoration Areas. While restoration efforts will include planting/seeding at Upstream and Downstream ESHA, the efforts for the Middle ESHA will focus on weed abatement and stabilization due to the incised nature of the drainage. Upland restoration of the Middle ESHA will take place once the bus storage facility known as the “bus barns” are demolished during Phase 4 of the proposed project. The

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restoration will significantly improve the habitat conditions of the drainage and provide educational opportunities to both middle and high school students as well as for local residents that use the trail.

A field study conducted in July 2021 revealed a significant number of native species in varying stages of recovery from the Woolsey fire that swept through the area in November 2018 (**Exhibit 8a–d**, Upstream, Middle and Downstream ESHA Photos). Mature and sapling native riparian trees and shrubs were observed along the entire ESHA intermixed with non-native weedy species as well as species escaped from a landscaped setting (**Exhibit 8a**, Upstream ESHA Photos and **Exhibit 8b**, Middle ESHA Photos). Upland native scrub species dominated more open portions of the drainage particularly in the Downstream ESHA (**Exhibit 8c**, Downstream ESHA Photos). The significant cover of native riparian and upland vegetation served to guide a restoration approach that focusses on enhancing the native species present primarily with seeding and using plantings to a lesser degree to enhance existing native vegetation, especially adjacent to the looping trail and for erosion control (**Table 2**, ESHA Restoration Opportunities and Approach).

TABLE 2
ESHA RESTORATION OPPORTUNITIES AND APPROACH

ESHA Restoration Area	Restoration Approach	Implementation Schedule
Upstream ESHA		
Riparian	Enhance native trees and shrubs present with weed abatement and removal of woody debris; plant native grasses and sedges for erosion control in wetland area at this location. Banks at this location may require an erosion control blanket.	Phase 1
Upland	Enhance native plantings present with weed abatement; seed non-developed areas with coastal sage scrub species to supplement existing native plantings and to attract and support invertebrates and native birds that reside on the property; include flowering species to support butterflies. Combine plantings and seeding to complement landscaped plantings along the trail; restore developed portions of buffer with coastal sage scrub species in Phase 4.	Phase 1 and 4
Middle ESHA		
Riparian	Focus on weed abatement and stabilization (if needed) of incised portion of drainage; consider girdling any non-native tree(s) to remain in place as snag(s) for wildlife use consistent with stabilization measure(s). Stabilization will likely include the placement of an erosion control blanket.	Phase 1
Upland	Plant native coastal sage scrub shrubs to complement landscaped plantings along the trail; an understory of native shrubs will add diversity of canopy structure and provide opportunities for use as outdoor classroom; developed portions of buffer to be restored in Phase 4.	Phase 4
Downstream ESHA		
Riparian	Enhance native trees and shrubs present with weed abatement; plant shrubby willow saplings in openings after removal of non-natives and dead woody debris; seed openings with riparian mix for a diverse understory; include flowering species to attract birds and invertebrates including butterflies. Banks at this location may require an erosion control blanket.	Phase 1
Upland	Plant and seed native coastal sage scrub to complement plantings along the trail to add diversity of color, texture, and canopy structure and provide opportunities for use as outdoor classroom. Slopes at this location will likely require erosion control measures that can be addressed with contouring associated with the removal of pavement prior to planting native coastal sage scrub.	Phase 1

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The following restoration activities are scheduled to take place during Phase 1 construction scheduled for summer 2024 (**Table 3**, Phase 1 ESHA Restoration Activities).

TABLE 3
PHASE 1 ESHA RESTORATION ACTIVITIES

Restoration Activity	Riparian Zone	Upland Zone
Upstream ESHA		
Weed abatement; assess snags	x	x
Install erosion control measure as needed	x	x
Plant swamp sedge (<i>Carex senta</i>) see Table 6 and Exhibit 9	x	
Plant beard grass (<i>Leymus triticoides</i>) see Table 6 and Exhibit 9	x	
Seed upland zone with applicable seed mix		x
Middle ESHA		
Weed abatement; assess snags; girdle myoporum tree	x	x
Install erosion control measure, as needed	x	x
Downstream ESHA		
Remove pavement; contour slope; optimize soils for planting		x
weed abatement; assess snags	x	
Install erosion control measure, as needed	x	x
Plant arroyo willow (<i>Salix lasiolepis</i>) see Table 5 and Exhibit 9	x	
Plant coastal sage scrub species see Table 5 and Exhibit 9		x
Seed each zone with applicable seed mix	x	x

The following restoration activities are scheduled to take place during Phase 4 construction scheduled for 2032 (**Table 4**, Phase 4 ESHA Restoration Activities). Seed mixes are specified in **Appendix 2**.

TABLE 4
PHASE 4 ESHA RESTORATION ACTIVITIES

Restoration Activity	Riparian Zone	Upland Zone
Upstream ESHA		
Remove pavement; contour slope; optimize soils for planting		x
Weed abatement; assess snags	x	x
Install erosion control measure, as needed	x	x
Plant coastal sage scrub species as per Table 6 and Exhibit 9		x
Seed each zone with applicable seed mix, as needed	x	x
Middle ESHA		
Remove structures; contour slope; optimize soils for planting		x
Weed abatement; assess snags	x	x
Install erosion control measure, as needed	x	x
Plant coastal sage scrub species as per Table 6 and Exhibit 9		x
Seed each zone with applicable seed mix, as needed	x	x
Downstream ESHA		
weed abatement; assess snags	x	x

IMPLEMENTATION

Site Preparation

Initial preparation will include testing of soils and bank stability, assessment, and selection of suitable bank stabilization/erosion control materials (with emphasis on natural materials such as logs, boulders, etc., if feasible) and temporary irrigation system design (as deemed necessary).

Soils and Bank Stability: A review of the U.S. Department of Agriculture Natural Resources Conservation Service Soil Survey identified the ESHA (defined as the Area of Interest) as containing 98 percent of the Cropley (coastal 40 percent); Xerorthents (landscaped 30 percent); and Urban land (25 percent) with minor components contributing 5 percent to the map unit.

The Cropley coastal soils are found on alluvial fans and basins; the parent material is comprised of alluvium derived from shale. Substrates are comprised of clay in the upper horizons and silty clay loam in the deeper horizons. Xerorthents are dry shallow skeletal soils that at this location are comprised of colluvium and residuum derived from sedimentary rock and other mixed sources. The substrates are loam in the upper layers and weathered bedrock in the deeper layers (greater than 4 feet). The Urban land component of this soil map unit refers to soils in areas of high population density in the largely built environment. These soils can be significantly changed by human-transported materials, human-altered materials, or minimally altered or intact “native” soils. Soils in urban areas exhibit a wide variety of conditions and properties and may have impervious surfaces, such as buildings and pavement. At this location, the ESHA directly abuts developed areas; however, the extant native vegetation intermixed with non-native vegetation suggests that the soils are likely native. This is consistent with the anecdotal observations of the clay substrates observed during field studies and surveys conducted at the ESHA.

