Council Agenda Report

City Council Meeting
01-25-21
Item 4.A.

To: Mayor Pierson and Honorable Members of the City Council

Prepared by: Raneika Brooks, Associate Planner

Reviewed by: Richard Mollica, Acting Planning Director

Approved by: Reva Feldman, City Manager

Date prepared: January 14, 2021 Meeting Date: January 25, 2021

Subject: Appeal No. 19-002 and Coastal Development Permit No. 17-043 and Associated Entitlements (29043 Grayfox Street; Owners/Appellants, John and Tatiana Atwill)

RECOMMENDED ACTION: Adopt Resolution No. 21-02 (Exhibit A) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), granting Appeal No. 19-002, and approving Coastal Development Permit (CDP) No. 17-043 for demolition of an existing single-family residence and associated development and the construction of a new 5,085 square foot, two-story single-family residence plus a 966 square foot attached garage, a 345 square foot covered loggia on the first floor, a 312 square foot trellised loggia on the second floor, swimming pool, perimeter walls, landscaping, hardscaping and grading, and the installation of a new onsite wastewater treatment system (OWTS), including Demolition Permit (DP) No. 17-013 for the demolition of an existing single-family residence and associated development and Site Plan Review (SPR) No. 17-014 for construction in excess of 18 feet in height up to 28 feet for a pitched roof located in the Rural Residential-One Acre (RR-1) zoning district at 29043 Grayfox Street (Atwill).

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

WORK PLAN: This item is not included in the Adopted Work Plan for Fiscal Year 2020-2021. Processing this application is part of normal staff operations.

DISCUSSION: The subject CDP and associated entitlements were last before the City Council on appeal on October 14, 2019[1]. The project would allow the construction of a new two-story residence that would replace an existing residence and accessory structures, located on Grayfox Street across from Malibu Elementary School.

Background

On February 19, 2019, the Planning Commission denied the proposed project and the property owner filed an appeal to the City Council. On October 14, 2019, the owner's appeal was presented to the City Council. During that hearing the Council discussion focused on the project's compatibility with neighborhood character based on the size of the proposed second floor (3,034 square feet). It was the opinion of Councilmember Mullen and Councilmember Wagner that the second floor appeared substantially larger than the sizes of second floors of other residences in the area. In addition, a neighbor (Mr. John Stockwell) presented information on the size of the second floors of homes within 500 hundred feet of the subject property. His evidence was based on building permits and data collected from manually measuring the second floors of homes where no permits could be found (Attachment 3 of Exhibit B). In addition to the evidence submitted by Mr. Stockwell, the applicant also submitted a second set of second floor square footage information for residences within 500 feet of the project site that was obtained from City records and by digitally measuring the floor areas using GIS (Attachment 4 of Exhibit B). Based on the applicant's and neighbor's square footage data, it was determined that the average size of the second floor of residences within 500 feet of the project site ranges between 1,242 square feet and 1,842 square feet. The City Council then voted to remand the item back to the Planning Commission and allow the applicant the opportunity to redesign the second floor and meet with the surrounding neighbors.

On February 28, 2020, the applicant submitted revised project plans that eliminated 1,194 square feet from the second floor, reducing it from 3,034 square feet to 1,840 square feet to address concerns about the compatibility with neighborhood character. On August 3, 2020, the revised second floor plans were submitted to the Planning Commission. Chair Mazza recused himself during the meeting since he provided testimony during the City Council appeal hearing. Due to continuing opposition by the neighbor, the Planning Commission voted to continue the application to the September 8, 2020 Planning Commission meeting to allow the applicant to meet with Mr. John Stockwell, as had been recommended previously by the City Council. The agenda report from the August 3, 2020 meeting is included as Exhibit B.

On August 11, 2020, staff attended an online Zoom meeting between the property owner of the project site (Mr. John Atwill) and his representative, and the neighbor Mr. Stockwell to discuss Mr. Stockwell's concerns which were focused on the configuration of the second-floor area, but the parties were unable to come to an agreement on further

[1] The October 14, 2019 City Council Agenda Report, which includes the original January 22, 2019 Planning Commission Agenda Report for this project and grounds for the appeal can be accessed at the following link: https://www.malibucity.org/AgendaCenter/ViewFile/Item/3945?fileID=9584.

revisions. After the meeting, the applicant considered additional project revisions suggested by Mr. Stockwell, but ended up bringing forward the plans that were submitted on February 28, 2020.

At the September 8, 2020 Commission meeting, staff informed the Commission of the August 11, 2020, Zoom meeting between Mr. Atwill and Mr. Stockwell and presented the project to the Planning Commission (with Chair Mazza recused). Both the applicant and the appellant submitted written correspondence to the Commission, and both provided comments during the public hearing on the project. The written comments submitted for the Planning Commission's September 8, 2020, meeting are included as Exhibit C. After the deliberations, Commissioner Weil moved to adopt a resolution approving the project, seconded by Commissioner Jennings. The motion resulted in a 2-2 tie and thus failed. Following additional deliberations, Commissioner Uhring moved to adopt a resolution denying the project, seconded by Vice Chair Marx. That motion also resulted in a 2-2 tie and thus also failed. The Commissioners continued to deliberate but could not reach an agreement on approval or denial of the project. As a result, the Commission voted 4-0 to adopt Planning Commission Resolution No. 20-51 (Exhibit D), memorializing its inability to make a decision on the project and recommending that the project be referred back to the City Council for a public hearing and final decision.

This agenda report provides an updated discussion of the applicant's appeal of the Commission's prior denial of the application in light of the modified project design intended to addresses neighborhood character concerns. Staff previously recommended approval of the appeal and approval of the Project, and the revised Project (which has reduced the size of the second floor, reducing the impact of the Project) does not change Staff's analysis. All of the findings presented to the Council on October 14, 2019, to overturn the denial can still be made. A full analysis of the modified project's conformance with the Local Coastal Program (LCP) and Malibu Municipal Code (MMC), Callifornia Environmental Quality Act (CEQA) review, and all of the findings necessary to approve the application are provided in the attached August 3, 2020, Commission Agenda Report.

Project Description

The proposed scope of work is as follows:

1. Demolition of:
    a. The existing square foot single-family residence and associated development, totaling 4,701 square feet of total development square footage (TDSF).

2. Construction of the following:
    a. Two-story, 28-foot high, single-family residence with 6,396 square feet of TDSF, consisting of:
        - 5,085 square foot residence;
        - 966 square foot attached garage;

- 345 square foot covered loggia[2] on the first floor;
- 312 square foot trellised loggia on the second floor (not included in TDSF)

b. New swimming pool and pool equipment;
c. 904 cubic yards of non-exempt grading and 3,072 cubic yards of removal and recompaction;
d. Replacement of the OWTS, including a 3,634-gallon septic tank;
e. New landscaping and hardscape, including a driveway with a fire truck turnaround; and
f. Solid perimeter walls less than six feet in height along the side property lines and a three-foot, six-inch-high solid front wall and auto gate topped with a 2.5-foot-high visually permeable screening.

Discretionary requests:

1. SPR No. 17-014 for height up to 28 feet for a pitched roof; and
2. DP No. 17-013 for the demolition of the existing single-family residence and associated development.

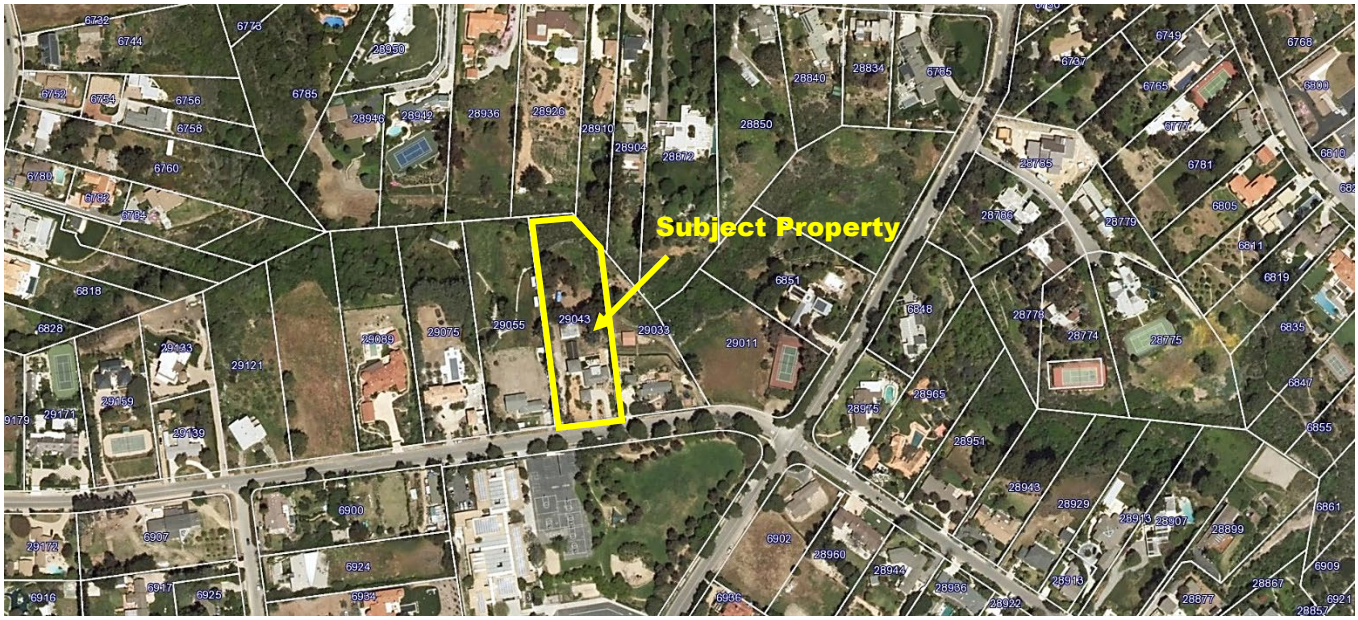
The project plans are included as Attachment 5 of Exhibit B to this report.

Surrounding Land Uses and Project Setting

The subject 1.5-acre residential parcel is developed with a one-story single-family residence, two detached one-story accessory structures, and one two-story accessory structure. The infill lot is located on the north side of Grayfox Street across the street from the Malibu Elemetary School in Point Dume (See Figure 1). The lot ascends from north to south toward Grayfox Street, with gradients steeper than 4 to 1 on the northern half of the site and gradients flatter than 4 to 1 on the southern half of the site, nearer the street. Consistent with Local Implementation Plan (LIP) Section 4.6.1(A), no development is proposed on slopes of 4 to 1 and steeper.

[2] A loggia is a room, hall, or porch open to the air on one or more sides.

Figure 1 – Project Area Aerial



Source: City of Malibu GIS

Unresolved Appeal Issue Related to Neighborhood Character

The Planning Commission denied the project after it determined the following findings could not be made:

1. Finding 1 of CDP No. 17-043 stating "that the project does not conform to the LCP;"
2. Finding 2 of SPR No. 1-7-014 stating "that the project adversely affects neighborhood character."

Planning Commission Resolution 19-03 denying the project is included as Exhibit E.

The appellant (Schmitz and Associates, Inc.), who is also the applicant, contends that the Planning Commission's denial is not supported by substantial evidence in the record, that there was a lack of fair or impartial hearing, and that the decision is contrary to law. The appellant's specific arguments regarding the findings are summarized below in *italics* using phrases taken from the appeal. The full text of the appeal document can be found in Exhibit F. Following the appellant's stated appeal argument is a staff summary response.

Appeal Item 1. Neighborhood Character Finding

- *The Planning Commission applied an improper standard, inconsistent with codes, policies, past practices, and the General Plan, in determining that there was an adverse impact on neighborhood character.*

- *The application of the modified "Neighborhood Standards" approach to the project violates the LCP, MMC, and the client's rights to due process of law and equal protection under the law.*

Staff Response:

Planning Commission Resolution No. 19-03, Finding 1, states:

> Finding (A) cannot be made. The project exceeds the 18-foot height limit of LIP Section 3.6(E) without a site plan review and, therefore, does not conform to the LCP. As designed, the proposed project does not meet all applicable residential development standards and policies of the LCP.

Planning Commission Resolution No. 19-03, Finding 2, states:

> Finding (2) cannot be made. A site plan review for height above 18 feet may only be granted when a project does not adversely affect neighborhood character. Based on careful review of the materials and all the information in the record, the location and character of the project, including the size, bulk and height of the proposed residence is significantly larger than, and not compatible with, the existing development in the vicinity, and would adversely affect the rural residential neighborhood character. The project is not consistent with the LCP.

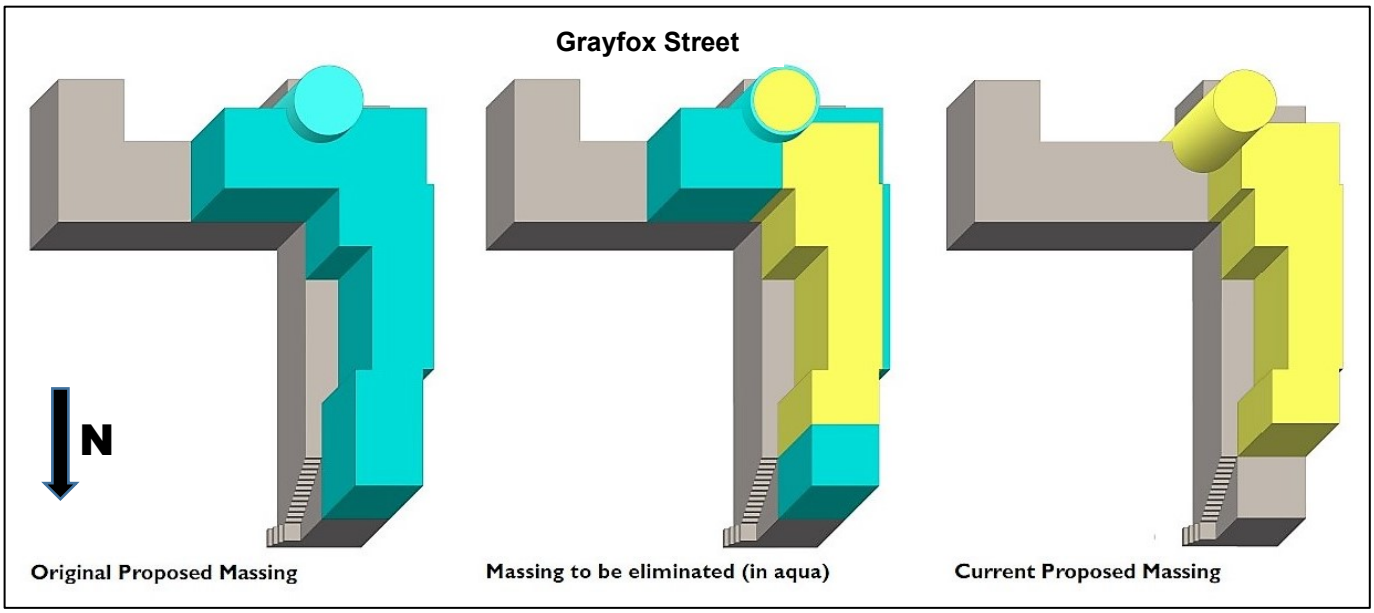
The appellant contends that an improper standard was applied during the Planning Commission's consideration of CDP 17-043 because it analyzed the Los Angeles County Tax Assessor (LACTA) square footage data during its deliberation to determine the project's inconsistency with the neighborhood's character. Staff has determined that the project complies with all applicable development standards of the MMC and LIP and all required findings can be made, including that the project is consistent with neighborhood character.

As shown in Figure 1, the subject parcel is an infill lot that is located within an established residential neighborhood consisting of lots of varying sizes. Many homes, some of which include development over 18 feet in height, provide reduced setbacks from Grayfox Street, which increase the visibility of the structures' bulk and massing from Grayfox Street.

The siting and massing of the project have been designed in response to the context of the neighborhood to avoid adverse impacts associated with the proposed height. Based on the submitted correspondence, about one-half of the surrounding residences within 500 feet of the project site are also two stories, and many are sited closer to the street with reduced setbacks from Grayfox Street, which increases their visual prominence. The project minimizes its potential for visual impacts to neighboring residences by providing the full 65-foot front yard setback. Furthermore, the redesigned project reduces the building's visual prominence from the street because the round "tower" feature has been slightly reduced in diameter and the remaining parts of the second floor on the street side are now reduced and stepped back further from the first-floor façade. To reduce the prominence of the proposed residence and break up the its massing, the L-shaped building includes landscaping and first and second-floor loggias.

The Volumetric Comparison of the Original and Modified Project (Figure 2), demonstrates compliance with the Two-Thirds Rule[3] by illustrating in yellow the portion of the structure that will be higher than 18 feet. As demonstrated in Figure 2, the portion of the proposed residence in excess of 18 feet in height nearest the street has been reduced in size and is sited in a north to south configuration. The north to south configuration minimizes the bulk of the second story that is visible from Grayfox Street.

Figure 2 – Volumetric Comparison of the Original and Modified Project

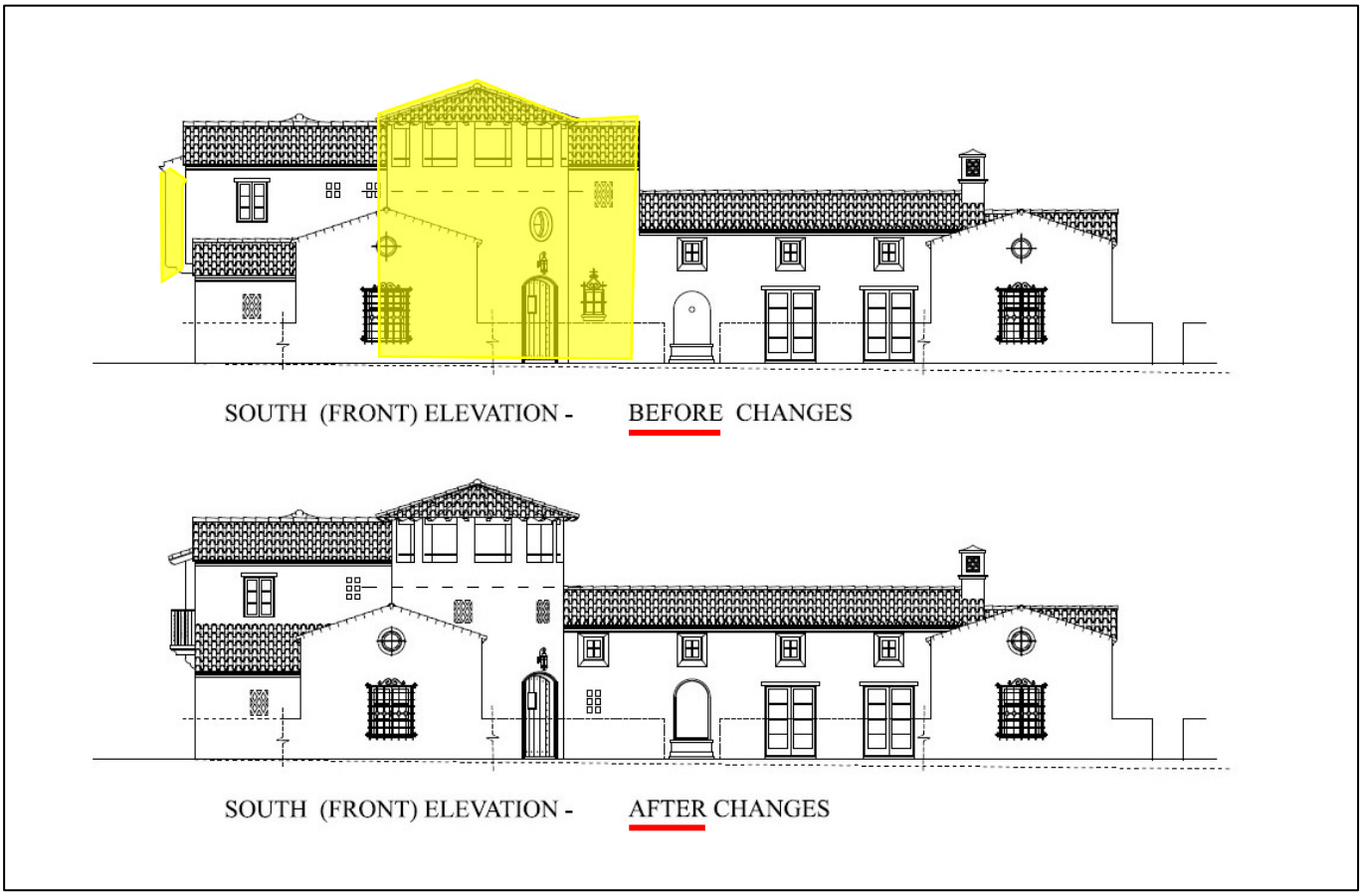


Source: Michael Burch Architects

[3] Pursuant to LIP Section 3.6(K)(2), the Two-Thirds Rule requires that any portion of the structure above 18 feet in height shall not exceed 2/3rds the first-floor area and shall be oriented so as to minimize view blockage from adjacent properties. The purpose of the Two-Thirds Rule is to add architectural articulation to proposed structures and to avoid a box-like appearance.

Figure 3 is the south elevation of the proposed residence that illustrates the articulation of the roofline that breaks up the massing of the building as viewed from Grayfox Street. Figure 3 provided by the applicant further illustrates how the modified project lightly increases the articulation of the façade, decreases boxiness, and slightly reduces the volume and mass of the building that is visible from the street. The areas of change are highlighted.

Figure 3 – South Facing Elevation of the Original and Modified Project



Source: Michael Burch Architects

Figure 3 – Story Pole Photo

Source: Staff Site Visit July 7, 2020

Figure 4 – Story Pole Photo

Source: Staff Site Visit July 7, 2020

During July 2020 revised story poles were installed to demonstrate the location, bulk, scale, and mass of the redesigned project (see Figures 3 and 4) when standing on the south side of Grayfox Street looking north at the project site. The story poles also demonstrate that the two-story portion of the proposed structure is located along the west

property line which is the largest side yard setback. Given the reduction, orientation, and setback of the second floor in relation to the neighboring properties, the redesigned project, as proposed and conditioned, is not expected to adversely affect neighborhood character.

Based on review of the project plans, the project complies with the standards for TDSF and the two-thirds rule, and there is no evidence of adverse impacts on neighborhood character. The analysis contained herein, together with the August 3, 2020, Planning Commission Agenda Report, demonstrates the project complies with the LCP and supports the finding that the project does not adversely affect the neighborhood.

Appeal Item 2. Lack of a Fair and Impartial Hearing

Staff Response

The appeal application submitted by the appellant identified that there was a lack of a fair and impartial hearing. The appellant has not provided substantial evidence that would show a lack of a fair or impartial hearing. The appellant does not allege the process itself was flawed or that the appellant was denied notice and the opportunity to present and be heard at the hearing. Upon review of the hearings, staff was able to confirm that the Planning Commission conducted the hearings in a manner consistent with the applicable rules of order. In fact, appellant has received multiple hearings on this item from the City Council and Planning Commission that were all properly noticed and conducted. Based on the record, staff was unable to determine that there was a lack of a fair and impartial hearing.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Commission analyzed the proposed project. The Planning Commission found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Sections 15301 (a) – interior and exterior alterations, 15301(e) – additions to existing structures and 15303(d) – New Construction. The Planning Commission further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

PUBLIC CORRESPONDENCE: No correspondence has been submitted since the appeal. However, correspondence received for the Planning Commission public hearing are attached hereto as Exhibit C.

PUBLIC NOTICE: On December 31, 2020, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City and a public notice was mailed to the owners and occupants of all properties within a radius of 500 feet of the subject property (Exhibit G).

SUMMARY: Based on the record as a whole, including but not limited to all written and oral testimony offered in connection with this matter, staff recommends that the City Council adopt Resolution No. 21-02, granting the appeal and approving CDP No. 17-043, SPR No. 17-014, and DP No. 17-013.

EXHIBITS:

A. Resolution No. 21-02
B. August 3, 2020 Planning Commission Agenda Report
    1. Draft Planning Commission Resolution No. 20-51
    2. Planning Commission Resolution No. 19-03
    3. Second Floor Square Footage Table for Surrounding Residences (John Stockwell)
    4. Second Floor Square Footage Table for Surrounding Residences (Schmitz and Associates, Inc.)
    5. Project Plans
    6. Habitable Square Footage Table for Surrounding Residences
    7. Department Review Sheets
    8. Story Pole Photos
    9. Comment Letters
    10. 500-Foot Radius Map
    11. Public Hearing Notice
C. Correspondence
D. Planning Commission Resolution No. 20-51 (Deferred Decision to City Council)
E. Planning Commission Resolution No. 19-03 (Denial of CDP 17-043)
F. Appeal No. 19-002
G. Public Hearing Notice

RESOLUTION NO. 21-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, GRANTING APPEAL NO. 19- 002 AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 17-043 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT AND THE CONSTRUCTION OF A NEW 5,085 SQUARE FOOT, TWO-STORY SINGLE-FAMILY RESIDENCE PLUS A 966 SQUARE FOOT ATTACHED GARAGE, A 345 SQUARE FOOT COVERED LOGGIA ON THE FIRST FLOOR, A 312 SQUARE FOOT TRELLISED LOGGIA ON THE SECOND FLOOR, SWIMMING POOL, PERIMETER WALLS, LANDSCAPING, HARDSCAPING AND GRADING, AND THE INSTALLATION OF A NEW ONSITE WASTEWATER TREATMENT SYSTEM, INCLUDING DEMOLITION PERMIT NO. 17-013 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT AND SITE PLAN REVIEW NO. 17-014 FOR CONSTRUCTION IN EXCESS OF 18 FEET IN HEIGHT UP TO 28 FEET FOR A PITCHED ROOF LOCATED IN THE RURAL RESIDENTIAL ONE-ACRE ZONING DISTRICT LOCATED AT 29043 GRAYFOX STREET (ATWILL)

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On March 30, 2017, an application for Administrative Coastal Development Permit (ACDP) No. 17-043 was submitted to the Planning Department by applicant, Schmitz and Associates, Inc., on behalf of the property owners, John and Tatiana Atwill. The application was routed to City Biologist, City geotechnical staff, City Public Works Department, and City Environmental Health Administrator, and the Los Angeles County Fire Department (LACFD) for review.

B. On April 6, 2018, Planning Department staff determined the application qualified to be processed administratively pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.13.1.

C. On June 13, 2018, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On June 20, 2018, Planning Department staff conducted a site visit to inspect the installed story poles representing the location, height and bulk of the proposed building.

E. On October 2, 2018, the Planning Director approved ACDP No. 17-043, inclusive of Site Plan Review (SPR) No. 17-014 and Demolition Permit (DP) No. 17-013. The ACDP was reported to the Planning Commission at its October 3, 2018, Adjourned Regular Planning Commission meeting. The Planning Commission voted for the item to be brought back for full public hearing and the application was converted into a full Coastal Development Permit (CDP).

F. On October 11, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

EXHIBIT A

G. On November 5, 2018, the Planning Commission continued the item to the December 3, 2018 Regular Planning Commission meeting.

H. On November 27, 2018, the December 3, 2018 regularly scheduled meeting of the Planning Commission was cancelled due to the Woolsey Fire.

I. On December 20, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

J. On January 10, 2019, the Planning Commission continued the item to the January 22, 2019 regular Planning Commission meeting.

K. On January 22, 2019, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. At the conclusion of the public hearing, the Commission voted 3-2 (Jennings and Uhring dissenting) to direct staff to return with an updated resolution denying the project as it could not make the required findings and the project would adversely affect neighborhood character.

L. On February 19, 2019, the Planning Commission reviewed and adopted Resolution No. 19-03 denying the project.

M. On February 28, 2019, an appeal of the project was timely filed by applicant Schmitz and Associates, Inc.

N. On September 19, 2019, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu for the September 23, 2019 Regular City Council meeting. On September 19, 2019, a Notice of City Council Public Hearing was mailed to all property owners and occupants within a radius of 500 feet from the subject property and all interested parties for the October 14, 2019 Regular City Council meeting.

O. On September 23, 2019, the City Council continued the Public Hearing to the October 14, 2019 Regular City Council meeting.

P. On September 26, 2019, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu to clarify the intended hearing date of October 14, 2019.

Q. On October 14, 2019, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. During its deliberations, the Council discussed whether the second floor was larger than other second floors in the area and upon the Council's consideration of a motion to deny the appeal and the project, the applicant offered to redesign. At that time, the Council remanded the application back to the Planning Commission based on the applicant's representation that portions of the project would be redesigned. The Council also suggested the applicant reach out to the concerned neighbor.

R. On February 28, 2020, the applicant submitted revised plans that included a reduction of the size of the second floor.

S. On July 7, 2020, story poles were reinstalled onsite. Staff visited the site and photo-documented the poles.

T. On July 9, 2020, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

U. On August 3, 2020, the Planning Commission held a duly noticed public hearing on the subject application, including the revised plans, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. At the conclusion of the meeting, the Planning Commission directed the applicant to reach out to the neighbor (John Stockwell) as suggested by the City Council, and continued the item to the September 8, 2020 Regular Planning Commission meeting.

V. On August 11, 2020, Planning Department staff attended an online Zoom meeting between the applicant, the property owner and Mr. Stockwell to discuss concerns about the configuration of the second floor area. The concerned parties were unable to reach a consensus on the project design.

W. On September 8, 2020, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. The Planning Commission was unable to adopt a resolution approving or denying the application and voted 4-0 to memorialize its inability to reach a decision on the project and recommended that it be referred back to the City Council for a public hearing and final decision.

X. On December 31, 2020, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a radius of 500 feet from the subject property and all interested parties.

Y. On January 25, 2021, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the agenda report, reviewed and considered written reports including the agenda reports for the October 14, 2019 City Council Meeting and the August 3, 2020, Planning Commission Meeting, public testimony, and other information in the record.

SECTION 2. Appeal of Action.

Appellant, Schmitz and Associates, Inc., on behalf of property owners, John and Tatiana Atwill, asserts that the Planning Commission's decision denying the project because it could not find that the project would not adversely affect neighborhood character is not supported by substantial evidence in the record, that there was a lack of fair or impartial hearing, and that the decision is contrary to law. Specifically, the Appellant contends that: a) the Planning Commission applied an improper standard, inconsistent with codes, policies, past practices, and the General Plan, in determining that there was an adverse impact on neighborhood character and b) the application of the modified "Neighborhood Standards" approach to the project violates the LCP, Malibu Municipal Code (MMC), and the client's rights to due process of law and equal protection under the law.

The Appellant did not provide any evidence on the claim of a lack of fair or impartial hearing. In addition, substantial evidence exists that Appellant was granted a fair and impartial hearing, was given notice and an opportunity to be heard and submit evidence, which Appellant exercised through the submission of materials and the presentation of evidence to the Planning Commission and City Council. Therefore, the City Council does not find there was a lack of fair or impartial hearing.

The Council finds that there is no request for a neighborhood standards analysis included with this project and the council has not performed any type of modified neighborhoods standard analysis to approve the project. the Project, as modified by Appellant to reduce the size of the second floor and make additional to better reflect the character of the neighborhood, demonstrates that it will not adversely affect neighborhood character as further discussed in the Council agenda report and the previous agenda reports for the October 14, 2019 City Council Meeting and the August 3, 2020, Planning Commission Meeting which are adopted here by reference as though fully set forth herein.

SECTION 3. Findings for Granting the Appeal.

Based on evidence in the record and in the Council agenda report for the subject project, the City Council hereby makes the following findings of fact granting the appeal and finds that substantial evidence in the record supports the required findings for approval of the project. In addition, the analysis, findings of fact, and conclusions set forth by staff in the agenda report and August 3, 2020 Planning Commission staff report are incorporated herein as though fully set forth.

A. The LIP and MMC contain specific requirements to which every project requiring a CDP must adhere, including LIP Sections 3.5 and 3.6 and MMC sections 17.40.030 and 17.40.040 which contain the general and residential development standards that relate to structure size, bulk, and massing, including height and setback criteria, a formula to determine the maximum structure size allowed on a property, and the maximum size allowed for the portion of a residence above 18-feet in height. Based on submitted reports, project plans, visual analysis, and site investigation, the Project, as proposed and conditioned, conforms to the LCP and MMC in that it meets all applicable residential development standards including maximum TDSF, height (inclusive of the SPR), Two-Thirds Rule, and setbacks.

B. The neighborhood is comprised of single-family residences on lots of varying sizes, with both one- and two-story designs. Many homes, some of which include development over 18 feet in height, provide reduced setbacks from Grayfox Street. . The siting and massing of the project is consistent with the character of the other homes in the neighborhood and its design reduces the impacts associated with the additional height. The residence provides a full 65-foot front yard setback, which reduces the building's visual prominence from the street, and the section facing the street contains two floors on less than half of the facade. The proposed residence is an L-shaped building that also includes landscaping and first and second-floor loggias (roofed hallways and patios that are open on one or more sides) that also break up the building's massing. The project is thus consistent with the development pattern in the neighborhood and will not adversely affect neighborhood character.

C. The application received a fair and impartial hearing in that the public hearing was duly noticed, full disclosures were provided by each Planning Commissioner in its deliberations, and the applicant and the public were given adequate opportunities to provide oral

and written comments.

SECTION 4. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the City Council has analyzed the proposed project. The City Council found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment and categorically exempt from the provisions of CEQA according to CEQA Guidelines Section 15301(l) – Existing Facilities and 15303 (a) and (e) – New Construction or Conversion of Small Structures. The City Council has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

SECTION 5. Coastal Development Permit Findings.

Based on substantial evidence contained within the record and pursuant to LIP Sections 13.7(B) and 13.9, the City Council adopts and approves the analysis in the Council agenda report and the previous agenda reports for the October 14, 2019 City Council Meeting and the August 3, 2020, Planning Commission Meeting, incorporated herein, the findings of fact below, approving CDP No. 17-043 for the construction of a new 7,590 square foot, two-story single-family residence with a 966 square foot attached garage, a 345 square foot covered loggia on the first floor, a 293 square foot covered loggia on the second floor, swimming pool, pool equipment, perimeter walls, landscaping, hardscaping and grading, and the installation of a new onsite wastewater treatment system (OWTS), including DP No. 17- 013 for the demolition of an existing single-family residence and associated development and SPR No. 17-014 for construction in excess of 18 feet in height up to 28 feet located in the Rural Residential-One Acre (RR-1) zoning district at 29043 Grayfox Street.

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. With the inclusion of the proposed site plan review, the project, as conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. The project is located in the RR-1 residential zoning district, an area designated for residential uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD. Based on submitted reports, project plans, visual analysis, and site investigation, the proposed project, as conditioned, conforms to the LCP and MMC in that it meets all applicable residential development standards.

2. Evidence in the record demonstrates that as conditioned, the project will not result in adverse biological or scenic impacts. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment.

B. SPR No. 17-014 for a height greater than 18 feet and not exceeding 28 feet [LIP Section 13.27.5(A)]

1. The project has received LCP conformance review from the Planning Department, City Biologist, City geotechnical staff, City Public Works Department, and City Environmental Health Administrator, and the LACFD. The project is consistent with the policies and provisions of the LCP.

2. While the Planning Commission previously was unable to find that the project would not adversely affect neighborhood character, in particular due to the size and design of the second floor relative to the surrounding area, the redesign has reduced the size and impact or the project such that it will not adversely affect neighborhood character. The homes in the area vary in age, size and front yard setbacks, and the revised Project (1) proposes a full front yard setback while (2) reducing the second floor by 1,194 square feet so that it is now 1,840 square feet, and (3) from the street less than half of the facade has a second floor element. The second floor falls within the range of second floor square footages identified in the surrounding area, and the redesign introduces more articulation to the front façade in that the round "tower" feature was reduced in diameter and the rest of the second floor is slightly stepped back from the first floor. The topography of the site descends from the street which helps reduce the visual mass of the building from the street. Also, the nearest part of the first floor is 65 feet from the front property line, but the majority of the building is set back 70 to 80 feet. This is a greater setback than the residences on either side of the project. The redesigned project, as proposed and conditioned, is not expected to adversely affect neighborhood character.

3. The project site is not visible from any scenic roads, trails, parkland or beaches. The project provides maximum feasible protection to significant public views as required by the LCP.

4. The proposed project complies with all applicable requirements of State and local law and is conditioned to comply with any relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the LACFD. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants.

5. The project is consistent with the General Plan designation for the site. The goals and policies of the General Plan intend to maintain rural character in this area, and the proposed project is consistent with the development standards set forth to implement this goal. The proposed residence incorporates siting and design measures to minimize visual impacts and landform alteration by proposing development in an area already disturbed by the existing residential development, siting the building away from the front property line to reduce the building's massing from the street, and minimizing potential impact to natural resources by avoiding development on slopes greater than 4 to 1. As discussed herein, the project is consistent with the LCP.

6. The portion of the project that is in excess of 18 feet in height does not obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residence as defined in MMC Section 17.40.040(A)(17).

C. Hazards (LIP Chapter 9)

1, 2, 3, 4. The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD. The project will not result in potential adverse impacts on site stability or structural integrity. In addition, the record demonstrates that the project as proposed and conditioned will not increase stability of the site or structure integrity from geologic or other hazards. However, since the entire city limits of Malibu are located within a very high fire hazard area, a condition is included in Section 5 of this resolution

5. No adverse impacts to sensitive resources are expected as the site has already been developed with a single-family residence and accessory development and it is not visible from public viewing areas.

D. Demolition Permit (MMC Chapter 17.70)

1. Conditions of approval, including the recycling of demolished materials, have been included to ensure that the proposed project will not create significant adverse environmental impacts.
2. This CDP application is being processed concurrently with DP No. 17-013, and approval of the demolition permit is subject to the approval of CDP No. 17-043.

SECTION 6. City Council Approval.

Based on the foregoing findings and evidence contained within the record, the City Council hereby grants Appeal No. 19-002 and approves CDP No. 17-043, SPR No. 17-014, and DP No. 17-013, subject to the following conditions.

SECTION 7. Conditions of Approval.

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

2. Approval of this application is to allow for the project described herein. The scope of work approved includes:

    1. Demolition of:
        a. The existing square foot single-family residence and associated development, totaling 4,701 square feet of total development square footage (TDSF).

    2. Construction of the following:
        a. Two-story, 28-foot high, single-family residence with 6,396 square feet of TDSF, consisting of:
            - 5,085 square foot residence;
            - 966 square foot attached garage;

- 345 square foot covered loggia[1] on the first floor;
- 312 square foot trellised loggia on the second floor (not included in TDSF)

b. New swimming pool and pool equipment;
c. 904 cubic yards of non-exempt grading and 3,072 cubic yards of removal and recompaction;
d. Replacement of the OWTS, including a 3,634-gallon septic tank;
e. New landscaping and hardscape, including a driveway with a fire truck turnaround; and
f. Solid perimeter walls less than six feet in height along the side property lines and a three-foot, six-inch-high solid front wall and auto gate topped with a 2.5-foot-high visually permeable screening.

3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on architectural plans on file with the Planning Department date stamped **February 28, 2020**, grading plans date stamped **March 30, 2017**, and landscaping plans date stamped **October 3, 2017**. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes, and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 working days of this decision and/or prior to issuance of any development permit.

5. The applicant shall digitally submit a submit three (3) complete sets of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. This resolution, signed and notarized Acceptance of Conditions Affidavit and all Department Review Sheets attached to the agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check, and the City of Malibu Public Works Department for an encroachment permit (as applicable).

7. The CDP shall expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

1 A loggia is a room, hall, or porch open to the air on one or more sides.

9. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, Los Angeles County Waterworks District No. 29 and LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.

10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals have been exhausted.

12. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

Cultural Resources

13. Initial earth disturbing activities into the first three feet of native soil shall be monitored by a qualified archaeologist or a cultural resources monitor approved by the Planning Director. Should intact deposits be encountered, the archaeologist or cultural resources monitor may halt or redirect grading until the resources are evaluated. If determined by the field archaeologist or monitor in consultation with the Planning Director that the resources are potentially significant, a Phase 2 study shall be required.

14. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Demolition/Solid Waste

15. Prior to demolition activities, the applicant shall receive Planning Department approval for compliance with conditions of approval.

16. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.

17. Prior to the issuance of a building/demolition permit, an Affidavit and Certification to implement waste reduction and recycling shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Department. The Affidavit shall indicate the agreement of the applicant to divert at least 65 percent (in accordance with CalGreen) of all construction waste from the landfill.

18. Upon plan check approval of demolition plans, the applicant shall secure a demolition permit from the City. The applicant shall comply with all conditions related to demolition imposed by the Building Official.

19. No demolition permit shall be issued until building permits are approved for issuance. Demolition of the existing structure and initiation of reconstruction must take place within a six month period. Dust control measures must be in place if construction does not commence within 30 days.

20. The project developer shall utilize licensed subcontractors and ensure that all asbestos-containing materials and lead-based paints encountered during demolition activities are removed, transported, and disposed of in full compliance with all applicable federal, state and local regulations.

21. Any building or demolition permits issued for work commenced or completed without the benefit of required permits are subject to appropriate "Investigation Fees" as required in the Building Code.

22. Upon completion of demolition activities, the applicant shall request a final inspection by the Building Safety Division.

Geology

23. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.

24. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Onsite Wastewater Treatment System

25. Prior to the issuance of a building permit the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.

26. Prior to final Environmental Health approval, a final OWTS plot plan shall be submitted showing an OWTS design meeting the minimum requirements of the MMC and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The OWTS plot plan shall show essential features of the OWTS and must fit onto an 11 inch by 17 inch sheet leaving a five inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18 inches by 22 inches).

27. A final design and system specifications shall be submitted as to all components (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final design drawings and calculations must be signed by a California registered civil engineer, a registered environmental health specialist or a professional geologist who is responsible for the design. The final OWTS design drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

28. Any above-ground equipment associated with the installation of the OWTS shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall not be higher than 42 inches tall.

29. The final design report shall contain the following information (in addition to the items listed above).
    a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture equivalents, and/or the subsurface effluent dispersal system acceptance rate. The fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
    b. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
    c. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics;
    d. All final design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department; and

e. H20 Traffic Rated Slab: Submit plans and structural calculations for review and approval by the Building Safety Division prior to Environmental Health final approval.

30. The following note shall be added to the plan drawings included with the OWTS final design: "Prior to commencing work to abandon, remove, or replace the existing Onsite Wastewater Treatment System (OWTS) components, an 'OWTS Abandonment Permit' shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents."

31. Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the MMC.

32. A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that: 1) the private sewage disposal system serving the development on the property does not have a 100 percent expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)), and 2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in the use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the City Environmental Sustainability Department.

33. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

34. An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

35. Prior to final Environmental Health approval, a maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed OWTS after construction shall be submitted. Only original wet signature documents are acceptable and shall be submitted to the City Environmental Health Administrator.

36. Prior to final Environmental Health approval, a covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an advanced method of sewage disposal pursuant to the City of MMC. Said covenant shall be provided by the City of Malibu Environmental

Health Administrator.

37. The City geotechnical staff final approval shall be submitted to the City Environmental Health Administrator.

38. In accordance with MMC Chapter 15.14, prior to Environmental Health approval, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

Grading/Drainage/Hydrology (Geology/ Public Works)

39. The non-exempt grading for the project shall not exceed a total of 1,000 cubic yards, cut and fill.

40. The total grading yardage verification certificate shall be copied onto the coversheet of the Grading Plan. No alternative formats or substitutes will be accepted.

41. The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation prohibits the discharge of any waste, including stormwater runoff, directly into the ASBS. The applicant shall provide a drainage system that accomplishes the following:
    a. Installation of BMPs that are designed to treat the potential pollutants in the stormwater runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
    b. Prohibits the discharge of trash.
    c. Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e., no additional pollutant loading).
    d. Elimination of non-storm water discharges.

42. A grading and drainage plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project:
    a. Public Works Department general notes;
    b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
    c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated;
    d. The limits to land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
    e. If the property contains rare, endangered or special status species as identified in

the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on this plan is required by the City Biologist;

f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes; and
g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inch in diameter shall also have a plan and profile for the system included with this plan.

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

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

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

44. Prior to the approval of any permits and prior to the submittal of the required construction general permit document to the State Water Quality Control Board, the property owner / applicant shall submit the Public Works Department an Erosion and Sediment Control Plan (ESCP) for review. The ESCP shall contain appropriate site-specific construction site BMPs prepared and certified by a qualified SWPPP developer (QWD). All structural BMPs must be designed by a licensed California civil engineer. The ESCP must address the following elements:
    a. Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area
    b. Methods used to protect native vegetation and trees
    c. Sediment / erosion control
    d. Controls to prevent tracking on- and off-site
    e. Non-stormwater control
    f. Material management (delivery and storage)
    g. Spill prevention and control
    h. Waste management
    i. Identification of site risk level as identified per the requirements in Appendix 1 of the Construction General Permit

j. Landowner must sign the following statement on the ESCP:

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

45. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within LIP Section 17.3.2.B.2.

46. A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the pre-development and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading or building permit for this project.

47. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that:
    a. Is located within or adjacent to ESHA, or
    b. Includes grading on slopes greater than 4 to 1.

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

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

49. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3.

50. All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.

51. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be prepared in accordance with the LIP Section 17.3.3 and all other applicable ordinances and regulations. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an

analysis of the predevelopment and post development drainage on the site. The following elements shall be included within the WQMP:

a. Site Design Best Management Practices (BMPs);
b. Source Control BMPs;
c. Treatment Control BMPs;
d. Drainage improvements;
e. Methods for onsite percolation, site re-vegetation and an analysis for off-site project impacts;
f. Measures to treat and infiltrate runoff from impervious areas;
g. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits; and
i. The WQMP shall be submitted to the Building Safety Division and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. Once the plan is approved and stamped by the Public Works Department, the original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted prior to the Public Works Department approval of building plans for the project.

52. The applicant shall obtain encroachment permits from the Public Works Department prior to the commencement of any work within the public right-of-way. The driveway shall be constructed of either six inches of concrete over four inches of aggregate base, or four inches of asphalt concrete over six inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

53. Several private improvements are located within the public right-of-way, such as (but not limited to) an existing mailbox structure and an existing rock border wall. These improvements are required to be removed as part of this project and must be shown on the plans. The applicant / property owner shall place notes on the development plans for the removal of existing encroachments within the public right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the removal of the private improvements within the public right-of-way.

54. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMPs shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlets, post-construction BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

Lighting

55. Exterior lighting must comply with the Dark Sky Ordinance and shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:

a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);
b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
e. Site perimeter lighting shall be prohibited; and
f. Outdoor decorative lighting for aesthetic purposes is prohibited.

56. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot candle.

57. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.

Biology/Landscaping

58. Invasive plant species, as determined by the City of Malibu, are prohibited.

59. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

60. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote or copper arsenate.

61. Prior to installation of any landscaping, the applicant shall obtain a plumbing permit for the proposed irrigation system from the Building Safety Division.

62. Prior to a final plan check approval, the property owner /applicant must provide a landscape water use approval from the Los Angeles County Waterworks District No. 29.

63. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three sequential violations of this condition by the same property owner will result in a requirement to permanently remove the vegetation from the site.

64. Any site preparation activities, including removal of vegetation, between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least five days prior to initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

65. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with the Landscape Water Conservation Ordinance (MMC Chapter 17.53), The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 17.53.

66. The use of pesticides, including insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade biological resources shall be prohibited throughout the City of Malibu. The eradication of invasive plant species or habitat restoration shall consider first the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls. Herbicides may be selected only after all other non-chemical methods have been exhausted. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and use for a limited time.

Water Service

67. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve Letter from Los Angeles County Waterworks District No. 29 to the Planning Department indicating the ability of the property to receive adequate water service.

Construction / Framing

68. A construction staging plan shall be reviewed and approved by the Building Official prior to plan check submittal.

69. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.

70. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.

71. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
    a. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
    b. Grading activities shall be planned during the southern California dry season (April through October).
    c. During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize surface water contamination.

d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

72. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the finished ground level elevation and the highest roof member elevation. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Department for review and sign off on framing.

Swimming Pool

73. Onsite noise, including that which emanates from swimming pool and air conditioning equipment, shall be limited as described in MMC Chapter 8.24 (Noise).

74. Pool and air conditioning equipment that will be installed shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall comply with LIP Section 3.5.3(A).
75. All swimming pools shall contain double walled construction with drains and leak detection systems capable of sensing a leak of the inner wall.

76. Pursuant to the Clean Water Act and the Malibu Water Quality Ordinance, discharge of water from a pool / spa is prohibited. Provide information on the plans regarding the type of sanitation proposed for pool.
    a. Ozonization systems are an acceptable alternative to chlorine. The discharge of clear water from ozonization systems is not permitted to the street;
    b. Salt water sanitation is an acceptable alternative to chlorine. The discharge of salt water is not permitted to the street; and
    c. Chlorinated water from pools or spas shall be trucked to a publicly-owned treatment works facility for discharge.

77. The discharge of chlorinated and non-chlorinated pool / spa water into streets, storm drains, creeks, canyons, drainage channels, or other locations where it could enter receiving waters is prohibited.

78. A sign stating "It is illegal to discharge pool, spa, or water feature waters to a street, drainage course, or storm drain per MMC Section 13.04.060(D)(5)" shall be posted in the filtration and/or pumping equipment area for the property.

Fencing and Walls

79. The applicant shall include an elevation of the proposed electronic driveway gate on the architectural plans that are submitted for building plan check. The gate and all fencing along the front property line shall comply with the regulations set forth in LIP Section 3.5.

80. The height of fences and walls shall comply with LIP Section 3.5.3(A). No retaining wall shall exceed six feet in height or 12 feet in height for a combination of two or more walls.

81. Fencing or walls enclosing more than one-half acre that do not permit the free passage of wildlife shall be prohibited.

82. Prior to or at the time of a Planning Department final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.

83. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu Environmental and Building Safety Division. The final inspection shall include photographs to document the condition of the site. A final approval shall not be issued until the Planning Department has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Planning Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.

84. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval.

Prior to Occupancy

85. Prior to issuing a Certificate of Occupancy, the City Biologist shall inspect the project site and determine that all planning conditions to protect natural resources are in compliance with the approved plans.

Deed Restrictions

86. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to Planning department staff prior to final planning approval.

Fixed Conditions

87. This CDP runs with the land and binds all future owners of the property.

88. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted thereunder.

SECTION 8. The City Clerk shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 25th day of January 2021.

MIKKE PIERSON, Mayor

ATTEST:

HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:
THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

JOHN COTTI, Interim City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

Commission Agenda Report

Planning Commission Meeting
08-03-20
Item 5.A.

To: Chair Jennings and Members of the Planning Commission

Prepared by: Raneika Brooks, Associate Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: July 23, 2020 Meeting Date: August 3, 2020

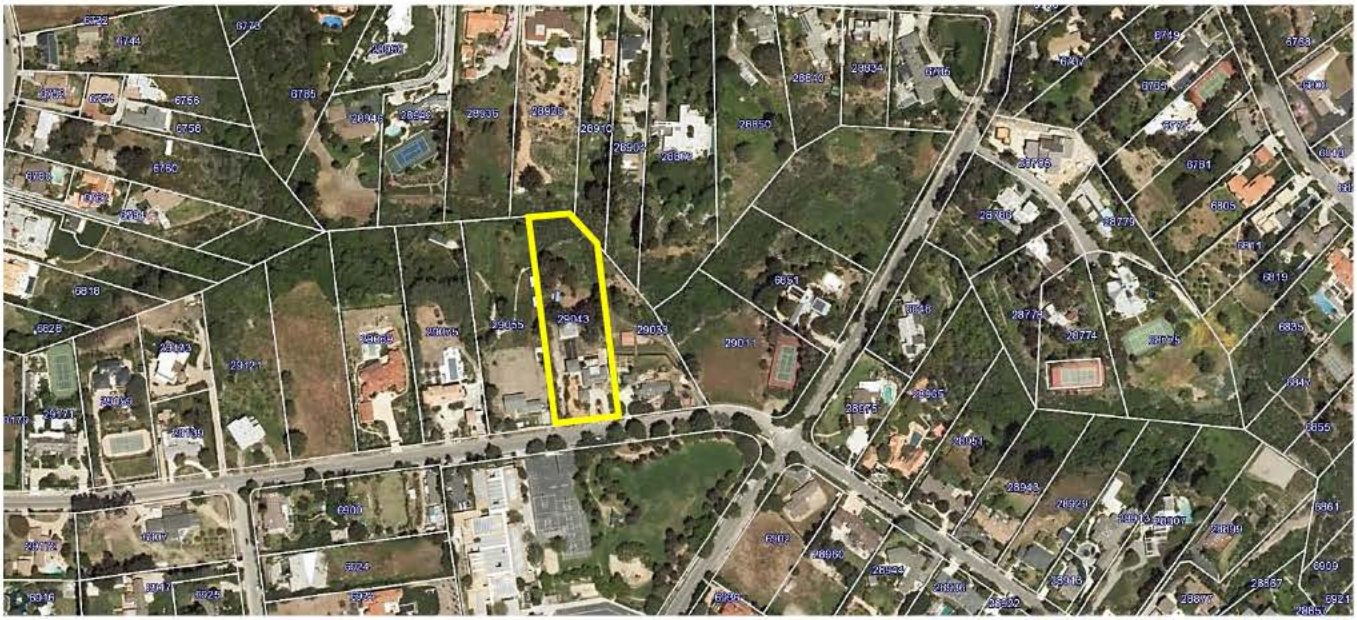
Subject: Coastal Development Permit No. 17-043, Site Plan Review No. 17-014, and Demolition Permit No. 17-013 – An application to demolish an existing single-family residence and associated development and construct a new single-family residence and associated development

Location: 29043 Grayfox Street, not within the appealable coastal zone
APN: 4466-017-002
Owners: John and Tatiana Atwill

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 20-51 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 17-043 for demolition of an existing single-family residence and associated development and the construction of a new 5,085 square foot, two-story single-family residence plus a 966 square foot attached garage, a 345 square foot covered loggia on the first floor, a 312 square foot trellised loggia on the second floor, swimming pool, perimeter walls, landscaping, hardscaping and grading, and the installation of a new onsite wastewater treatment system (OWTS), including Demolition Permit (DP) No. 17-013 for the demolition of an existing single-family residence and associated development and Site Plan Review (SPR) No. 17-014 for construction in excess of 18 feet in height up to 28 feet for a pitched roof located in the Rural Residential-One Acre (RR-1) zoning district at 29043 Grayfox Street (Atwill).

DISCUSSION: The project site is located on Point Dume on the north side of Grayfox Street across from Malibu Elementary School. The project site and surrounding area are depicted in Figure 1.

Figure 1 – Project Area Aerial



Source: City of Malibu GIS

The subject application was submitted to the Planning Department on March 30, 2017. On January 22, 2019, staff presented this project to the Planning Commission at a public hearing. After considering written reports, public testimony, and other information in the record, the Planning Commission voted 3-2 (Jennings and Uhring dissenting) to direct staff to return with a resolution to deny the project. On February 19, 2019, the Planning Commission adopted Resolution No. 19-03 denying the project. The resolution states that Finding 2 for the site plan review cannot be made because "…the proposed residence is significantly larger than, and not compatible with, the existing development in the vicinity, and would adversely affect the rural residential neighborhood character (Attachment 2).

On February 29, 2019, the applicant appealed the project to the City Council. On October 14, 2019, staff presented the project and the grounds for the appeal to the City Council.[1] The Council discussion focused on the project's compatibility with neighborhood character based on the size of the proposed second floor (3,034 square feet). The sentiment of Councilmember Mullen and Councilmember Wagner was that the second floor appeared substantially larger than the sizes of second floors of other residences in the area.

Before the Council meeting, a neighbor (Mr. John Stockwell) researched building records for surrounding properties and provided square footage information for the second floor of residences within 500 feet of the project site. When building records were not available, the neighbors and/or Mr. Stockwell manually measured the second floor areas. This information is included as Attachment 3. The applicant submitted a second set of second floor square footage information for residences within 500 feet of the project site that was

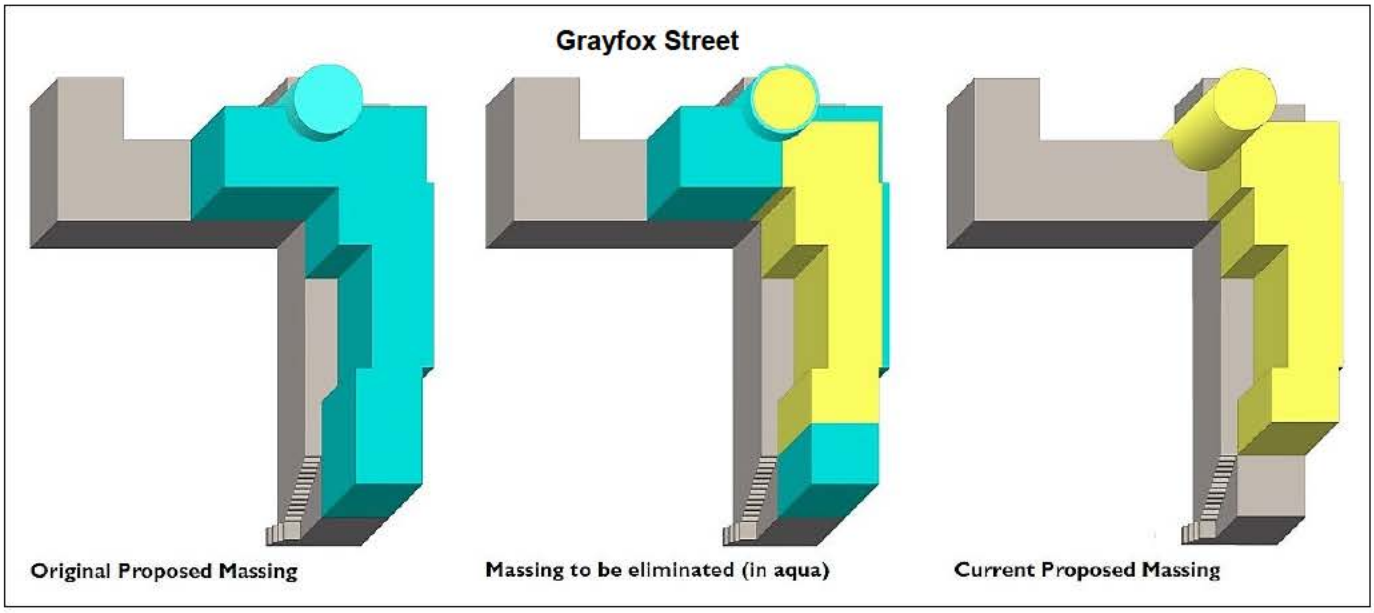
[1] The October 14, 2019 City Council Agenda Report staff report and attachments, which includes the January 22, 2019 Planning Commission Agenda Report for this project, can be accessed at the following link: https://www.malibucity.org/AgendaCenter/ViewFile/Item/3945?fileID=9584

obtained from City records and by digitally measuring the floor areas using GIS. This information is included as Attachment 4. Based on the applicant's and neighbor's square footage data, the average size of the second floor of residences within 500 feet of the project site ranges between 1,242 square feet and 1,842 square feet.

Upon the Council's consideration of a motion to deny the appeal, the applicant offered to redesign the project to address the concerns. The Council then approved a motion to remand the project back to the Planning Commission based on the applicant's representation that portions of the project would be redesigned. The Council also suggested that the applicant reach out to the neighbor.

On February 28, 2020, the applicant submitted revised project plans that eliminated 1,194 square feet from the second floor, reducing it from 3,034 square feet to 1,840 square feet to address concerns about the compatibility with neighborhood character. The applicant submitted a volumetric diagram, shown in Figure 2, to demonstrate the second floor modifications to reduce the bulk and massing of the proposed residence.

Figure 2 – Volumetric Comparison of the Original and Modified Project



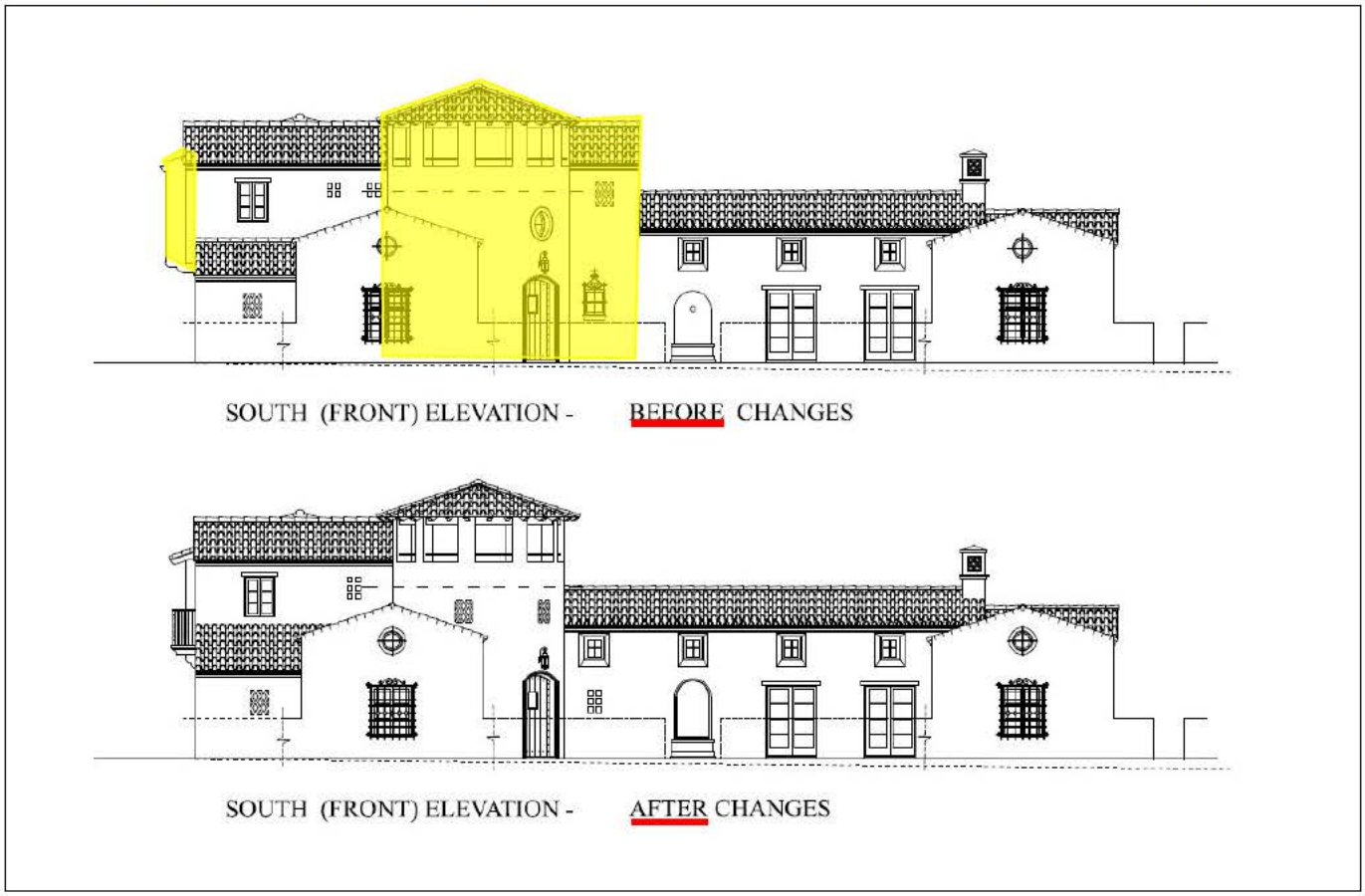
Source: Michael Burch Architects

The image on the left depicts the original size and volume and massing of the second floor (illustrated in aqua), the image in the middle depicts the portions of the second floor to be modified by reducing the size and massing (illustrated in aqua), and the image on the right depicts the current version of the project. As demonstrated in the project plans provided in Attachment 5, and the above volumetric comparison, most of the second floor square footage is located along the west side of the property as opposed to across the entire frontage of the property. The round "tower" feature has been slightly reduced in diameter and the remaining parts of the second floor on the street side are now reduced and stepped back further from the first floor façade. This configuration slightly increases the

articulation of the façade, decreases boxiness, and slightly reduces the volume and mass of the building that is visible from the street.

Figure 3 provided by the applicant further illustrates how the modified project results in a slightly smaller structure mass when viewed from the front of the property. The areas of change are highlighted.

Figure 3 – South Facing Elevation of the Original and Modified Project



Source: Michael Burch Architects

No other changes to the project are proposed. On Monday, July 20, 2020, staff facilitated a review of revised plans for Mr. Stcokwell since he was not contacted independently by the applicant or the property owner of the project site. This agenda report provides a summary of the surrounding land uses and project setting, description of the proposed project as revised, staff's analysis of the project's consistency with Malibu Local Coastal Program (LCP) and Malibu Municipal Code (MMC) provisions, and environmental review pursuant to CEQA. The analysis and findings contained herein demonstrate the revised project is consistent with the LCP and MMC.

Surrounding Land Uses and Project Setting

The subject 1.5-acre residential parcel is an infill lot is located in Point Dume approximately one-third of a mile southwest of the intersection of Pacific Coast Highway and Zumirez Drive (See Figure 1). The property is an average-sized lot based on the sizes of residentially zoned lots within 500 feet of the subject site. Table 2 provides a summary of the lot dimensions and lot area of the subject parcel.

Table 2 – Property Data	
Lot Depth	473 feet
Lot Width	137 feet
Gross Lot Area	67,270 square feet (1.54 acres)
Area Comprised of 1:1 Slopes	0 square feet
Area Comprised of Easements	3,439 square feet
Net Lot Area*	**63,831 square feet (1.47 acres)**

*Net Lot Area=Gross Lot Area minus the area of public or private future street easements and 1:1 slopes.

The property is currently developed with a one-story single-family residence, two one-story accessory structures, and one two-story accessory structure. They are clustered in the southern half of the site. The site topography descends gently from the street, with gradients of 4 to 1 and steeper on the northern half of the site and gradients flatter than 4 to 1 on the southern half of the site where the proposed development will be sited.

A stream is mapped along the subject parcel's north property line, however, the proposed development is located approximately 272 feet south of the stream. Since the project is located in Point Dume, the development must comply with LIP Section 4.6.1(A), which does not permit encroachment on slopes 4 to 1 and steeper. No development is proposed on slopes 4 to 1 and steeper as shown on the color-coded slope analysis included as part of the project plans in Attachment 5.

The project site has no public trails on or adjacent to it according to the LCP Park Lands Map. The property is not visible from any public scenic viewing areas. The property is located outside of the appealable jurisdiction as shown on the Post-LCP Certification Permit and Appeal Jurisdiction Map so this application is not appealable to the California Coastal Commission.

The subject property and the adjacent properties are zoned RR-1 to the north, west, and east, while the school site to the south is zoned Institutional (I). Table 1 outlines the properties adjacent to the subject property and provides the corresponding land uses.

Table 1 - Surrounding Land Uses				
Direction	Address	Lot Size	Zoning	Land Use
North	28926 Boniface Drive	73,267 s.f.*	RR-1	One-story, SFR**
	28910 Boniface Drive	39,983 s.f.	RR-1	Two-story, SFR

Table 1 - Surrounding Land Uses				
Direction	Address	Lot Size	Zoning	Land Use
South	6955 Fernhill Drive	271,936 s.f.	I	Point Dume Marine Science Elementary School
West	29033 Grayfox Street	44,881 s.f.	RR-1	Two-story, SFR
East	29055 Grayfox Street	71,687 s.f.	RR-1	One-story, SFR

* s.f. = square feet
** I = Institutional; SFR = Single-Family Residential

Because the Commission has consistently expressed interest in house size, staff has provided square footage information for all residentially developed properties within 500 feet of the project site that was obtained from the Los Angeles County Tax Assessor's Office (LACTA) (Attachment 6). While this data is easily accessible and generally available for all developed properties, it is not equivalent to the total development square footage (TDSF) metric that Malibu's development standards use to govern structure size because it typically does not include areas used as a garage and storage that would be included in TDSF.[2] Moreover, the LACTA square footage information does not provide a breakdown of areas by first and second floors so is not useful for evaluating second floor size.

Project Description

The proposed scope of work is as follows:

a. Demolition of an existing square foot single-family residence and associated development, totaling 4,701 square feet of TDSF;
b. Construction of the following:
    1. Two-story, 28-foot high, single-family residence with 6,396 square feet of TDSF, consisting of:
        - 5,085 square foot residence;
        - 966 square foot attached garage;
        - 345 square foot covered loggia[3] on the first floor;
        - 312 square foot trellised loggia on the second floor (not included in TDSF);
    2. New swimming pool and pool equipment;
c. Grading, including:

    Exempt
        - 3,072 cubic yards of removal and recompaction
        - 254 cubic yards of understructure grading
        - 74 cubic yards of safety grading

    Non-exempt
        - 904 cubic yards

[2] Also, a staff analysis of LACTA data demonstrated instances where the LACTA data listed square footage that was both significantly higher and lower than the TDSF calculated in City staff reports.
[3] A loggia is a room, hall, or porch open to the air on one or more sides.

d. Installation of a new OWTS, including a 3,634-gallon septic tank;
e. New landscaping and hardscape, including a driveway with a fire truck turnaround; and
f. Solid perimeter walls less than six feet in height along the side property lines and a three-foot, six-inch-high solid front wall and auto gate topped with a 2.5-foot-high visually permeable screening.
g. Discretionary requests:
    i. SPR No. 17-014 for height up to 28 feet for a pitched roof; and
    ii. DP No. 17-013 for the demolition of the existing single-family residence and associated development.

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the LIP. The LUP contains programs and policies implementing the Coastal Act in Malibu. The LIP carries out the LUP's policies and contains specific requirements to which every project requiring a coastal development permit must adhere.

There are 14 LIP chapters that potentially apply depending on the nature and location of the proposed project. Of these, five are for conformance review only and contain no findings: 1) Zoning, 2) Grading, 3) Archaeological/Cultural Resources, 4) Water Quality and 5) OWTS. These chapters are discussed in the *LIP Conformance Analysis* section.

The nine remaining LIP chapters do contain required findings: 1) Coastal Development Permit; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division.

For the reasons described in this report, including the project site, the scope of work, and substantial evidence in the record, only the following chapters and associated findings are applicable to the project: Coastal Development Permit (including Site Plan Review findings) and Hazards.[4] These chapters are discussed in the *LIP Findings* section of this report. The findings required by MMC Section 17.70.060 for the demolition permit are also discussed. Additionally, the proposed project is subject to the Landscape Water Conservation Ordinance (MMC Chapter 17.53)[5] as the project is proposing a new landscape area of two thousand five hundred (2,500) square feet or more.

[4] The ESHA, Native Tree Protection, Scenic, Visual and Hillside Resource Protection, Transfer of Development Credits, Shoreline and Bluff Development, Public Access, and Land Division findings are neither applicable nor required for the proposed project.

[5] The ordinance found in MMC Chapter 9.22 was recently amended and its relocation to Chapter 17.53 will become effective once the Coastal Commission certifies the LCP amendment portion, expected in August.

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and the Los Angeles County Fire Department (LACFD) (Attachment 6 – Department Review Sheets). The project has been conditioned for the Los Angeles County Waterworks District No. 29 (WD29) to provide a Will Serve Letter to the applicant stating that WD29 can serve water to the property. The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals and policies, inclusive of the requested SPR.

Zoning (LIP Chapter 3)

The project is subject to development and design standards set forth under LIP Sections 3.5 and 3.6. Table 3 provides a summary and indicates the proposed project meets those standards.

Table 3 – LCP Non-Beachfront Zoning Conformance			
Development Requirement	**Allowed**	**Proposed**	**Comments**
SETBACKS			
Front Yard	65’	65’	Complies
Rear Yard	70’-11”	280’	Complies
Side Yard (10% min)	13’-9”	13’-9”	Complies
Side Yard (25% cumulative)	34’-4”	34’-4”	Complies
PARKING	2 enclosed 2 unenclosed	2 enclosed 2 unenclosed	Complies
TDSF	8,047 sq. ft.	6,396 sq. ft.	Complies
2/3RDS RULE/2nd floor sq. ft.	3,037 sq. ft.	1,840 sq. ft.	Complies
HEIGHT	*18’*	*28’ (pitched)*	*SPR No. 17-014*
IMPERMEABLE COVERAGE	19,149 sq. ft.	8,637 sq. ft.	Complies
NON-EXEMPT GRADING	1,000 cu. yd.	904 cu. yd.	Complies
CONSTRUCTION ON SLOPES (POINT DUME)	4 to 1 or less	4 to 1 or less	Complies
FENCE/WALL HEIGHT			
Front	42” solid, 6’ open/ permeable	42” solid, 6’ open/ permeable	Complies
Side(s)	6’	6’	Complies
Rear	6’	None	Complies

Grading (LIP Chapter 8)

LIP Section 8.3, ensures that new development minimizes the visual resource impacts of grading and landform alteration by restricting the amount of non-exempt grading to a maximum of 1,000 cubic yards for a residential parcel. The total amount of proposed non-exempt grading is 904 cubic yards, which is less than the maximum allowable. The Total Grading Yardage Verification Certificate on the grading plan cover sheet in Attachment 5. The project complies with grading requirements set forth under LIP Section 8.3.

Archaeological / Cultural Resources (LIP Chapter 11)

A Phase I Archaeological Report was prepared by Envicom Corporation in August of 2018 for the project site. No archaeological resources were found onsite during the Phase I on-foot investigation. Portions of the project site have low visibility because of vegetation, wood chips and AstroTurf. Accordingly, the report concluded that any improvements within the project area may proceed, but as a precautionary measure, a qualified archaeologist or cultural resources monitor should be present onsite to monitor project grading of the first three feet of soil. In the event that potentially important cultural resources be found in the course of geologic testing or during construction, work shall immediately cease until the qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. The project has been conditioned to meet these requirements and complies with LIP Chapter 11.

Water Quality (LIP Chapter 17)

The City Public Works Department reviewed and approved the project for conformance with LIP Chapter 17 requirements for water quality protection and requirements of the State Water Resources Control Board because the property is located in an Area of Special Biological Significance (ASBS). The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an ASBS as part of the California Ocean Plan. Standard conditions of approval include the implementation of approved storm water management plans during construction activities and to manage runoff from the development, including recordation of a water quality mitigation plan, and best management practices in compliance with ASBS. With the implementation of these conditions, the project conforms to the water quality protection standards of LIP Chapter 17.

Wastewater Treatment System Standards (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. Details for the proposed OWTS are shown on the City of Malibu Environmental Health approved plot plan in Attachment 7. The project includes an OWTS to serve the proposed development, which has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the Malibu Plumbing Code, the MMC, and the LCP. The existing system will be properly

abandoned. The proposed OWTS will meet all applicable requirements and operating permits will be required. An operation and maintenance contract and recorded covenant covering such must comply with City of Malibu Environmental Health requirements. Conditions of approval have been included in this resolution, which require continued operation, maintenance, and monitoring of onsite facilities.

LIP Findings

A. Coastal Development Permit (LIP Chapter 13)

LIP Section 13.9 requires that the following four findings be made for all coastal development permits.

Finding 1. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Malibu Local Coastal Program.

The project is located in the RR-1 residential zoning district, an area designated for residential uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis, and site investigation, the proposed project, as conditioned, conforms to the LCP and MMC in that it meets all applicable residential development standards.

Finding 2. If the project is located between the first public road and the sea, that the project is in conformity to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

The project is not located between the first public road and the sea. Also, the subject property does not contain any trails as depicted on the LCP Park Lands Map. Therefore, this finding is not applicable.

Finding 3. The project is the least environmentally damaging alternative.

This analysis assesses whether alternatives to the proposed project as revised would significantly lessen adverse impacts to coastal resources. Based on MMC and LCP conformance review, the revised project will not result in any significant adverse impacts. Nevertheless, the following alternatives to the proposed project were considered.

Previous Design – The previous project reviewed by the Planning Commission and City Council had a larger second floor and more square footage overall. While the project complied with all development standards for size, bulk and height with the proposed site plan review, the size of the second floor, at 3,034 square feet, was determined to be larger than and out of character with those of other properties in the neighborhood.

Alternate Location –The project could be redesigned to be re-sited to another location on the subject property. The project is sited in the area already disturbed by the existing development. The new home will have a bigger front yard setback than what is provided by the existing onsite accessory structure that is closest to the street and bigger than the two neighboring homes. Moving the project closer to the street would not comply with the required front yard setback, even though it would be more in keeping with adjacent development. Re-siting the project further away from the street could result in development on slopes steeper than 4 to 1, which is prohibited in Point Dume to minimize potential impacts to natural resources. An alternate location is not a less environmentally damaging alternative.

Proposed Revised Project - To address the Planning Commission's and the City Council's neighborhood character concerns, the applicant chose to redesign to reduce the second floor of the project by removing two bedrooms, one bathroom, and by reconfiguring the remaining second floor square footage. The new second floor design is 1,840 square feet which is within the range of sizes of surrounding second floors, based on data submitted by the applicant. This change was intended to help the project better blend with the surrounding one- and two-story single-family homes. The story poles placed onsite to demonstrate the project's size and massing indicate that it is similar to other development in the neighborhood, particularly when viewed from the street. From this view, most of the home is under 18 feet in height. The project is well under the maximum allowable TDSF for the lot size and the second floor is well under the size allowed for square footage over 18 feet. There is no evidence of environmental impacts resulting from the revised project as it avoids slopes of 4 to 1 and steeper, has no public scenic impacts and does not affect biological resources. The project complies with the LCP and can be found to be the least environmentally damaging alternative.

Finding 4. If the project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay), that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explaining why it is not feasible to take the recommended action.

Point Dume does not contain mapped ESHA, therefore, the subject property is not in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, Environmental Review Board review was not required, and this finding does not apply.

B. Site Plan Review Request from LIP Section 3.6(E) – Construction in Excess of 18 Feet in Height [LIP Section 13.27]

LIP Section 3.6(E) limits the height of structures to 18 feet, unless findings for a SPR can be made to authorize height up to 28 feet with a pitched roof. The applicant is requesting SPR No. 17-014 to allow portions of the residence to exceed 18 feet up to 28 feet. LIP

Section 13.27.5(A) requires that the City make four findings in consideration and approval of a site plan review. Two additional findings are required pursuant to MMC Section 17.62.040(D) when a project exceeds 18 feet. Based on the foregoing evidence contained in the record, the required findings for SPR No. 17-014 are made as follows:

Finding 1. The project is consistent with policies and provisions of the Malibu LCP.

As previously discussed in Section A, the proposed project has been reviewed for all relevant policies and provisions of the LCP, and the proposed project, as designed, is consistent with all applicable development and design standards of the LCP.

Finding 2. The project does not adversely affect neighborhood character.

SPR No. 17-014 would allow portions of the new single-family residence to reach a maximum of 28 feet in height with a pitched roof. The site is currently developed with a one-story single-family residence, two detached one-story accessory structures, and one two-story accessory structure which is the only two-story element currently on the site. All this development will be demolished and replaced with the new two-story residence. The applicant has made design changes to address the adverse neighborhood character concerns the Planning Commission previously expressed due to the size of the second floor, particularly relative to the surrounding area.

The residence is L-shaped, with one wing parallel to the street frontage and one wing along the west property line. In the original design before the Commission, the second floor was 3,034 square feet and approximately half the street side façade had a second story element (refer to Figure 2). The redesign reduced the overall second floor by 1,194 square feet to 1,840 square feet, and now less than half the street side facade has a second floor element. Based on the square footage information presented in Attachments 3 and 4, the second floor now falls within the range of square footages identified in the surrounding area.