Portions of the Upstream, Middle, and Downstream ESHA, however, contain paved areas within the 50-foot buffer that will be demolished in support of the restoration effort consistent with the proposed project phasing:

- **Upstream ESHA:** Of the 0.43 acres of upland restoration at the Upstream ESHA, approximately 0.15 acres contain pavement to be demolished as well as any base material that may be present during Phase 4 construction efforts. The pavement and base material will be broken up, excavated as needed, and removed for proper disposal. The removal site will be back-filled with adjacent parent material from the restoration site and contoured to remediate any existing erosion of the slope such that the grade where pavement was removed transitions gently to match the adjacent natural grade of the restoration area. Subsequent to the removal of the pavement and the base layer, should the exposed native soils show evidence of compaction, the compacted area will be disced and amended as needed to optimize the substrate for planting and seeding (**Exhibit 7**). Soil testing is recommended to ensure that proper amendments are applied if needed.
- **Middle ESHA:** Of the 0.32 acres of upland restoration at the Middle ESHA, approximately 0.19 acres contain developed areas consisting of the bus depot, pavement, and a storm basin to be demolished during Phase 4 construction efforts. The structures, foundation, and any pavement and base material that may be present will be broken up, excavated as needed, and removed for proper disposal. The removal site will be back-filled with adjacent parent material from the restoration site and contoured to remediate any existing erosion of the slope such that the grade where the structures were removed transition gently to match the adjacent natural grade of the restoration area. Subsequent to the removal of the structures and associated base layers, should the exposed native soils show evidence of compaction, the compacted area will be disced and

amended as needed to optimize the substrate for planting and seeding (**Exhibit 7**). Soil testing is recommended to ensure that proper amendments are applied if needed.

- **Downstream ESHA:** Of the 0.6 acres of upland restoration at the Downstream ESHA, approximately 0.17 acres contain pavement to be demolished as well as any base material that may be present during Phase 1 construction efforts. The pavement and base material will be broken up, excavated as needed, and removed for proper disposal. The removal site will be back-filled with adjacent parent material from the restoration site and contoured to remediate any existing erosion of the slope such that the grade where pavement was removed transitions gently to match the adjacent natural grade of the restoration area. Subsequent to the removal of the pavement and the base layer, should the exposed native soils show evidence of compaction, the compacted area will be disced and amended as needed to optimize the substrate for planting and seeding (**Exhibit 7**). Soil testing is recommended to ensure that proper amendments are applied if needed.

Erosion Control Materials: Erosion control measures such as an erosion control blanket will be put into place prior to planting and seeding the ESHA restoration areas for the purpose of limiting soil erosion along the banks of the ESHA, retaining soil moisture to promote seed germination and protect seed/seedlings and planting stock during heavy rainfall or winds enabling better vegetation establishment (Erosion Control Technology Council.org). Due to the presence of native vegetation to be retained on the banks of the ESHA placement of the erosion control measure shall be determined in coordination with the Biological Monitor. The erosion control product shall be weed free, wildlife friendly, and consist only of natural components (i.e. wood fibers, straw, jute, and/or coir), and shall be 100 percent biodegradable.

Temporary Irrigation Design: Irrigation will be provided to the restoration site during the two-year maintenance and monitoring period to ensure the successful establishment of native plant species. Irrigation of the ESHA restoration areas with a temporary irrigation system will require a design by an irrigation specialist who will provide construction drawings for use by the Landscape Contractor for implementation, operation, and maintenance. The Landscape Contractor will be responsible for providing irrigation to the restoration site in order to optimize plant establishment, health, and longevity. The irrigation system design and specified components will be consistent with site conditions (i.e., soils, steep banks, presence of erosion control features, etc.). The water source will come from the school campus.

While it is recommended that a temporary irrigation system be installed, another option for on-site irrigation is the use of a water truck or water buffalo. A water truck (or other vehicle-mounted/tank water source) would be used to apply supplemental water to establish container plant species and seeded areas during installation, the 90-day maintenance period, and during the 2-year maintenance and monitoring period. Such irrigation shall not be broadly sprayed onto the site at high pressure from the truck/tank but shall only be applied via hoses fitted with low-force wands and/or via a temporary drip irrigation system. Watering hoses (and/or a temporary drip irrigation system) shall be operated in a manner that avoids damaging existing native plants and other biological resources.

On-site Preparation

On-site preparation will consist of the designation of staging areas, the staking of restoration site boundaries, assessment of existing standing snags for removal or to be retained in place, protective flagging of native species including snags or other woody debris to be retained in place, placement of salvaged woody debris as deemed feasible, initial weed clearing, staking of temporary irrigation line and head locations and irrigation system installation, placement of bank stabilization and/or erosion control materials, and installation of protective/educational signage, as needed.

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Staging and Access: The Contractor shall obtain advance approval from the District for the location(s) of storage/staging areas for trucks, dumpsters, and any other equipment, in addition to appropriate/necessary access roads, parking permits, and other forms of approval. Construction equipment, vehicles, and materials shall not be stored in existing drainages.

Staking of Restoration Site: The Biological Monitor will stake the riparian boundaries and the 50-foot buffer using a navigable Geographic Information System (GIS) map of the Upstream, Middle, and Downstream Restoration Areas prior to the start of installation work in each of these sites. Stakes shall be checked on a regular basis to ensure that the riparian and upland areas are clearly demarcated.

Assessment of Snags: The 2018 Woolsey fire burned significant portions of the ESHA, including the majority of the trees. Dead trees tend to fall at more frequent rates than live trees, creating a potential hazard for persons working in the area or in close proximity to these trees. A tree risk assessment shall be performed by a Certified Arborist to identify any trees (burned or unburned) that present a safety hazard. The Certified Arborist shall determine when a tree can be retained in place or present a fall or limb-drop hazard thus posing unsafe working conditions for field personnel implementing and/or monitoring tasks associated with ESHA restoration efforts. All trees located in the riparian boundary of the ESHA to be retained in place shall be trimmed by a tree service contractor to remove excess deadwood, while leaving the main tree structure in place in consultation with the certified arborist. Trimming excess deadwood removes unstable vegetative debris that can drop unexpectedly and reduces the likelihood of tree failure under normal weather conditions. Due to the dry vegetation in the work area all gas powered equipment used must have spark arresters to minimize the risk of fire. Any snag to be retained in place will provide valuable habitat for numerous ecosystem niches that are otherwise unavailable if removed.

Trimming of riparian trees coupled with weed abatement (see below) also plays an important role in allowing the flow of water to pass through the ESHA unimpeded towards the culvert under Morning View Drive and on to the Pacific Ocean.

Protection of Native Vegetation: Due to the presence of significant stands of native vegetation and native riparian trees and saplings, a Biological Monitor knowledgeable of the riparian and upland vegetation of the ESHA shall place protective flagging on all native plant individuals to be retained in place. Likewise, a Certified Arborist shall place protective flagging on all riparian trees and saplings and also on snags to be retained in place based on the results of the tree risk assessment. Protective flagging of native species will inform the Landscape Contractor the areas where care shall be taken to avoid damage to existing native habitat. Coordination between the certified arborist and Biological Monitor will ensure that protective flagging of plants and trees, saplings, and snags can take place concurrently to ensure that work efforts are as efficient as possible.

Initial Weed Control: The weed control measures described in this section shall be implemented by the Landscape Contractor to ensure weed-free conditions along the entire length of the ESHA drainage prior to initiating planting and seeding activities during Phase 1 and Phase 4 restoration efforts. Weed eradication will include hand-pulling of weeds, use of weed whips, and/or foliar treatments of appropriate herbicides, as determined by the Landscape Contractor coordination with the Contractor's licensed Agricultural Pest Control Advisor. The use of herbicides will be avoided and/or minimized to the extent practicable. The Landscape Contractor shall be responsible for posting of all herbicide applications, including time of safe re-entry. Only herbicides approved by the U.S. Environmental Protection Agency

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(USEPA) for wetlands areas shall be used within the ESHA boundaries. The following weed abatement priorities for the ESHA are recommended based on multiple site visits conducted in support of this Plan:

- **Upstream ESHA:** non-native species include St. Augustine grass, shortpod mustard, Russian thistle, saltcedar (*Tamarix* spp.), flatsedge, common plantain, bristly ox-tongue, garden nasturtium, cheeseweed, and common non-native annual grasses. The focus of weed abatement efforts at this location is St. Augustine grass as it dominates the swale area of the upstream ESHA.
- **Middle ESHA:** non-native species include an extensive patch of prickly pears that dominates both banks of the ESHA behind the bus depot, myoporum (*Myoporum laetum*), and Spanish bayonet (*Yucca aloifolia*), shortpod mustard, tree tobacco, castor bean with a focus on removing the above-ground portions of the prickly pear, and Spanish bayonet so that the below-ground portions can continue to provide some bank stabilization. All tree tobacco and castorbean will require removal and the area patrolled for sprouts of these invasive weed species on a regular basis. While weed abatement will benefit the growth and establishment of the exiting riparian trees, it will take a year or more for the native riparian overstory to develop. Therefore, it is recommended that the myoporum tree in the drainage be girdled and left as a snag for wildlife use.
- **Downstream ESHA:** non-native species at this location include many of the ones already listed. Castorbean is dominate here and should be the focus of weed abatement efforts. Also, willows downed as a result of past winter storms and the Woolsey Fire have resulted in piles of large woody debris that should be evaluated by a Certified Arborist.

Vegetation disturbance consisting of weed abatement and tree trimming/removal shall take place outside the nesting bird season (i.e., February 1– August 31). Weed abatement and/or tree trimming performed during the nesting bird season shall be performed once a Biologist has determined that no active nests are present following a nesting bird survey within 72 hours of the disturbance of vegetation. All vegetation removed during weed abatement should be disposed of at a landfill.

Staking of Irrigation Line/Installation: The Landscape Contractor will be responsible for installation of the system as per the construction drawings. The Landscape Contractor will secure all required municipal permits for installation and maintenance of the irrigation system and arrange for any required municipal inspections. Copies of all irrigation system permits and/or inspection documentation will be provided to the District. Container plants and seed mix will be temporarily irrigated to facilitate plant establishment and seed germination. Irrigation techniques and best management practices for restoration of riparian and upland habitats in southern California shall be employed for restoration of the ESHA. Irrigation techniques that encourage deep root growth instead of surface root development will be used (i.e. infrequent deep watering rather than daily light watering). The supplemental irrigation regime will be determined together by the Landscape Contractor and the Biological Monitor and will depend on site and weather conditions, although the typical irrigation regime is to encourage the plants to adapt to a natural water regime by supplementing winter precipitation between October and April.

Bank Stabilization/Erosion Control: The Contractor shall install suitable erosion control measures immediately following the completion of any contouring to take place subsequent to demolition of exiting pavement during Phase 1 and Phase 4 construction in accordance with Best Management Practices. Erosion control measures may include mid-slope straw wattles (fully natural and biodegradable; (i.e., ‘photo-degradable’ products are unacceptable), or other equivalent measures. Mid-slope straw wattles shall be placed at a suitable vertical spacing to minimize erosion especially on the upland slopes in the Downstream ESHA and may remain in place following project completion (e.g., straw wattles). Erosion

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control measures may also include Erosion Control Blankets to be installed on portions along the entire ESHA with unvegetated banks.

The Contractor shall monitor the 5-day weather forecast. If it is forecasted for any precipitation, work activities shall involve the securing of the site so as no materials may enter or be washed into the drainage. The site shall be completely secured one day prior to precipitation events. During periods of precipitation, no construction activities may occur, except for those involving the prevention of materials from entering drainages.

Protective/Educational Signage: Once the Phase 1 and Phase 4 restoration plantings and seedlings have been installed, the site will be vulnerable to trampling. Signage will provide educational and interpretive opportunities for the District to inform the students and the public of the restoration as well as of the need to stay on the trail due to the sensitivity of the upland and riparian habitats.

Plant and Seed Palettes

Restoration plantings will consist of container plants and seed appropriate for riparian as well as upland habitats. Container plants and seed mixes are specified in this section; however, prior to implementation, they will be finalized based on availability and subject to substitutions as deemed applicable and in coordination with the Biological Monitor. Materials will be locally sourced from the area and in general from the same watershed in order to preserve regional genetic integrity. There are several options for the use of locally sourced seed. Many reputable nurseries that specialize in native species record the sources of seed they propagate and can be a good source for locally sourced plant material. The California Native Plant Society's (CNPS's) Calscape website lists reputable native plant nurseries for the plant palettes specified in this Plan (CNPS 2021, also see **Appendix 1**). Reputable sources of seed include S&S Seed and the Theodore Payne Foundation. Alternatively, seed can be collected from native patches of vegetation on site or can be contract grown by professional seed collectors and/or students supervised by knowledgeable biologists.

The plant and/or seed palettes for the Upstream, Middle, and Downstream ESHA together with the assigned Phase for installation can be found in Tables 5 through 7. The species used are consistent with recommendations provide by the Los Angeles/Santa Monica Mountains Chapter of the CNPS for landscaping in the Santa Monica Mountains and species names have been updated to reflect the current scientific and common name changes designated by the Jepson Herbarium. Species that have no assigned common name by the Jepson Herbarium, follow the Calflora website.

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TABLE 5
DOWNSTREAM ESHA PLANT PALETTE- PHASE 1

Scientific Name	Common Name	Size (gallon)*	Number of Plants*
Riparian Zone			
<i>Salix lasiolepis</i>	Arroyo willow	1	20
Upland Zone			
Planting Group A: 20 groupings of 3 plants each planted 3 feet OC			
<i>Epilobium canum</i>	California fuchsia	1	20
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	20
<i>Salvia leucophylla</i>	purple sage	1	20
Planting Group B: 5 groups of 3 plants each planted 4 feet OC			
<i>Isocoma menziesii</i>	coastal goldenbush	1	5
<i>Baccharis pilularis</i>	Coyote bush	1	5
<i>Peritoma arborea</i>	bladderpod	1	5
Planting Group C: 17 groups of 3 plants 3 feet OC			
<i>Salvia mellifera</i>	black sage	1	17
<i>Artemisia californica</i>	California sagebrush	1	17
<i>Peritoma arborea</i>	bladderpod	1	17
Planting Group D: 16 groups of 3 plants 4 feet OC			
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	16
<i>Peritoma arborea</i>	bladderpod	1	16
<i>Muhlenbergia rigens</i>	deergrass	1	16
Planting Group E: 10 groups of 3 plants 4 feet OC			
<i>Salvia mellifera</i>	black sage	1	10
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Scrophularia californica</i>	California figwort	1	10
Planting Group G: 12 groups of 12 plants 4 feet OC			
<i>Achillea millefolium</i>	common yarrow	1	144
Total Plants*			368
*NOTE: Plant palette substitutions and planting quantities may be revised based on stock availability and in consultation with the Biological Monitor. OC: On Center			