The redesign also introduces more articulation to the front façade in that the round “tower” feature was reduced in diameter and the rest of the second floor is slightly stepped back from the first floor. The topography of the site descends from the street which helps reduce the visual mass of the building from the street. Also, the nearest part of the first floor is 65 feet from the front property line, but most of the building is set back 70 to 80 feet. This is a greater setback than the residences on either side of the project.

About half of the homes in the surrounding area have at least some two-story element, as shown in Table 4.

Table 4 – Surrounding Development

Direction	Address	No. of Stories	Zoning
Subject Parcel	29043 Grayfox Street	2	RR-1
Northeast	28936 Boniface Drive	1	RR-1

Table 4 – Surrounding Development			
Direction	**Address**	**No. of Stories**	**Zoning**
Subject Parcel	29043 Grayfox Street	2	RR-1
North	28926 Boniface Drive	1	RR-1
Northwest	28910 Boniface Drive	2	RR-1
	28904 Boniface Drive	2	RR-1
	28872 Boniface Drive	1	RR-1
East	6851 Fernhill Drive	2	RR-1
	29033 Grayfox Street	2	RR-1
Southeast	28975 Grayfox Street	1	RR-1
Southwest	6900 Grasswood Avenue	2	RR-1
West	29055 Grayfox Street	1	RR-1
	29075 Grayfox Street	2	RR-1
	29089 Grayfox Street	1	RR-1

Source: Los Angeles County Tax Assessor's Office (LACTA), 2018

The homes in the area also vary in age, size and front yard setbacks. New story poles were placed on the subject parcel to reflect the proposed second-floor reduction. The story poles help demonstrate the project's potential for aesthetic changes to the neighborhood relative to its siting, height, and bulk. On July 7, 2020, staff visited the site to inspect and photograph the updated story poles after installation (Attachment 8). The project's setback from the front property line, which shifts the building's massing away from the street, and the articulation of the roofline to break up the building's massing. The two-story portion of the proposed structure is located along the west property line, which includes the largest side yard setback due to the location of the driveway. The redesigned project, as proposed and conditioned, is not expected to adversely affect neighborhood character.

Finding 3. The project provides maximum feasible protection to significant public views as required by Chapter 6 of the Malibu LIP.

Staff visited the subject parcel after the placement of story poles. Based on staff's site visit, it was determined that the proposed residence will not be visible from any scenic area, scenic road, or public viewing area. Given the location and design of the proposed project, intervening topography, existing development, and the implementation of conditions of approval for lighting, the residence is not expected to create significant obstructions or encroachments into public views and provides the maximum feasible protection to significant public views as required by LIP Chapter 6.

Finding 4. The proposed project complies with all applicable requirements of State and local law.

The proposed project complies with all applicable requirements of State and local law and is conditioned to comply with any relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the LACFD. Construction of the proposed

improvements will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants.

Finding 5. The project is consistent with the City's general plan and local coastal program.

As discussed in Section A, the proposed project is consistent with the LCP in that the project is located in an area that has been identified for residential use. The goals and policies of the General Plan intend to maintain rural character in this area, and the proposed project is consistent with the development standards set forth to implement this goal. The proposed residence incorporates siting and design measures to minimize visual impacts and landform alteration by proposing development in an area already disturbed by the existing residential development, siting the building away from the front property line to reduce the building's massing from the street, and minimizing potential impact to natural resources by avoiding development on slopes greater than 4 to 1. The proposed project, as designed, is consistent with the applicable land use designation and is consistent with all applicable development and design standards of the LCP and General Plan.

Finding 6. The portion of the project that is in excess of 18 feet in height does not obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys or ravines from the main viewing area of any affected principal residence as defined in MMC Section 17.40.040(A)(17).

Based on the visual impact analysis (aerial photographs, site visits, and story pole placement), staff has determined that the portions of the residence above 18 feet in height are not expected to obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residence as defined in MMC Section 17.40.040(A)(17). No nearby property owners have requested a primary view determination in response to the courtesy notice or story pole installation.

C. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

The subject property is not in a designated ESHA, or ESHA buffer, as shown on the LCP ESHA and Marine Resources Map. Alternatively, as required by LIP Section 4.6.1(A), the project avoids slopes of 25 percent (4 to 1) and steeper. Therefore, the findings of LIP Section 4.7.6 are not applicable.

D. Native Tree Protection (LIP Chapter 5)

There are no native trees on or adjacent to the subject parcel. Therefore, the findings of LIP Chapter 5 are not applicable.

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

The Scenic, Visual, and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. The subject property is not located along, within, nor provides views to or is visible from any scenic area, scenic road or public viewing area. Therefore, the findings LIP Chapter 6 are not applicable.

F. Transfer of Development Credit (LIP Chapter 7)

The proposed project does not include a land division or multi-family development. Therefore, the findings of LIP Chapter 7 are not applicable.

G. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards listed in LIP Sections 9.2(A)(1-7) must be included in support of all approvals, denials or conditional approvals of development located on a site or in an area where it is determined that the proposed project causes the potential to create adverse impacts upon site stability or structural integrity.

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD. The required findings are made as follows:

Finding 1. The project, as proposed will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons.

The applicant submitted geotechnical and soils engineering reports and addenda prepared by GeoConcepts, Inc. These reports are on file at City Hall. The reports evaluate site-specific conditions and recommendations are provided to address any pertinent issues. Potential hazards analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, tsunami, and flood and fire hazards. It has been determined that the project is not located in a hazard zone, except that the project site is located within an extreme fire hazard area. Based on review of the project plans and associated geotechnical reports by City Environmental Health Administrator, City Public Works Department, City geotechnical staff and LACFD, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The proposed project, including the new OWTS, will neither be subject to nor increase the instability from geologic, flood, or fire hazards. In summary, the proposed development is suitable for the intended use provided that the certified engineering geologist and/or

geotechnical engineer's recommendations and governing agency's building codes are followed.

The project, as conditioned, will incorporate all recommendations contained in the above cited geotechnical report and conditions required by the City geotechnical staff, City Public Works Department, and the LACFD, including foundations, OWTS, and drainage. As such, the proposed project will not increase instability of the site or structural integrity from geologic, flood, or any other hazards.

Fire Hazard

The entire City of Malibu is designated as a Very High Fire Hazard Severity Zone, a zone defined by a more destructive behavior of fire and a greater probability of flames and embers threatening buildings. The subject property is currently subject to wildfire hazards and development of a residence on the subject property will not increase the site's susceptibility to wildfire. The scope of work proposed as part of this application is not expected to have an impact on wildfire hazards. The proposed development may actually decrease the site's susceptibility to wildfire through compliance with fuel modification requirements and the use of appropriate building materials will be utilized during construction.

The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has "mutual aid agreements" with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD. Conditions of approval have been included in the resolution to require compliance with all LACFD development standards. As such, the project, as designed, constructed, and conditioned, will not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

Finding 2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As stated in Finding 1, the proposed project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on the site stability or structural integrity from geologic or flood hazards due to project modifications, landscaping or other conditions.

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

As previously stated in Section A, the proposed project, as designed and conditioned, is the least environmentally damaging alternative.

Finding 4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

As previously discussed in Section A and Finding 1, there are no feasible alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

Finding 5. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

As discussed in Section A, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

H. Shoreline and Bluff Development (LIP Chapter 10)

The project site is not located on or along the shoreline, a coastal bluff or bluff top fronting the shoreline. The subject parcel is located on the seaward side of Pacific Coast Highway, but is separated from the bluff top by another property. Therefore, the findings of LIP Chapter 10 are not applicable.

I. Public Access (LIP Chapter 12)

LIP Section 12.4 requires public access for lateral, bluff-top, and vertical access near the ocean, trails, and recreational access for the following cases:

A. New development on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts as appropriate for or containing a historically used or suitable public access trail or pathway.
B. New development between the nearest public roadway and the sea.
C. New development on any site where there is substantial evidence of a public right of access to or along the sea or public tidelands, a blufftop trail or an inland trail acquired through use or a public right of access through legislative authorization.
D. New development on any site where a trail, bluff top access or other recreational access is necessary to mitigate impacts of the development on public access where there is no feasible, less environmentally damaging, project alternative that would avoid impacts to public access.

As described herein, the subject property and the proposed project do not meet any of these criteria in that no trails are identified on the LCP Park Lands Map on or adjacent to the property, and the property is not located between the first public road and the sea, or on a bluff or near a recreational area. The requirement for public access of LIP Section 12.4 does not apply and further findings are not required.

J. Land Division (LIP Chapter 15)

This project does not include a land division. Therefore, the findings of LIP Chapter 15 are not applicable.

K. Demolition Permit Findings (MMC Chapter 17.70)

MMC Section 17.70.060 requires that a demolition permit be issued for projects that result in the demolition of any building or structure. The findings for DP No. 17-013 are made as follows:

Finding 1. The demolition permit is conditioned to assure that it will be conducted in a manner that will not create significant adverse environmental impacts.

Conditions of approval, including the recycling of demolished materials, have been included to ensure that the proposed project will not create significant adverse environmental impacts.

Finding 2. A development plan has been approved or the requirement waived by the City.

This CDP application is being processed concurrently with DP No. 17-013, and approval of the demolition permit is subject to the approval of CDP No. 17-043.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in the California Environmentally Quality Act (CEQA), the Planning Department has analyzed the proposed project. The Planning Department has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment and categorically exempt from the provisions of CEQA according to CEQA Guidelines Section 15301(l) – Existing Facilities and 15303 (a) and (e) – New Construction or Conversion of Small Structures. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: Staff has received correspondence from several property owners in the Point Dume neighborhood, including Mr. Stockwell who resides immediately east of the project site at 29033 Grayfox Street, who have voiced their objections to the proposed project. Concerns have been expressed about the project's scale potentially altering the character of the neighborhood and a lack of outreach to neighbors immediately adjacent to the project site.[6] After the review of the revised project plans, Mr. Stockwell submitted additional comments regarding the revised project (Attachment 9).

[6] This correspondence was included as Attachment F of the October 14, 2019 City Council Agenda Report staff report which can be accessed at the following link: https://www.malibucity.org/AgendaCenter/ViewFile/Item/3945?fileID=9584

As stated earlier, the story poles have been placed on the project site to demonstrate the height and bulk of the project. Although the project is larger than the residences on adjacent properties, the project meets the maximum allowable TDSF. The project includes first and second floor loggias and landscaping that break up the building's massing.

During the Planning Commission and the City Council deliberation on the original design of this project, which proposed a 3,034 square foot second floor, the size of the second floor was reduced to 1,840 square feet to address concerns about the project's compatibility with neighborhood character.

PUBLIC NOTICE: On July 9, 2020, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 10).

SUMMARY: The required findings can be made that the project complies with the LCP and MMC. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project, subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 20-51. The project has been reviewed and conditionally approved for conformance with the LCP by Planning Department staff and appropriate City and County departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 20-51
2. Planning Commission Resolution No. 19-03
3. Second Floor Square Footage Table for Surrounding Residences (John Stockwell)
4. Second Floor Square Footage Table for Surrounding Residences (Schmitz and Associates, Inc.)
5. Project Plans
6. Habitable Square Footage Table for Surrounding Residences
7. Department Review Sheets
8. Story Pole Photos
9. Comment Letters
10. 500-Foot Radius Map
11. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 20-51

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 17-043 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT AND THE CONSTRUCTION OF A NEW 5,085 SQUARE FOOT, TWO-STORY SINGLE-FAMILY RESIDENCE PLUS A 966 SQUARE FOOT ATTACHED GARAGE, A 345 SQUARE FOOT COVERED LOGGIA ON THE FIRST FLOOR, A 312 SQUARE FOOT TRELLISED LOGGIA ON THE SECOND FLOOR, SWIMMING POOL, PERIMETER WALLS, LANDSCAPING, HARDSCAPING AND GRADING, AND THE INSTALLATION OF A NEW ONSITE WASTEWATER TREATMENT SYSTEM, INCLUDING DEMOLITION PERMIT NO. 17-013 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT AND SITE PLAN REVIEW NO. 17-014 FOR CONSTRUCTION IN EXCESS OF 18 FEET IN HEIGHT UP TO 28 FEET FOR A PITCHED ROOF LOCATED IN THE RURAL RESIDENTIAL ONE-ACRE ZONING DISTRICT LOCATED AT 29043 GRAYFOX STREET (ATWILL)

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The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On March 30, 2017, an application for Administrative Coastal Development Permit (ACDP) No. 17-043 was submitted to the Planning Department by applicant, Schmitz and Associates, Inc., on behalf of the property owner, John and Tatiana Atwill. The application was routed to City Biologist, City geotechnical staff, City Public Works Department, and City Environmental Health Administrator, and the Los Angeles County Fire Department (LACFD) for review.

B. On April 6, 2018, Planning Department staff determined the application qualified to be processed administratively pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.13.1.

C. On June 13, 2018, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On June 20, 2018, Planning Department staff conducted a site visit to inspect the installed story poles representing the location, height and bulk of the proposed building.

E. On October 2, 2018, the Planning Director approved ACDP No. 17-043, inclusive of Site Plan Review (SPR) No. 17-014 and Demolition Permit (DP) No. 17-013. The ACDP was reported to the Planning Commission at its October 3, 2018, Adjourned Regular Planning Commission meeting. The Planning Commission voted for the item to be brought back for full public hearing and the application was converted into a full Coastal Development Permit (CDP).

F. On October 11, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

G. On November 5, 2018, the Planning Commission continued the item to the December 3, 2018 Regular Planning Commission meeting.

H. On November 27, 2018, the December 3, 2018 regularly scheduled meeting of the Planning Commission was cancelled due to the Woolsey Fire.

I. On December 20, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

J. On January 10, 2019, the Planning Commission continued the item to the January 22, 2019 regular Planning Commission meeting.

K. On January 22, 2019, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. At the conclusion of the public hearing, the Commission voted 3-2 (Jennings and Uhring dissenting) to direct staff to return with an updated resolution denying the project as it could not make the required findings and the project would adversely affect neighborhood character.

L. On February 19, 2019, the Planning Commission reviewed and adopted Resolution No. 19-03 denying the project.

M. On February 28, 2019, an appeal of the project was timely filed by applicant Schmitz and Associates, Inc.

N. On September 19, 2019, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu for the September 23, 2019 Regular City Council meeting.

O. On September 19, 2019, a Notice of City Council Public Hearing was mailed to all property owners and occupants within a radius of 500 feet from the subject property and all interested parties for the October 14, 2019 Regular City Council meeting.

P. On September 23, 2019, the City Council continued the Public Hearing to the October 14, 2019 Regular City Council meeting.

Q. On September 26, 2019, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu to clarify the intended hearing date of October 14, 2019.

R. On October 14, 2019, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. During its deliberations the Council discussed whether the second floor was larger than other second floors in the area and upon the

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Council's consideration of a motion to deny the appeal and the project, the applicant offered to redesign. At that time, the Council remanded the application back to the Planning Commission based on the applicant's representation that portions of the project would be redesigned.

S. On February 23, 2020, the applicant submittal revised plans that included a reduction of the size of the second floor.

T. On July 7, 2020, story poles were reinstalled onsite. Staff visited the site and photo-documented the poles.

U. On July 9, 2020, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

V. On August 3, 2020, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

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SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. The Planning Commission found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Section 15301(l) – Existing Facilities and 15303 (a) and (e) – New Construction or Conversion of Small Structures. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

SECTION 3. Coastal Development Permit Findings.

Based on substantial evidence contained within the record and pursuant to LIP Sections 13.7(B) and 13.9, the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves CDP No. 17-043 for the construction of a new 5,085 square foot, two-story single-family residence plus a 966 square foot attached garage, a 345 square foot covered loggia[1] on the first floor, a 312 square foot trellised loggia on the second floor, swimming pool, perimeter walls, landscaping, hardscaping and grading, and the installation of a new onsite wastewater treatment system (OWTS), including DP No. 17-013 for the demolition of an existing single-family residence and associated development and SPR No. 17-014 for construction in excess of 18 feet in height up to 28 feet for a pitched roof located in the Rural Residential One-Acre (RR-1) zoning district located at 29043 Grayfox Street.

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. The project, as conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

[1] A loggia is room, hall, or porch open to the air on one or more sides.

A. General Coastal Development Permit (LIP Chapter 13)

1. The project is located in the RR-1 residential zoning district, an area designated for residential uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD. Based on submitted reports, project plans, visual analysis, and site investigation, the proposed project, as conditioned, conforms to the LCP and MMC in that it meets all applicable residential development standards.

2. Evidence in the record demonstrates that as conditioned, the project will not result in adverse biological or scenic impacts. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment.

B. SPR No. 17-014 for a height greater than 18 feet and not exceeding 28 feet [LIP Section 13.27.5(A)]

1. The project has received LCP conformance review from the Planning Department, City Biologist, City geotechnical staff, City Public Works Department, and City Environmental Health Administrator, and the LACFD. The project is consistent with the policies and provisions of the LCP.

2. The applicant has made design changes to address the adverse neighborhood character concerns the Planning Commission previously expressed due to the size of the second floor, particularly relative to the surrounding area. The homes in the area also vary in age, size and front yard setbacks. The redesign reduced the overall second floor by 1,194 square feet to 1,840 square feet, and now less than half the street side facade has a second floor element. The second floor now falls within the range of square footages identified in the surrounding area. The redesign also introduces more articulation to the front façade in that the round "tower" feature was reduced in diameter and the rest of the second floor is slightly stepped back from the first floor. The topography of the site descends from the street which helps reduce the visual mass of the building from the street. Also, the nearest part of the first floor is 65 feet from the front property line, but most of the building is set back 70 to 80 feet. This is a greater setback than the residences on either side of the project. The redesigned project, as proposed and conditioned, is not expected to adversely affect neighborhood character.

3. The project site is not visible from any scenic roads, trails, parkland or beaches. The project provides maximum feasible protection to significant public views as required by the LCP.

4. The proposed project complies with all applicable requirements of State and local law and is conditioned to comply with any relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the LACFD. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants.

5. The project is consistent with the General Plan designation for the site. The goals and policies of the General Plan intend to maintain rural character in this area, and the proposed project is consistent with the development standards set forth to implement this goal. The proposed

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residence incorporates siting and design measures to minimize visual impacts and landform alteration by proposing development in an area already disturbed by the existing residential development, siting the building away from the front property line to reduce the building's massing from the street, and minimizing potential impact to natural resources by avoiding development on slopes greater than 4 to 1. As discussed herein, the project is consistent with the LCP.

6. The portion of the project that is in excess of 18 feet in height does not obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residence as defined in MMC Section 17.40.040(A)(17).

C. Hazards (LIP Chapter 9)

1, 2, 3, 4. The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD. The project will not result in potential adverse impacts on site stability or structural integrity. In addition, the record demonstrates that the project as proposed and conditioned will not increase stability of the site or structure integrity from geologic or other hazards. However, since the entire city limits of Malibu are located within a very high fire hazard area, a condition is included in Section 5 of this resolution

5. No adverse impacts to sensitive resources are expected as the site has already been developed with a single-family residence and accessory development and it is not visible from public viewing areas.

D. Demolition Permit (MMC Chapter 17.70)

1. Conditions of approval, including the recycling of demolished materials, have been included to ensure that the proposed project will not create significant adverse environmental impacts.

2. This CDP application is being processed concurrently with DP No. 17-013, and approval of the demolition permit is subject to the approval of CDP No. 17-043.

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SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 17-043, SPR No. 17-014, and DP No. 17-013, subject to the following conditions.

SECTION 5. Conditions of Approval.

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

2. Approval of this application is to allow for the project described herein. The scope of work approved includes:

    a. Demolition of an existing square foot single-family residence and associated development, totaling 4,701 square feet of TDSF;
    b. Construction of the following:
        i. Two-story, 28-foot high, single-family residence with 6,396 square feet of TDSF, consisting of:
            - 5,085 square foot residence
            - 966 square foot attached garage;
            - 345 square foot covered loggia on the first floor;
            - 312 square foot trellised loggia on the second floor;
        ii. New swimming pool and pool equipment;
    c. Grading, including:

        Exempt
            - 3,072 cubic yards of removal and recompaction
            - 254 cubic yards of understructure grading
            - 74 cubic yards of safety grading

        Non-exempt
            - 904 cubic yards
    d. Installation of a new AOWTS, including a 3,634-gallon septic tank;
    e. New landscaping and hardscape, including a driveway with a fire truck turnaround; and
    f. Perimeter walls less than six feet in height along the side property lines and a three-foot, six-inch-high solid front wall and auto gate topped with 2.5-foot-high visually permeable screening.

3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on architectural plans on file with the Planning Department date stamped **February 28, 2020**, grading plans date stamped **March 30, 2017**, and landscaping plans date stamped **October 3, 2017**. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes, and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 working days of this decision and/or prior to issuance of any development permit.

5. The applicant shall digitally submit a submit three (3) complete sets of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

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6. This resolution, signed and notarized Acceptance of Conditions Affidavit and all Department Review Sheets attached to the agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check, and the City of Malibu Public Works Department for an encroachment permit (as applicable).

7. The CDP shall expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

9. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, Los Angeles County Waterworks District No. 29 and LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.

10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals have been exhausted.

12. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

Cultural Resources

13. Initial earth disturbing activities into the first three feet of native soil shall be monitored by a qualified archaeologist or a cultural resources monitor approved by the Planning Director. Should intact deposits be encountered, the archaeologist or cultural resources monitor may halt or redirect grading until the resources are evaluated. If determined by the field archaeologist or monitor in consultation with the Planning Director that the resources are potentially significant, a Phase 2 study shall be required.

14. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification

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

Demolition/Solid Waste

15. Prior to demolition activities, the applicant shall receive Planning Department approval for compliance with conditions of approval.

16. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.

17. Prior to the issuance of a building/demolition permit, an Affidavit and Certification to implement waste reduction and recycling shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Department. The Affidavit shall indicate the agreement of the applicant to divert at least 65 percent (in accordance with CalGreen) of all construction waste from the landfill.

18. Upon plan check approval of demolition plans, the applicant shall secure a demolition permit from the City. The applicant shall comply with all conditions related to demolition imposed by the Building Official.

19. No demolition permit shall be issued until building permits are approved for issuance. Demolition of the existing structure and initiation of reconstruction must take place within a six month period. Dust control measures must be in place if construction does not commence within 30 days.

20. The project developer shall utilize licensed subcontractors and ensure that all asbestos-containing materials and lead-based paints encountered during demolition activities are removed, transported, and disposed of in full compliance with all applicable federal, state and local regulations.

21. Any building or demolition permits issued for work commenced or completed without the benefit of required permits are subject to appropriate “Investigation Fees” as required in the Building Code.

22. Upon completion of demolition activities, the applicant shall request a final inspection by the Building Safety Division.

Geology

23. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.

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24. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Onsite Wastewater Treatment System

25. Prior to the issuance of a building permit the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.

26. Prior to final Environmental Health approval, a final OWTS plot plan shall be submitted showing an OWTS design meeting the minimum requirements of the MMC and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The OWTS plot plan shall show essential features of the OWTS and must fit onto an 11 inch by 17 inch sheet leaving a five inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18 inches by 22 inches).

27. A final design and system specifications shall be submitted as to all components (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final design drawings and calculations must be signed by a California registered civil engineer, a registered environmental health specialist or a professional geologist who is responsible for the design. The final OWTS design drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

28. Any above-ground equipment associated with the installation of the OWTS shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall not be higher than 42 inches tall.

29. The final design report shall contain the following information (in addition to the items listed above).
    a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture equivalents, and/or the subsurface effluent dispersal system acceptance rate. The fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
    b. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;

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c. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics;

d. All final design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department; and

e. H20 Traffic Rated Slab: Submit plans and structural calculations for review and approval by the Building Safety Division prior to Environmental Health final approval.

30. The following note shall be added to the plan drawings included with the OWTS final design: "Prior to commencing work to abandon, remove, or replace the existing Onsite Wastewater Treatment System (OWTS) components, an 'OWTS Abandonment Permit' shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents."

31. Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the MMC.

32. A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that: 1) the private sewage disposal system serving the development on the property does not have a 100 percent expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)), and 2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in the use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-

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habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the City Environmental Sustainability Department.

33. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

34. An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

35. Prior to final Environmental Health approval, a maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed OWTS after construction shall be submitted. Only original wet signature documents are acceptable and shall be submitted to the City Environmental Health Administrator.

36. Prior to final Environmental Health approval, a covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an advanced method of sewage disposal pursuant to the City of MMC. Said covenant shall be provided by the City of Malibu Environmental Health Administrator.

37. The City geotechnical staff final approval shall be submitted to the City Environmental Health Administrator.

38. In accordance with MMC Chapter 15.14, prior to Environmental Health approval, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

Grading/Drainage/Hydrology (Geology/ Public Works)

39. The non-exempt grading for the project shall not exceed a total of 1,000 cubic yards, cut and fill.

40. The total grading yardage verification certificate shall be copied onto the coversheet of the Grading Plan. No alternative formats or substitutes will be accepted.

41. The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation prohibits the discharge of any waste, including stormwater runoff, directly into the ASBS. The applicant shall provide a drainage system that accomplishes the following:
    a. Installation of BMPs that are designed to treat the potential pollutants in the stormwater runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
    b. Prohibits the discharge of trash.

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c. Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e., no additional pollutant loading).
d. Elimination of non-storm water discharges.

42. A grading and drainage plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project:
    a. Public Works Department general notes;
    b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
    c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated;
    d. The limits to land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
    e. If the property contains rare, endangered or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on this plan is required by the City Biologist;
    f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes; and
    g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inch in diameter shall also have a plan and profile for the system included with this plan.

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

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

	Sanitary/Septic Waste Management

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

44. Prior to the approval of any permits and prior to the submittal of the required construction general permit document to the State Water Quality Control Board, the property owner / applicant shall submit the Public Works Department an Erosion and Sediment Control Plan (ESCP) for review. The ESCP shall contain appropriate site-specific construction site BMPs prepared and certified by a qualified SWPPP developer (QWD). All structural BMPs must be designed by a licensed California civil engineer. The ESCP must address the following elements:
    a. Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area
    b. Methods used to protect native vegetation and trees
    c. Sediment / erosion control
    d. Controls to prevent tracking on- and off-site
    e. Non-stormwater control
    f. Material management (delivery and storage)
    g. Spill prevention and control
    h. Waste management
    i. Identification of site risk level as identified per the requirements in Appendix 1 of the Construction General Permit
    j. Landowner must sign the following statement on the ESCP:

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

45. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within LIP Section 17.3.2.B.2.

46. A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the pre-development and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading or building permit for this project.

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47. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that:
    a. Is located within or adjacent to ESHA, or
    b. Includes grading on slopes greater than 4 to 1.

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

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

49. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3.

50. All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.

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

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53. The applicant shall obtain encroachment permits from the Public Works Department prior to the commencement of any work within the public right-of-way. The driveway shall be constructed of either six inches of concrete over four inches of aggregate base, or four inches of asphalt concrete over six inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

54. Several private improvements are located within the public right-of-way, such as (but not limited to) an existing mailbox structure and an existing rock border wall. These improvements are required to be removed as part of this project and must be shown on the plans. The applicant / property owner shall place notes on the development plans for the removal of existing encroachments within the public right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the removal of the private improvements within the public right-of-way.

55. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMPs shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlets, post-construction BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

Lighting

56. Exterior lighting must comply with the Dark Sky Ordinance and shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
    a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);
    b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
    c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
    d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
    e. Site perimeter lighting shall be prohibited; and
    f. Outdoor decorative lighting for aesthetic purposes is prohibited.

57. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot candle.

58. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.

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Biology/Landscaping

59. Invasive plant species, as determined by the City of Malibu, are prohibited.

60. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

61. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote or copper arsenate.

62. Prior to installation of any landscaping, the applicant shall obtain a plumbing permit for the proposed irrigation system from the Building Safety Division.

63. Prior to a final plan check approval, the property owner /applicant must provide a landscape water use approval from the Los Angeles County Waterworks District No. 29.

64. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three sequential violations of this condition by the same property owner will result in a requirement to permanently remove the vegetation from the site.

65. Any site preparation activities, including removal of vegetation, between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least five days prior to initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

66. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with the Landscape Water Conservation Ordinance (MMC Chapter 17.53), The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 17.53.

67. The use of pesticides, including insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade biological resources shall be prohibited throughout the City of Malibu. The eradication of invasive plant species or habitat restoration shall consider first the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls. Herbicides may be selected only after all other non-chemical methods have been exhausted. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and use for a limited time.

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Water Service

68. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve Letter from Los Angeles County Waterworks District No. 29 to the Planning Department indicating the ability of the property to receive adequate water service.

Construction / Framing

69. A construction staging plan shall be reviewed and approved by the Building Official prior to plan check submittal.

70. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.

71. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.

72. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
    a. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
    b. Grading activities shall be planned during the southern California dry season (April through October).
    c. During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize surface water contamination.
    d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

70. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the finished ground level elevation and the highest roof member elevation. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Department for review and sign off on framing.

Swimming Pool

73. Onsite noise, including that which emanates from swimming pool and air conditioning equipment, shall be limited as described in MMC Chapter 8.24 (Noise).

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74. Pool and air conditioning equipment that will be installed shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall comply with LIP Section 3.5.3(A).

75. All swimming pools shall contain double walled construction with drains and leak detection systems capable of sensing a leak of the inner wall.

76. Pursuant to the Clean Water Act and the Malibu Water Quality Ordinance, discharge of water from a pool / spa is prohibited. Provide information on the plans regarding the type of sanitation proposed for pool.
    a. Ozonization systems are an acceptable alternative to chlorine. The discharge of clear water from ozonization systems is not permitted to the street;
    b. Salt water sanitation is an acceptable alternative to chlorine. The discharge of salt water is not permitted to the street; and
    c. Chlorinated water from pools or spas shall be trucked to a publicly-owned treatment works facility for discharge.

77. The discharge of chlorinated and non-chlorinated pool / spa water into streets, storm drains, creeks, canyons, drainage channels, or other locations where it could enter receiving waters is prohibited.

78. A sign stating "It is illegal to discharge pool, spa, or water feature waters to a street, drainage course, or storm drain per MMC Section 13.04.060(D)(5)" shall be posted in the filtration and/or pumping equipment area for the property.

Fencing and Walls

79. The applicant shall include an elevation of the proposed electronic driveway gate on the architectural plans that are submitted for building plan check. The gate and all fencing along the front property line shall comply with the regulations set forth in LIP Section 3.5.

80. The height of fences and walls shall comply with LIP Section 3.5.3(A). No retaining wall shall exceed six feet in height or 12 feet in height for a combination of two or more walls.

81. Fencing or walls enclosing more than one-half acre that do not permit the free passage of wildlife shall be prohibited.

Fixed Conditions

82. This CDP runs with the land and binds all future owners of the property.

83. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted thereunder.

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SECTION 6. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of August 2020.

_____
JEFFREY JENNINGS, Planning Commission Chair

ATTEST:

_____
KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeals shall be emailed to psalazar@malibucity.org and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal online, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 20-51 was passed and adopted by the Planning Commission of the City of Malibu at the special meeting held on the 3rd day of August 2020 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
KATHLEEN STECKO, Recording Secretary

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CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 19-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT DOES NOT APPLY TO THE PROJECT, AND DENYING COASTAL DEVELOPMENT PERMIT NO. 17-043 TO CONSTRUCT A NEW 7,715 SQUARE FOOT, TWO-STORY SINGLE-FAMILY RESIDENCE WITH A 966 SQUARE FOOT ATTACHED GARAGE, A 345 SQUARE FOOT LOGGIA ON THE FIRST FLOOR, A 333 SQUARE FOOT LOGGIA ON THE SECOND FLOOR, SWIMMING POOL, POOL EQUIPMENT, PERIMETER WALLS, LANDSCAPING, HARDSCAPING AND GRADING, AND THE INSTALLATION OF A NEW ONSITE WASTEWATER TREATMENT SYSTEM, INCLUDING DEMOLITION PERMIT NO. 17-013 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT AND SITE PLAN REVIEW NO. 17-014 FOR CONSTRUCTION IN EXCESS OF 18 FEET IN HEIGHT UP TO 28 FEET, LOCATED IN THE RURAL RESIDENTIAL-ONE ACRE ZONING DISTRICT 29043 GRAYFOX STREET (ATWILL)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On March 30, 2017, an application for Administrative Coastal Development Permit (ACDP) No. 17-043 was submitted to the Planning Department by applicant, Schmitz and Associates, Inc., on behalf of the property owner, John and Tatiana Atwill. The application was routed to City Biologist, City geotechnical staff, City Public Works Department, and City Environmental Health Administrator, and the Los Angeles County Fire Department (LACFD) for review.

B. On April 6, 2018, Planning Department staff determined the application qualified to be processed administratively pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.13.1.

C. On June 13, 2018, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On June 20, 2018, Planning Department staff conducted a site visit to inspect the installed story poles representing the location, height and bulk of the proposed building.

E. On October 2, 2018, the Planning Director approved ACDP No. 17-043, inclusive of Site Plan Review (SPR) No. 17-014 and Demolition Permit (DP) No. 17-013. The ACDP was reported to the Planning Commission at its October 3, 2018, Adjourned Regular Planning Commission meeting. The Planning Commission voted for the item to be brought back for full public hearing and the application was converted into a regular Coastal Development Permit (CDP).

F. On October 11, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

G. On November 5, 2018, the Planning Commission continued the item to the December 3, 2018 Regular Planning Commission meeting.

H. On November 27, 2018, the December 3, 2018 regularly scheduled meeting of the Planning Commission was cancelled due to the Woolsey Fire.

I. On December 20, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

J. On January 10, 2019, the Planning Commission continued the item to the January 22, 2019 Regular Planning Commission meeting.

K. On January 22, 2019, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. At the conclusion of the public hearing the Commission directed staff to return with an updated resolution denying the project as it could not make the required findings and the project would adversely affect neighborhood character.

L. On February 19, 2019, the Planning Commission reviewed and adopted Resolution 19-03.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. Pursuant to CEQA Guidelines Section 15270, CEQA does not apply to projects which a public agency rejects or disapproves.

SECTION 3. Coastal Development Permit Findings for Denial.

Based on substantial evidence contained within the record and pursuant to Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Sections 13.7(B) and 13.9, the Planning Commission adopts the findings of fact below and denies CDP No. 17-043, SPR No. 17-014, and DP No. 17-013 to construct a new two-story, single-family residence with an attached garage, swimming pool, associated development, and new onsite wastewater treatment system, including SPR No. 17-014 for construction in excess of 18 feet in height up to 28 feet for a pitched roof, and DP No. 17-013 for the demolition of the existing single-family residence and associated development, located in the Rural Residential-One Acre (RR-1) zoning district at 29043 Grayfox Street.

The project, as proposed, has been determined not to be consistent with all applicable LCP and Malibu Municipal Code (MMC), codes, standards, goals, and policies. The size, bulk and mass of the proposed two-story, single-family residence adversely affects neighborhood character contrary to the requirements of LIP Section 13.27.5 for construction in excess of 18 feet in height. The required findings for denial of the CDP and site plan review request for construction in excess of 18 feet in height are made herein.

A. General Coastal Development Permit (LIP Chapter 13.9)

Finding (A) cannot be made. The project exceeds the 18 foot height limit of LIP Section 3.6(E) without a site plan review, and therefore does not conform to the LCP. As designed, the proposed project does not meet all applicable residential development standards and policies of the LCP.

B. Site Plan Review Findings to Allow for Construction in Excess of 18 feet in Height (LIP Section 13.27.5(A))

Finding (2) cannot be made. A site plan review for height above 18 feet may only be granted when a project does not adversely affect neighborhood character. Based on careful review of the materials and all the information in the record, the location and character of the project, including the size, bulk and height of the proposed residence is significantly larger than, and not compatible with, the existing development in the vicinity, and would adversely affect the rural residential neighborhood character. The project is not consistent with the LCP.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby denies CDP No. 17-043, SPR No. 17-014, and DP No. 17-013.

SECTION 5. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 19th day of February 2019.

STEVE UHRING, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, ext. 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 19-03 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting held on the 19th day of February 2019 by the following vote:

AYES:	5	Commissioners:	Hill, Marx, Mazza, Jennings, Uhring
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		

KATHLEEN STECKO, Recording Secretary

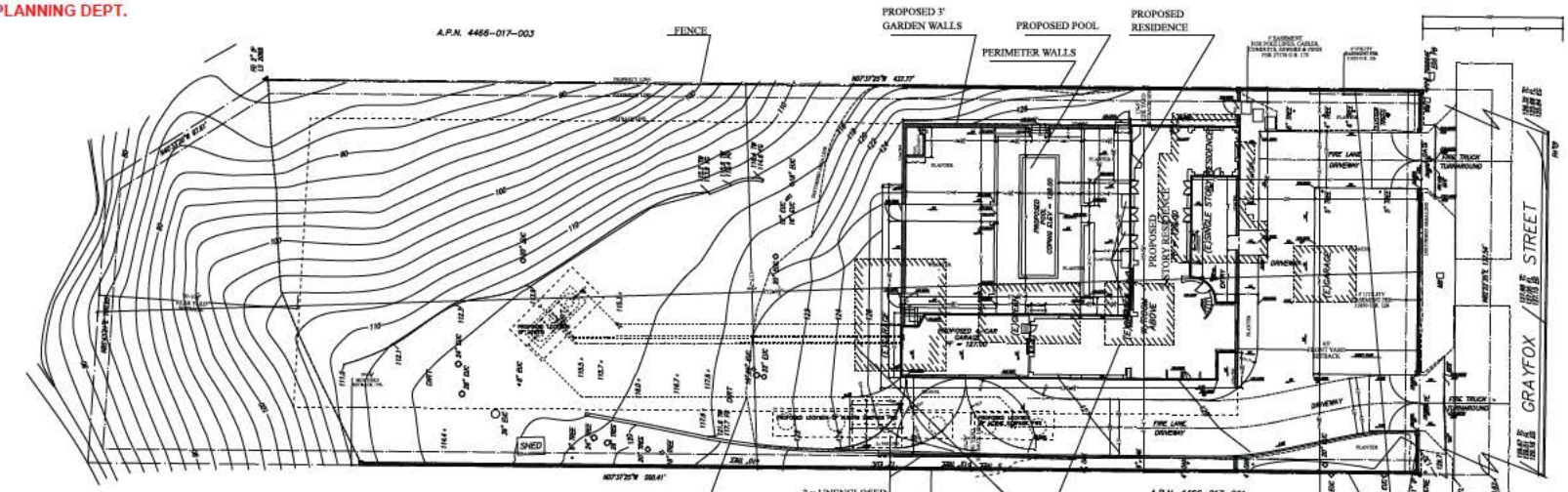
Property Address	Second Story Square Footage (Sq Ft.)
29043 Grayfox	620
29033 Grayfox	674
28975 Grayfox	0
29055 Grayfox	0
29075 Grayfox	1896
29089 Grayfox	0
6900 Grasswood	1145
6924 Grasswood	0
6934 Grasswood	1340
6938 Grasswood	1520
6936 Fernhill	1200
6902 Fernhill	0
6944 Fernhill	0
6851 Fernhill	820
28850 Boniface	0
28872 Boniface	0
28904 Boniface	1026
28910 Boniface	1400
28926 Boniface	0
28936 Boniface	1214
28942 Boniface	1340
28946 Boniface	0
28950 Boniface	1950
Average Second Story Sq Ft	702

Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.	Additional Notes
29043 Grayfox	620	881	
29033 Grayfox	674	674	City of Malibu Staff Report
29075 Grayfox	1,896	4,290	
6900 Grasswood	1,145	2,187	
6934 Grasswood	1,340	2,189	
6938 Grasswood	1,520	2,815	2815 sq ft per building permit; 2164 sq ft per GIS NET 3
6936 Fernhill	1,200	1,547	1547 sq ft per building permit; 1941 sq ft per GIS Net 3
6851 Fernhill	820	1,160	neigbhor filed complaint per COM
28904 Boniface	1,026	1,171	
28910 Boniface	1,400	1,297	
28936 Boniface	1,214	605	
28942 Boniface	1,340	2,695	
28950 Boniface	1,950	2,434	613 sq ft addition to 2nd floor per APR No. 12-062 (9/19/2013)
AVERAGES	**1,242**	**1,842**	

Source:
We conducted the measurement of building footprints using LARIAC 2017 aerial and ESRI 2018 aerial.
Several properties had building permits and City of Malibu Staff Report with calculated 2nd story sq ft.

RECEIVED
JULY 17, 2020
PLANNING DEPT.

NEW, 2-STORY SINGLE FAMILY DWELLING AT:
29043 GRAYFOX STREET
MALIBU, CA 90265



LEGEND

CAB	CABLE TV	INV.	INVERT
C.B.	CATCH BASIN	P.P.	POWER POLE
EDS.	EDISON	SDMH	STORM DRAIN MANHOLE
F.F.	FINISH FLOOR	SSMH	SANITARY SEWER MANHOLE
F.G.	FINISH GRADE	T.C.	TOP CURB
F.H.	FIRE HYDRANT	TEL.	TELEPHONE
F.L.	FLOW LINE	T.G.	TOP GRATE
F.S.	FINISH SURFACE	T.W.	TOP WALL
H.P.	HIGH POINT	W.M.	WATER METER
		W.V.	WATER VALVE
		(00.0)	SPOT ELEVATION
		00.0	DESIGN ELEVATION

BOUNDARY LINE
EASEMENTS
CENTER LINE
FENCE
DISTURBED AREA LINE
PERIMETER WALLS

PROPOSED RESIDENCE
PROPOSED WALLS
EXISTING TO BE DEMOLISHED

CONCRETE STEPPING STONES	
GRAVEL DRIVEWAY AND WALKWAYS	8,650 SF
HOUSE FOOTPRINT	4,641 SF
FRONT COURTYARD	652 SF
REAR COURTYARD	3,275 SF
POOL EQUIPMENT	69 SF
TOTAL IMPERMEABLE AREA	**8,637 SF**

PLOT PLAN
SCALE 1/20"=1'-0"

SHEET INDEX

ARCHITECTURAL

A0 TITLE SHEET & PLOT PLAN
A0a IMPERMEABLE AREA
A1 FIRST & SECOND FLOOR PLANS
A1a 2/3 RULE COMPLIANCE DIAGRAM
A2 ROOF PLAN
A3 ELEVATIONS
A4 SECTIONS & FRONT WALL & GATES

CIVIL

TOPOGRAPHY
SLOPE STUDY
C1 GRADING PLAN COVER SHEET
C2 KEY MAP & CONSTRUCTION NOTES
C3 GRADING PLAN
C4 GRADING PLAN DETAILS
C5 GRADING PLAN DETAILS
C6 SWPPP / WWECP PLAN COVER SHEET
C7 SWPPP / WWECP PLAN
C8 WWECP / LSWPP PLAN DETAILS

DIRECTORY

OWNER:
John Atwill
15600 New Century Drive
Gardena, CA 90248

ARCHITECT:
Michael Burch, AIA
5357 Alta Canyada Rd
La Canada Flintridge, CA 91011
(323) 254-4277
(818) 952-2399 fax

CIVIL ENGINEER:
PEAK SURVEYS, INC.
2488 Townsgate Road Suite D
Westlake Village, CA 91361
www.peakinc.com
(805) 497-0102
(805) 495-7014 fax

SCOPE OF WORK

1 - DEMO EXISTING RESIDENCE AND ALL EXISTING STRUCTURES

2 - PROPOSED NEW 2-STORY RESIDENCE

3 - PROPOSED NEW POOL

4 - NEW GARDEN WALLS

5 - NEW PERIMETER WALLS

SETBACK CALCULATIONS

FRONT AND REAR YARD SETBACK:
FRONT: 20% X 472.8' = 94.6 (65.0' MAX)
REAR: 15% X 472.8' = 70.9'
SIDE YARD SETBACK:
25% X 137.6'= 34.4' (10% MIN ONE SIDE) = 13.8'

GENERAL INFORMATION OF PROPERTY & LEGAL DESCRIPTION OF PROPERTY

OWNER:
John Atwill
15600 New Century Drive
Gardena, CA 90248

Address: 29043 GRAYFOX STREET
MALIBU, CA 90265

APN: 4466 017 002

Legal Description:
PORTION OF PARCEL 28, RECORD OF SURVEYS
FILED IN RS 57/9-10, DESCRIBED IN A DEED
RECORDED AS 201 40622876.

THOMAS BROTHERS GRID	*E3-667*
ASSESSOR PARCEL NO. (APN)	*4466-017-002*
	RR-1
ZONE DESIGNATION	*RURAL RESIDENTIAL-1 ACRE*
PARCEL/LOT AREA	*63,831 NET (MINUS STREET) CALCULATED*
LOCAL COASTAL PROGRAM	*HTTP://QCODE.US/CODES/MALIBU-COASTAL*
MALIBU MUNICIPAL CODE	*HTTP://QCODE.US/CODES/MALIBU/*

RESIDENTIAL FLOOR AREA ANALYSIS TOTAL DEVELOPMENT SQUARE FOOTAGE

1-st Floor	3,245.0 SF
Garage	966.0 SF
Loggia	345.0 SF
TOTAL 1-st FLOOR	**4,556.0 SF**
2-nd Floor	1,615.0 SF
Upper Tower	225.0 SF
TOTAL 2-nd FLOOR	**1,840.0 SF**
TOTAL HOUSE	**6,396.0 SF**
2-nd Floor Loggia	312.0 SF
2-nd Floor DeckDeck	292.0 SF
Gross Area	67,270 SF
Net Area	63,831 SF
Existing Impermeable (All to be Demolished)	6,402 SF
Allowable Impermeable	19,149 SF
Proposed Impermeable	**8,637 SF**
Maximum Allowable Square Footage	8,047 SF
Proposed Square Footage	**6,396.0 SF**

Proposed Maximum Bldg. Height - 28 Feet
Enclosed Parking Spaces - 4
Unenclosed Parking Spaces - 2

VICINITY MAP
N.T.S.

Revisions

Michael Burch
ARCHITECTS
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www.michaelburcharchitects.com

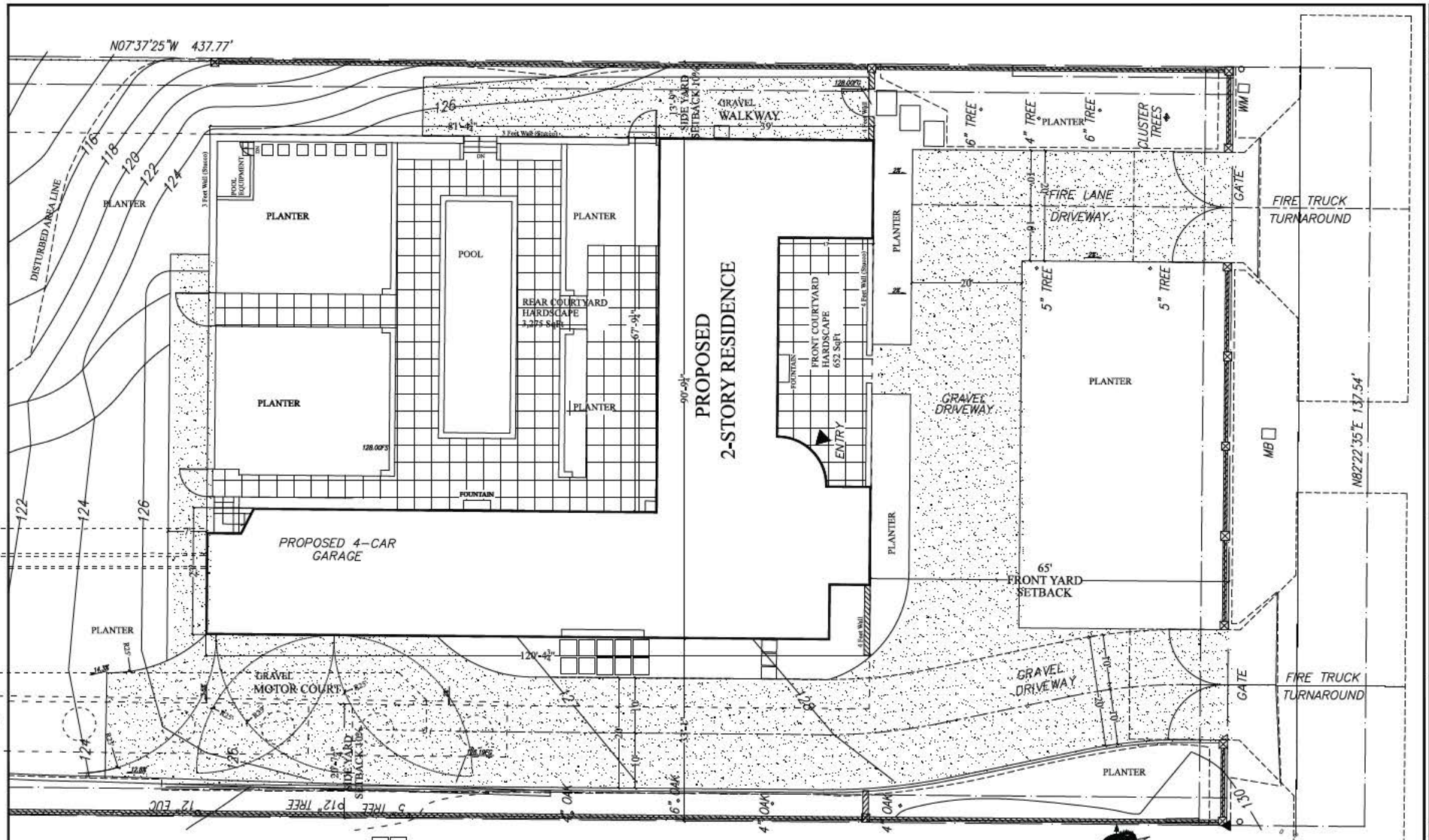
ATWILL RESIDENCE
29043 Grayfox Street
Malibu, CA 90265

COVER SHEET & PLOT PLAN

Date: December 11, 2018
Scale: 1/30"=1'-0"
Drawn by: AJ
Job: 2403

A0

ATTACHMENT 5



EXISTING IMPERMEABLE	6,402 SF
ALLOWABLE IMPERMEABLE (63,831 SF x 30% = 19,149 SF)	19,149 SF

CONCRETE STEPPING STONES	
GRAVEL DRIVEWAY AND WALKWAYS	8,650 SF
HOUSE FOOTPRINT	4,641 SF
FRONT COURTYARD	652 SF
REAR COURTYARD	3,275 SF
POOL EQUIPMENT	69 SF
TOTAL IMPERMEABLE AREA	**8,637 SF**

A.P.N. 4466-017-001

IMPERMEABLE COVERAGE SHEET

SCALE $\frac{1}{8}$"=1'-0"

Revisions

May 04, 2017	
July 06, 2017	
September 19, 2018	
February 05, 2020	3

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ATWILL RESIDENCE
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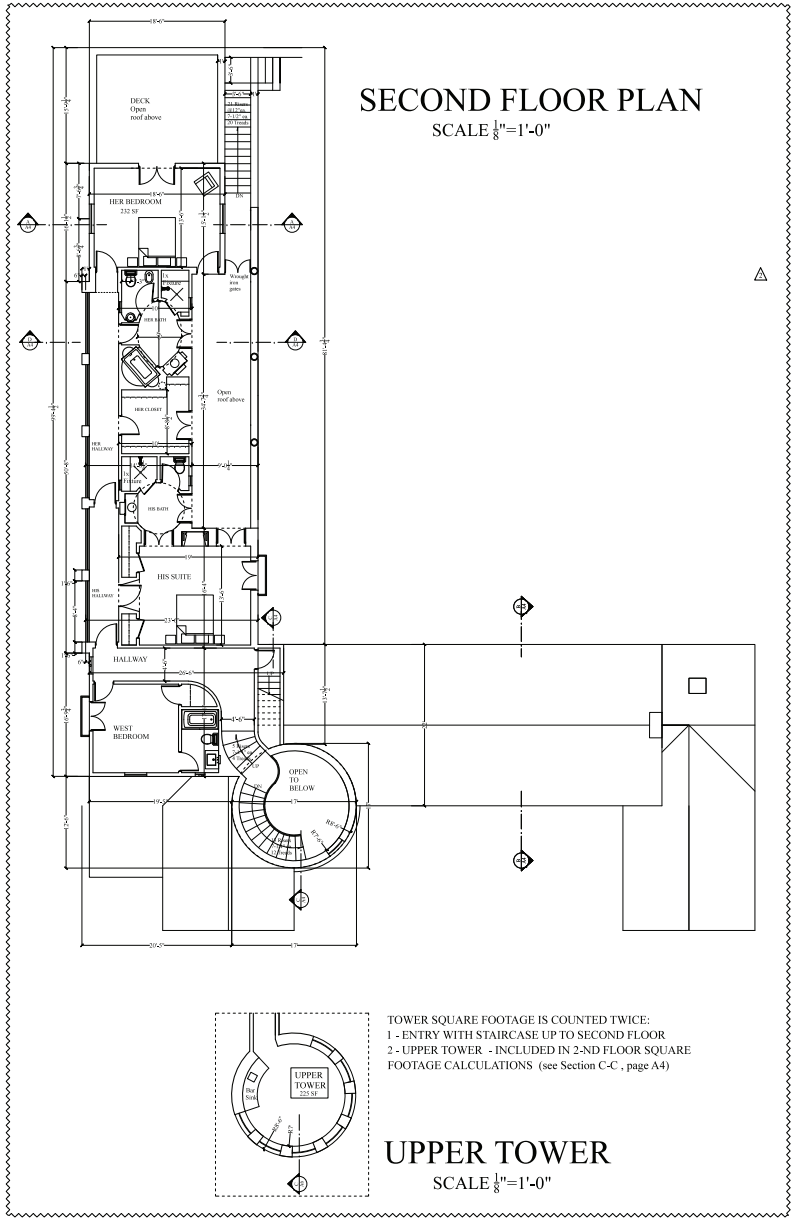
IMPERMEABLE COVERAGE SHEET

Date December 11, 2016
Scale 1/8"=1'-0"
Drawn by A.B.
Job Atwill

A0a



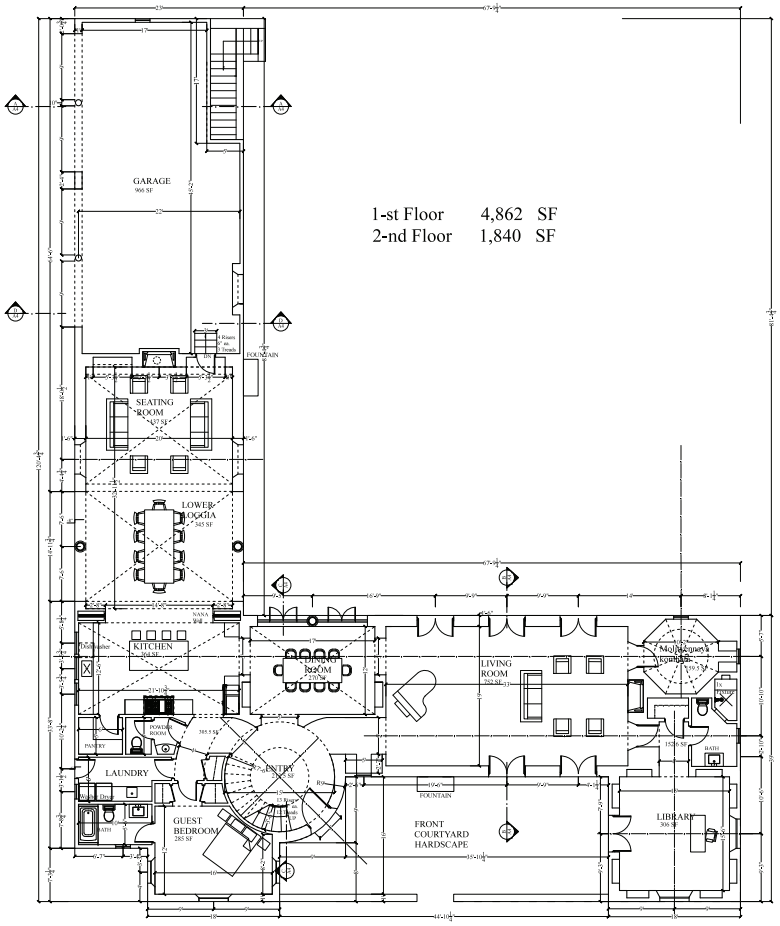
SECOND FLOOR PLAN

SCALE $\frac{1}{8}$"=1'-0"

TOWER SQUARE FOOTAGE IS COUNTED TWICE:
1 - ENTRY WITH STAIRCASE UP TO SECOND FLOOR
2 - UPPER TOWER - INCLUDED IN 2-ND FLOOR SQUARE FOOTAGE CALCULATIONS (see Section C-C , page A4)

UPPER TOWER

SCALE $\frac{1}{8}$"=1'-0"



1-st Floor 4,862 SF
2-nd Floor 1,840 SF

FIRST FLOOR PLAN

SCALE $\frac{1}{8}$"=1'-0"

Revisions

September 03, 2018	
November 06, 2018	1
February 03, 2020	2

THE ABOVE DRAWINGS AND SPECIFICATIONS AND IDEAS, DESIGNS AND ARRANGEMENTS REPRESENTED THEREBY ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND NO PART THEREOF SHALL BE USED FOR ANY PURPOSE NOT SPECIFICALLY ASSIGNED TO THE ARCHITECT HEREUNDER. THESE DRAWINGS AND SPECIFICATIONS CONSTITUTE ORIGINAL, UNPUBLISHED WORK OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT, PROVIDED HEREUNDER IN SPECIFIC INSTANCES. THESE DRAWINGS CONSTITUTE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.
SHOP DRAWINGS, PRODUCT DATA, SAMPLES AND SIMILAR SUBMITTALS OVER WHICH THE ARCHITECT CONSTITUTES OWNERSHIP OF THE DESIGN SHALL NOT BE REPRODUCED OR DISTRIBUTED. THE CONTRACTOR SHALL VERIFY, AND BE RESPONSIBLE FOR, ALL DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL REPORT ALL ERRORS, OMISSIONS AND CONFLICTS TO THE ARCHITECT BEFORE PROCEEDING. ANY WORK DONE BY THESE DRAWINGS MUST BE SUBMITTED TO THE OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION.

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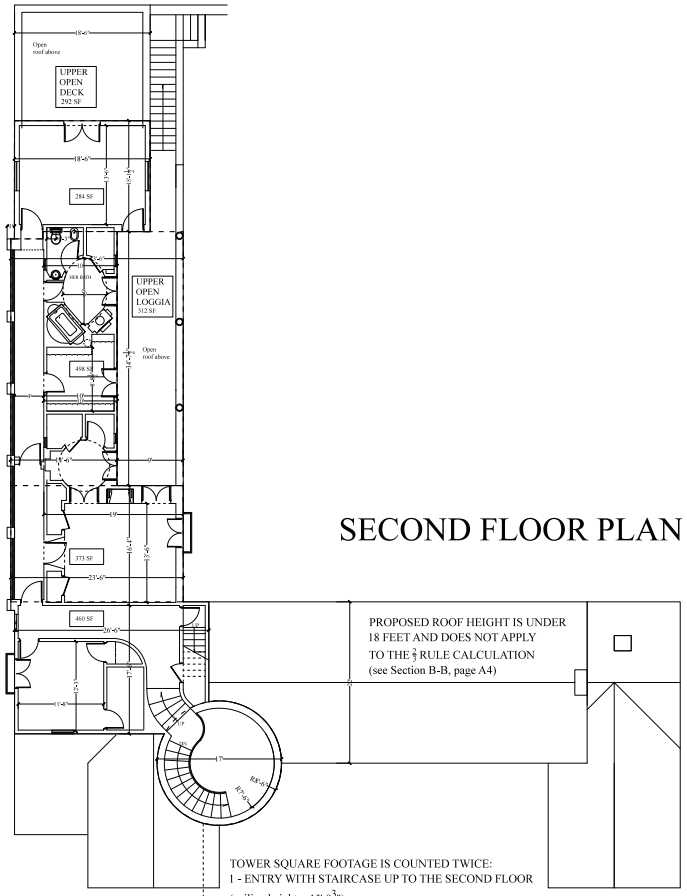
ATWILL RESIDENCE
29043 Gray fox Street
Malibu, CA 90265

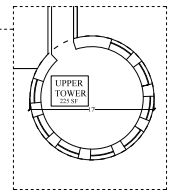
FIRST & SECOND FLOOR PLAN

Date December 11, 2016
Scale 1/8"=1'-0"
Drawn by A.K.
Job Atwill

A1

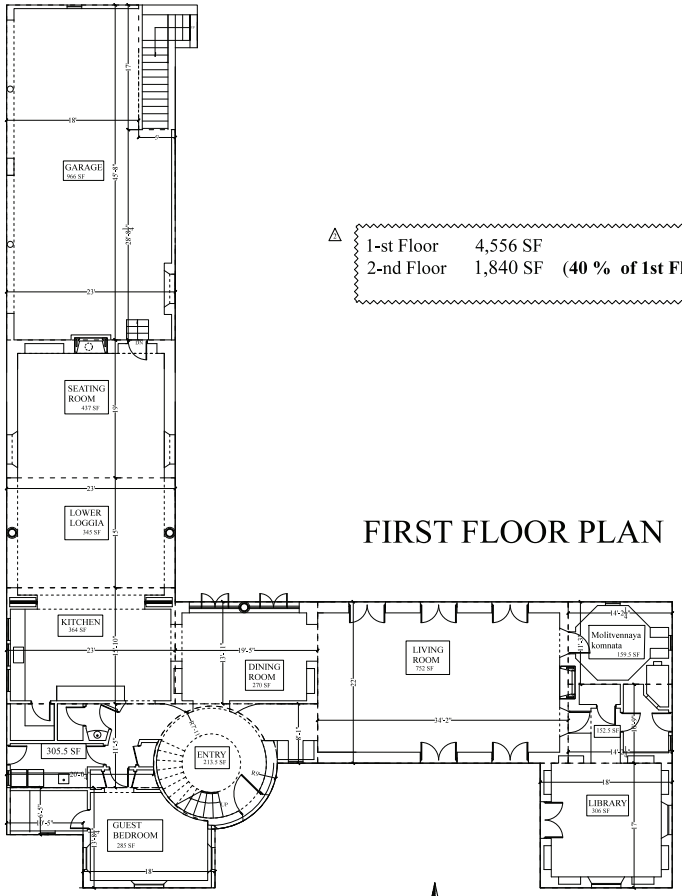


SECOND FLOOR PLAN



UPPER TOWER

SCALE 1/8"=1'-0"



1-st Floor 4,556 SF
2-nd Floor 1,840 SF (**40 % of 1st Floor**)

FIRST FLOOR PLAN

2/3 RULE COMPLIANCE DIAGRAM

SCALE 1/8"=1'-0"

Revisions	
September 03, 2018	
November 06, 2018	1
February 03, 2020	2

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ANY OPTIONS OR ALTERNATIVES PRESENTED ON THESE DRAWINGS AND SPECIFICATIONS OVER AND ABOVE WHAT CONSTITUTES SHALL VERIFY, AND BE RESPONSIBLE FOR, ALL DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL NOTIFY THE ARCHITECT OF ANY VARIATIONS THEREFROM ARE ASSUMED TO BE KNOWN BY THESE DRAWINGS. SHOP DETAILS MUST BE SUBMITTED TO THE OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION.

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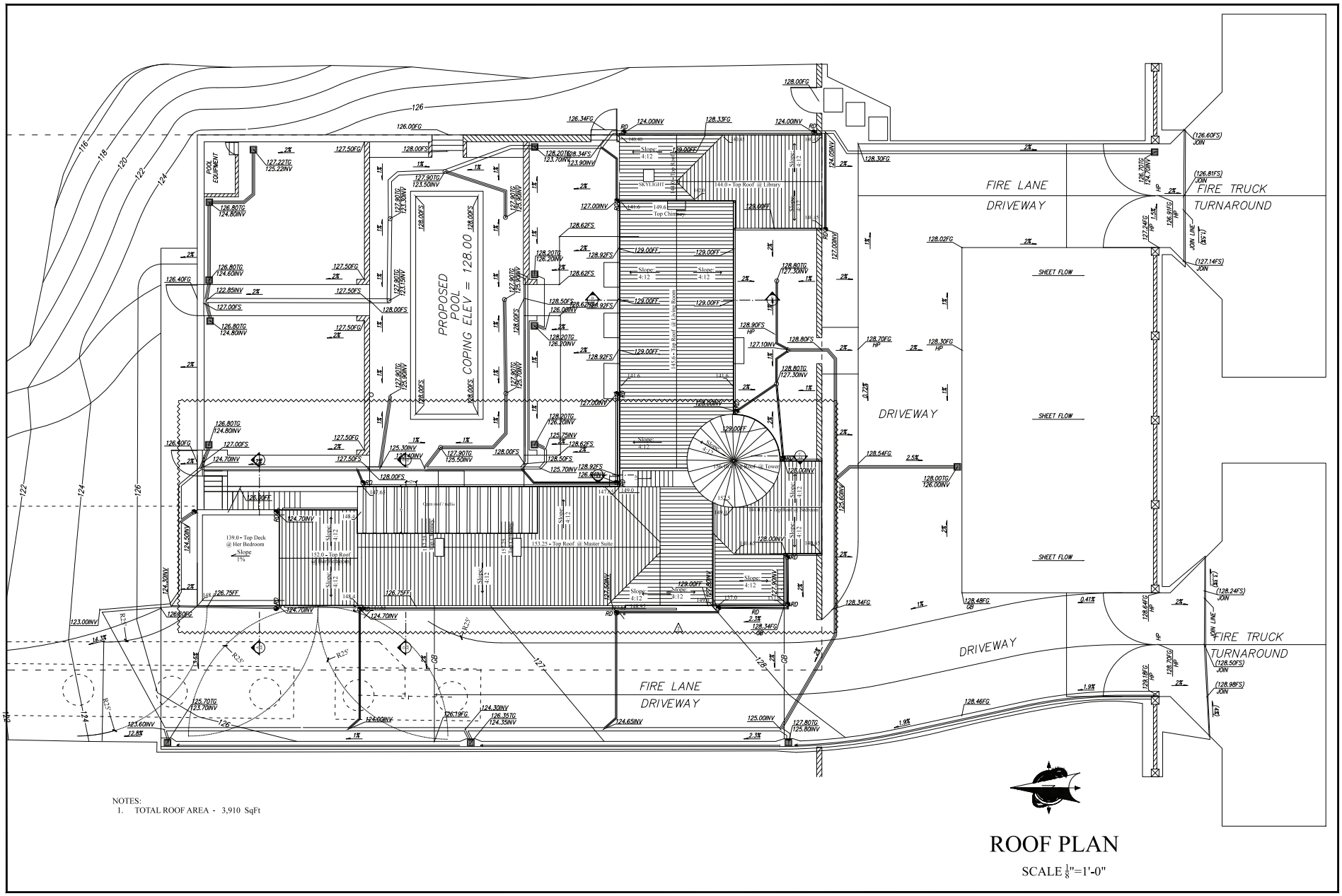
ATWILL RESIDENCE
29043 Grayfox Street
Malibu, CA 90265

2/3 RULE COMPLIANCE DIAGRAM

Date December 11, 2016
Scale 1/8"=1'-0"
Drawn by A.K.
Job Atwill

A1a



NOTES:
1. TOTAL ROOF AREA - 3,910 SqFt

ROOF PLAN

SCALE $\frac{1}{8}$"=1'-0"

Revisions	
May 04, 2017	
May 08, 2018	
November 06, 2018	1
February 03, 2020	2

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THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. SUBCONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. THE ARCHITECT SHALL BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. SHOP DETAILS MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION.

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ATWILL RESIDENCE
29043 Gray fox Street
Malibu, CA 90265

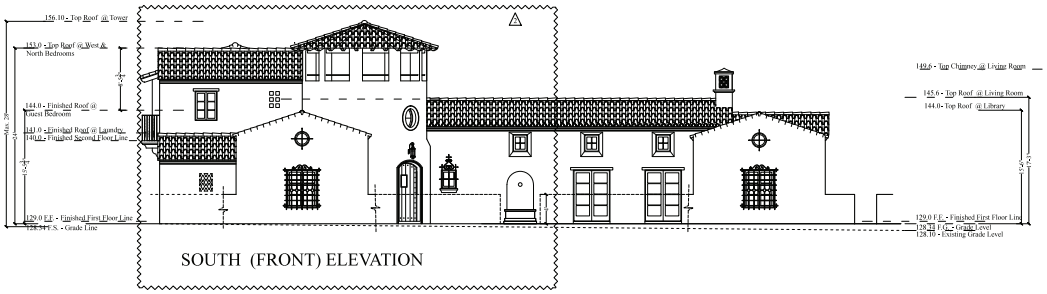
ROOF PLAN

Date: December 11, 2016
Scale: 1/8"=1'-0"
Drawn by: A.K.
Job: Atwill

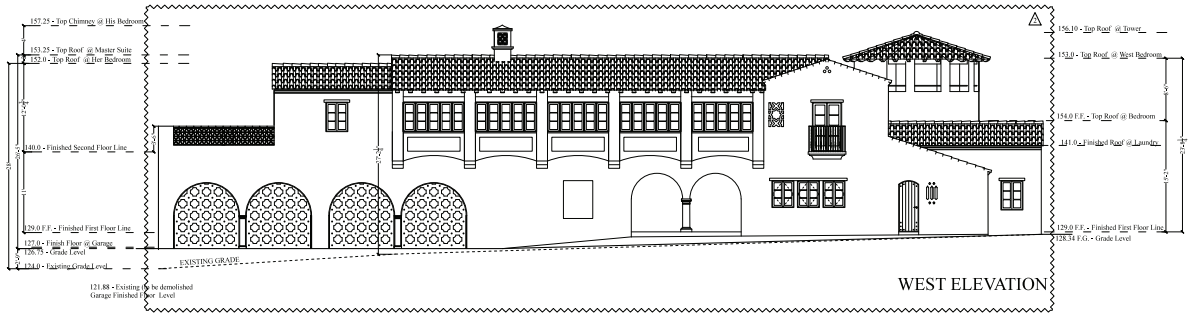
A2

ELEVATIONS

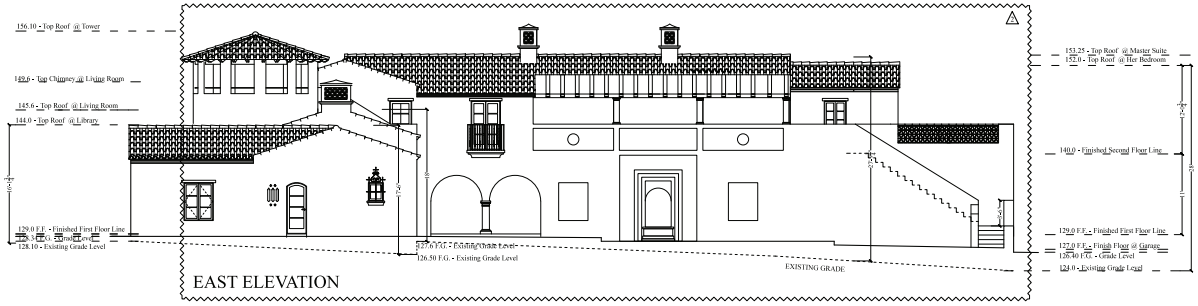
SCALE $\frac{1}{8}$"=1'-0"



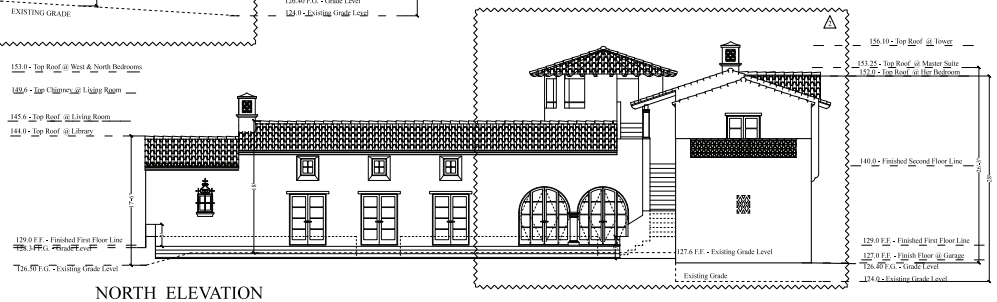
SOUTH (FRONT) ELEVATION



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

Revisions

May 04, 2017	
November 06, 2017	1
February 03, 2020	2

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OWNER AND CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS OVER BLACK FIRMS WORK CONSTRUCTION SHALL VERIFY, AND BE RESPONSIBLE FOR, ALL DIMENSIONS AND CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK. ANY DEVIATION FROM THE DRAWINGS AND SPECIFICATIONS WITHOUT PRIOR WRITTEN APPROVAL BY THESE DRAWINGS SHOP DETAILS MUST BE SUBMITTED TO THE ARCHITECT FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION.

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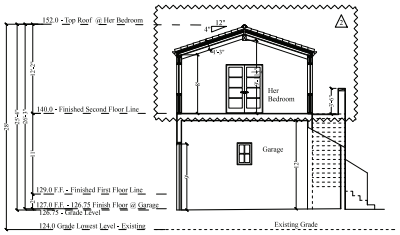
www.michaelburcharchitects.com

ATWILL RESIDENCE
29043 Grayfox Street
Malibu, CA 90265

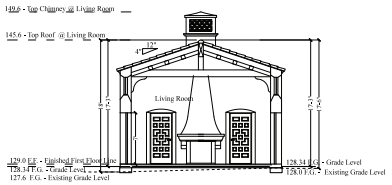
ELEVATIONS

Date December 11, 2016
Scale 1/8"=1'-0"
Drawn by A.K.
Job Atwill

A3



SECTION A-A



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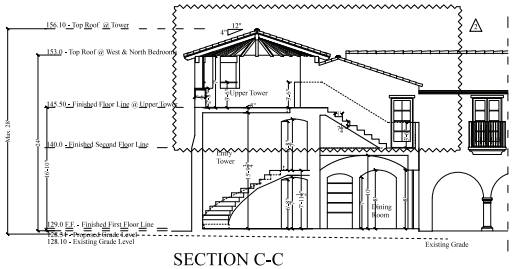
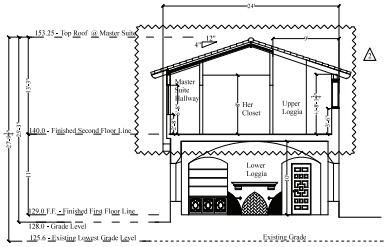


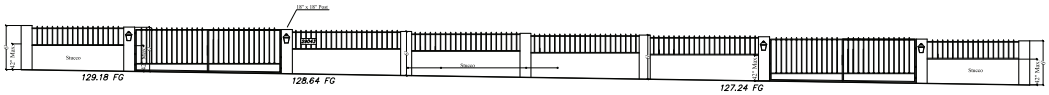
SECTION C-C

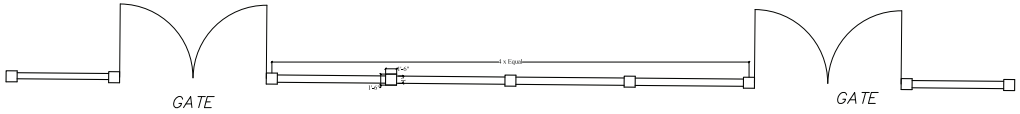


SECTION D-D

NOTE:

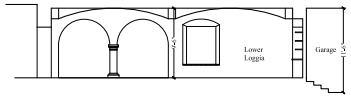
No portion of the solid wall will exceed a height of 42"





FRONT WALL & GATES

SCALE $\frac{1}{8}$"=1'-0"



LOWER LOGGIA

SECTIONS

SCALE $\frac{1}{8}$"=1'-0"

Revisions	
September 03, 2018	
November 06, 2018	1

THE ABOVE DRAWINGS AND SPECIFICATIONS AND IDEAS, DESIGNS AND ARRANGEMENTS REPRESENTED THEREBY ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND NO OTHER THEREOF SHALL BE USED FOR ANY OTHER PURPOSE EXCEPT AS SPECIFICALLY AGREED TO IN WRITING BY THE ARCHITECT. THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED AND TO BE RETURNED TO THE ARCHITECT UPON REQUEST. THEY CONSTITUTE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.
CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. CONSTRUCTORS SHALL VERIFY, AND BE RESPONSIBLE FOR, ALL DIMENSIONS AND CONDITIONS ON THE JOB. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH WORK. ANY WORK PERFORMED BY THESE DRAWINGS, SHOP DETAILS MUST BE SUBMITTED TO THE ARCHITECT FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION.