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TABLE 5
UPSTREAM ESHA PLANT PALETTE–PHASE 1 AND 4

Scientific Name	Common Name	Size (gallon)*	Number of Plants*
Riparian Zone–Phase 1			
<i>Carex senta</i>	swamp sedge	2" plug	100
<i>Leymus triticoides</i>	creeping wild rye	2" plug	100
Upland Zone–Phase 4			
Planting Group A: 10 groupings of 3 plants each planted 3 feet OC			
<i>Epilobium canum</i>	California fuchsia	1	10
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Salvia leucophylla</i>	purple sage	1	10
Planting Group C: 8 groups of 3 plants 3 feet OC			
<i>Salvia mellifera</i>	black sage	1	8
<i>Artemisia californica</i>	California sagebrush	1	8
<i>Peritoma arborea</i>	bladderpod	1	8
Planting Group D: 8 groups of 3 plants 4 feet OC			
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	8
<i>Peritoma arborea</i>	bladderpod	1	8
<i>Muhlenbergia rigens</i>	deergrass	1	8
Planting Group E: 10 groups of 3 plants 4 feet OC			
<i>Salvia mellifera</i>	black sage	1	10
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Scrophularia californica</i>	California figwort	1	10
Total Plants*			308
*NOTE: Plant palette substitutions and planting quantities may be revised based on stock availability and in consultation with the Biological Monitor. OC: On Center			

TABLE 6
MIDDLE ESHA PLANT PALETTE-PHASE 4

Scientific Name	Common Name	Size (gallon)*	Number of Plants*
Planting Group A: 10 groupings of 3 plants each planted 3 feet OC			
<i>Epilobium canum</i>	California fuchsia	1	10
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Salvia leucophylla</i>	purple sage	1	10
Planting Group C: 10 groups of 3 plants 3 feet OC			
<i>Salvia mellifera</i>	black sage	1	10
<i>Artemisia californica</i>	California sagebrush	1	10
<i>Peritoma arborea</i>	bladderpod	1	10
Planting Group D: 10 groups of 3 plants 4 feet OC			
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Peritoma arborea</i>	bladderpod	1	10
<i>Muhlenbergia rigens</i>	deergass	1	10
Planting Group E: 10 groups of 3 plants 4 feet OC			
<i>Salvia mellifera</i>	black sage	1	10
<i>Eriogonum cinereum</i>	ashyleaf buckwheat	1	10
<i>Scrophularia californica</i>	California figwort	1	10
Total Plants*			120
*NOTE: Plant palette substitutions and planting quantities may be revised based on stock availability and in consultation with the Biological Monitor. OC: On Center			

Recommendations for Planting and Seeding

Plants purchased and/or contract grown from a reputable native plant nursery should be installed generally between October and March during periods when weather and soil conditions are suitable. In this way, seasonal rains can be used to facilitate appropriate establishment and germination. The planting locations at the Upstream and Downstream ESHA locations will be determined by the Biological Monitor in coordination with the Landscape Contractor and were originally intended to be generally consistent with **Exhibit 9**, Planting Plan for Downstream, Middle, and Upstream ESHA. However, during agency coordination, the planting plan was updated and a **final planting plan** in relation to the project was developed (**Exhibit 10**, Planting Plan for Downstream, Middle, and Upstream ESHA). Container plants will be distributed throughout the restoration site using colored flagging. Since Phase 4 construction is planned for approximately a decade after Phase 1, planting trees in the riparian zones of the Middle and Downstream ESHA will be considered if needed and will be based on established performance goals as described below.

Contractor staffing and container plants delivery shall be coordinated to facilitate immediate installation (same day) and no materials shall be stored uninstalled onsite overnight.

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The Contractor shall follow the specific container plant installation methods described below. Alternate planting methods may be used (e.g., hand digging rather than augering of planting holes in rocky or moist soils) with the prior approval of Biological Monitor. No chemical soil amendments or mulch shall be used in the container planting holes or basins.

- Planting holes shall be machine augered to a suitable width and depth prior to container plant installation. The typical planting hole is approximately twice the width and depth of the rootball.
- Planting holes shall be filled with water immediately prior to plant installation, and the water shall be allowed to percolate fully into the soil prior to planting.
- Plants shall be removed from the containers in a manner that avoids damage to the rootball. Extended tap root development and minor rootbound conditions shall be appropriately treated via pinching and loosening of appropriate portions of the rootball prior to planting.
- Each plant shall be installed so that the “collar” or soil level is slightly higher than the surrounding finished grade, to allow for partial plant settling over time.
- The excavated soil backfill material shall be placed into the planting hole to the existing grade, and gently compacted around the rootball.
- A temporary watering basin approximately two- to three-feet in diameter shall be created around each plant to facilitate the initial watering-in of the plants. The exposed upper sides of the rootball shall be covered with backfill material sloping down into the basin.
- Each plant shall be initially watered-in by hand; the watering basins shall be filled using a hose fitted with a low-force wand. The water spray shall be directed to the outer part of the watering basin to avoid damage to the plant roots or crown.

Native seed mixes will be applied to the site via hand broadcast and generally performed between October and January during periods when weather and soil conditions are suitable. Riparian zones in Upstream, Middle, and Downstream ESHA will be seeded according to phase in openings within existing riparian vegetation (**Appendix 2**, see Riparian Seed Mix). Upland zones in the Upstream and Downstream ESHA will be seeded with care to avoid existing upland vegetation (**Appendix 2**, see Santa Monica Mountains Seed Mix). Seed will be applied to the erosion control blanket according to the directions supplied by the manufacturer where applicable. Since Phase 4 construction is planned for approximately a decade after Phase 1, seeding during Phase 4 will be performed if needed and will be based on established performance goals as described below. Construction documents are provided in **Appendix 3**.

Maintenance Plan

90-Day Site Maintenance: The primary goal of the 90-day maintenance period is to control non-native plant species successfully establish the specified native plant species in each site. Weed species shall not be allowed to mature; set seed; or otherwise inhibit the germination, growth, and establishment of native plant species at any time during the 90-day maintenance period.

The 90-day maintenance period shall begin immediately after the installation site has been accepted as complete and shall extend for 90 days. The 90-day maintenance period shall be performed along the entire ESHA.

- The Contractor shall conduct non-native weed control activities in a manner that avoids damaging planted/seeded native plants, native plant recruits, and onsite/adjacent biological resources. Weed control shall primarily consist of hand-pulling; however, other methods such as weed whipping

seedlings can be used. The use of herbicides shall be avoided or minimized to the extent practicable. All green waste shall be immediately disposed of (same day as removed) in a landfill off site.

- The Contractor shall be responsible for ensuring successful establishment of container plant species and seed mixes and shall reseed/replant using approved species in order to compensate for subsequent plant failure and/or poor health. Plant replacement will occur prior to between October 15 and April 1 during periods when weather and soil conditions are suitable for plant germination and establishment. The Biological Monitor will make regular inspections of the work to assess the condition of all plants and to determine any remedial measures necessary to provide adequate survival and coverage.
- Insects, plant disease, herbivores, and other pests shall be closely monitored during the maintenance period. Diseased or infected plants shall be immediately disposed of offsite at an appropriate landfill to prevent infection of on-site resources. Where possible, biological controls shall be used instead of pesticides or herbicides. Pesticide use will comply with local codes and regulations and shall only occur with the permission of the District.

Long-term Maintenance: Maintenance will be performed on a monthly basis for two years to optimize native habitat establishment and to prevent the growth and dispersal of weed seeds on the restoration site. Avoidance measures will be implemented to protect wildlife (e.g., amphibians, nesting birds) during maintenance tasks. The Biological Monitor will coordinate with the Contractor on appropriate maintenance methods to optimize site performance while avoiding adverse impacts to wildlife species. The use of herbicides or other pest-control measures will be minimized to the extent feasible and performed by professional applicators holding valid certifications and or licenses. Standing snags retained on site for wildlife value will be assessed so as to not create a safety issue. Maintenance tasks include the following:

- **Weed control:** Weeds will be removed on a regular basis, as necessary, before they set seed and/or before they reach approximately 12 inches in height. The existing exotic ruderal vegetation must be removed to prevent further invasion. Use of hand tools, chainsaws, and weed whippers will likely be the preferred methods for weed removal. All weeded material shall be removed from the site.
- **Site repair/erosion control/irrigation system:** The Contractor will be responsible for providing erosion control as appropriate, to prevent damage to the ESHA and immediately adjacent areas. Both the riparian and upland zones will be stabilized with erosion control features prior to planting and seeding to encourage the establishment of stabilizing vegetation. Should significant storm events occur that cause scouring and accumulation of vegetation, the installation of additional erosion control measures may be required and, in extreme cases, may include planting additional riparian and upland vegetation. In consultation with the District and the Contractor, the assigned Biological Monitor will determine the need for and approve any additional or necessary erosion control measures and plantings. The Contractor will also be responsible for the maintenance and upkeep of the temporary irrigation system.
- **Trash removal:** The Contractor will keep the restoration area free of all trash and debris. All trash will be moved off the site and deposited at an appropriate location.
- **Pest and disease control:** It is not anticipated that local wildlife (e.g., rabbits, pocket gophers, and ground squirrels) will cause any serious damage to enhancement plantings within the ESHA restoration areas; however, if the Contractor determines that plantings are being jeopardized by wildlife, corrective measures such as organic, nontoxic deterrents and fencing/plant cages may be used. Likewise, if the Contractor identifies potential diseased vegetation that could jeopardize the

health of any enhancement plantings, an arborist or other expert will be contracted to identify potential issues before any permanent occurs.

- **Site protection:** Site protection of the ESHA will continue to be a priority after the implementation of restoration efforts. The District in coordination with the Contractor will provide adequate protection of the restored zones against herbivores, traffic, vandalism, or other intrusions by erecting signage along the looping trail. Damaged areas will be repaired within two weeks. Maintenance paths through planted areas will be created to minimize damage.

Biological Monitoring: The Biological Monitor will oversee preliminary plant material coordination (e.g., container plant purchases, seed mix purchases, and/or plant/cuttings/seed collection, container plant propagation); restoration site preparation; installation; and long-term performance during all phases of construction. Monitoring will consist of monthly site inspections for two years after installation in each portion of the drainage: Downstream, Middle, and Upstream ESHA. The Biological Monitor will also be responsible for providing site status documentation and for facilitating the protection of natural resources during long-term maintenance activities for the site. Since Phase 4 construction is planned for approximately a decade after Phase 1, the Biological Monitor will determine the need for planting additional trees in the riparian zones of the Middle and Upstream ESHA based on the evaluation of performance goals. Biological monitoring tasks include the following:

Baseline Data Collection and Mapping: Baseline transect data collection will take place prior to project implementation to inform performance goals. The approach for informing performance goals will be to use a combination of quantitative and qualitative data due to the heterogeneity of the habitats at each ESHA location. Mapping of transects will be GIS-based and rectified for loading onto field computers. Thus, two 100-foot transects will be located in each ESHA restoration location: Upstream, Middle, and Downstream. Transect #1 will be located on the pavement to be demolished and revegetated. Transect #2 will be located in the upland portion of the ESHA. To evaluate the riparian zone of each ESHA restoration site, permanent photographic documentation stations will be established to record habitat improvement qualitatively. The approach for setting performance goals based on the described preliminary transects and their locations may be modified to accurately inform the subject goals. The following performance goals are proposed:

- For transect #1 (hardscape demo area):
 - The native cover class shall reach 20 percent in Year 1 and 40 percent in Year 2 with the native cover class comprised of both woody and herbaceous native species.
 - The non-native cover class shall be 10 percent or less and 0 percent of species listed by the California Exotic Pest Plant Council in Year 1 and Year 2.
 - The diversity of native species shall be at least 5 in Year 1 and greater than 5 in Year 2.
- For transect #2 (upland restoration):
 - The native cover class shall be at least 40 percent in Year 1 and greater than 40 percent in Year 2 with the native cover class comprised of both woody and herbaceous native species.
 - The non-native cover class shall be 10 percent or less and 0 percent of species listed by the California Exotic Pest Plant Council in Year 1 and Year 2.
 - The diversity of native species shall be at least 5 in Year 1 and greater than 5 in Year 2.

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- For the riparian zone: performance will be based on photo-documentation of the riparian zone at each ESHA location. Year 1 qualitative description of the site shall include the number of native woody species/riparian trees, number of individuals of each species, approximate height/canopy diameter/health, and a description of understory species (woody and/or herbaceous). For Year 2, the data collected in Year 1 shall be repeated showing an increase in tree height and canopy diameter, good health, and continued presence of understory species, including woody understory species.

Maintenance Monitoring: The Biological Monitor will monitor the maintenance activities performed by the Contractor to ensure successful site enhancement. The Biological Monitor will meet with the Contractor, as necessary, during regularly scheduled monthly site visits to discuss site conditions and recommended remedial measures. Potential remedial maintenance measures may include the following:

- The Biological Monitor will discuss with the field crews, as deemed necessary, the differences between invasive, problem weed species and desired native species (frequency will be based on field personnel changes and field conditions).
- The Biological Monitor will coordinate with the Contractor on an ongoing basis regarding appropriate weed control measures to facilitate the successful control of weed species and establishment of native plant species.
- In the event of herbivore damage, erosion damage, vandalism, or other types of site damage, the Biological Monitor will make appropriate recommendations to minimize future damage to the site. Possible protection measures may include additional fencing, straw bales, and/or signage.
- The Biological Monitor will coordinate with the Contractor regarding appropriate revegetation measures in the event that large open areas devoid of vegetation are created as a result of weed abatement activities, such as the use of seed collected from on-site plantings.
- The Biological Monitor will coordinate with the Contractor regarding the control of insects, ground squirrels, and other herbivores, along with fungi, rust, and other plant diseases and infestations. Recommended control measures will include, but will not be limited to, biological control methods and herbicides. No chemical or mechanical pest control will be performed without prior coordination with the Biological Monitor.