Michael Burch
ARCHITECTS
5357 Alta Canyada Road, La Canada, CA 91011
(323) 254-4277, (818) 952-2399 fax
www.michaelburcharchitects.com

ATWILL RESIDENCE
29043 Grayfox Street
Malibu, CA 90265

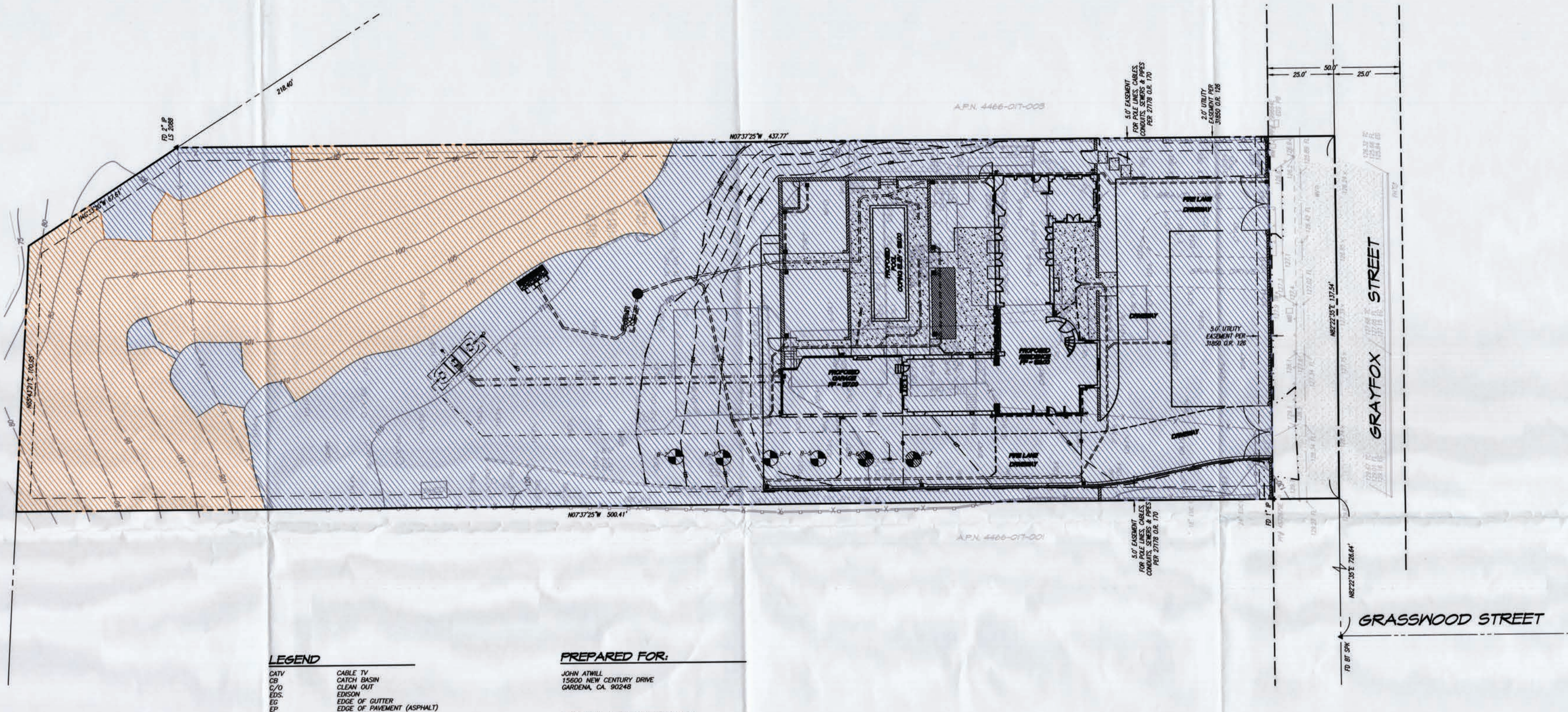
SECTIONS & FRONT WALL

Date: December 11, 2016
Scale: 1/8"=1'-0"
Drawn by: A.K.
Job: Atwill

A4

ATTACHMENT 2

58



LEGEND

CATV	CABLE TV
CB	CATCH BASIN
C/O	CLEAN OUT
EDS.	EDISON
EG	EDGE OF GUTTER
EP	EDGE OF PAVEMENT (ASPHALT)
FF	FINISH FLOOR
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FS	FINISH SURFACE
GM	GAS METER
GV	GAS VALVE
HP	HIGH POINT
ICV	IRRIGATION CONTROL VALVE
INV	INVERT
MB	MAIL BOX
O/S	OFF SET
PB	PULL BOX
P/L	PROPERTY LINE
PP	POWER POLE
RL	ROOF LINE
SCO	SEWER CLEAN OUT
SDMH	STORM DRAIN MANHOLE
SSMH	SANITARY SEWER MANHOLE
STLT	STREET LIGHT
TB	TOP BERM
TC	TOP CURB
TEL	TELEPHONE
TG	TOP GRATE
TW	TOP WALL
WM	WATER METER
WV	WATER VALVE
0x00	SPOT ELEVATION
	BOUNDARY LINE
	CENTER LINE
	FLOW LINE
	RETAINING WALL
	BLOCK WALL
	RAILROAD TIE RETAINING WALL
	CHAIN LINK FENCE
	WOOD FENCE

PLANNING PROFILE INFORMATION:

THOMAS BROTHERS GRID	E3-667
ASSESSOR PARCEL NO. (APN)	4466-017-002
ZONE	RR-1
ZONE DESIGNATION	RURAL RESIDENTIAL-1 ACRE
PARCEL/LOT AREA	63,831 NET (MINUS STREET) CALCULATED
LOCAL COASTAL PROGRAM	HTTP://QCODE.US/CODES/MALIBU-COASTAL
MALIBU MUNICIPAL CODE	HTTP://QCODE.US/CODES/MALIBU/

MORE INFORMATION AT HTTP://WWW.CI.MALIBU.CA.US

ATTENTION: IF, THIS MAP IS PROVIDED IN AN ELECTRONIC FORMAT (ON COMPUTER DISK) AS A COURTESY TO CLIENT. THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. THE SIGNED PAPER PRINT DELIVERED WITH THIS ELECTRONIC FILE CONSTITUTES OUR PROFESSIONAL WORK PRODUCT, AND IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE PRINT MUST BE REFERRED TO, FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. WE SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE, OR FOR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

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ALL RIGHTS RESERVED
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THIS IS NOT A MAP OF A BOUNDARY SURVEY. NO PROPERTY CORNERS HAVE BEEN SET AS PART OF THIS WORK.

SURVEY MONUMENTS FOUND IN THE COURSE OF THIS MAPPING ARE SET BY OTHERS, AND HAVE BEEN USED ONLY AS REFERENCE FOR THE PURPOSE OF TOPOGRAPHICAL MAPPING, WITHOUT OUR VERIFICATION OF THEIR AGREEMENT WITH APPLICABLE LEGAL DESCRIPTIONS AND SENIORITY OF DEEDS.

RELATION OF TOPOGRAPHIC FEATURES (FENCES, WALLS, TREES, POWER POLES, ETC.) TO PROPERTY LINES AS SHOWN ON THIS MAP IS SUBJECT TO THE ADJUSTMENTS THAT A BOUNDARY SURVEY MAY REQUIRE.

PREPARED FOR:

JOHN ATWILL
15600 NEW CENTURY DRIVE
GARDENA, CA. 90248

LEGAL DESCRIPTION

THAT PORTION OF PARCEL 28, RECORD OF SURVEYS FILED IN RS 57/9-10, AS DESCRIBED IN A DEED RECORDED AS 20140622876.

BENCH MARK

BM# Y5433 ELEV=132.549
LACOPW BENCH MALIBU QUAD NAVD88 CS MON IN WELL 43 FT S/O C/L PCH & 315 FT W/O ZUMIREZ DRIVE.

NOTE:

DATE OF SURVEY: NOVEMBER 5, 2015

THIS MAP WAS PREPARED USING TITLE REPORT NO. LA1430869, DATED MAY 9, 2014 AND PREPARED BY EQUITY TITLE CO.

GRAPHIC SCALE 1"=20'
0 20 40 60 80

Slope %		Planimetric area
4:1 & less		45,296 SQ. FT.
4:1 to 1:1		18,535 SQ. FT.
1:1 to greater		0 SQ. FT.
Totals		63,831 SQ. FT.

PROFESSIONAL LAND SURVEYOR GARETH W. CRITES No. 6573 Exp. 9-30-17 STATE OF CALIFORNIA
3/6/17

RECEIVED
MAR 23 2017
PLANNING DEPT.

A.P.N. 4466-017-002

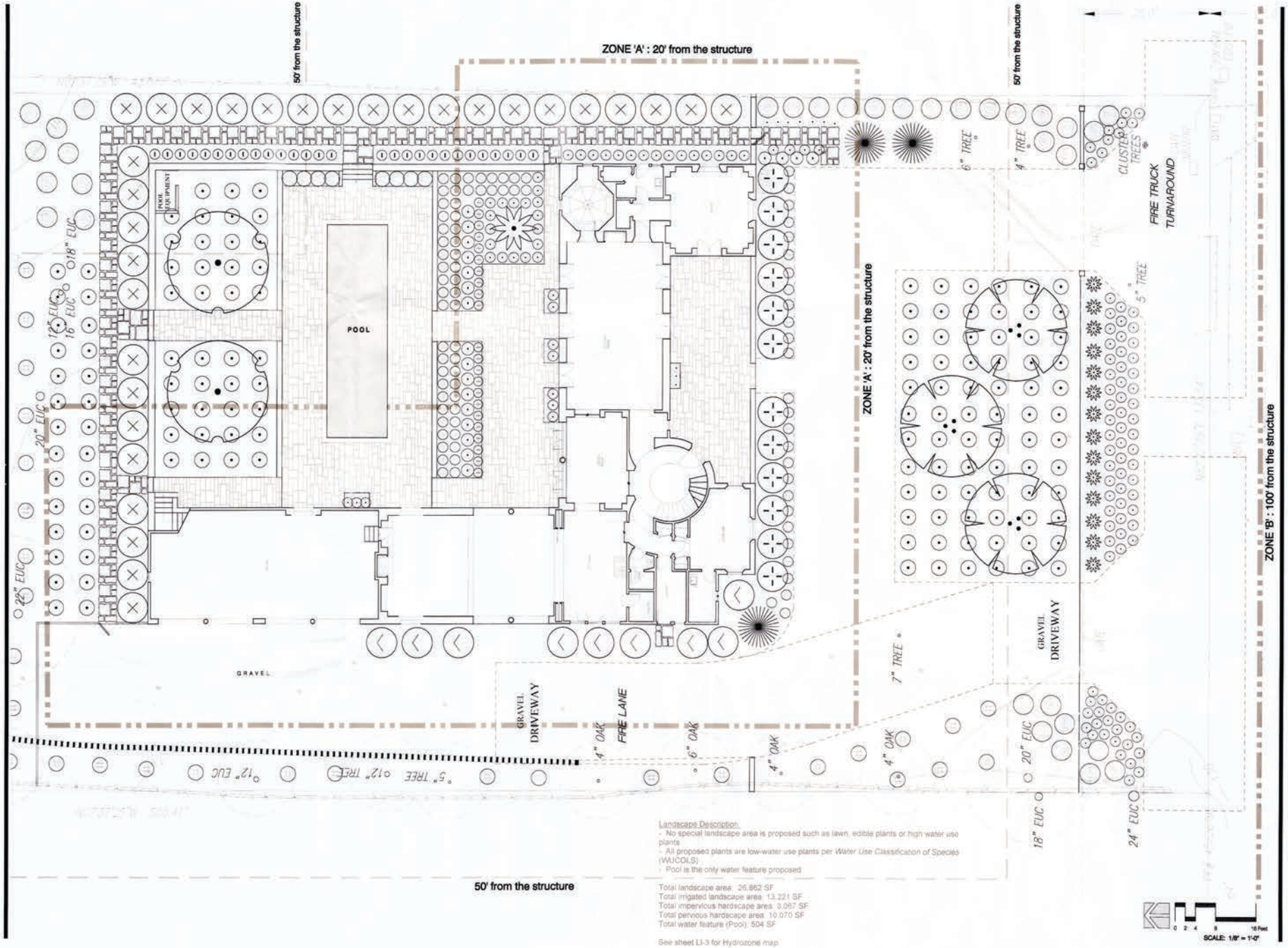
#	REVISIONS	DATE

Prepared by:
PEAK SURVEYS INC.
Since 1976
CIVIL · SURVEY · DESIGN
2488 TOWNSGATE RD, Suite D
WESTLAKE VILLAGE, CA 91361
P: 805.497.0102 F: 805.495.7014
www.peakinc.com

CITY OF MALIBU
SLOPESTUDY
29043 GRAYFOX STREET

DRAWN BY / DATE	CHECKED BY / DATE	SHEET 1 OF 1
CG DECEMBER 2015	DJ 1/28/16	

G:\projects\15-5872\15-5872 01/28/2016


ZONE 'A' : 20' from the structure
50' from the structure
ZONE 'A' : 20' from the structure
ZONE 'B' : 100' from the structure
POOL
POOL EQUIPMENT
GRAVEL
GRAVEL DRIVEWAY
FIRE LANE
FIRE TRUCK TURNAROUND
CLUSTER TREES
6" TREE
4" TREE
5" TREE
7" TREE
4" OAK
6" OAK
20" EUC
18" EUC
24" EUC
22" EUC
20" EUC
18" EUC
16" EUC
12.5" EUC
12" EUC
12" TREE
5" TREE
Landscape Description:
- No special landscape area is proposed such as lawn, edible plants or high water use plants
- All proposed plants are low-water use plants per Water Use Classification of Species (WUCOLS)
- Pool is the only water feature proposed
Total landscape area: 26,862 SF
Total irrigated landscape area: 13,221 SF
Total impervious hardscape area: 3,067 SF
Total pervious hardscape area: 10,070 SF
Total water feature (Pool): 504 SF
See sheet LI-3 for Hydrozone map
SCALE: 1/8" = 1'-0"
Atwill Residence
29043 Grayfox Street
Malibu, CA 90265
A.P.N. 4466-017-002
JLDS
Jason Lee Design Studio, Inc.
LANDSCAPE DESIGN
325 W. 8th Street Suite 506 Los Angeles CA 90014
323 - 404 - 7706 www.JasonLeeDesign.com
Revisions By Date
RECEIVED OCT 03 2017 PLANNING DEPT.
CITY OF MALIBU PLANNING DEPARTMENT CITY BIOLOGIST APPROVAL
Planting Plan
LP-1

Agave deserti
Desert Agave

Westringia fruticosa 'Smokey'
Coast Rosemary

Alyogyne huegelii
Blue Hibiscus

Callistemon 'Little John'
Dwarf Callistemon

Baccharis pilularis 'Pigeon Point'
Dwarf Coyote Brush

Dasylirion longissimum
Mexican Grass Tree

Lavandula stoechas 'Otto Quast'
Spanish Lavender

Salvia clevelandii
Blue Sage

Westringia fruticosa Grey Box
Dwarf Coast Rosemary

Salvia leucophylla
Purple Sage

Ceanothus 'Centennial'
Centennial Ceanothus

Achillea millefolium
Yarrow

Ceanothus g. 'Heart's Desire'
Pt. Reyes Ceanothus

Geranium incanum
Carpet Geranium

Penstemon spectabilis
Royal Penstemon

Cercis occidentalis
Western Redbud

Olea europaea 'Fruitless'
Fruitless Olive

Dietes grandiflora 'Variegata'
Striped Fortnight Lily

Senecio mandraliscae
Kleinia

Fuel Modification Planting Legend:

Fire-Resistant Tree:

	Symbol	Botanical Name	Common Name	Size	Qty	Zone	WaterNeeds (Per Wucols)	Height	Width	
*		Cercis occidentalis	Western Redbud	24" Box	3	A, B-10	L	20'	20'	Std
		Olea europaea 'Fruitless'	Fruitless Olive	24" Box	2	B-15	L	15'-25'	15'-20'	Std

Fire-Resistant Shrub & Perrenials:

		Botanical Name	Common Name	Size	Qty	Zone	Water Needs	Height	Width
*		Agave deserti	Desert Agave	5 gal	14	A,B	VL	2'-0"	3'-0"
		Westringia fruticosa 'Smokey'	Coast Rosemary	1 gal	12	A,B	L	4'-5'	4'-6'
		Alyogyne huegelii	Blue Hibiscus	5 gal	9	A,B-5	L	5'-8'	6'
		Callistemon 'Little John'	Dwarf Callistemon	1 gal	8	A, B-10	L	3'-4'	4'-6'
		Baccharis pilularis 'Pigeon Point'	Dwarf Coyote Brush	1 gal	52	B	L	1'-2'	8'-10'
		Dasylirion longissimum	Mexican Grass Tree	5 gal	3	A, B-10	L	6'-8'	4'-6'
		Dietes grandiflora 'Variegata'	Striped Fortnight Lily	1 gal	25	A,B	L	2'-3'	2'-3'
		Lavandula stoechas 'Otto Quast'	Spanish Lavender	1 gal	20	A,B-10	L	1'-2'	2'-3'
*		Salvia clevelandii	Blue Sage	1 gal	14	A, B	L	4'-0"	5'-0"
		Westringia fruticosa Grey Box ('WESO4') PPAF	Dwarf Coast Rosemary	1 gal	58	A,B	L	2'-3'	2'-3'
*		Salvia leucophylla	Purple Sage	1 gal	32	A,B	L	4'-5'	4'-5'

Fire-Resistant Ground Cover:

		Botanical Name	Common Name	Size	Qty	Zone	Water Needs	Height	Width
		Ceanothus 'Centennial'	Centennial Ceanothus	1 gal	16	A,B	L	12"	4'-6'
*		Achillea millefolium	Yarrow	1 gal	108	A,B	L	12"	1'-2'
*		Ceanothus gloriosus 'Heart's Desire'	Pt. Reyes Ceanothus	1 gal	112	A,B	L	8"	3'-5'
		Geranium incanum	Carpet Geranium	1 gal	124	A,B	L	6"-10"	2'
*		Penstemon spectabilis	Royal Penstemon	1 gal	30	A,B	L	2'-3'	1'-2'
		Senecio mandraliscae	Kleinia	1 gal	26	A,B	L	1'-2'	2'-3'

Note: Plant selection & plant information per *County of Los Angeles Fire Department Fuel Modification Guidelines*

* PROPOSED CALIFORNIA NATIVE PLANTS PLANTED BEYOND 50'-0" FROM STRUCTURE

REFERENCE:
Carol Bornstein, David Fross, Bart O'Brien, 2009 California Native Plants for the Garden, Cachuma Press
Bob Perry, 2010 Landscape Plants for California Gardens, Land Design Publishing
'Native Plants Recommended for Landscaping in the Santa Monica Mountains' as provided by City of Malibu (See Sheet LP-5)

Atwill Residence
29043 Grayfox Street
Malibu, CA 90265
A.P.N. 4466-017-002

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LANDSCAPE DESIGN
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323 - 404 - 7706 www.JasonLeeDesign.com

Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST APPROVAL
DATE: 10/29/17
PLANNING CASE NO. CDP 17-093
SIGNATURE:
PRINT NAME: Rebecca

Planting Legend & Notes

LP-2

NOTE:

1. ALL PLANTS HAVE BEEN SELECTED FROM APPENDIX IV, 'APPROVED PLANT LIST' BY COUNTY OF LOS ANGELES FIRE DEPARTMENT, FUEL MODIFICATION GUIDELINES, JULY 2011
2. ALL PLANTS SHOWN ON LP-1 & LP-2 ARE COMPLY WITH ZONE MATRIX OF APPENDIX IV, 'APPROVED PLANT LIST'
3. OWNER IS RESPONSIBLE FOR REMOVAL OF ALL 'UNDESIRABLE PLANT SPECIES'. (SEE 'ATTACHMENT 2' ON THIS SHEET) WITHIN THE PROPERTY PRIOR & POST CONSTRUCTION.

UNDESIRABLE and INVASIVE PLANT SPECIES

Certain plants are considered to be undesirable and invasive due to their characteristics. These characteristics can be either physical or chemical. Physical properties that would contribute to high flammability include large amounts of dead material retained within the plant, rough or peeling bark, and the production of copious amounts of litter. Chemical properties include the presence of volatile substances such as oils, resins, wax, and pitch. Certain native plants are notorious for containing these volatile substances.

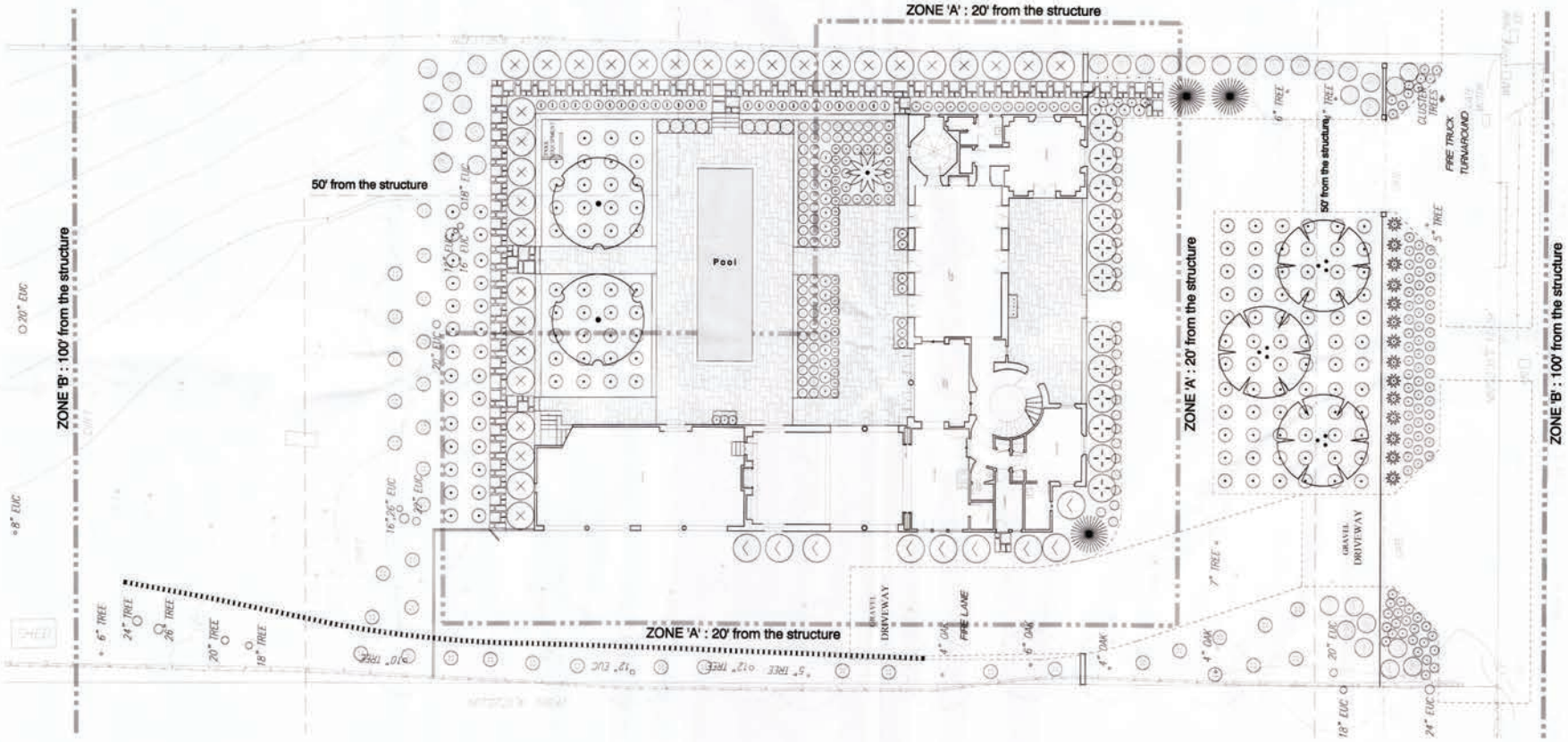
Plants with these characteristics shall not be planted in any fuel modification zones. Should these species already exist within these areas, they shall be removed because of their invasiveness or potential threat they pose to any structures.

PLANT SPECIES (MANDATORY REMOVAL)

Botanical Name	Common Name
Cynara Cardunculus	Artichoke Thistle
Ricinus Communis	Castor Bean Plant
Cirsium Vulgare	Wild Artichoke
Brassica Nigra	Black Mustard
Silybum Marianum	Milk Thistle
Salsola Australis	Russian Thistle/Tumbleweed
Nicotiana Bigelevii	Indian Tobacco
Nicotiana Glauca	Tree Tobacco
Lactuca Serriola	Prickly Lettuce
Conyza Canadensis	Horseweed
Heterotheca Grandiflora	Telegraph Plant
Anthemis Cotula	Mayweed
Urtica Urens	Burning Nettle
Cardaria Draba	Noary Cress, Perennial Peppergrass
Brassica Rapa	Wild Turnip, Yellow Mustard, Field Mustard
Adenostoma Fasciculatum	Chamise
Adenostoma Sparsifolium	Red Shanks
Cortaderia Selloana	Pampas Grass
Artemisia Californica	California Sagebrush
Eriogonum Fasciculatum	Common Buckwheat
Salvia Mellifera	Black Sage

Ornamental:

Cortaderia	Pampas Grass
Cupressus sp	Cypress
Eucalyptus sp	Eucalyptus
Juniperus sp	Juniper
Pinus sp	Pine
Arecaceae (all palm sp)	Palms



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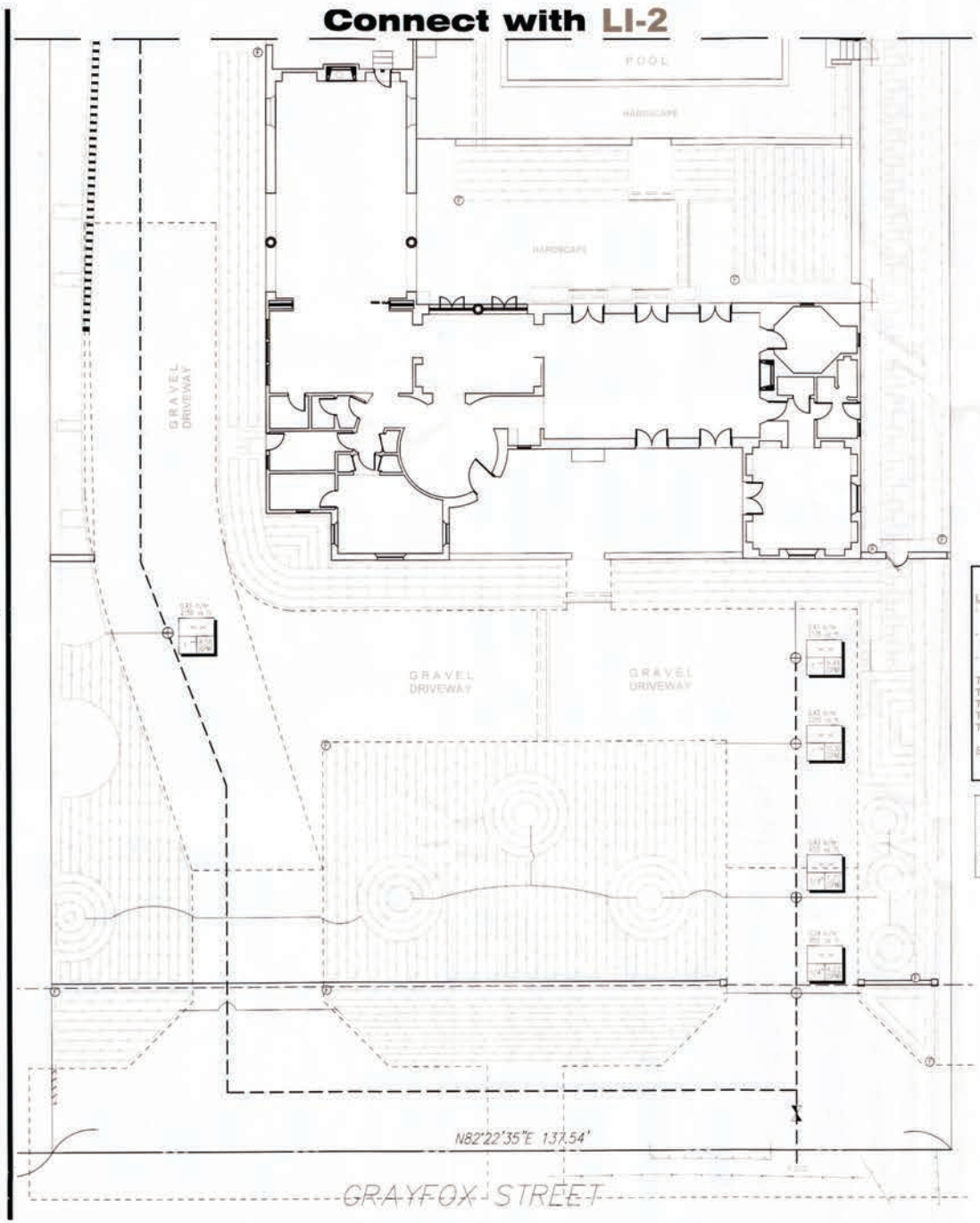
Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST REVIEW
PLANNING CASE NO. 18-17-005
DATE 10/24/17
INITIALS JP

Fuel Modification Plan

LP-3



EQUIPMENT LEGEND

SYMBOL	MANUFACTURER/MODEL #		SIZE	NOTES
⊕	HUNTER PGV-ASV VALVE W/ FILTER & PRESSURE REGULATOR HPR 075-40		3/4"	
●	NETAFIM UP FLUSH VALVE EAF	75-DV	-	-
△ (R)	HUNTER INDUSTRIES PC-400 SMART IRRIGATION CONTROLLER WITH SOLAR SYNC MODULE & SENSOR	PC-4-00	-	
X	NIBCO PLASTIC BALL VALVE	4660-S	1"	
	SCH 40 PVC LATERAL		3/4"	
	NETAFIM TRIQUINE CV - FLOW 1.6		750'	
— — —	SCH 40 PVC MAINLINE		1"	
— · — · —	SCH 40 PVC SLEEVE - DEDICATED FOR ELECTRICAL, LOW VOLTAGE LIGHTING		2"	
	SCH 40 PVC SLEEVE		2 x 1.5"	

(1) LANDSCAPE CONTRACTOR TO COORDINATE ELECTRICAL POWER OUTLET W/ DEVELOPER.
(2) FLUSH VALVE TO BE LOCATED AT THE END OF THE FARTHEST LATERAL LINE RUN.

VALVE/STATION NO.
GPM
VALVE SIZE

P.O.C. INFORMATION:
MAXIMUM DEMAND GPM: 60
STATIC WATER PRESSURE: 80 PSI
WATER METER SIZE: 3/4"
Water Supply Type:
Domestic potable water

Statement of Compliance
I have complied with the criteria of the Landscape Water Conservation Ordinance and applied them for the efficient use of water in the landscape design plan.
Preparer Name: Jason Lee
Preparer Signature:
Professional License/Designation:

Landscape Description:
- No special landscape area is proposed such as lawn, edible plants or high water use plants
- All proposed plants are low-water use plants per *Water Use Classification of Species* (WUCOLS)
- Pool is the only water feature proposed

Total landscape area: 26,882 SF
Total irrigated landscape area: 13,221 SF
Total impervious hardscape area: 3,067 SF
Total pervious hardscape area: 10,070 SF
Total water feature (Pool): 504 SF

See sheet LI-3 for Hydrozone map

NOTE:
ALL ELECTRICAL & UNDERGROUND UTILITIES PER OTHERS

IRRIGATION NOTES

1. IT IS THE INTENT OF THESE DRAWINGS TO INDICATE A COMPLETE AND OPERATIONAL IRRIGATION SYSTEM GIVING FULL COVERAGE AND READY FOR USE BY THE OWNER. THE DRAWINGS ARE BASED ON LANDSCAPE AND GRADING DRAWINGS IN EFFECT AT THE TIME THESE DRAWINGS WERE MADE. ANY DISCREPANCIES, OMISSIONS, ERRORS, ETC. ON THESE DRAWINGS OR ON SITE CHANGES, DO NOT AND SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PROVIDE A COMPLETE SYSTEM AS SHOWN. IF NECESSARY, THE CONTRACTOR MAY, WHERE CHANGES OCCUR, ADD OR DELETE SPRINKLERS, REROUTE PIPE, ETC. TO ASSURE ADEQUATE AND FULL COVERAGE.
2. IRRIGATION CONTRACTOR SHALL VERIFY ALL PRESSURES ON SITE PRIOR TO CONSTRUCTION.
3. CONTRACTOR SHALL INSTALL CHECK VALVES IN ALL HEADS IN WHICH LOW HEAD DRAINAGE OCCURS.
4. ALL IRRIGATION CONTROL VALVES SHALL BE GROUPED TOGETHER IN AN INCONSPICUOUS PLACE, SUCH AS IN A PLANTER AWAY FROM TRAFFIC AREA, WALKWAYS, OR PUBLIC VIEW.
5. THE CONTRACTOR SHALL FIELD ADJUST IRRIGATION SYSTEM WHEN VERTICAL OBSTRUCTIONS (FIRE HYDRANT, STREET LIGHTS, TREES, SIGNAGE, ETC.) INTERFERE WITH THE IRRIGATION MOST EFFICIENT WATERING DESIGN. THE CONTRACTOR SHALL MAKE ADJUSTMENTS OF THE DRIP LINES TO CLEAR OF THE OBSTRUCTION TO PROVIDE PROPER IRRIGATION COVERAGE. ALL ADJUSTMENT SHALL BE MADE AT NO ADDITIONAL COST TO THE OWNER.
6. IRRIGATION SYSTEM SHALL CONFORM TO STATE AND LOCAL CODES.
7. ALL SHRUBBERY-TYPE HEADS ADJACENT TO WALKS SHALL BE INSTALLED AS LOW AS NECESSARY TO PREVENT ANY DAMAGE TO IRRIGATION SYSTEM.
8. THE SYSTEM SHALL BE FULLY GUARANTEED FOR A PERIOD OF ONE YEAR. ANY DEFECTIVE MATERIAL OR POOR WORKMANSHIP SHALL BE REPLACED OR CORRECTED BY THE IRRIGATION CONTRACTOR AT NO COST TO THE OWNER.
9. 120 VOLT ELECTRICAL POWER OUTLET FOR CONTROLLERS SHALL BE PROVIDED AS NOTED. IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HOOK UP FROM OUTLET TO CONTROLLER.
10. ALL WIRE FROM CONTROLLER TO ELECTRIC CONTROL VALVES SHALL BE COPPER UP #14 DIRECT BURIAL. (OR BLACK FOR PILOT, WHITE FOR COMMON). INSTALL IN COMMON TRENCH WITH MAIN LINE PIPING WHERE POSSIBLE.
11. PROVIDE MINIMUM 18" COVER OVER ALL PRESSURE MAIN LINE PIPING AND 12" OVER ALL NON-PRESSURE LATERAL LINE PIPING. ALL PIPE UNDER PAVED AREAS IS TO BE INSTALLED IN A PVC SCH. 40 SLEEVE WITH 24" MIN. COVER. SLEEVE LOCATIONS TO BE AS SHOWN ON PLANS. CITY DEPTH REQUIREMENTS FOR PIPE SUPERCEDE ALL THE ABOVE DIMENSIONS.
12. IRRIGATION CONTRACTOR SHALL FLUSH ALL LINES AND ADJUST ALL HEADS FOR MAXIMUM PERFORMANCE.
13. DO NOT WILLFULLY INSTALL THE SYSTEM AS DESIGNED WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS OR GRADE DIFFERENCES EXIST THAT WERE NOT KNOWN DURING THE DESIGN PROCESS. SUCH CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNERS AUTHORIZED REPRESENTATIVE OTHERWISE, THE IRRIGATION CONTRACTOR MUST ASSUME FULL RESPONSIBILITY FOR ANY AND ALL NECESSARY REVISIONS.
14. FINAL LOCATION OF AUTOMATIC CONTROLLER SHALL BE DETERMINED BY OWNERS AUTHORIZED REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.
15. ALL DRIP LINES SHALL BE BURIED UNDER GROUNDCOVER SUCH AS MULCH OR GRAVEL AT A MINIMUM DEPTH OF 2". ALL DRIP IRRIGATION LINES SHALL BE SECURED WITH STAPLES AT MINIMUM EVERY 6' O.C.
16. LOCATION OF P.O.C. IS ONLY DIAGRAMATIC. LOCATION MUST BE VERIFIED IN FIELD.
17. IN ADDITION TO THE SLEEVES SHOWN ON THE PLAN, THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ADDITIONAL SLEEVES OF SUFFICIENT SIZE UNDER ALL PAVED AREAS PRIOR TO PAVING UPON APPROVAL OF THE OWNER'S REPRESENTATIVE, IF REQUIRED TO OPERATE SYSTEM.
18. MAINLINE FEEDER BETWEEN POINT OF CONNECTION, METER, TO BE OF MATERIAL AS REQUIRED BY CURRENT WATER DISTRICT.

NORTH

IRRIGATION PLAN
SCALE: 1/8" = 1'-0"

Atwill Residence
29043 Grayfox Street
Malibu, CA 90265
A.P.N. 4466-017-002

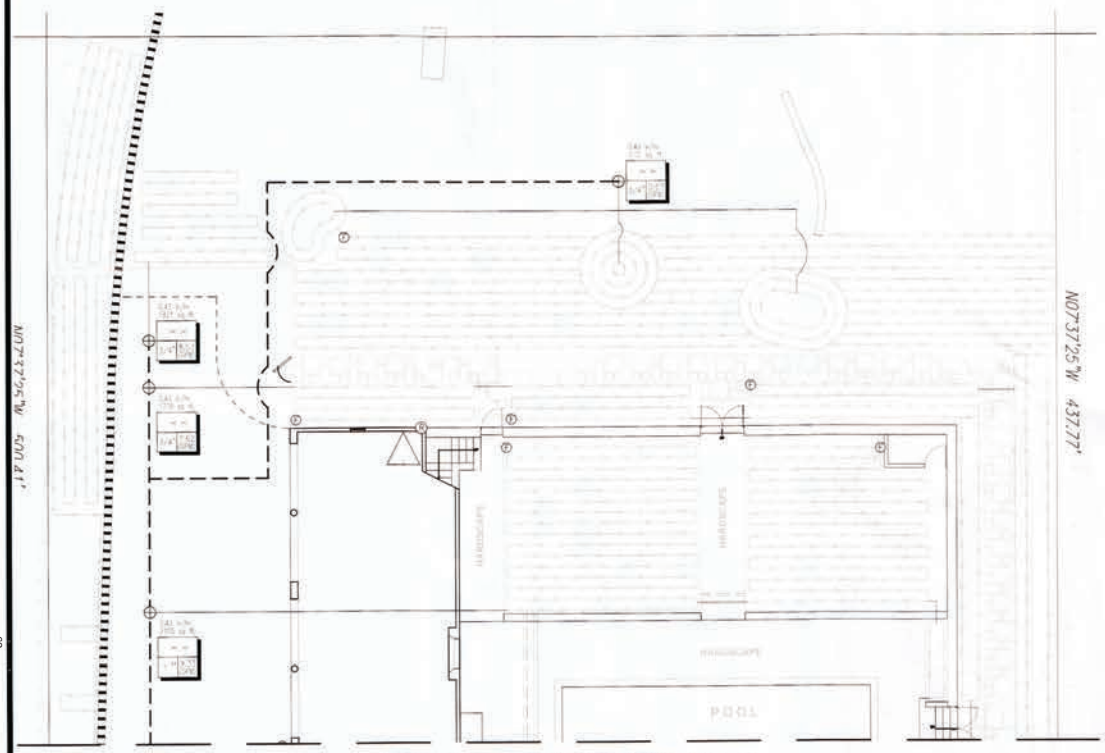
JLDS
Jason Lee Design Studio, Inc.
LANDSCAPE DESIGN
325 W. 8th Street Suite 506 Los Angeles CA 90014
323 - 404 - 7706 www.JasonLeeDesign.com

Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST REVIEW
PLANNING CASE NO. 09-171-193
DATE 11/20/17
INITIALS

Irrigation Plan

LI-1



Connect with LI-1

WATER MANAGEMENT PLAN

Los Angeles County Waterworks Districts have restricted outdoor water use to three days per week during the summer and two days per week during the winter.

LANDSCAPE WATERING SCHEDULE:
Summer: 3 days / week
Winter : 2 days / week

Water between Midnight - 9 AM & 6 PM - Midnight

EQUIPMENT LEGEND

SYMBOL	MANUFACTURER/MODEL #		SIZE	NOTES
⊕	HUNTER POP-ANY VALVE W/ FILTER & PRESSURE REGULATOR HPR-075-40		3/4"	
●	NPTAPM 1 QT FLUSH VALVE CAP	15-QV		
⊕	HUNTER INDUSTRIES PC-400 SMART IRRIGATION CONTROLLER WITH SOLAR SYNC MODULE & SENSOR	PC-4-00		
X	NIBCO PLASTIC BALL VALVE	4660-S		
——	SCH 40 PVC LATERAL		3/4"	
——	NPTAPM TECHLINE CV TECVR 6		750'	
- - -	SCH 40 PVC MAINLINE			
— — —	SCH 40 PVC SLEEVE. DEDICATED FOR ELECTRICAL LOW VOLTAGE LIGHTING.		2"	
——	SCH 40 PVC SLEEVE		2 x 1.5"	

(1) LANDSCAPE CONTRACTOR TO COORDINATE ELECTRICAL POWER OUTLET W/ DEVELOPER
(2) FLUSH VALVE TO BE LOCATED AT THE END OF THE FARTHEST LATERAL LINE RUN.