Performance Monitoring: The Biological Monitor will evaluate the performance of the habitat enhancement effort against the performance goals as described above or modified based on the results of baseline data collection.

Annual Reporting: The Biological Monitor will be responsible for coordinating with the District, its Contractor, and all applicable resource agencies regarding site conditions, vegetation performance, and potential remedial measures. For this, annual monitoring reports will be prepared based on quantitative/qualitative surveys (e.g., vegetation transects) to document improvement of habitat functions and values of the restoration site.

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Psomas appreciates the opportunity to assist with this project. If you have any questions, please contact Irena Mendez, PhD at 310.488.5645 or Irena.Mendez@Psomas.com.

Sincerely,

P S O M A S

Ann M. Johnston
Vice President/Principal

Irena Mendez, PhD
Senior Project Manager

Attachments: Exhibits 1 through 10
Appendices 1 and 2

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APPENDIX 1
PLANT PALETTES

APPENDIX 2

SEED MIXES

CALIFORNIA COASTAL COMMISSION

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



F8a

City of Malibu LCP Amendment

LCP-4-MAL-22-0043-1 (MMHS Campus Specific Plan)

September 8, 2023

Correspondence

From: [Bianca Gerber](#)
To: SouthCentralCoast@Coastal
Subject: Public Comment on September 2023 Agenda Item Friday 8a - City of Malibu LCP Amendment No. LCP-4-MAL-22-0043-1 (MMHS Campus Specific Plan).
Date: Friday, September 1, 2023 12:19:22 PM

Lea Gerber (6th grade Malibu Middle School)
Ian Gerber (4th grade Malibu Elementary School)
Bianca Gerber - parent

We would like to thank Commissioners for expediting the review of the Amendment LCP-4-MA:-22-0043-1 MMHS Campus Specific Plan.

For the students it is very important that the new Malibu High School will be build in a timely manner.

If the plan will be approved and the new school will finally be build and hopefully be finished by fall 2025, the current 6th graders would be the first to move into the new facility.

All kids deserve appropriate education. They deserve to be in real classrooms and not just portables. They need a space which enhances learning. High School is the most important step into a successful life and career. If the kids don't like going to school, they won't perform well. The kids need the new buildings to build their own community. The years in High School will shape their future. Please don't jeopardize our kids future.

Thank you for your consideration.

From: ExecutiveStaff@Coastal
To: [Carey, Barbara@Coastal](mailto:Carey.Barbara@Coastal); [Gonzalez, Denise@Coastal](mailto:Gonzalez.Denise@Coastal)
Subject: FW: Virtual public hearing Friday September 8, 2023 Item F8a
Date: Thursday, September 7, 2023 11:49:50 AM
Attachments: [2023-9-7 Coastal Commission ItemF8a.docx](#)

Fyi -

From: Charlotte Frieze <cmfrieze@gmail.com>
Sent: Thursday, September 7, 2023 11:12 AM
To: ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>
Subject: Virtual public hearing Friday September 8, 2023 Item F8a

Please send this letter to those who will be deciding this item.

Thank you.

--

Charlotte M. Frieze
Malibu, CA

917-929-9918

CHARLOTTE M FRIEZE

Planning Commission
Malibu, California

September 7, 2023

RE: Item F8a City of Malibu Local Coastal Program Amendment No. LCP-4-MAL-22-0043-1 (MHS Campus Specific Plan)

Commissioners:

This is about the Malibu Vision and Mission Statement and

RESPECT for the residents of Malibu Park.

I appreciate the need for a new swimming complex and middle school. But just like all the residents who are re-building, the architects and planners need to comply with Malibu's building codes.

This is not Santa Monica where the maximum building height is 40 feet.

What I object to most is the intrusion into the neighborhood and the deleterious effect on our equestrian community.

HEIGHT

This plan ignores Malibu's height restrictions and tries to disguise their disregard by breaking the numbers down into building height and paraphernalia on the roof.

The High School Building C 36 feet high with an allowance up to 41 feet for "chimneys, rooftop antenna, and light standards."

Building D: The Middle School Gym/Multipurpose Room 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.

LIGHTING

THE LIGHT STANDARDS ARE 40 FEET!

How does this not affect the neighborhood and the view from houses above the school?

You claim that ***all proposed exterior lighting sources shall comply with the City's Dark Sky Ordinance and be minimized to the maximum extent feasible, directed downward, and shielded using the best available visor technology to reduce light spill, sky glow, and glare impacts to public views. Further, all existing exterior lighting sources shall utilize the minimum necessary wattage or lumens to provide security- and safety-level illumination. As proposed and conditioned, it is anticipated that the project will not result in significant adverse scenic or visual impacts to scenic or visual elements, and will be compatible with the developed institutional, residential and public character of the surrounding Malibu Park neighborhood.***

This does not alleviate the impact on the neighborhood.

I say this from experience.

- The interiors of the school buildings are fully lit at night.
- The Light shines out the windows and diffuses the dark skies well past 10pm.
- The car lights in the parking lots streak across the fields and shine into the nearby residences.

MESSAGE BOARD

There should be **NO exemption for THE MALIBU MIDDLE AND HIGH SCHOOL FROM THE PROHIBITION OF ELECTRICAL MESSAGE CENTER SIGNS**

The proposed Marquee/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 supports with LED Display screens.

This may be appropriate in a city such as Santa Monica, but they are totally out of character with our residential/equestrian community.

ESHA

ESHA must be respected.

You state: *All parking areas within the 100-foot ESHA 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 development including parking lots and sidewalks should be allowed within the 100-foot setback not even if it has a permeable surface.

However, permeable surfaces in all the campus parking lots would be a good way to restore the ground water and slow down runoff.

BUS BARN

The Bus Barn remains on the plan next to the equestrian area and in the middle of the residential area.

Imagine what residents of Pt. Dume or Malibu West would say if they were awakened by the revving of bus engines and back up warning sounds every weekday morning. Haven't we learned how disruptive to our neighborhood peace and quiet the large vehicle noise can be from all the construction we have experienced over the past 5 years?

The student population in Malibu is declining. A complex like this needs an active student body to support it. We do not want to lose our neighborhood only to bus students in from other communities.

Please re-consider this plan before we lose our neighborhood.

There must be a more respectful way to design this.

Thank you,

Charlotte M. Frieze

CALIFORNIA COASTAL COMMISSION

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

Received**9/13/23****Planning Dept.**

September 11, 2023

Richard Mollica, Planning Director
City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

RE: City of Malibu Local Coastal Program Amendment No. LCP-4-MAL-22-0043-1 (Malibu Middle and High School Campus Specific Plan)

Dear Mr. Mollica:

On September 8, 2023, the Coastal Commission approved LCP Amendment LCP-4-MAL-22-0043-1, with twelve suggested modifications. The Commission's resolution of certification is contained in the staff report dated August 24, 2023. The suggested modifications, as approved by the Commission, are attached to this correspondence.

Section 13544 of the Commission's Administrative Regulations requires that after certification the Executive Director of the Commission shall transmit copies of the resolution of certification and any suggested modifications and findings to the governing authority, and any interested persons or agencies. Further, the certification shall not be deemed final and effective until all of the following occur:

- (a) The local government with jurisdiction over the area governed by the Local Coastal Program, by action of its governing body: (1) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; (2) accepts and agrees to any such terms and modifications; and (3) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program. Unless the local government takes the action described above the Commission's certification with suggested modifications shall expire six months from the date of Commission's action.
- (b) The Executive Director of the Commission determines in writing that the local government's action and the notification procedures for appealable development require pursuant to Article 17, Section 2 are legally adequate to satisfy any specific requirements set forth in the Commission's certification order.
- (c) The Executive Director reports the determination to the Commission at its next regularly scheduled public meeting as required by the Commission's regulations in order to allow for the amended LCP to be certified in that form (see Section 13544 of the Commission's Administrative Regulations).

- (d) Notice of the certification of the Local Coastal Program Amendment shall be filed with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

Please feel free to contact me should you have any questions regarding this matter. The Commission and staff greatly appreciate the City's cooperation and assistance in this matter.

Authorize on behalf of the California Coastal Commission by:

Dr. Kate Huckelbridge
Executive Director

By: Denise Gonzalez
Coastal Program Analyst

FINAL APPROVED SUGGESTED MODIFICATIONS TO THE PROPOSED LCP AMENDMENT

LCP Amendment No. LCP-4-MAL-22-0043-1 (Malibu Middle and High School Campus Specific Plan)

The City's proposed amendment language to the certified LCP is shown in ~~strikethrough~~ and underline. Language approved by the Commission to be modified is shown in ~~double~~ ~~strikethrough~~ and double underline. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in *italics*.

Suggested Modification No. 1

Land Use Plan Policies 3.23 and 3.25 shall be modified as follows:

LUP Policy 3.23:

Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width, except for the cases addressed in Policy 3.27.

LUP Policy 3.25:

New development, including, but not limited to, vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted in required ESHA or park buffer areas, except for those cases addressed in Policy 3.27. Habitat restoration and invasive plant eradication may be permitted within required buffer areas if designed to protect and enhance habitat values.

Suggested Modification No. 2

Delete added Land Use Plan Policy 3.24 language and revert to certified language as shown below. Land Use Plan Policy 3.27 shall be modified as follows:

LUP Policy 3.24:

New development adjacent to parklands, where the purpose of the park is to protect the natural environment and ESHA, shall be sited and designed to minimize impacts to habitat and recreational opportunities, to the maximum extent feasible. Natural vegetation buffer areas shall be provided around parklands. Buffers shall be of a sufficient size to prevent impacts to parkland resources, but in no case shall they be less than 100 feet in width. The following types of new development and substantial redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan,

~~may provide a 50-foot ESHA buffer, if it does not significantly disrupt the ESHA habitat values:~~

- ~~1. Habitat creation, restoration, and/or enhancement activities;~~
- ~~2. Public accessways, trails, and associated minor improvements;~~
- ~~3. Directional, educational, and interpretive signs;~~
- ~~4. ESHA and creek-related educational uses and viewing platforms;~~
- ~~5. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and 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;~~
- ~~6. Fuel modification required by the Los Angeles County Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and~~
- ~~7. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:~~
 - ~~a. Limited exterior lighting for safety purposes; and~~
 - ~~b. Fences necessary for safety, restoration, and protection of habitat."~~

LUP Policy 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.

Suggested Modification No. 3

Land Use Plan Policy 6.7 shall be modified as follows:

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. ~~The maximum height for buildings on the MMHS Campus shall be established in the MMHS Campus Specific Plan.~~

Suggested Modification No. 4

LIP Section 3.4.6 (Specific Plan Overlay District) shall be modified as follows:

Chapter 3 – Zoning Designations and Permitted Uses

LIP Section 3.4.67 – 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 4469-018-904), as identified in the MMHS Campus Specific Plan Overlay District map. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.~~

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 Malibu Middle and High School (MMHS) Campus Specific Plan which establishes the development standards and plan for the Malibu Middle and High School Campus 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. Development on the property covered by the specific plan will be governed by the specific plan guidelines and regulations in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.~~

B. Development Standards.

The Institutional Development Standards contained in LIP Section 3.9 shall not apply. The following are the development standards for the MMHS Campus Specific Plan

Overlay District:

1. 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 LIP Section 13.27.1(A)(8), All development proposed above eighteen (18) feet in height must require a Site Plan Review, pursuant to Section 13.27 of the Malibu LIP. 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.
 - a. 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 approved grading plan.
 - b. 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.
 - c. Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - d. Building J: High School Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.
 - e. Building L: Aquatics Center/Field House shall not exceed a maximum height of ~~eighteen~~ twenty-eight (28) feet above finished grade, except for inclusive of chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.

...

2. Yards/Setbacks.

- ~~a. Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.~~
- ~~b. Any future buildings must comply with the following:~~
 - ~~a. (1) Front yard setbacks shall be ten (10) feet from the street easement.~~
 - ~~b. (2) Side yard setbacks shall be five feet. (a) 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.~~
~~(b) When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50 feet from the ESHA.~~
 - ~~c. (3) 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 within the MMHS Campus Specific Plan 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 ~~general~~ 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. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G~~
- d. 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.

54. Wayfinding and Informational Signage.

The provisions of LIP Section 3.15.3(J) shall not apply. The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

...

- 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.

Suggested Modification No. 5

The following shall be added to Subsection A of LIP Section 3.4.6 (Specific Plan Overlay District) as follows:

5. Lighting.

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.

Suggested Modification No. 6

The following shall be added to Subsection A of LIP Section 3.4.6 (Specific Plan Overlay District) as follows:

6. 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:

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

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.

Suggested Modification No. 7

Subsection A of LIP Section 3.4.6 (Specific Plan Overlay District) shall be modified as follows:

...

67. Permitted Uses in ESHA Buffer.

The following types of New development and substantial redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan Overlay District, shall provide an may be allowed in the 100-foot ESHA buffer that is the maximum feasible width extent, but in no case closer than less than 50 feet and where fully mitigated in conjunction with the ESHA Habitat Restoration Plan requirements of subsection 6 below, so that as shown on MMHS Campus Specific Plan ESHA Restoration Map Nos. 1, 2, and 3 of the Malibu LIP, if it does not significantly disrupt the habitat values of ESHA and may include:

- 4a. ESHA and creek-related educational uses and permeable pads for viewing areasplatforms;
- 2b. Relocation of existing roadsRoadways (and associated retaining walls), road rights-of-way, utilities, storm drainspublic infrastructure and facilities, and permeable Parking Lots, D and E as depicted on the Proposed Site Plan MMHS Campus Specific Plan of the Malibu LIP. The redevelopment shall be accomplished 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;
- 3c. Fuel modification required by the California Department of Forestry and State Fire Protection Marshall to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
- 4. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
 - ad. Limited eExterior lighting solely for accessibility and safety purposes; and
 - be. Fences necessary for public safety, restoration, and protection of habitat.

Suggested Modification No. 8

Subsection A of LIP Section 3.4.6 (Specific Plan Overlay District) shall be modified as follows:

78. 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 5 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 The ESHA Restoration Plan shall be implemented as part of Phase 1 of the MMHS Campus Specific Plan and completed by Phase 4 as specified in the plan. Work shall be completed as shown on "ESHA Restoration Map Nos. 1, 2, and 3;" of the LIP, and incorporates the following phased restoration work: As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.