VALVE/STATION NO.
GPM
VALVE SIZE

IRRIGATION NOTES

1. IT IS THE INTENT OF THESE DRAWINGS TO INDICATE A COMPLETE AND OPERATIONAL IRRIGATION SYSTEM GIVING FULL COVERAGE AND READY FOR USE BY THE OWNER. THE DRAWINGS ARE BASED ON LANDSCAPE AND GRADING DRAWINGS IN EFFECT AT THE TIME THESE DRAWINGS WERE MADE. ANY DISCREPANCIES, OMISSIONS, ERRORS, ETC. ON THESE DRAWINGS OR ON SITE CHANGES, DO NOT AND SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PROVIDE A COMPLETE SYSTEM AS SHOWN. IF NECESSARY, THE CONTRACTOR MAY, WHERE CHANGES OCCUR, ADD OR DELETE SPRINKLERS, REROUTE PIPE, ETC. TO ASSURE ADEQUATE AND FULL COVERAGE.
2. IRRIGATION CONTRACTOR SHALL VERIFY ALL PRESSURES ON SITE PRIOR TO CONSTRUCTION.
3. CONTRACTOR SHALL INSTALL CHECK VALVES IN ALL HEADS IN WHICH LOW HEAD DRAINAGE OCCURS.
4. ALL IRRIGATION CONTROL VALVES SHALL BE GROUPED TOGETHER IN AN INCONSPICUOUS PLACE, SUCH AS IN A PLANTER AWAY FROM TRAFFIC AREA, WALKWAYS, OR PUBLIC VIEW.
5. THE CONTRACTOR SHALL FIELD ADJUST IRRIGATION SYSTEM WHEN VERTICAL OBSTRUCTIONS (FIRE HYDRANT, STREET LIGHTS, TREES, SIGNAGE, ETC.) INTERFERE WITH THE IRRIGATION MOST EFFICIENT WATERING DESIGN. THE CONTRACTOR SHALL MAKE ADJUSTMENTS OF THE DRIP LINES TO CLEAR OF THE OBSTRUCTION TO PROVIDE PROPER IRRIGATION COVERAGE. ALL ADJUSTMENTS SHALL BE MADE AT NO ADDITIONAL COST TO THE OWNER.
6. IRRIGATION SYSTEM SHALL CONFORM TO STATE AND LOCAL CODES.
7. ALL SPRUNKLER TYPE HEADS ADJACENT TO WALKS SHALL BE INSTALLED AS LOW AS NECESSARY TO PREVENT ANY DAMAGE TO IRRIGATION SYSTEM.
8. THE SYSTEM SHALL BE FULLY GUARANTEED FOR A PERIOD OF ONE YEAR. ANY DEFECTIVE MATERIAL OR POOR WORKMANSHIP SHALL BE REPLACED OR CORRECTED BY THE IRRIGATION CONTRACTOR AT NO COST TO THE OWNER.
9. 120 VOLT ELECTRICAL POWER OUTLET FOR CONTROLLERS SHALL BE PROVIDED AS NOTED. IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HOOK UP FROM OUTLET TO CONTROLLER.
10. ALL WIRE FROM CONTROLLER TO ELECTRIC CONTROL VALVES SHALL BE COPPER UP #14 DIRECT BURIAL. USE BLACK FOR HOT, WHITE FOR COMMON. INSTALL IN COMMON TRENCH WITH MAIN LINE PIPING WHERE POSSIBLE.
11. PROVIDE MINIMUM 18" COVER OVER ALL PRESSURE MAIN LINE PIPING, AND 12" OVER ALL NON-PRESSURE LATERAL LINE PIPING. ALL PIPE UNDER PAVED AREAS IS TO BE INSTALLED IN A PVC SCH. 40 SLEEVE WITH 24" MIN. COVER. SLEEVE LOCATIONS TO BE AS SHOWN ON PLANS. CITY DEPTH REQUIREMENTS FOR PIPE SUPERCEDE ALL THE ABOVE DIMENSIONS.
12. IRRIGATION CONTRACTOR SHALL FLUSH ALL LINES AND ADJUST ALL HEADS FOR MAXIMUM PERFORMANCE.
13. DO NOT WILLFULLY INSTALL THE SYSTEM AS DESIGNED WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS OR GRADE DIFFERENCES EXIST THAT WERE NOT KNOWN DURING THE DESIGN PROCESS. SUCH CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNERS AUTHORIZED REPRESENTATIVE. OTHERWISE, THE IRRIGATION CONTRACTOR MUST ASSUME FULL RESPONSIBILITY FOR ANY AND ALL NECESSARY REVISIONS.
14. FINAL LOCATION OF AUTOMATIC CONTROLLER SHALL BE DETERMINED BY OWNER'S AUTHORIZED REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.
15. ALL DRIP LINES SHALL BE BURIED UNDER GROUNDCOVER SUCH AS MULCH OR GRAVEL AT A MINIMUM DEPTH OF 2". ALL DRIP IRRIGATION LINES SHALL BE SECURED WITH STAPLES AT MINIMUM EVERY 6 O.C.
16. LOCATION OF "O.C. IS ONLY DIAGRAMATIC. LOCATION MUST BE VERIFIED IN FIELD.
17. IN ADDITION TO THE SLEEVES SHOWN ON THE PLAN, THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ADDITIONAL SLEEVES OF SUFFICIENT SIZE UNDER ALL PAVED AREAS PRIOR TO PAVING UPON APPROVAL OF THE OWNER'S REPRESENTATIVE, IF REQUIRED TO OPERATE SYSTEM.
18. MAINLINE FEEDER BETWEEN POINT OF CONNECTION, METER, TO SIZE OF MATERIAL AS REQUIRED BY CURRENT WATER DISTRICT.

NORTH

IRRIGATION PLAN
SCALE: 1/8" = 1'-0"

Atwill Residence
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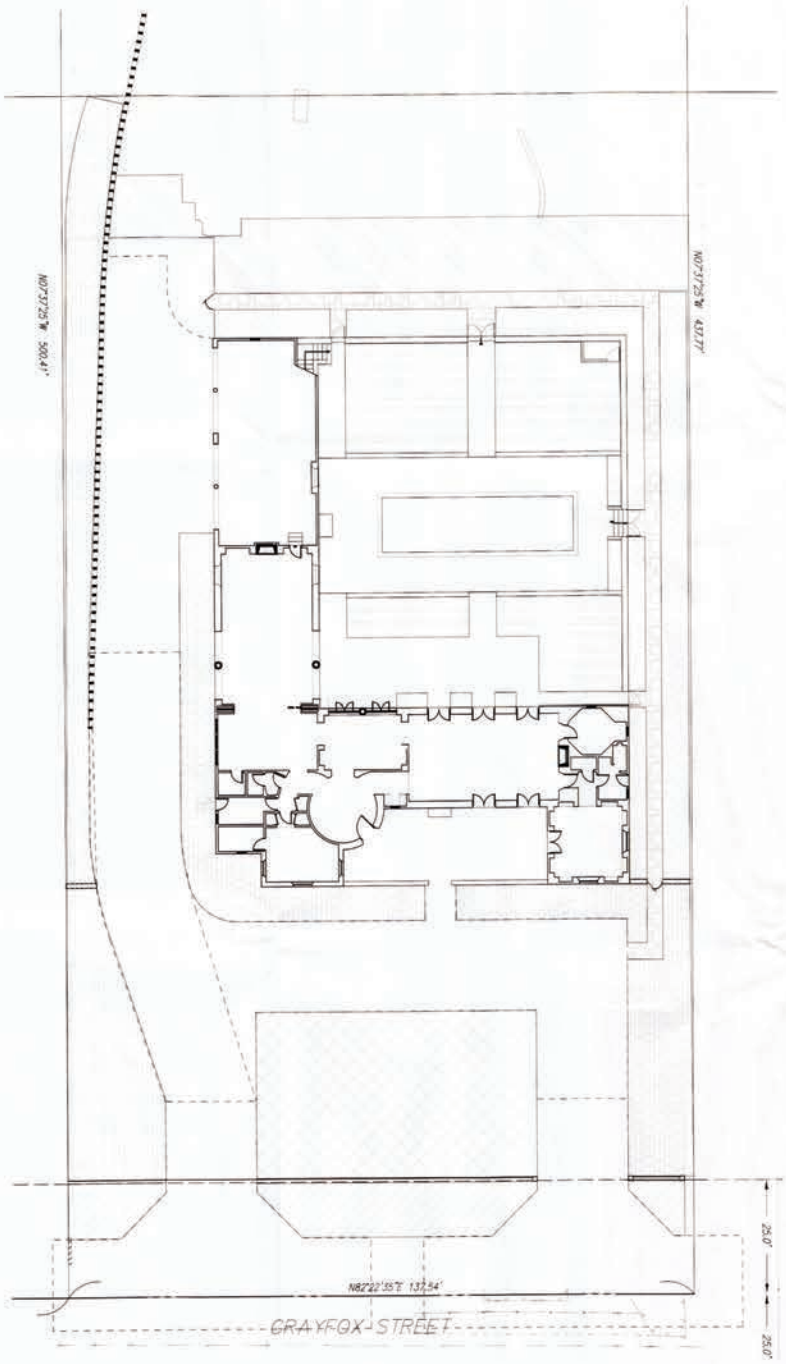
Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST REVIEW
PLANNING CASE NO. 08-17-193
DATE 10/24/17
INITIALS

Irrigation Plan

LI-1



ETAF CALCULATIONS

TOTAL ETAF x AREA (B)	3,966
TOTAL AREA (A)	13,221
AVERAGE ETAF (B/A)	0.30

ALL LANDSCAPE AREA

TOTAL ETAF x AREA (B+D)	3,966
TOTAL AREA (A+C)	13,221
SITEWIDE ETAF (B+D) / (A+C)	0.30

ETWU

ETo (44.2) x 0.62 x ETAF (0.30) x AREA

44.2 x 0.62 X 0.30 X 13,221

[= 108,692]

MAWA

ETo (44.2) x 0.62 x (ETAF x AREA) + (1 - ETAF) x (LA)

(0.55 x 5,875) + (1 - 0.30) x 0

(3,233.45) + 0

44.2 x 0.62 X 13,221

[= 362,308]

HYDROZONE # PLANTING DESC	PLANT FACTOR (PF)	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF / IE)	HYDROZONE AREA (A) SQ FT	ETAF x AREA	ESTIMATED TOTAL WATER USAGE (ETWU)
REGULAR LANDSCAPE AREA							
AREA A LOW WATER	0.243	DRIP	0.81	0.30	950	285.00	
AREA B LOW WATER	0.243	DRIP	0.81	0.30	2250	675.00	
AREA C LOW WATER	0.243	DRIP	0.81	0.30	2150	645.00	
AREA D LOW WATER	0.243	DRIP	0.81	0.30	2135	640.50	
AREA E LOW WATER	0.243	DRIP	0.81	0.30	2100	630.00	
AREA F LOW WATER	0.243	DRIP	0.81	0.30	1715	514.50	
AREA G LOW WATER	0.243	DRIP	0.81	0.30	1921	576.00	
				TOTAL	(A) 13,221	(B) 3,966	
SPECIAL LANDSCAPE AREA (SLA) INCLUDES AREAS IRRIGATED WITH RECYCLED WATER							
				TOTAL	(C) 0	(D) 0	
						ETWU TOTAL	108,692
						MAWA TOTAL	362,308

AREA A | AREA B | AREA C | AREA D

AREA E | AREA F | AREA G

WELO
SCALE: N.T.S

NORTH

Atwill Residence
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Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST REVIEW
PLANNING CASE NO. 07-17-043
DATE 10/04/17
INITIALS JP

Water Efficiency Calculation

LI-3

GENERAL NOTES:

1. All grading and construction shall conform to Chapters 70 and 71 (Latest edition) of the Los Angeles County Building Code unless specifically noted on these plans (7012.1).
2. Any modifications of or changes to approved grading plans must be approved by the Building Official (7008.4).
3. No grading shall be started without first notifying the Building Official. A Pre-grading meeting at the site is required before the start of the grading with the following people present: Owner, grading contractor, design civil engineer, soils engineer, geologist, County grading inspector(s) or their representatives, and when required the archaeologist or other jurisdictional agencies. Permittee or his agent are responsible for arranging Pre-grade meeting and must notify the Building Official at least two business days prior to proposed pre-grade meeting.
4. Approval of these plans reflect solely the review of plans in accordance with the Los Angeles County Building Code and does not reflect any position by the County of Los Angeles or the Department of Public Works regarding the status of any title issues relating to the land on which the improvements may be constructed. Any disputes relating to title are solely a private matter not involving the County of Los Angeles or the Department of Public Works.
5. All grading and construction activities shall comply with Los Angeles County Code, Title 12, Section 12.12.030 that controls and restricts noise from the use of construction and grading equipment from the hours of 8:00 PM to 6:30 AM, and on Sundays and Holidays. (More restrictive construction activity times may govern, as required by the Department of Regional Planning and should be shown on the grading plans when applicable.)
6. California Public Resources Code (section 5097.98) and Health and Safety Code (section 7050.5) address the discovery and disposition of human remains. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the law requires that grading immediately stops and no further excavation or disturbance of the site, or any nearby area where human remains may be located, occur until:
A. The County Coroner has been informed and has determined that no investigation of the cause of death is required, and
B. If the remains are of Native American origin, the descendants from the deceased Native Americans have made a recommendation for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods.
7. The location and protection of all utilities is the responsibility of the permittee.
8. All export of material from the site must go to a permitted site approved by the Building Official or a legal dump site. Receipts for acceptance of excess material by a dump site are required and must be provided to the Building Official upon request.
9. A copy of the grading permit and approved grading plans must be in the possession of a responsible person and available at the site at all times.
10. Site boundaries, easements, drainage devices, restricted use areas shall be located per construction staking by Field Engineer or licensed surveyor. Prior to grading, as requested by the Building Official, all property lines, easements, and restricted use areas shall be staked.
11. No grading or construction shall occur within the protected zone of any oak tree. (Chapter 22.56, Planning and Zoning Code) The protected zone shall mean that area within the dripline of an oak tree extending there from a point at least five feet outside the dripline, or 15 feet from the trunk(s) of a tree, whichever is greater.
If an oak tree permit is obtained. (Add the following Note:)
All grading and construction within the protected zone of all oak trees shall be per oak tree permit no. [illegible]
All recommendations in the permit and associated oak tree report must be complied with and are a part of the grading plan. A copy of the oak tree permit and associated reports shall be maintained in the possession of a responsible person and available at the site at all times.
12. The standard retaining wall details shown on the grading plans are for reference only. Standard retaining walls are not [illegible] permitted or inspected per the Grading Permit. A separate retaining wall permit is required for all standard retaining walls.
Note: this note only applies to standard retaining walls. Geogrid, keyed, and segmental retaining walls do not require a separate retaining wall permit. Details and construction notes for all Geogrid walls must be on the grading plan.
13. A preventive program to protect the slopes from potential damage from burrowing rodents is required. Owner to inspect slopes periodically for evidence of burrowing rodents and a first evidence of their existence shall employ an exterminator for their removal. (Section 7019.5 of the Los Angeles County Building Code.)
14. If grading authorized by this plan is to extend through the rainy season, November 1 Through April 15 of the following year, separate updated plans for erosion control must be submitted prior to October. (Section 7010 & 7011 of the Los Angeles County Building Code)
15. Engineer must set grade stakes for all drainage devices and the contractor shall obtain inspection before pouring.
16. All storm drain work is to be done under continuous inspection by the Field Engineer. Weekly status reports shall be submitted by the Field Engineer to the City Building Department.
17. Provisions shall be made for contributory drainage at all times.
18. Separate plans for temporary drainage and Wet Weather Erosion Control measure to be used during the rainy season must be submitted prior to October 1. The erosion control devices shown on said plans must be installed by not later than November 1 and maintained in operable condition until April 15.
19. The Grading Contractor shall submit a written statement verifying that the work done under his direction was performed in accordance with the approved plans and requirements of Chapter 33 of the Malibu Building Code or describing all variances from the approved plans and requirements of the Code.
20. The Design Engineer verifies that this grading plan was prepared under my supervision in accordance with section 3318.1 of the Malibu Building Code. All Soils Engineer and Engineering Geology recommendations were incorporated in plan.
21. Grading operations must be conducted under periodic Geologic inspection with monthly inspection reports to be submitted to the City Building Department.
22. Fill shall be benched into competent material per City of Malibu Standard or Soils Engineer's directions.
23. All existing fills shall be approved by the Building Official or removed prior to placing additional fills.
24. The Building Official shall approve stock piling of excess material prior to excavation.
25. The Field Engineer, as a condition of rough grade approval, shall provide a blue top with accompanying witness stake, set at the center of each pad reflecting the pad elevation for precise permits and a blue top with witness stake set at the drainage swale high point reflecting the high point elevation for Preliminary Permits.
26. All trench backfills shall be tested and approved by the Soils Engineer.
27. When cut pads are brought to near grade, the Engineering Geologist shall determine if the bedrock is extensively fractured or faulted and will readily transmit water. If considered necessary by the Engineering Geologist and Soil Engineer, a compacted fill blanket will be placed.
28. The compaction report and approval from the Soils Engineer shall indicate the type of field-testing performed. Each test shall be identified with the method of obtaining the inplace density, whether sand cone or nuclear gauge, and shall be so noted for each test.
29. Export soil must be transported to a legal dump or to a permitted site shown clearly on approved plans.
30. The Engineer shall submit a Letter of Certification to the Building Official stating that the grading was done in compliance with the approved grading plan.

INSPECTION NOTES:

1. The permittee or his agent shall notify the Building Official at least one working day in advance of required inspections at following stages of the work. (Section 7020 of the Building Code.)
(A) Initial. When the site has been cleared of vegetation and unapproved fill has been scarified, benched or otherwise prepared for fill shall not have been placed prior to this inspection. Note: Prior to any construction activities, including grading, all storm water pollution prevention measures including erosion control devices which contain sediments must be installed.
(B) Rough. When approximate final elevations have been established; drainage terraces, swales and berms installed at the top of the slopes; and the statements required in this Section have been received.
(C) Final. When grading has been completed; all drainage devices installed; slope planting established, irrigation systems installed and the As-Built plans, required statements, and reports have been submitted and approved.
2. In addition to the inspection required of the Building Official for regular grading, reports and statements shall be submitted to the Building Official in accordance with Sections 7020 and 7021 of the Building Code.
3. All graded sites must have drainage swales, berms, and other drainage devices prior to approval of rough grading. (Section 7020.3.2 of the Building Code.)
4. The grading contractor shall submit the statement to the grading inspector as required by Section 7021 of the Building Code at the completion of rough grading.
5. Final grading must be approved before occupancy of buildings will be allowed. (Section 7021 of the Building Code.)

DRAINAGE NOTES:

1. Roof drainage must be diverted from graded slopes. (Section 7018.6 of the Building Code.)
2. Provisions shall be made for contributory drainage at all times.
3. All construction and grading within a storm drain easement are to be done per Private Drain PD No. [illegible] or miscellaneous Transfer Drain MTD No. [illegible]
4. All storm drain work is to be done under continuous inspection by the Field Engineer. Weekly status reports shall be submitted by the Field Engineer to the local Building and Safety District Office.

AGENCY NOTES:

1. An encroachment permit from (Los Angeles County Department of Public Works) (Caltrans) (City of MALIBU) is required for all work within or affecting road right of way. All work within Road right of way shall conform to (Los Angeles County Department of Public Works) (Caltrans) (City of MALIBU) encroachment permit.
2. An encroachment permit /connection permit is required from the Los Angeles County Flood Control District for all work within the Los Angeles County Flood Control District Right of Way. All work shall conform to Permit.
3. Permission to operate in Fire Zone 4 must be obtained from the Fire Prevention Bureau or the local Fire Station prior to commencing work.
4. All work within the streambed and areas outlined on grading plans shall conform to:
Army Corp 404 Permit No. [illegible]
California Fish & Game Permit No. [illegible]

NOTE TO CONTRACTOR:
FINISH FLOOR ELEVATIONS REFLECT TOP OF FINISHED FLOOR, NOT TOP OF CONCRETE SLAB. CONTRACTOR TO VERIFY DEPTH OF FINISH MATERIAL AND ADJUST CONCRETE FORMS ACCORDINGLY FOR PROPER CONCRETE SLAB HEIGHT.

NOTE TO CONTRACTOR:
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR WILL FURTHER DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONAL.

UNAUTHORIZED CHANGES & USES:
CAUTION: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

NOTE TO OWNER:
OWNER WILL MAINTAIN DRAINAGE DEVICES AND KEEP FREE OF DEBRIS AT ALL TIMES.

NOTES:
ALL [illegible] ELEVATIONS SHOWN ON THIS PLAN SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THIS OFFICE PRIOR TO CONSTRUCTION.
SEE ARCHITECT'S DRAWINGS FOR SECTIONS.
STORM WATER RUNOFF WILL BE COLLECTED FROM ALL ROOF AND TERRACE DRAINS AND BE ROUTED TO THE [illegible] STORM DRAIN [illegible]

NOTE:
PROPOSED CONSTRUCTION ON SLOPES 2-1/21 TO 31
PROPOSED CONSTRUCTION ON SLOPES 2-1/21 AND GREATER

GENERAL GEOTECHNICAL NOTES:

1. All recommendations included in the consultant's geotechnical report(s) must be complied with and are part of the grading plans and specifications.
2. Grading operations must be conducted under periodic geologic inspections with monthly inspection reports to be submitted to the Geology and Soils Section.
3. The Geotechnical Engineer shall provide sufficient inspections during the preparation of the natural ground and the placement and compaction of the fill to be satisfied that the work is being performed in accordance with the plan and applicable Code requirements.
4. The Consulting Geologist and Geotechnical Engineer must state in a final report, prior to the approval of rough grading by the Materials Engineering Division, that geotechnical hazards have been removed, mitigated or designated as "Restricted Use Areas". The final report must be submitted to the Materials Engineering Division for their review and approval and must include an As-Built Geotechnical Map.
5. Foundation, wall and pool excavations must be inspected and approved by the consulting geologist and geotechnical engineer, prior to the placing of steel or concrete.
6. Building pads located in cut/fill transition areas shall be over-excavated a minimum of three (3) feet below the proposed bottom of footing.

FILL NOTES:

1. All fill shall be compacted to the following minimum relative compaction criteria:
a. 90 percent of maximum dry density within 40 feet below finish grade.
b. 93 percent of maximum dry density deeper than 40 feet below finish grade, unless a lower relative compaction (not less than 90 percent of maximum dry density) is justified by the geotechnical engineer.
The relative compaction shall be determined by A.S.T.M. soil compaction test D1557-91, Method "D", where applicable. Where not applicable, a test acceptable to the Building Official shall be used. (Section 7016.1 of the Building Code.)
2. Field density shall be determined by a method acceptable to the Building Official. (Section 7016.1 of the Building Code.) However, not less than 10% of the required density test, uniformly distributed, shall be obtained by the Sand Cone Method.
3. Sufficient tests of the fill soils shall be made to determine the relative compaction of the fill in accordance with the following minimum guidelines:
a. One test for each two-foot vertical lift.
b. One test for each 1,000 cubic yards of material placed.
c. One test at the location of the final fill slope for each building site (lot) in each four-foot vertical lift or portion thereof.
d. One test in the vicinity of each building pad for each four-foot vertical lift or portion thereof.
4. Sufficient tests of fill soils shall be made to verify that the soil properties comply with the design requirements, as determined by the Geotechnical Engineer including soil types, shear strengths parameters and corresponding unit weights in accordance with the following guidelines:
a. Prior and subsequent to placement of the fill, shear tests shall be taken on each type of soil or soil mixture to be used for all fill slopes steeper than three (3) horizontal to one vertical.
b. Shear test results for the proposed fill material must meet or exceed the design values, used in the geotechnical report to determine slope stability requirements. Otherwise, the slope must be reevaluated using the actual shear test value of the fill material that is in place.
c. Fill soils shall be free of deleterious materials.
5. Fill shall not be placed until stripping of vegetation, removal of unsuitable soils, and installation of subdrain (if any) have been inspected and approved by the Geotechnical Engineer. The Building Official may require a "Standard Test Method for moisture, ash, organic matter, peat or other organic soils" ASTM D-2974-87 on any suspect material. Detrimental amounts of organic material shall not be permitted in fills. Soil containing small amounts of roots may be allowed provided that the roots are in a quantity and distributed in a manner that will not be detrimental to the future use of the site and the use of such material is approved by the soils engineer.
6. Rock or similar material greater than 12 inches in diameter shall not be placed in the fill unless recommendations for such placement have been submitted by the Geotechnical Engineer and approved in advance by the Building Official. Location, extent, and elevation of rock disposal areas must be shown on an "As-Graded" grading plan.
7. Continuous inspection by the Geotechnical Engineer, or a responsible representative, shall be provided during all fill placement and compaction operations where fills have a depth greater than 30 feet or slope surface steeper than 2:1. (7016.7)
8. Continuous inspection by the Geotechnical Engineer, or a responsible representative, shall be provided during all subdrain installations. (7016.2)
9. All subdrain outlets are to be surveyed for line and elevation. Subdrain information must be shown on an "As-Graded" grading plan.
10. Fill slopes in excess of 2:1 steepness ratio are to be constructed by the placement of soil at sufficient distance beyond the proposed finish slope to allow compaction equipment to be operated at the outer limits of the final slope surface. The excess fill is to be removed prior to completion of rough grading. Other construction procedures may be used when it is demonstrated to the satisfaction of the Building Official that the angle of slope, construction method and other factors will have equivalent effect. (Section 7016.1 of the Building Code.)

PLANTING AND IRRIGATION NOTES:

1. All cut slopes over five (5) feet and fill slopes over three (3) feet shall be planted with an approved ground cover and provided with an irrigation system as soon as practical after rough grading. (7019.2 & 7019.6)
2. Prior to final grading approval all required slope planting must be well established. (7020.3.3 & 7020.4.6)
3. This project requires a landscape plan per Chapter 71 of the Los Angeles County Building Code. Prior to rough grade approval Landscape Plans must be submitted and approved by the Department of Public Works, Land Development Division. (900 S. Fremont Ave, Alhambra – 3rd Floor, CA 91803 (626) 458-4921)

ATTACHMENT A NOTES – STORMWATER POLLUTION

1. Every effort should be made to eliminate the discharge of non stormwater from the project site out of times.
2. Eroded sediments and other pollutants must be retained on-site and may not be transported from the site via sheet flow, swales, area drains, natural drainage courses or wind.
3. Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water.
4. Fuels, oils, solvents, and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil and surface waters. All approved storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into the drainage system.
5. Excess or waste concrete may not be washed into the public way or any other drainage system. Provisions shall be made to retain concrete washes on-site until they can be disposed of as solid waste.
6. Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
7. Sediments and other material may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental depositions must be swept up immediately and may not be washed down by rain or other means.
8. Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to inhibit erosion by wind and water.

PREPARED FOR:

JOHN ATWILL
15800 NEW CENTURY DRIVE
GARDENA, CA. 90248

LEGAL DESCRIPTION:

THAT PORTION OF PARCEL 28, RECORD OF SURVEYS FILED IN RS 57/9-10, AS DESCRIBED IN A DEED RECORDED AS 20140822576.

BENCH MARK:

BM# Y5433 ELEV=132.549
LACDPW BENCH MALIBU QUAD NAVD88 CS MON IN WELL 43 FT S/O C/L PCH & 315 FT W/O ZUMIREZ DRIVE.

NOTE:

DATE OF SURVEY: NOVEMBER 5, 2015

THIS MAP WAS PREPARED USING TITLE REPORT NO. LA1430889, DATED MAY 9, 2014 AND PREPARED BY EQUITY TITLE CO.

CONTRACTORS NOTE:

The Earthwork Quantities are provided as a courtesy and convenience to the owners, and are for bonding and plan check purposes only. The yardage figures shown are approximate calculated quantities based on the difference between existing ground elevations and designed rough grade elevations. The calculations make no provisions for stripping, shrinkage, bulking or any other condition not implied. For that reason, it is the responsibility of the Contractor to consult the Projects Soils Engineers and Geologic Investigations, and to determine for himself, the quantities of earth moving that will be required to complete this project.

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SOILS / GEOLOGY ENGINEERS

GEOCONCEPTS, INC.
14428 HAMLIN STREET, SUITE 200
VAN NUYS, CA 91401
181-994-8895
PROJECT No. 5169

SETBACK CALCULATIONS:

FRONT AND REAR YARD SETBACK:
FRONT: 20% X 472.8' = 94.6 (65.0' MAX)
REAR: 15% X 472.8' = 70.9'

SIDE YARD SETBACK:
25% X 137.6'= 34.4' (10% MIN ONE SIDE) = 13.8'

IMPERMEABLE CALCULATIONS:

GROSS AREA:	67,270 SF
NET AREA:	63,831 SF
EXISTING IMPERMEABLE:	8,402 SF
ALLOWABLE IMPERMEABLE:	19,149 SF
EXISTING STRUCTURES:	4,701 SF
ALLOWABLE STRUCTURES:	7,033 SF

PUBLIC WORKS DEPARTMENT NOTES:

–THIS PLAN CONFORMS TO THE COASTAL DEVELOPMENT PERMIT CONDITIONALLY APPROVED BY THE CITY FOR 29043 GRAYFOX STREET ON ______

–THE PLANTING AND IRRIGATIONS SYSTEMS SHALL BE INSTALLED AS SOON AS PRACTICAL AFTER ROUGH GRADING, PRIOR TO FINAL APPROVAL OF GRADIGN AND BEFORE THE RELEASE OF THE GRADING SECURITY, THE PLANTING SHALL BE WELL ESTABLISHED AND GROWING ON THE SLOPES AND THERE SHALL BE EVIDENCE OF AN EFFECTIVE RODENT CONTROL PROGRAM.

–EXCAVATION INSPECTION: AFTER THE EXCAVATION IS STARTED AND BEFORE THE DEPTH OF EXCAVATION EXCEEDS 10 FEET.

–DRAINAGE DEVICE INSPECTION: AFTER FORMS AND PIPE ARE IN PLACE AND BEFORE ANY CONCRETE IS POURED.

ESTIMATED START DATE OF THE PROJECT:________
ESTIMATED FINISH DATE OF THE PROJECT:________

WDID: 4 19C361441

NOTE:

– A STORM WATER POLLUTION PREVENTION PLAN SHALL BE PROVIDED PRIOR TO THE ISSUANCE OF THE GRADING PERMITS FOR THE PROJECT.

PUBLIC WORKS DEPARMENT GENERAL NOTES:

1. All work shown on these plans shall be constructed in accordance with the current editions of the Standard Specifications for Public Works Construction (SSPWC) " Green Book."
2. Contractors shall comply with all applicable Division of Industrial Regulations (Cal-OSHA) safety standards. If requested by the inspector, the Contractor shall provide proof of a permit from said division.
3. Contractor shall call the Public Works Inspector at (310)456-2489, ext 341 for Pre-Construction Meeting prior to the commencement of any construction or grading operations. Contractor shall notify the City Public Works Inspector 48 hours prior to commencing any construction and 24 hours in advance of specific inspection needs during the course of the work.
4. No improvements are proposed within the Public Right-Of-Way.
5. Storage of any construction materials, construction trailer, and/or parking and any work within the City public right of way shall require a City Encroachment Permit. Call the Public Works Inspector at (310)456-2489 ext. 341 to apply for a permit.
6. Storage of any construction materials, construction trailer, and/or parking and any work within the Caltrans public right of way shall require a Caltrans Encroachment Permit. Submit a copy of the Caltrans Encroachment Permit to the Public Works Department.
7. All work shall be performed during City working hours and in compliance with these plans.
8. Contractor shall verify all conditions and dimensions and shall report any discrepancies to the Engineer prior to the commencement of any work.
9. Contractor shall locate, protect, and save any and all survey monuments that will be or may be damaged or destroyed by their operations. Once found, the Contractor shall then notify both the developer's supervising Civil Engineer and the Public Works Inspector. The supervising Civil Engineer shall reset all said monuments per the requirements of the Professional Land Surveyor's Act.
10. The Contractor shall be responsible for protecting all public and private property insofar as it may be affected by these operations.
11. Existing traffic signs are not to be removed without prior notification and approval of the City Engineer. As a minimum, construction work zone traffic signs and striping shall be furnished, installed, and maintained in accordance with the "Work Area Traffic Control Handbook" (the "WATCH Manual"), published by BNI Building News, Inc. A Traffic Control Plan, prepared by the developer, may be required by the City.
12. Dust control shall be maintained at all times.
13. Erosion Control Plans shall be provided for all projects. Grading and clearing is prohibited from November 1 to March 31 for all developments within or adjacent to ESHA and/or including grading on slopes greater than 4:1.
14. All underground utilities and service laterals shall be installed prior to construction of curbs, gutters, sidewalks, and paving unless otherwise permitted by the City Engineer.
15. The Developer shall comply with NPDES requirements. The Storm Water Pollution Prevention Plan (SWPPP) shall be available at the construction site at all times and shall be kept updated.
16. All recommendations made by the Geotechnical/Soils Engineer (and Engineering Geologist, where employed), and contained in the reports referenced hereon, as approved or conditioned by the City, shall be considered a part of the Grading Plan.
17. All storm drain pipe within the public right-of-way and easements shall be reinforced concrete pipe (RCP).
18. Terrace drains, interceptor drains, and down drains shall be constructed of 3" P.C.C. reinforced with 6"x6"-6/6 W.W.M. and shall be either semicircular or triangular cross section. Concrete color shall be "Smoke Tan" or approved equivalent.
19. Grading Quantities:
Cut SEE CHART cu.yd. Fill SEE CHART cu.yd.
Export SEE CHART cu.yd. Import SEE CHART cu.yd.
20. Total Disturbed Area 0.58 acres
(Including grading, clearing, and landscaping area)
Total Existing Impervious Surface Area 8,402 sq. ft. (within disturbed area only)
Total Proposed Impervious Surface Area 7,428 sq. ft. (within disturbed area only)
Flood Zone on FIRM: ____ Base Flood Elevation: ____ ft.
21. All slopes on private property adjoining streets, drainage channels, or other public facilities shall be graded not steeper than 2:1 for cut and fill unless specifically approved by the City Engineer on recommendation of the project's geotechnical/soils consultant.
22. All catch basins and drainage inlets shall be stenciled with the City of Malibu storm drain logo.

LEGEND

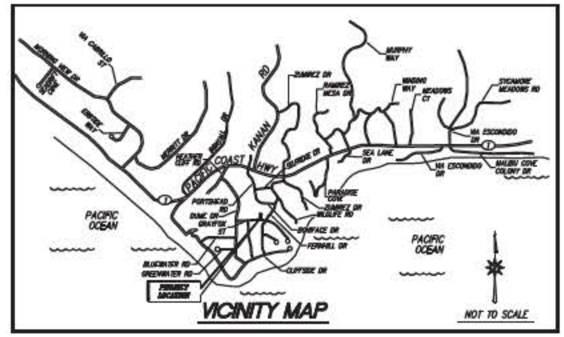
CAB	CABLE TV
C.B.	CATCH BASIN
EDS.	EDISON
F.F.	FINISH FLOOR
F.G.	FINISH GRADE
F.H.	FIRE HYDRANT
F.L.	FLOW LINE
F.S.	FINISH SURFACE
H.P.	HIGH POINT
INV.	INVERT
P.P.	POWER POLE
SDMH	STORM DRAIN MANHOLE
SSMH	SANITARY SEWER MANHOLE
T.C.	TOP CURB
TEL.	TELEPHONE
T.G.	TOP GRATE
T.W.	TOP WALL
W.M.	WATER METER
W.V.	WATER VALVE
(00.0)	SPOT ELEVATION
00.0	DESIGN ELEVATION
	BOUNDARY LINE
	CENTER LINE
	FLOW LINE
	RETAINING WALL
	SITE WALL
	CONCRETE – IMPERVIOUS
	BORINGS PER SOILS (TYP)
	ROOF DRAIN PER ARCH.
	AREA DRAIN
	CATCH BASIN
	REMOVAL AND RECOMPACTION PER SOILS ENGINEER

NOTE:

–EXPORTED SOIL FROM A SITE SHALL BE TAKEN TO THE COUNTY LANDFILL OR TO A SITE WITH AN ACTIVE GRADING PERMIT AND THE ABILITY TO ACCEPT THE MATERIAL IN COMPLIANCE WITH THE CITY'S LOCAL IMPLEMENTATION PLAN (LIP), SECTION 8.3.

–CONTRACTOR TO INSTALL A NEW SIGN STATING:
IT IS ILLEGAL TO DISCHARGE POOL, SPA OR WATER FEATURE WATERS TO A STREET DRAINAGE COURSE OR STORM DRAIN PER MMC 13.04.060(D)(5). THE NEW SIGN SHALL BE POSTED IN THE FILTRATION AND/OR PUMPING EQUIPMENT AREA FOR THE PROPERTY.

–CHLORINATED WATER FROM POOLS OR SPAS WILL BE TRUCKED TO A PUBLICLY OWNED WASTEWATER TREATMENT WORKS (P.O.T.W.) FOR DISCHARGE.



VICINITY MAP
NOT TO SCALE

City of Malibu

23825 Stuart Ranch Road • Malibu, California • 90265-4861
Phone (310) 456-2489 • Fax (310) 456-7650 • www.ci.malibu.ca.us

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE
PLANNING DIVISION REVIEW LEVEL

PLANNING APPLICATION NUMBER:________
PROJECT ADDRESS: 29043 GRAYFOX STREET

All projects proposing land form alteration which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Division application for grading approval. All applicable cubic yardage shall be completed in the table. All calculations utilized to estimate the cubic yardages indicated shall be attached to this form. This form and the required calculations must be prepared by a State of California Licensed Civil Engineer or a Licensed Surveyor. The form and the calculations shall be stamped and wet signed by the preparing party.