1. During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area, the habitat restoration plan shall require would occur. Restoration activities that would occur within the entire reach include 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 and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream, middle, and downstream portions of the ESHA during Phase 1, which includes the proposed pedestrian trail and new roadways drive aisles.
2. During Phase 4 D 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 would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connected to existing trails on the campus.

Any proposed changes to the ESHA Restoration Plan on file with the City must be approved by the City Biologist in consultation with the California Coastal Commission Biologist.

B. 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 A 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 8(A)(1) and 8(A)(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.

Suggested Modification No. 9

LIP Section 3.15.3(J) (Prohibited Signs), LIP Section 4.5.4 (Environmentally Sensitive Habitat Buffers), and LIP Section 4.6.1 (Buffers) shall be modified as follows:

LIP Section 3.15.3(J):

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs, ~~except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.~~

LIP Section 4.5.4 Environmentally Sensitive Habitat Buffers

1. Public accessways and trails, including directional signs
2. Interpretive signage designed to provide information about the value and protection of the resources
3. Restoration projects where the primary purpose is restoration of the habitat.
4. Invasive plant eradication projects if they are designed to protect and enhance habitat values.
5. ~~Uses listed in LIP Section 3.4.6(A)(6) for the Malibu Middle and High School Campus Specific Plan project.~~

LIP Section 4.6.1 Buffers

...

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 ~~and new development and~~

~~substantial redevelopment of the Malibu Middle and High School Campus shall meet the standards in Section 3.46(A)(2).~~

Suggested Modification No. 10

Modify the LIP Zoning Map (attached as Exhibit 3 of this staff report) to remove the cross-hatching and restore the underlying zoning designation of "Institutional" on assessor parcel numbers 4469-017-900, 4469-018-903, and 4469-018-904, and delete the Zoning Designation titled "Specific Plan."

Suggested Modification No. 11

Create and adopt a new overlay district map titled "Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District" that depicts the outline of the area subject to the overlay, including assessor parcel numbers 4469-017-900, 4469-018-903, and 4469-018-904 and add corresponding addresses and assessor parcel numbers to differentiate which parcels are subject to the Malibu Middle and High School (MMHS) Campus Specific Plan Overlay District.

Suggested Modification No. 12

Modify the title of the proposed MMHS Campus Specific Plan ESHA Restoration Map Nos. 1, 2, and 3 (attached as Exhibit 5 of this staff report) as follows:

MMHS CAMPUS SPECIFIC PLAN OVERLAY DISTRICT ESHA RESTORATION MAP
NOS. 1, 2, AND 3

**NOTICE OF PUBLIC HEARINGS
CITY OF MALIBU
CITY COUNCIL**

MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN

The Malibu City Council will hold public hearings on **MONDAY, October 9, 2023 at 6:30 PM on the project identified below in the Council Chambers at Malibu City Hall, located at 23825 Stuart Ranch Road, Malibu, CA and via teleconference.**

Public comment can be submitted ahead of the public hearing to citycouncil@malibucity.org for inclusion in the public record. To view and participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

Local Coastal Program Amendment No. 21-002, General Plan Map Amendment No. 21-002, Zoning Map Amendment No. 22-001, and Zoning Text Amendment No. 22-002

On September 8, 2023, the California Coastal Commission (CCC) conducted a public hearing and approved the City's proposed Local Coastal Program (LCP) Amendment with suggested modifications. The purpose of this public hearing is to consider the California Coastal Commission's suggested modifications to the City's LCP Amendment. In addition, to maintain consistency between the LCP, Malibu Municipal Code, and General Plan, the Council will consider corollary amendments to these regulatory documents, which were previously adopted by the City Council (Resolution No. 22-33 and Ordinance No. 501).

Project Description: The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plans for the redevelopment of the MMHS Campus to be implemented in four phases over the next 10 to 15 years.

The Specific Plan would result in the demolition of 18 existing buildings on the combined campuses; only the existing athletic fields, and the recently completed Buildings A, B and E on the MMHS campus would remain, and the construction of a new campus with dedicated spaces for the middle and high school. The Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of new building space, providing the MMHS campus with a total of 47 classrooms and 12 labs and a total of 222,425 square feet of building space. While the Specific Plan will upgrade the MMHS campus, it does not increase floor area ratio (FAR) nor does it allow for an increase in the maximum student population.

The Specific Plan proposes to change several development standards including the Environmentally Sensitive Habitat Area (ESHA) setback, height, and grading quantities. Once adopted, the standards in the Specific Plan would become the regulations against which later phases of the project would be reviewed by the City. The Specific Plan would be constructed in four phases. All coastal development permits and other entitlements for the MMHS redevelopment will be considered by the Planning Commission for Phases 1, 2, 3 and 4.

The applicant is requesting the following entitlements as part of the Specific Plan:

- Local Coastal Program Amendment No. 21-002: 1) add Section 3.4.6 to Chapter 3.4 to incorporate the MMHS Campus Specific Plan into the Local Implementation Plan, 2) amend LCP Land Use Map 2 to add a boundary line around the MMHS property denoting the boundaries of the MMHS Campus Specific Plan area, and 3) amend the Land Use Policy to add new ESHA policies.

- General Plan Map Amendment No 21-002: Amend the General Plan Land Use Policy Map, Section 3, to add the Specific Plan land use designation on the MMHS property.
- Zoning Map Amendment 22-001: Amend the Zoning Map to add a boundary line around the MMHS property denoting the boundaries of the MMHS Campus Specific Plan area.
- Zoning Text Amendment 22-002: Amend Section 17.42.020 of the Malibu Municipal Code to add the MMHS Campus Specific Plan.

Location: 30215 Morning View Drive, within the appealable coastal zone 4469-017-900, 4469-018-900, 4469-018-901, 4469-018-902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902

Affected APNs: The Specific Plan is proposed on three of the nine parcels owned by SMMUSD: 4469-017-900, 4469-018-903, and 4469-018-904

Zoning: Institutional (I)

Applicant: NAC Architecture

Owner: Santa Monica-Malibu Unified School District (SMMUSD)

Application Filed: December 17, 2021

Case Planner: Raneika Brooks, Senior Planner
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EIR Certification: Acting as lead agency in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15051, on January 26, 2022, the SMMUSD Board of Education (Board) adopted a Final Environmental Impact Report (EIR) for the MMHS Campus Specific Plan (State Clearinghouse # 2020080350). On January 27, 2022, a Notice of Determination for the Final EIR was filed by the District with the State Clearinghouse (No. 202008350). On August 8, 2022, the City of Malibu certified the adequacy of the Final EIR and filed a Notice of Determination. The Final EIR, MMRP, SOC, and all accompanying materials are available on the City's website at: <https://www.malibucity.org/397/Malibu-Middle-High-School-Improvements>

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Council regarding this matter will be afforded an opportunity in accordance with the Council's procedures.

Copies of all documents relating to the proposed Local Coastal Program Amendment are available for review at City Hall, Malibu Public Library, and the Coastal Commission District office during regular business hours. Oral and written comments may be presented to the City Council on, or before, the date of the meeting.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

Richard Mollica, Planning Director

Publish Date: September 14, 2023