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	1,536 CY	0	0	0	0	1,536 CY
Fill	1,536 CY	254 CY	74 CY	904 CY	0	2,768 CY
Total	3,072 CY	254 CY	74 CY	904 CY	0	4,304 CY
Import	0	254 CY	74 CY	904 CY	0	1,232 CY
Export	0	0	0	0	0	0

All quantities indicated shall be in Cubic Yards only.
R&R – Removal and Recompaction – R&R must be balanced.
Safety: Grading is required grading for L.A. County Fire Department access approval beyond the fifteen foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

PREPARED BY: GARETH R. [illegible]
DATE: 03/06/2017

SHEET INDEX

SHEET NO.	DESCRIPTION
C1 OF C5	GRADING PLAN COVER SHEET
C2 OF C5	KEY MAP AND CONSTRUCTION NOTES
C3 OF C5	GRADING PLAN
C4 OF C5	GRADING PLAN DETAILS
C5 OF C5	GRADING PLAN DETAILS

A.P.N. 4466-017-002

REVIEWED SOILS ENGINEER	REVIEWED FOR ISSUANCE OF PERMIT	#	REVISIONS	DATE
SOILS ENGINEER DATE	PUBLIC WORKS DATE			
REVIEWED GEOLOGIST	REVIEWED FOR ISSUANCE OF PERMIT			
GEOLOGIST DATE	PLANNING DEPT. DATE			

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www.peakinc.com
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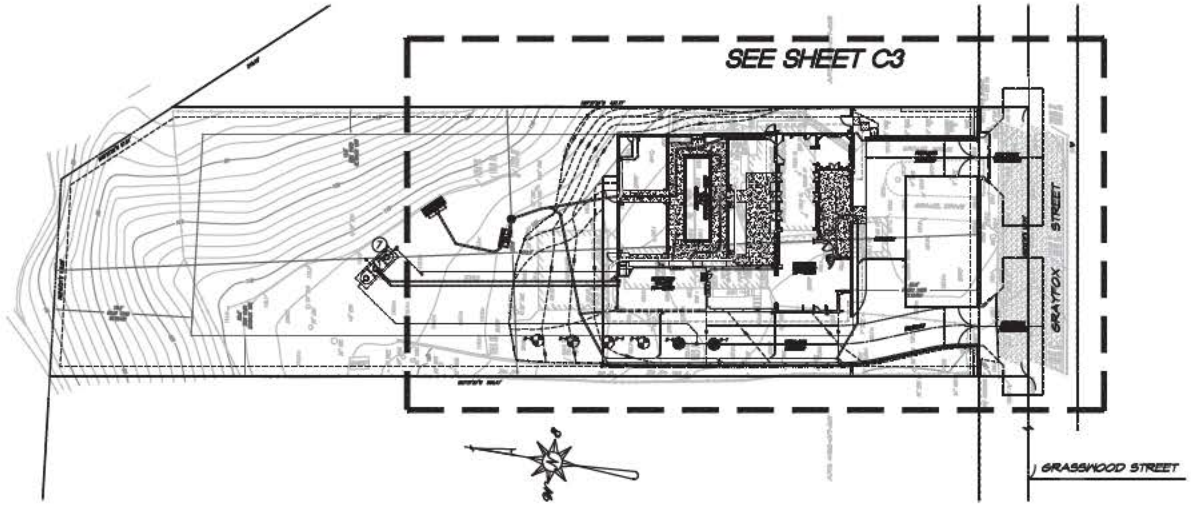
CITY OF MALIBU
GRADING PLAN COVER SHEET
29043 GRAYFOX STREET

DRAWN BY / DATE	CHECKED BY / DATE	
R.R. 03/06/2017	G.L. 03/06/2017	SHEET C1 OF C5

G:\PROJECTS\15-5972\DWG\GRADING PLAN.dwg 03/06/2017



KEY MAP
SCALE : 1" = 30'

CONSTRUCTION NOTES

1. PROPOSED POOL AND POOL EQUIPMENT PER SEPARATE PLANS AND PERMITS.
2. PROPOSED LANDSCAPE WALLS PER SEPARATE PLANS AND PERMITS.
3. PORTION OF EXISTING ROCK WALL TO BE REMOVED.
4. FIRE DEPARTMENT TURNAROUND.
5. PROPOSED GRAVEL / PERMEABLE DRIVEWAY. STRUCTURAL SECTION PER SOILS ENGINEER RECOMMENDATIONS. STRUCTURAL SECTION TO BE DESIGNED PER FIRE DEPARTMENT STANDARDS.
6. PROPOSED GATES PER SEPARATE PLANS AND PERMITS.
7. PROPOSED SEPTIC SYSTEM PER SEPARATE PLANS AND PERMITS (TYP).
8. PROPOSED HARDSCAPE PER ARCHITECT'S PLANS (TYP).
9. PROPOSED DISPERSAL OUTLET. SEE DETAIL 1, ON SHEET C4. OR APPROVED EQUAL.
10. INSTALL 4"ø AREA DRAIN PER "NDS PRODUCTS". SEE DETAIL 2, ON SHEET C4. OR APPROVED EQUAL.
11. INSTALL 12"x12" CATCH BASIN PER "NDS PRODUCTS". SEE DETAIL 3, ON SHEET C4. OR APPROVED EQUAL.
12. INSTALL 12"x12" CATCH BASIN PER "JENSEN PRODUCTS" TRAFFIC GRATE. SEE DETAIL 4, ON SHEET C4. OR APPROVED EQUAL.
13. CONNECT ALL ROOF DRAINS TO PROPOSED STORM DRAIN SYSTEM WITH 4"ø PVC (SDR 35) PIPE @ 1% MIN. SLOPE (TYP). SEE DETAIL 5, ON SHEET C4. OR APPROVED EQUAL.
14. INSTALL CONCRETE CURB AND GUTTER. SEE DETAIL 6, ON SHEET C4. OR APPROVED EQUAL.
15. PROPOSED 8'x14' FILTERRA BIORETENTION SYSTEM PER "CONTECH PRODUCTS". SEE DETAIL 7, ON SHEET C5 AND HYDROLOGY REPORT. OR APPROVED EQUAL.
16. PROPOSED (ASBS TREATMENT SYSTEM). SEE DETAIL 8, SHEET C5. OR APPROVED EQUAL.
17. INSTALL 4"ø PVC (SDR 35) PIPE @ 1% MIN. SLOPE (TYP).
18. INSTALL 6"ø PVC (SDR 35) PIPE @ 1% MIN. SLOPE (TYP).
19. INSTALL 6"ø PVC (SDR 35) PIPE @ 1% MIN. SLOPE (TYP).
20. PROPOSED DISTURBED AREA.
21. PROPOSED REMOVAL AND RECOMPACTION PER SOILS ENGINEER RECOMMENDATIONS, TO CREATE A UNIFORM BUILDING PAD FOR THE PROPOSED DEVELOPMENT. THE EXISTING FILL AND SOIL SHOULD BE REMOVED TO NATURE SOIL WITH REPAIRS DESCRIPTION, AND REPLACED AS COMPACTED FILL. TO ADDITIONAL PROPOSED REMOVALS SHOULD EXTEND A MINIMUM OF 5 FEET BEYOND THE PROPOSED FOUNDATIONS AND FOR FEET OUTSIDE OF THE BUILDING FOOTPRINT. THE PROPOSED POOL SHOULD BE SUPPORTED ENTIRELY ON COMPACTED FILL.

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REVIEWED SOILS ENGINEER	REVIEWED FOR ISSUANCE OF PERMIT	#	REVISIONS	DATE
SOILS ENGINEER DATE	PUBLIC WORKS DATE			
REVIEWED GEOLOGIST	REVIEWED FOR ISSUANCE OF PERMIT			
GEOLOGIST DATE	PLANNING DEPT. DATE			

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CITY OF MALIBU
KEY MAP AND CONSTRUCTION NOTES
29043 GRAYFOX STREET

DRAWN BY / DATE	CHECKED BY / DATE	SHEET C2 OF C5
R.R. 03/06/2017	G.L. 03/06/2017	

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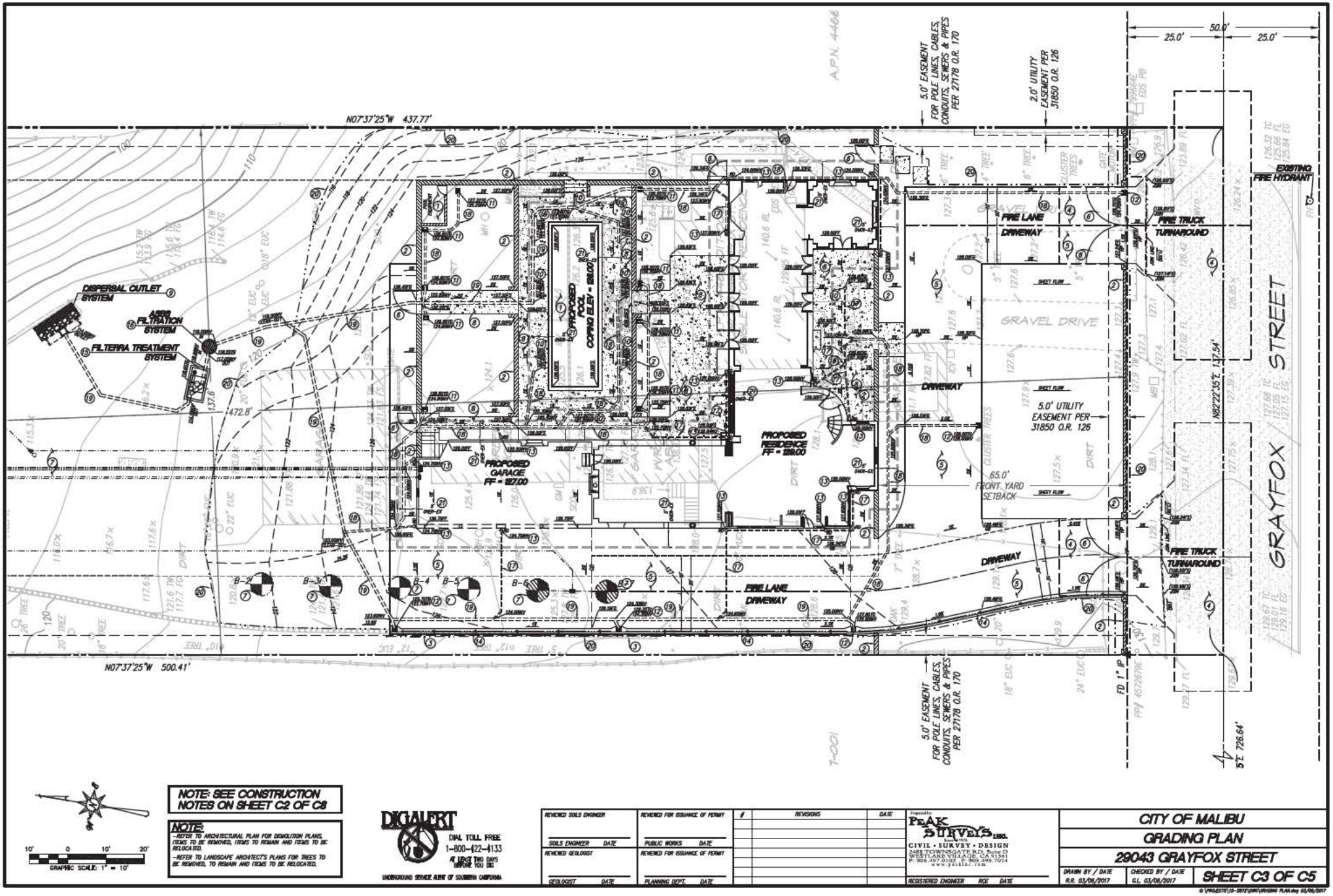
N07°37'25"W 437.77'
N07°37'25"W 500.41'
5.0' EASEMENT FOR POLE LINES, CABLES, CONDUITS, SEWERS & PIPES PER 27178 O.R. 170
2.0' UTILITY EASEMENT PER 31850 O.R. 126
50.0'
25.0'
25.0'
EXISTING FIRE HYDRANT
FIRE LANE DRIVEWAY
FIRE TRUCK TURNAROUND
GRAVEL DRIVE
DRIVEWAY
5.0' UTILITY EASEMENT PER 31850 O.R. 126
65.0' FRONT YARD SETBACK
N82°22'35"E 137.54'
GRAYFOX STREET
DISPERSAL OUTLET SYSTEM
ASSO FILTRATION SYSTEM
FILTERRA TREATMENT SYSTEM
PROPOSED POOL COPING ELEV = 126.00
PROPOSED RESIDENCE FF = 129.00
PROPOSED GARAGE FF = 127.00
FIRE LANE DRIVEWAY
DRIVEWAY
FIRE TRUCK TURNAROUND
472.8'
A.P.N. 4466
FD 1" IP
5'E 726.64'
B-2
B-3
B-4
B-5
B-6
B-7
GRAPHIC SCALE: 1" = 10'
NOTE: SEE CONSTRUCTION NOTES ON SHEET C2 OF C8
NOTE:
-REFER TO ARCHITECTURAL PLAN FOR DEMOLITION PLANS, ITEMS TO BE REMOVED, ITEMS TO REMAIN AND ITEMS TO BE RELOCATED.
-REFER TO LANDSCAPE ARCHITECT'S PLANS FOR TREES TO BE REMOVED, TO REMAIN AND ITEMS TO BE RELOCATED.
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REVIEWED SOILS ENGINEER
SOILS ENGINEER DATE
REVIEWED GEOLOGIST
GEOLOGIST DATE
REVIEWED FOR ISSUANCE OF PERMIT
PUBLIC WORKS DATE
REVIEWED FOR ISSUANCE OF PERMIT
PLANNING DEPT. DATE
REVISIONS
DATE
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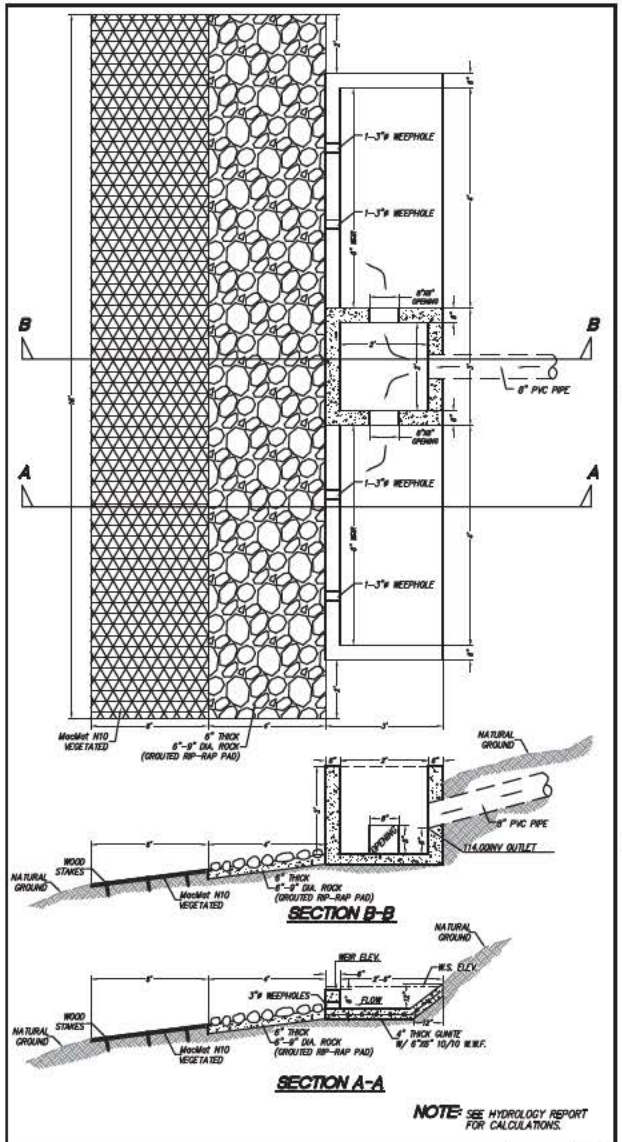
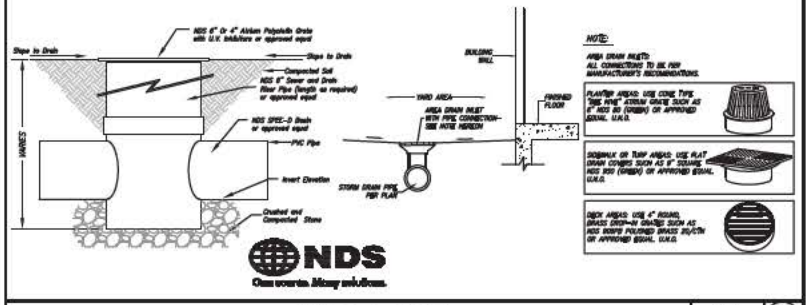
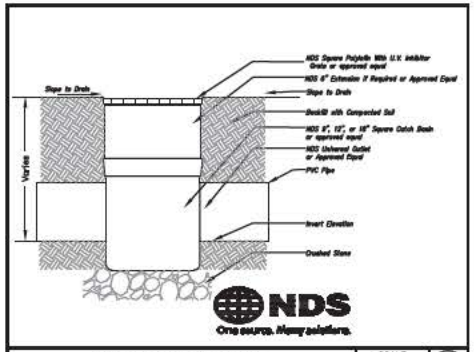
CITY OF MALIBU
GRADING PLAN
29043 GRAYFOX STREET
DRAWN BY / DATE R.R. 03/06/2017
CHECKED BY / DATE G.L. 03/06/2017
SHEET C3 OF C5



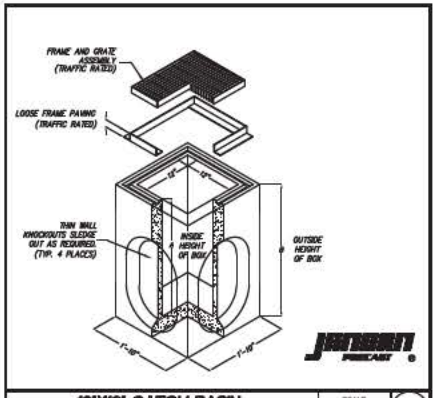
DISPERSAL OUTLET — SCALE NOT TO SCALE — 1



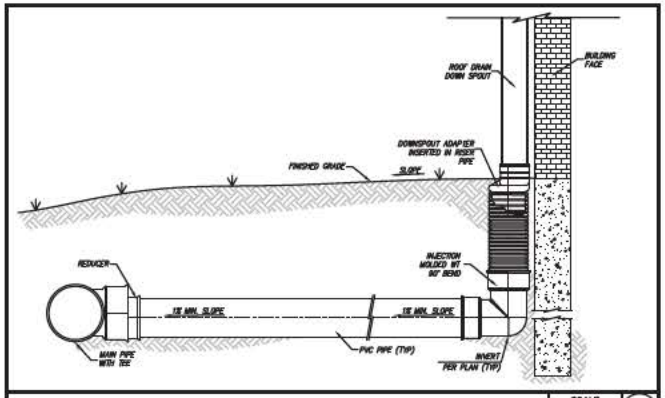
4"ϕ AREA DRAIN — SCALE NOT TO SCALE — 2



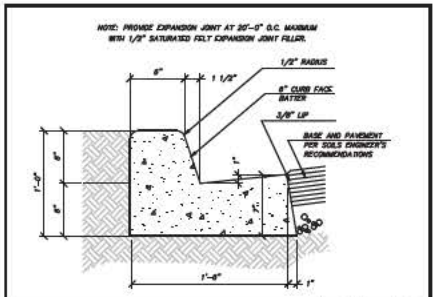
12"X12" CATCH BASIN
NDS SQUARE GRATE WITH NDS SQUARE CATCH BASIN — SCALE NOT TO SCALE — 3



12"X12" CATCH BASIN (TRAFFIC RATED) — SCALE NOT TO SCALE — 4



ROOF DRAIN CONNECTION — SCALE NOT TO SCALE — 5



CONCRETE CURB + GUTTER — SCALE NOT TO SCALE — 6

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REVIEWED SOILS ENGINEER	REVIEWED FOR ISSUANCE OF PERMIT	#	REVISIONS	DATE
SOILS ENGINEER DATE	PUBLIC WORKS DATE			
REVIEWED GEOLOGIST	REVIEWED FOR ISSUANCE OF PERMIT			
GEOLOGIST DATE	PLANNING DEPT. DATE			

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CITY OF MALIBU
GRADING PLAN DETAILS
29043 GRAYFOX STREET

DRAWN BY / DATE	CHECKED BY / DATE	SHEET C4 OF C5
R.R. 03/06/2017	G.L. 03/06/2017	

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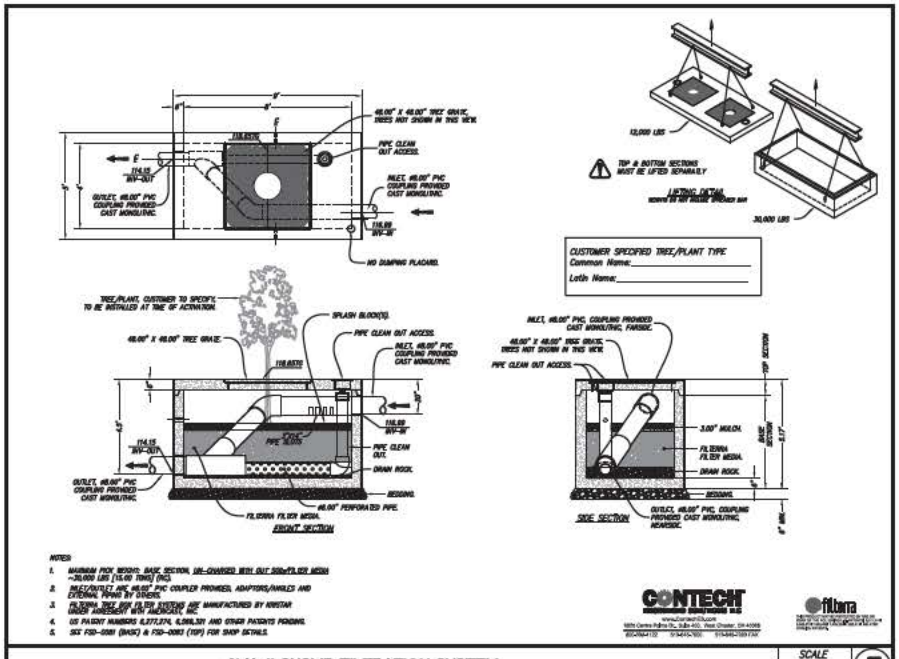
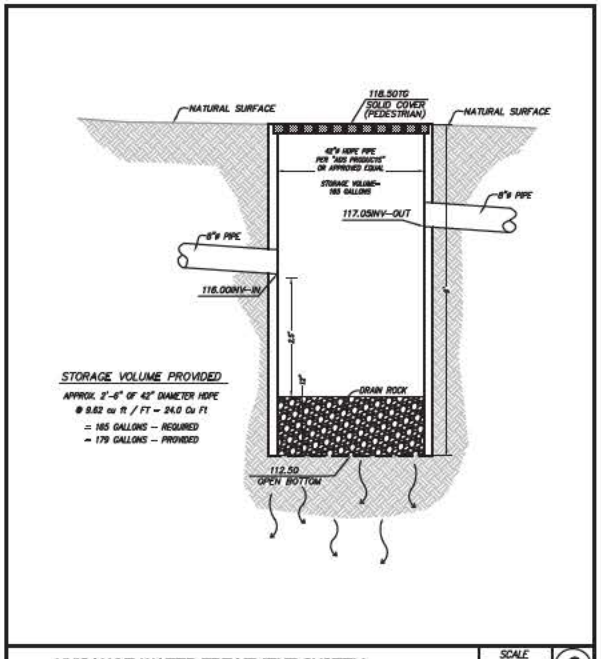


8' X 4' SUMP FILTRATION SYSTEM

SCALE: NOT TO SCALE

7



NUISANCE WATER TREATMENT SYSTEM

SCALE: NOT TO SCALE

8

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REVIEWED SOILS ENGINEER	REVIEWED FOR ISSUANCE OF PERMIT	#	REVISIONS	DATE
SOILS ENGINEER DATE	PUBLIC WORKS DATE			
REVIEWED GEOLOGIST	REVIEWED FOR ISSUANCE OF PERMIT			
GEOLOGIST DATE	PLANNING DEPT. DATE			

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CITY OF MALIBU
GRADING PLAN DETAILS
29043 GRAYFOX STREET

DRAWN BY / DATE	CHECKED BY / DATE	SHEET C5 OF C5
R.R. 03/06/2017	G.L. 03/06/2017	

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EROSION AND SEDIMENT CONTROL PLAN (ESCP) GENERAL NOTES:

1. IN CASE OF EMERGENCY, CALL JOHN ATWILL AT 310-615-1700
   (PLEASE FILL IN NAME AND NUMBER)
2. TOTAL DISTURBED AREA 0.58 WDID # N / A
3. RISK LEVEL 1 2 3 (CIRCLE ONE AS DETERMINED BY STATE GENERAL PERMIT FOR SITES GREATER THAN 1 ACRE)
4. A STAND-BY CREW FOR EMERGENCY WORK SHALL BE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON (NOVEMBER 1 TO APRIL 15). NECESSARY MATERIALS SHALL BE AVAILABLE ON-SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF EMERGENCY DEVICES WHEN RAIN IS IMMINENT.
5. EROSION CONTROL DEVICES SHOWN ON THIS PLAN MAY BE REMOVED WHEN APPROVED BY THE BUILDING OFFICIAL IF THE GRADING OPERATION HAS PROGRESSED TO THE POINT WHERE THEY ARE NO LONGER REQUIRED.
6. GRADED AREAS ADJACENT TO FILL SLOPES LOCATED AT THE SITE PERIMETER MUST DRAIN AWAY FROM THE TOP OF SLOPE AT THE CONCLUSION OF EACH WORKING DAY. ALL LOOSE SOILS AND DEBRIS THAT MAY CREATE A POTENTIAL HAZARD TO OFF-SITE PROPERTY SHALL BE STABILIZED OR REMOVED FROM THE SITE ON A DAILY BASIS.
7. ALL SILT AND DEBRIS SHALL BE REMOVED FROM ALL DEVICES WITHIN 24 HOURS AFTER EACH RAINSTORM AND BE DISPOSED OF PROPERLY.
8. A GUARD SHALL BE POSTED ON THE SITE WHENEVER THE DEPTH OF WATER IN ANY DEVICE EXCEEDS TWO FEET. THE DEVICE SHALL BE DRAINED OR PUMPED DRY WITHIN 24 HOURS AFTER EACH RAINSTORM. PUMPING AND DRAINING OF ALL BASINS AND DRAINAGE DEVICES MUST COMPLY MUST COMPLY WITH THE APPROPRIATE BMP FOR DEWATERING OPERATIONS.
9. THE PLACEMENT OF ADDITIONAL DEVICES TO REDUCE EROSION DAMAGE AND CONTAIN POLLUTANTS WITHIN THE SITE IS LEFT TO THE DISCRETION OF THE FIELD ENGINEER. ADDITIONAL DEVICES AS NEEDED SHALL BE INSTALLED TO RETAIN SEDIMENTS AND OTHER POLLUTANTS ON SITE.
10. DESILTING BASINS MAY NOT BE REMOVED OR MADE INOPERABLE BETWEEN NOVEMBER 1 AND APRIL 15 OF THE FOLLOWING YEAR WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL.
11. STORM WATER POLLUTION AND EROSION CONTROL DEVICES ARE TO BE MODIFIED, AS NEEDED, AS THE PROJECT PROGRESSES, THE DESIGN AND PLACEMENT OF THESE DEVICES IS THE RESPONSIBILITY OF THE FIELD ENGINEER. PLANS REPRESENTING CHANGES MUST BE SUBMITTED FOR APPROVAL IF REQUESTED BY THE BUILDING OFFICIAL.
12. EVERY EFFORT SHOULD BE MADE TO ELIMINATE THE DISCHARGE OF NON-STORM WATER FROM THE PROJECT SITES AT ALL TIMES.
13. ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON-SITE AND MAY NOT BE TRANSPORTED FROM THE SITE VIA SHEET FLOW, SWALES, AREA DRAINS, NATURAL DRAINAGE COURSES, OR WIND.
14. STOCKPILES OF EARTH AND OTHER CONSTRUCTION-RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.
15. FUELS, OILS, SOLVENTS, AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOILS AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
16. EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON-SITE UNTIL THEY CAN BE DISPOSED OF AS SOLID WASTE.
17. DEVELOPERS/CONTRACTORS ARE RESPONSIBLE TO INSPECT ALL EROSION CONTROL DEVICES AND BMPS ARE INSTALLED AND FUNCTIONING PROPERLY IF THERE IS A 50% OR GREATER PROBABILITY OF PREDICTED PRECIPITATION, AND AFTER ACTUAL PRECIPITATION. A CONSTRUCTION SITE INSPECTION CHECKLIST AND INSPECTION LOG SHALL BE MAINTAINED AT THE PROJECT SITE AT ALL TIMES AND AVAILABLE FOR REVIEW BY THE BUILDING OFFICIAL (COPIES OF THE SELF-INSPECTION CHECK LIST AND INSPECTION LOGS ARE AVAILABLE UPON REQUEST).
18. TRASH AND CONSTRUCTION-RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND.
19. SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEPT UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
20. ANY SLOPES WITH DISTURBED SOILS OR DENUDED OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND AND WATER.
21. AS THE ENGINEER/QSD OF RECORD, I HAVE SELECTED APPROPRIATE BMPS TO EFFECTIVELY MINIMIZE THE NEGATIVE IMPACTS OF THIS PROJECT'S CONSTRUCTION ACTIVITIES ON STORM WATER QUALITY. THE PROJECT OWNER AND CONTRACTOR ARE AWARE THAT THE SELECTED BMPS MUST BE INSTALLED, MONITORED, AND MAINTAINED TO ENSURE THEIR EFFECTIVENESS.

______________________________ ______________
CIVIL ENGINEER/QSD SIGNATURE DATE

22. THE FOLLOWING NOTES MUST BE ON THE PLAN:

AS THE PROJECT OWNER OR AUTHORIZED AGENT OF THE OWNER, "I CERTIFY THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH THE SYSTEM DESIGNED TO ENSURE THAT A QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SUBMITTED IS TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT SUBMITTING FALSE AND/ OR INACCURATE INFORMATION, FAILING TO UPDATE THE ESCP TO REFLECT CURRENT CONDITIONS, OR FAILING TO PROPERLY AND/OR ADEQUATELY IMPLEMENT THE ESCP MAY RESULT IN REVOCATION OF GRADING AND/OR OTHER PERMITS OR OTHER SANCTIONS PROVIDED BY LAW."

______________________________ ______________
OWNER OR AUTHORIZED REPRESENTATIVE (PERMITTEE) DATE

1. DEVELOPERS/CONTRACTORS ARE RESPONSIBLE TO INSPECT ALL EROSION CONTROL DEVICES AND BMPS ARE INSTALLED AND FUNCTIONING PROPERLY AS REQUIRED BY THE STATE CONSTRUCTION GENERAL PERMIT. A CONSTRUCTION SITE INSPECTION CHECKLIST AND INSPECTION LOG SHALL BE MAINTAINED AT THE PROJECT SITE AT ALL TIMES AND AVAILABLE FOR REVIEW BY THE BUILDING OFFICIAL.
2. THE FOLLOWING BMPS FROM THE "CASQA CONSTRUCTION BMP ONLINE HANDBOOK" MUST BE IMPLEMENTED FOR ALL CONSTRUCTION ACTIVITIES AS APPLICABLE. AS AN ALTERNATIVE, DETAILS FROM "CALTRANS STORMWATER QUALITY HANDBOOKS, CONSTRUCTION SITE BEST MANAGEMENT PRACTICES (BMP) MANUAL" MAY BE USED. ADDITIONAL MEASURES MAY BE REQUIRED IF DEEMED APPROPRIATE BY THE BUILDING OFFICIAL.

EROSION CONTROL

EC1 - SCHEDULING
EC2 - PRESERVATION OF EXISTING VEGETATION
EC3 - HYDRAULIC MULCH
EC4 - HYDROSEEDING
EC5 - SOIL BINDERS
EC6 - STRAW MULCH
EC7 - GEOTEXTILES & MATS
EC8 - WOOD MULCHING
EC9 - EARTH DIKES AND DRAINAGE SWALES EC10 - VELOCITY

DISSIPATION DEVICES

EC11 - SLOPE DRAINS
EC12 - STREAMBANK STABILIZATION
EC13 - RESERVED
EC14 - COMPOST BLANKETS
EC15 - SOIL PREPARATION/ROUGHENING
EC16 - NON-VEGETATED STABILIZATION

TEMPORARY SEDIMENT CONTROL

SE1 - SILT FENCE
SE2 - SEDIMENT BASIN
SE3 - SEDIMENT TRAP
SE4 - CHECK DAM
SE5 - FIBER ROLLS
SE6 - GRAVEL BAG BERM
SE7 - STREET SWEEPING AND VACUUMING
SE8 - SANDBAG BARRIER
SE9 - STRAW BALE BARRIER
SE10 - STORM DRAIN INLET PROTECTION
SE11 - ACTIVE TREATMENT SYSTEMS
SE12 - TEMPORARY SILT DIKE
SE13 - COMPOST SOCKS & BERMS
SE14 - BIOFILTER BAGS

WIND EROSION CONTROL

WE1 - WIND EROSION CONTROL

TEMPORARY TRACKING CONTROL

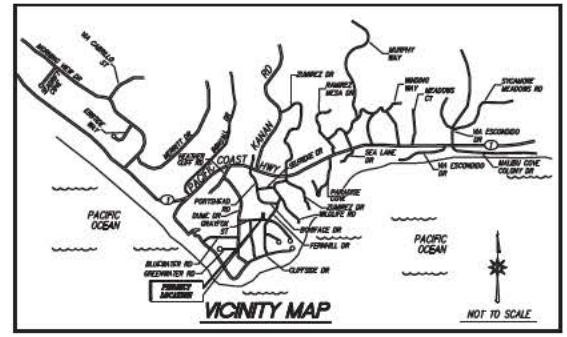
TC1 - STABILIZED CONSTRUCTION ENTRANCE EXIT
TC2 - STABILIZED CONSTRUCTION ROADWAY
TC3 - ENTRANCE/OUTLET TIRE WASH

NON-STORMWATER MANAGEMENT

NS1 - WATER CONSERVATION PRACTICES
NS2 - DEWATERING OPERATIONS
NS3 - PAVING AND GRINDING OPERATIONS
NS4 - TEMPORARY STREAM CROSSING
NS5 - CLEAR WATER DIVERSION
NS6 - ILLICIT CONNECTION/DISCHARGE
NS7 - POTABLE WATER/IRRIGATION
NS8 - VEHICLE AND EQUIPMENT CLEANING
NS9 - VEHICLE AND EQUIPMENT FUELING
NS10 - VEHICLE AND EQUIPMENT MAINTENANCE
NS11 - PILE DRIVING OPERATIONS
NS12 - CONCRETE CURING
NS13 - CONCRETE FINISHING
NS14 - MATERIAL AND EQUIPMENT USE
NS15 - DEMOLITION ADJACENT TO WATER
NS16 - TEMPORARY BATCH PLANTS

WASTE MANAGEMENT & MATERIAL POLLUTION CONTROL

WM1 - MATERIAL DELIVERY AND STORAGE
WM2 - MATERIAL USE
WM3 - STOCKPILE MANAGEMENT
WM4 - SPILL PREVENTION AND CONTROL
WM5 - SOLID WASTE MANAGEMENT
WM6 - HAZARDOUS WASTE MANAGEMENT
WM7 - CONTAMINATED SOIL MANAGEMENT
WM8 - CONCRETE WASTE MANAGEMENT
WM9 - SANITARY/SEPTIC WASTE MANAGEMENT
WM10 - LIQUID WASTE MANAGEMENT



DEVELOPERS/CONTRACTOR SELF-INSPECTION FORM

INSPECTION LOG
The site shall be inspected before and after storm events with 0.25 inches or greater predicted or actual precipitation, and documented on the Construction Site Inspection Checklist Form. Incidents of noncompliance must be reported to the Field Engineer. A log of all inspections, as shown below, shall be kept current and maintained at the job sites at all times.

DATE	INSPECTOR	TYPE OF INSPECTION			OBSERVATIONS - IF POST-STORM - INSPECTION, NOTE SIZE OF STORM IN INCHES
		ROUTINE	PRE-STORM	POST-STORM	

CONSTRUCTION SITE INSPECTION CHECKLIST

Inspected By: ______________________
Project: ______________________
Contractor: ______________________
Date: ______________________

Check "Yes" or "No" or "N/A" if not applicable.

YES NO N/A
☐ ☐ ☐ 1. Has there been rain at the site since the last inspection?
☐ ☐ ☐ 2. Are all sediment barriers (e.g., sandbags, straw bales, and silt fences) in place in accordance with the Plan and are they functioning prop
☐ ☐ ☐ 3. If present, are all exposed slopes protected from erosion through the implementation of acceptable soil stabilization practices?
☐ ☐ ☐ 4. If present, are all sediment traps/basins installed and functioning properly?
☐ ☐ ☐ 5. Are all material handling and storage areas reasonably clean and free of spills, leaks, or other deleterious materials?
☐ ☐ ☐ 6. Are all equipment storage and maintenance areas reasonably clean and free of spills, leaks, or any other deleterious materials?
☐ ☐ ☐ 7. Are all materials and equipment properly covered?
☐ ☐ ☐ 8. Are all external discharge points (i.e., outfalls) reasonably free of any noticeable pollutant discharges?
☐ ☐ ☐ 9. Are all internal discharge points (i.e., storm drain inlets) provided with inlet protection?
☐ ☐ ☐ 10. Are all external discharge points reasonably free of any significant erosion or sediment transport?
☐ ☐ ☐ 11. Are all BMPs identified on the Plan installed in the proper locations and according to the specifications for the Plan?
☐ ☐ ☐ 12. Are all structural control practices in good repair and maintained in functional order?

Check "Yes" or "No" or "N/A" if not applicable.

YES NO N/A
☐ ☐ ☐ 13. Are all on-site traffic routes, parking, and storage of equipment and supplies restricted to areas designated in the Plan for those uses?
☐ ☐ ☐ 14. Are all locations of temporary soil stockpiles or construction materials in approved areas and properly contained?
☐ ☐ ☐ 15. Are all seeded or landscaped areas properly maintained?
☐ ☐ ☐ 16. Are sediment controls in place at discharge points from the site?
☐ ☐ ☐ 17. Are slopes free of significant erosion?
☐ ☐ ☐ 18. Are all points of ingress and egress from the site provided with stabilized construction entrances?
☐ ☐ ☐ 19. Is sediment, debris, or mud being cleaned from public roads at intersections with site access roads?
☐ ☐ ☐ 20. Does the Plan reflect current site conditions?

PREPARED FOR:

JOHN ATWILL
15800 NEW CENTURY DRIVE
GARDENA, CA 90248

LEGAL DESCRIPTION:

THAT PORTION OF PARCEL 38, RECORD OF SURVEYS FILED IN RS 57/9-10, AS DESCRIBED IN A DEED RECORDED AS 20140522876.

BENCH MARK:

BM# Y5433 ELEV=132.549
LACDPW BENCH MALIBU QUAD NAVD88 CS MON IN WELL 43 FT S/O C/L PCH & 315 FT W/O ZUMIREZ DRIVE.

NOTE:

DATE OF SURVEY: NOVEMBER 5, 2015

THIS MAP WAS PREPARED USING TITLE REPORT NO. LA1430888, DATED MAY 9, 2014 AND PREPARED BY EQUITY TITLE CO.

#	REVISIONS	DATE

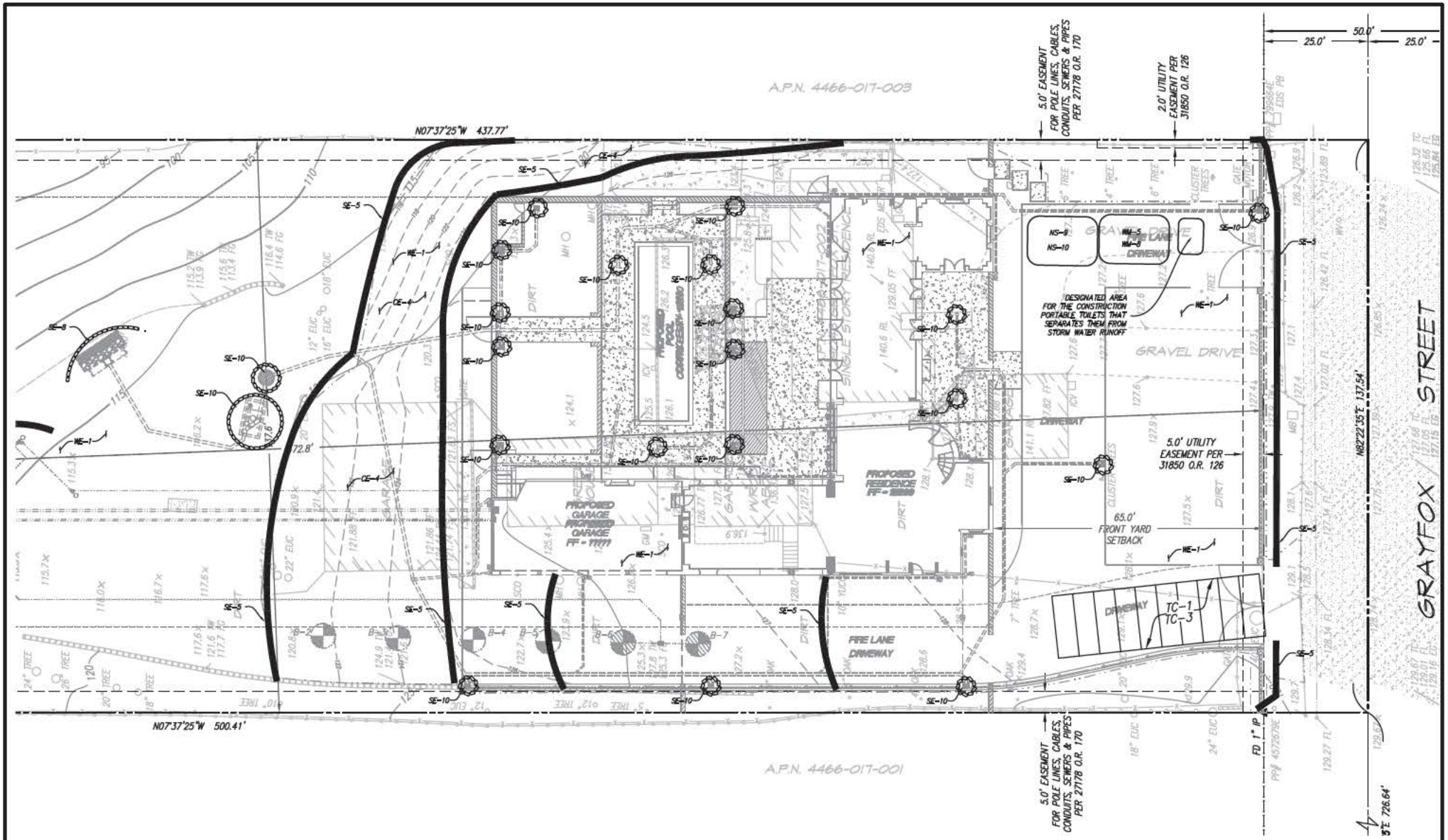
Prepared by:
PEAK SURVEYS INC.
Since 1978
CIVIL • SURVEY • DESIGN
2488 TOWNSGATE RD. Suite D
WESTLAKE VILLAGE, CA 91361
P. 805.497.0102 F. 805.495.7014
www.peakinc.com

REGISTERED ENGINEER RCE DATE

CITY OF MALIBU
SWPPP|WWECP PLAN COVER SHEET
29043 GRAYFOX STREET

DRAWN BY/DATE	DESIGNED BY/DATE	CHECKED BY/DATE	SHEET 1 OF 3
R.R. 03/06/2017	R.R. 03/06/2017	G.L. 03/06/2017	

@ \PROJECTS\15-0972\DWG\EROSION CONTROL PLAN.dwg 03/06/2017



STREET MAINTENANCE

1. REMOVE ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS IMMEDIATELY.
2. SWEEP PAVED AREAS THAT RECEIVE CONSTRUCTION TRAFFIC WHENEVER SEDIMENT BECOMES VISIBLE.
3. PAVEMENT WASHING WITH WATER IS PROHIBITED IF IT RESULTS IN A DISCHARGE TO THE STORM DRAIN SYSTEM.

GRAPHIC SCALE: 1" = 10'

#	REVISIONS	DATE

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REGISTERED ENGINEER RCE DATE

CITY OF MALIBU

SWPPP|WWECP PLAN

29043 GRAYFOX STREET

DRAWN BY/DATE	DESIGNED BY/DATE	CHECKED BY/DATE	
R.R. 03/06/2017	R.R. 03/06/2017	G.L. 03/06/2017	SHEET 2 OF 3

G:\PROJECTS\13-0873\DWG\EROSION CONTROL PLAN.dwg 03/06/2017

Storm Drain Inlet Protection — SE-10

Categories

- EC Erosion Control
- SE Sediment Control ☒
- TC Tracking Control
- WE Wind Erosion Control
- NS Non-Stormwater Management Control
- WM Waste Management and Materials Pollution Control

Legend:
- ☐ Primary Category
- ☒ Secondary Category

Description and Purpose

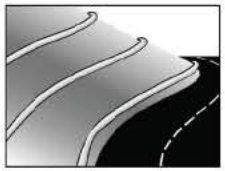
Storm drain inlet protection consists of a sediment filter or an impounding area in, around or upstream of a storm drain, curb inlet, or curb inlet. Storm drain inlet protection measures temporarily pond runoff before it enters the storm drain, allowing sediment to settle. Some filter configurations also remove sediment by filtering, but mostly the ponding action results in the greatest sediment reduction. Temporary geotextile storm drain inserts attach underneath storm drain grates to capture and filter storm water.

Targeted Constituents

- Sediment ☒
- Nutrients
- Trash ☒
- Metals
- Bacteria
- Oil and Grease
- Organics

Potential Alternatives

Fiber Rolls — SE-5



Categories

- EC Erosion Control ☒
- SE Sediment Control ☒
- TC Tracking Control
- WE Wind Erosion Control
- NS Non-Stormwater Management Control
- WM Waste Management and Materials Pollution Control

Legend:
- ☐ Primary Category
- ☒ Secondary Category

Description and Purpose

A fiber roll consists of straw, coir, or other biodegradable material bound into a tight tubular roll wrapped by netting, which can be photodegradable or natural. Additionally, gravel core fiber rolls are available, which contain an imbedded ballast material such as gravel or sand for additional weight when staking the rolls are not feasible (such as use as inlet protection). When fiber rolls are placed at the toe and on the face of slopes along the contour, they intercept runoff, reduce its flow velocity, release the runoff as sheet flow, and provide removal of sediment from the runoff (through sedimentation). By intercepting the length of a slope, fiber rolls can also reduce sheet and rill erosion until vegetation is established.

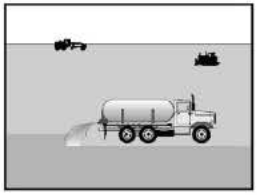
Targeted Constituents

- Sediment ☒
- Nutrients
- Trash
- Metals
- Bacteria
- Oil and Grease
- Organics

Potential Alternatives

- SE-1 Silt fence

Wind Erosion Control — WE-1



Categories

- EC Erosion Control
- SE Sediment Control ☒
- TC Tracking Control
- WE Wind Erosion Control ☒
- NS Non-Stormwater Management Control
- WM Waste Management and Materials Pollution Control

Legend:
- ☐ Primary Category
- ☒ Secondary Category

Description and Purpose

Wind erosion or dust control consists of applying water or other chemical dust suppressants as necessary to prevent or alleviate dust nuisance generated by construction activities. Covering small stockpiles or areas is an alternative to applying water or other dust palliatives.

Targeted Constituents

- Sediment ☒
- Nutrients
- Trash
- Metals
- Bacteria
- Oil and Grease

Solid Waste Management — WM-5

Objectives

- EC Erosion Control
- SE Sediment Control
- TC Tracking Control
- WE Wind Erosion Control
- NS Non-Stormwater Management Control
- WM Waste Management and Materials Pollution Control ✓

Legend:
- ✓ Primary Objective
- ✓ Secondary Objective

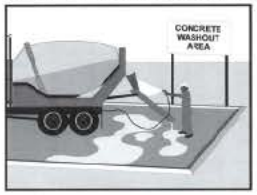
Description and Purpose

Solid waste management procedures and practices are designed to prevent or reduce the discharge of pollutants to stormwater from solid or construction waste by providing designated waste collection areas and containers, arranging for regular disposal, and training employees and subcontractors.

Targeted Constituents

- Sediment ✓
- Nutrients ✓
- Trash ✓
- Metals ✓
- Bacteria
- Oil and Grease ✓

Concrete Waste Management — WM-8



Objectives

- EC Erosion Control
- SE Sediment Control
- TC Tracking Control
- WE Wind Erosion Control
- NS Non-Stormwater Management Control
- WM Waste Management and Materials Pollution Control ✓

Legend:
- ✓ Primary Objective
- ✓ Secondary Objective

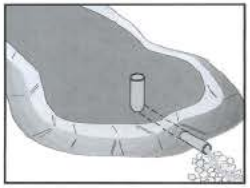
Description and Purpose

Prevent or reduce the discharge of pollutants to stormwater from concrete waste by conducting washout offsite, performing onsite washout in a designated area, and training employees and subcontractors.

Targeted Constituents

- Sediment ✓
- Nutrients
- Trash
- Metals ✓
- Bacteria

Sediment Basin — SE-2



Categories

- EC Erosion Control
- SE Sediment Control ☒
- TC Tracking Control
- WE Wind Erosion Control
- NS Non-Stormwater Management Control
- WM Waste Management and Materials Pollution Control

Legend:
- ☒ Primary Category
- ☒ Secondary Category

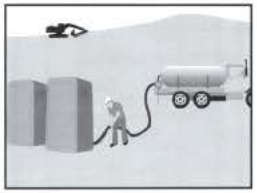
Description and Purpose

A sediment basin is a temporary basin formed by excavation or by constructing an embankment so that sediment-laden runoff is temporarily detained under quiescent conditions, allowing sediment to settle out before the runoff is released.

Targeted Constituents

- Sediment ☒
- Nutrients
- Trash ☒
- Metals
- Bacteria
- Oil and Grease
- Organics

Sanitary/Septic Waste Management — WM-9



Objectives

- EC Erosion Control
- SE Sediment Control
- TC Tracking Control
- WE Wind Erosion Control
- NS Non-Stormwater Management Control
- WM Waste Management and Materials Pollution Control ✓

Legend:
- ✓ Primary Objective
- ✓ Secondary Objective

Description and Purpose

Proper sanitary and septic waste management prevent the discharge of pollutants to stormwater from sanitary and septic waste by providing convenient, well-maintained facilities, and arranging for regular service and disposal.

Targeted Constituents

- Sediment
- Nutrients ✓
- Trash ✓
- Metals
- Bacteria ✓

Material Delivery and Storage — WM-1

Objectives

- EC Erosion Control
- SE Sediment Control
- TC Tracking Control
- WE Wind Erosion Control
- NS Non-Stormwater Management Control
- WM Waste Management and Materials Pollution Control ✓

Legend:
- ✓ Primary Objective
- ✓ Secondary Objective

Description and Purpose

Prevent, reduce, or eliminate the discharge of pollutants from material delivery and storage to the stormwater system or watercourses by minimizing the storage of hazardous materials onsite, storing materials in a designated area, installing secondary containment, conducting regular inspections, and training employees and subcontractors.

Targeted Constituents

- Sediment ✓
- Nutrients ✓
- Trash ✓
- Metals ✓
- Bacteria
- Oil and Grease ✓

STREET MAINTENANCE

1. REMOVE ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS IMMEDIATELY.
2. SWEEP PAVED AREAS THAT RECEIVE CONSTRUCTION TRAFFIC WHENEVER SEDIMENT BECOMES VISIBLE.
3. PAVEMENT WASHING WITH WATER IS PROHIBITED IF IT RESULTS IN A DISCHARGE TO THE STORM DRAIN SYSTEM.

#	REVISIONS	DATE

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REGISTERED ENGINEER RCE DATE

CITY OF MALIBU

SWPPP|WWECP PLAN DETAILS

29043 GRAYFOX STREET

DRAWN BY/DATE	DESIGNED BY/DATE	CHECKED BY/DATE	
R.R. 03/06/2017	R.R. 03/06/2017	G.L. 03/06/2017	SHEET 3 OF 3

G:\PROJECTS\13-0870\DWG\EROSION CONTROL PLAN.dwg 03/06/2017

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE

PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: _____

PROJECT ADDRESS: 29043 GRAYFOX STREET

All projects proposing land form alteration which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed in the table. **All calculations utilized to estimate the cubic yardages indicated shall be attached to this form**. This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and wet signed by the preparing party.

	Exempt			*Non-Exempt*	*Remedial*	**Total**
	R&R	*Understructure*	*Safety*			
Cut	1,536 CY	0	0	0	0	1,536 CY
Fill	1,536 CY	254 CY	74 CY	904 CY	0	2,768 CY
Total	3,072 CY	254 CY	74 CY	904 CY	0	4,304 CY
Import	-	254 CY	74 CY	904 CY	0	1,232 CY
Export	-	0	0	0	0	0

All quantities indicated shall be in cubic yards only.
R&R = Removal and Recompaction – *R&R must be balanced.*
Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

PREPARED BY: GARETH CRITES "PEAK SURVEYS, INC."
PRINT NAME

SIGN NAME

DATE: 03/06/2017

PROFESSIONAL LAND SURVEYOR
GARETH W. CRITES
No. 6573
STAMP
Exp. 9-30-17
STATE OF CALIFORNIA

Habitable Square Footage Table for Surrounding Residences				
Address	**APN**	**Parcel Size (sq. ft.)**	**Habitable Area Only (sq. ft.)**	**Year Built**
28850 Boniface Drive	4466-017-009	71,572	1,795	1955
28872 Boniface Drive	4466-017-010	101,458	5,732	1985
28904 Boniface Drive	4466-017-011	47,112	1,527	1956
28910 Boniface Drive	4466-017-012	39,983	2,820	1957
28926 Boniface Drive	4466-017-013	73,267	1,942	1955
28936 Boniface Drive	4466-017-014	76,453	2,782	1960
28942 Boniface Drive	4466-016-033	50,074	3,902	1976
28946 Boniface Drive	4466-016-034	56,768	2,808	1972
28950 Boniface Drive	4466-016-032	40,275	5,271	1997
28975 Grayfox Street	4466-007-025	30,230	2,715	1956
29011 Grayfox Street	4466-017-004	71,890	Tennis court	1976
29033 Grayfox Street	4466-017-003	44,881	4,974	1955
29055 Grayfox Street	4466-017-001	71,688	3,675	1957
29075 Grayfox Street	4466-016-014	72,628	4,160	1994
29089 Grayfox Street	4466-016-013	74,327	4,491	2009
6851 Fernhill Drive	4466-017-005	66,170	4,653	1980
6900 Grasswood Avenue	4466-012-012	65,017	2,724	1962
6902 Fernhill Drive	4466-011-015	45,326	1,654	1955
6924 Grasswood Avenue	4466-012-008	45,408	3,388	1962
6934 Grasswood Avenue	4466-012-007	44,197	4,081	2012
6936 Fernhill Drive	4466-011-028	27,657	4,577	1973
6938 Grasswood Avenue	4466-012-006	45,555	4,991	1956
6944 Fernhill Drive	4466-011-029	25,243	1,264	1954
6955 Fernhill Drive (Point Dume Marine Science Elementary School)	4466-012-900	271,936	n/a	n/a
n/a	4466-017-006	86,200	Vacant	n/a
n/a	4466-016-012	72,394	Vacant	1955
29043 GRAYFOX STREET (PROJECT SITE)	**4458-025-016**	**67,220**	**4,773 (PROPOSED)**	

- This table summarizes square footage of nearby residences, parcel sizes and year built based on data obtained from the Los Angeles County Tax Assessor's Office (LACTA).
- Building square footage is habitable area only, and does not include garages, covered patios, storage rooms, and some other accessory structures.

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

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BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu Contract Biological Staff **DATE:** ~~3/30/2017~~

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 17-043
JOB ADDRESS:	29043 GRAYFOX ST
APPLICANT / CONTACT:	Chris Deleau, Schmitz and Associates
APPLICANT ADDRESS:	28118 Agoura Rd Agoura Hills, CA 91301
APPLICANT PHONE #:	(818) 338-3636
APPLICANT FAX #:	
APPLICANT EMAIL:	cdeleau@schmitzandassociates.net
PLANNER:	Richard Mollica
PROJECT DESCRIPTION:	Demo ESFR, NSFR, pool, OWTS

TO: Malibu Planning Department and/or Applicant

FROM: City Contract Biologist DAVE CRAWFORD

____ The project review package is INCOMPLETE and; CANNOT proceed through Final Planning Review until corrections and conditions from Biological Review are incorporated into the proposed project design (See Attached).

X The project is APPROVED, consistent with City Goals & Policies associated with the protection of biological resources and CAN proceed through the Planning process.

____ The project may have the potential to significantly impact the following resources, either individually or cumulatively: Sensitive Species or Habitat, Watersheds, and/or Shoreline Resources and therefore Requires Review by the Environmental Review Board (ERB).

Signature Date 10/24/17

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:

Dave Crawford, Contract Biologist, dcrawford@malibucity.org, (310) 456-2489, extension 277
Steven Hongola,, Contract Biologist, shongola@malibucity.org, (310) 456-2489, extension 301
Christopher Julian, Contract Biologist, cjulian@malibucity.org, (310) 456-2489, extension 301

City of Malibu

Biology • Planning Department
23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 317-1950 · www.malibucity.org

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Chris Deleau cdleleau@schmitzandassociates.net	
Project Address:	**29043 Grayfox Street** Malibu, CA 90265	
Planning Case No.:	CDP 17-043	
Project Description:	Demo ESFR, NSFR, pool, OWTS	
Date of Review:	10/24/17	
Reviewer:	Dave Crawford	Signature:
Contact Information:	Phone: (310) 456-2489 ext. 307	Email: dcrawford@malibucity.org

SUBMITTAL INFORMATION

Site Plans:	3/30/17
Site Survey:	3/30/17
Grading Plans:	
OWTS Plan:	10/3/17
Planting Plan	10/3/17
Hydrozone/Water Budget Calculations	10/3/17
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan	
Miscellaneous:	
Previous Reviews:	Incomplete 4/11/17; incomplete 8/1/17

REVIEW FINDINGS

Review Status:	☐	**INCOMPLETE**: Additional information and/or a response to the listed review comments is required.
	☐	**COMPLETE**: All required information has been received and a conformance review shall be completed within the next 30 days.
	☒	**APPROVED**: The project has been approved with regards to biological impacts.
	☐	**NOT APPROVED**: The proposed project does not conform to the requirements of the MMC and/or LCP.
Environmental Review Board (ERB):	☐	**ERB**: This project has the potential to impact ESHA and may require review by the Environmental Review Board pursuant to LIP Section 4.4.4

DISCUSSION:

1. The Maximum Applied Water Allowance (MAWA) for this project totals 362,308 gallons per year. The Estimated Applied Water Use (EAWU) totals 108,692 gpy, thus meeting the Landscape Water Conservation Ordinance Requirements.

   Note: the water budget calculations failed to include the swimming pool as a high water use zone (with a PF = 1.0). However, even with the correction the ETWU is well below the MAWA.

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:

   A. Prior to installation of any landscaping, the applicant shall obtain plumbing permit for the proposed irrigation system from the Building Safety Division.

   B. Prior to or at the time of a Planning final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.

   C. Prior to Final Plan Check Approval, if your property is serviced by the Los Angeles County Waterworks District No. 29, please provide landscape water use approval from that department. For approval contact:

   Nima Parsa
   Address: 23533 West Civic Center Way, Malibu, CA 90265-4804
   Email: Nparsa@DPW.LACOUNTY.GOV (preferred)
   Phone: (310) 317-1389

   Please note this action may require several weeks. As such, the applicant should submit their approved landscape plans to DPW as soon as feasible in order to avoid a delay at plan check.

   D. Vegetation forming a view impermeable condition (hedge), serving the same function as a fence or wall, occurring within the side or rear yard setback shall be maintained at or below six (6) feet in height. View impermeable hedges occurring within the front yard setback serving the same function as a fence or wall shall be maintained at or below 42 inches in height.

   E. Invasive plant species, as determined by the City of Malibu, are prohibited.

   F. Vegetation shall be situated on the property so as not to obstruct the primary view from private property at any given time (given consideration of its future growth).

G. No non-native plant species shall be approved greater than 50 feet from the residential structure. **NOTE**: *Agave deserti* is not a Santa Monica Mountains native, as evidenced by the list of local native species provided in the landscape documentation package. However, since it is a low water use plant, the Planning Director has deemed them acceptable in this instance.

H. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote and copper arsenate.

I. Demo/Grading/excavation/vegetation removal scheduled between February 1 and September 15 will require nesting bird surveys by a qualified biologist prior to initiation of such activities. Surveys shall be completed no more than 5 days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of the surveys shall be turned in to the City within 2 business days of completion of surveys.

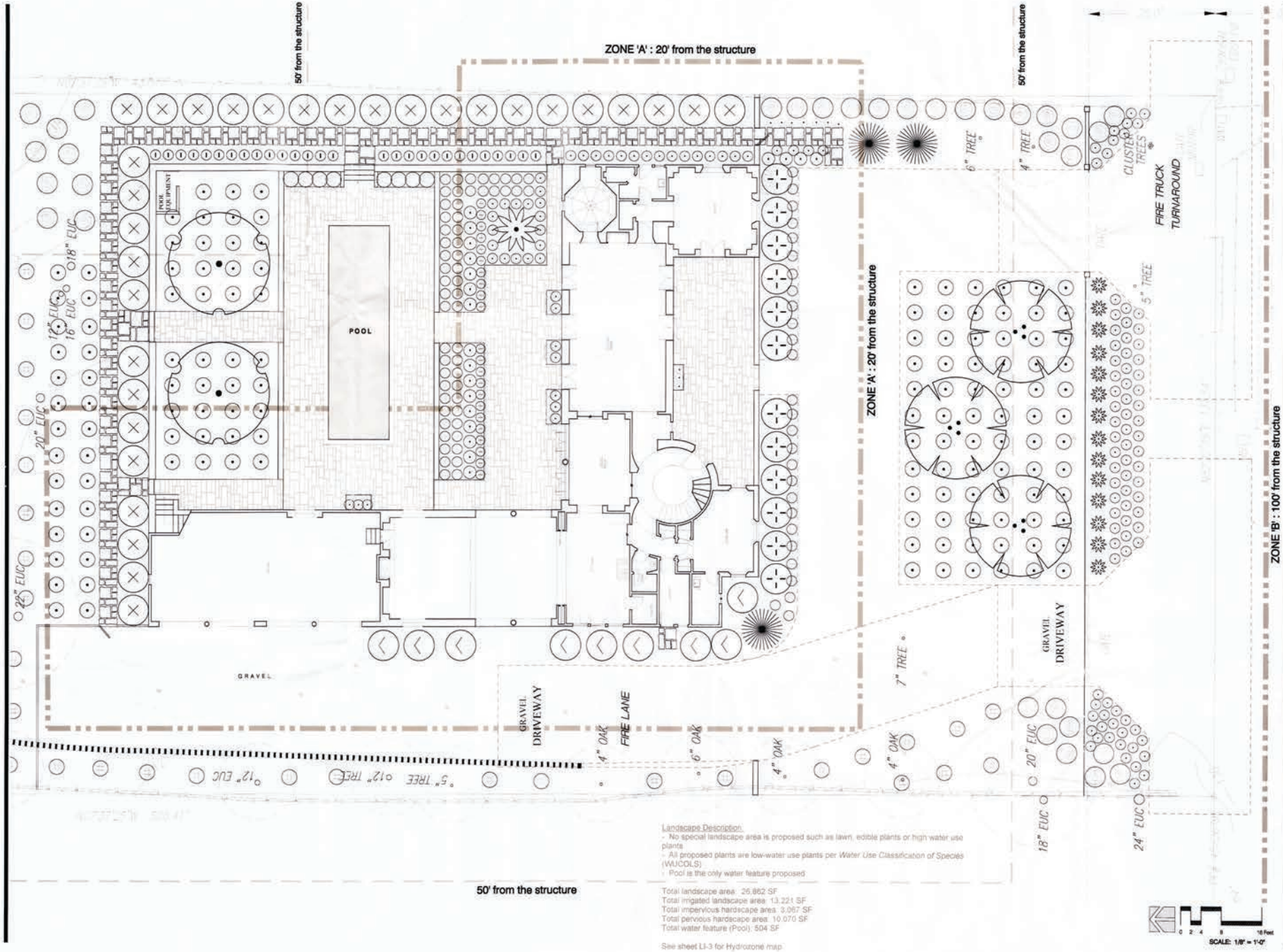
J. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or any lighting of natural habitat areas.

2. **PRIOR TO ISSUING A CERTIFICATE OF OCCUPANCY**, the City Biologist shall inspect the project site and determine that all planning conditions to protect natural resources are in compliance with the approved plans.

-o0o-

If you have any questions regarding the above requirements, please contact the City Biologist office at your earliest convenience.

cc: Planning Project file
Planning Department



Landscape Description:
- No special landscape area is proposed such as lawn, edible plants or high water use plants
- All proposed plants are low-water use plants per *Water Use Classification of Species* (WUCOLS)
- Pool is the only water feature proposed

Total landscape area: 26,862 SF
Total irrigated landscape area: 13,221 SF
Total impervious hardscape area: 3,067 SF
Total pervious hardscape area: 10,070 SF
Total water feature (Pool): 504 SF

See sheet LI-3 for Hydrozone map

Atwill Residence

29043 Grayfox Street
Malibu, CA 90265
A.P.N. 4466-017-002

JLDS
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LANDSCAPE DESIGN
325 W. 8th Street Suite 506 Los Angeles CA 90014
323 - 404 - 7706 www.JasonLeeDesign.com

Revisions	By	Date

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PLANNING DEPARTMENT
CITY BIOLOGIST APPROVAL
DATE 10/6/17
PLANNING CASE NO. CDP 17-023
SIGNATURE
PRINT NAME

Planting Plan

LP-1

Agave deserti
Desert Agave

Westringia fruticosa 'Smokey'
Coast Rosemary

Alyogyne huegelii
Blue Hibiscus

Callistemon 'Little John'
Dwarf Callistemon

Baccharis pilularis 'Pigeon Point'
Dwarf Coyote Brush

Dasylirion longissimum
Mexican Grass Tree

Lavandula stoechas 'Otto Quast'
Spanish Lavender

Salvia clevelandii
Blue Sage

Westringia fruticosa Grey Box
Dwarf Coast Rosemary

Salvia leucophylla
Purple Sage

Ceanothus 'Centennial'
Centennial Ceanothus

Achillea millefolium
Yarrow

Ceanothus g. 'Heart's Desire'
Pt. Reyes Ceanothus

Geranium incanum
Carpet Geranium

Penstemon spectabilis
Royal Penstemon

Cercis occidentalis
Western Redbud

Olea europaea 'Fruitless'
Fruitless Olive

Dietes grandiflora 'Variegata'
Striped Fortnight Lily

Senecio mandraliscae
Kleinia

Fuel Modification Planting Legend:

Fire-Resistant Tree:

	Symbol	Botanical Name	Common Name	Size	Qty	Zone	WaterNeeds (Per Wucols)	Height	Width	
*		Cercis occidentalis	Western Redbud	24" Box	3	A, B-10	L	20'	20'	Std
		Olea europaea 'Fruitless'	Fruitless Olive	24" Box	2	B-15	L	15'-25'	15'-20'	Std

Fire-Resistant Shrub & Perrenials:

		Botanical Name	Common Name	Size	Qty	Zone	Water Needs	Height	Width
*		Agave deserti	Desert Agave	5 gal	14	A,B	VL	2'-0"	3'-0"
		Westringia fruticosa 'Smokey'	Coast Rosemary	1 gal	12	A,B	L	4'-5'	4'-6'
		Alyogyne huegelii	Blue Hibiscus	5 gal	9	A,B-5	L	5'-8'	6'
		Callistemon 'Little John'	Dwarf Callistemon	1 gal	8	A, B-10	L	3'-4'	4'-6'
		Baccharis pilularis 'Pigeon Point'	Dwarf Coyote Brush	1 gal	52	B	L	1'-2'	8'-10'
		Dasylirion longissimum	Mexican Grass Tree	5 gal	3	A, B-10	L	6'-8'	4'-6'
		Dietes grandiflora 'Variegata'	Striped Fortnight Lily	1 gal	25	A,B	L	2'-3'	2'-3'
		Lavandula stoechas 'Otto Quast'	Spanish Lavender	1 gal	20	A,B-10	L	1'-2'	2'-3'
*		Salvia clevelandii	Blue Sage	1 gal	14	A, B	L	4'-0"	5'-0"
		Westringia fruticosa Grey Box ('WESO4') PPAF	Dwarf Coast Rosemary	1 gal	58	A,B	L	2'-3'	2'-3'
*		Salvia leucophylla	Purple Sage	1 gal	32	A,B	L	4'-5'	4'-5'

Fire-Resistant Ground Cover:

		Botanical Name	Common Name	Size	Qty	Zone	Water Needs	Height	Width
		Ceanothus 'Centennial'	Centennial Ceanothus	1 gal	16	A,B	L	12"	4'-6'
*		Achillea millefolium	Yarrow	1 gal	108	A,B	L	12"	1'-2'
*		Ceanothus gloriosus 'Heart's Desire'	Pt. Reyes Ceanothus	1 gal	112	A,B	L	8"	3'-5'
		Geranium incanum	Carpet Geranium	1 gal	124	A,B	L	6"-10"	2'
*		Penstemon spectabilis	Royal Penstemon	1 gal	30	A,B	L	2'-3'	1'-2'
		Senecio mandraliscae	Kleinia	1 gal	26	A,B	L	1'-2'	2'-3'

Note: Plant selection & plant information per *County of Los Angeles Fire Department Fuel Modification Guidelines*

* PROPOSED CALIFORNIA NATIVE PLANTS PLANTED BEYOND 50'-0" FROM STRUCTURE

REFERENCE:
Carol Bornstein, David Fross, Bart O'Brien, 2009 California Native Plants for the Garden, Cachuma Press
Bob Perry, 2010 Landscape Plants for California Gardens, Land Design Publishing
'Native Plants Recommended for Landscaping in the Santa Monica Mountains' as provided by City of Malibu (See Sheet LP-5)

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Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST APPROVAL
DATE: 10/29/17
PLANNING CASE NO. CDP 17-093
SIGNATURE:
PRINT NAME: Mary Ruth

Planting Legend & Notes

LP-2

NOTE:

1. ALL PLANTS HAVE BEEN SELECTED FROM APPENDIX IV, 'APPROVED PLANT LIST' BY COUNTY OF LOS ANGELES FIRE DEPARTMENT, FUEL MODIFICATION GUIDELINES, JULY 2011
2. ALL PLANTS SHOWN ON LP-1 & LP-2 ARE COMPLY WITH ZONE MATRIX OF APPENDIX IV, 'APPROVED PLANT LIST'
3. OWNER IS RESPONSIBLE FOR REMOVAL OF ALL 'UNDESIRABLE PLANT SPECIES'. (SEE 'ATTACHMENT 2' ON THIS SHEET) WITHIN THE PROPERTY PRIOR & POST CONSTRUCTION.

UNDESIRABLE and INVASIVE PLANT SPECIES

Certain plants are considered to be undesirable and invasive due to their characteristics. These characteristics can be either physical or chemical. Physical properties that would contribute to high flammability include large amounts of dead material retained within the plant, rough or peeling bark, and the production of copious amounts of litter. Chemical properties include the presence of volatile substances such as oils, resins, wax, and pitch. Certain native plants are notorious for containing these volatile substances.

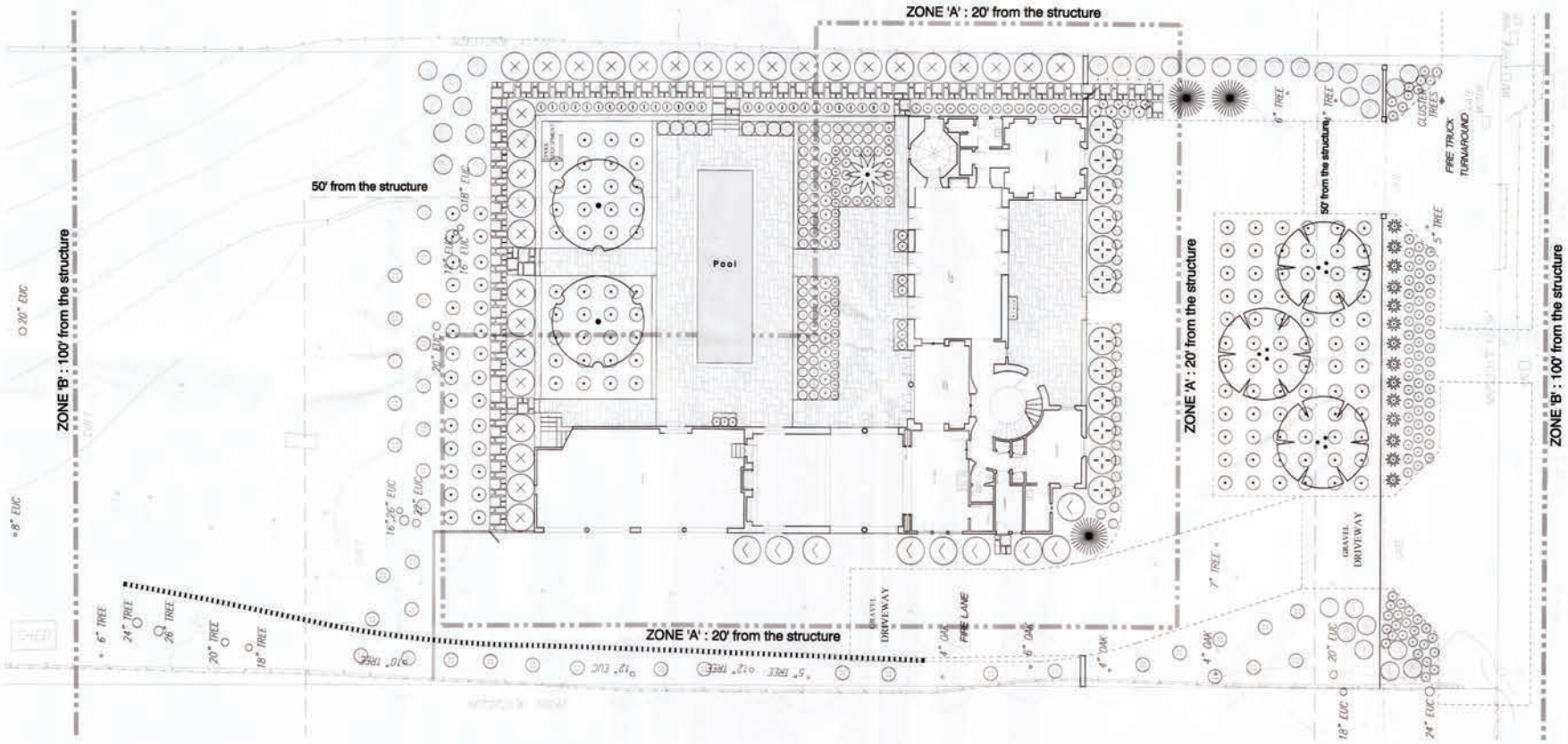
Plants with these characteristics shall not be planted in any fuel modification zones. Should these species already exist within these areas, they shall be removed because of their invasiveness or potential threat they pose to any structures.

PLANT SPECIES (MANDATORY REMOVAL)

Botanical Name	Common Name
Cynara Cardunculus	Artichoke Thistle
Ricinus Communis	Castor Bean Plant
Cirsium Vulgare	Wild Artichoke
Brassica Nigra	Black Mustard
Silybum Marianum	Milk Thistle
Salsola Australis	Russian Thistle/Tumbleweed
Nicotiana Bigelevii	Indian Tobacco
Nicotiana Glauca	Tree Tobacco
Lactuca Serriola	Prickly Lettuce
Conyza Canadensis	Horseweed
Heterotheca Grandiflora	Telegraph Plant
Anthemis Cotula	Mayweed
Urtica Urens	Burning Nettle
Cardaria Draba	Noary Cress, Perennial Peppergrass
Brassica Rapa	Wild Turnip, Yellow Mustard, Field Mustard
Adenostoma Fasciculatum	Chamise
Adenostoma Sparsifolium	Red Shanks
Cortaderia Selloana	Pampas Grass
Artemisia Californica	California Sagebrush
Eriogonum Fasciculatum	Common Buckwheat
Salvia Mellifera	Black Sage

Ornamental:

Cortaderia	Pampas Grass
Cupressus sp	Cypress
Eucalyptus sp	Eucalyptus
Juniperus sp	Juniper
Pinus sp	Pine
Arecaceae (all palm sp)	Palms



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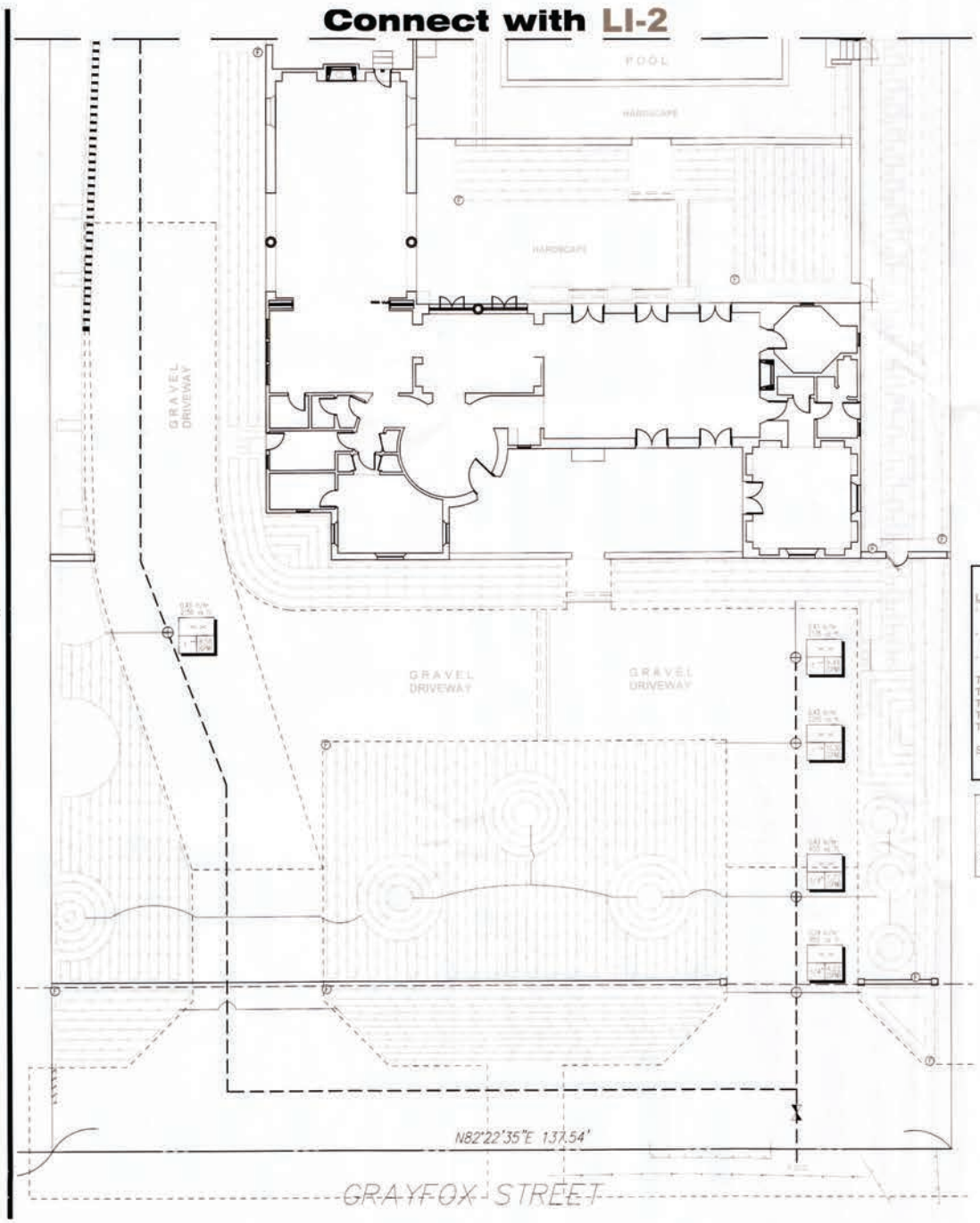
CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST REVIEW
PLANNING CASE NO. 18-17-005
DATE 10/24/19
INITIALS JL

Fuel Modification Plan

LP-3



EQUIPMENT LEGEND

SYMBOL	MANUFACTURER/MODEL #		SIZE	NOTES
⊕	HUNTER PGV-ASV VALVE W/ FILTER & PRESSURE REGULATOR HPR 075-40		3/4"	
●	NETAFIM UP FLUSH VALVE EAF	75-DV	-	-
△ (R)	HUNTER INDUSTRIES PC-400 SMART IRRIGATION CONTROLLER WITH SOLAR SYNC MODULE & SENSOR	PC-4-00	-	
X	NIBCO PLASTIC BALL VALVE	4660-S	1"	
	SCH 40 PVC LATERAL		3/4"	
	NETAFIM TRIQUINE CV - FLOW 1.6		750'	
	SCH 40 PVC MAINLINE		1"	
	SCH 40 PVC SLEEVE - DEDICATED FOR ELECTRICAL, LOW VOLTAGE LIGHTING		2"	
	SCH 40 PVC SLEEVE		2 x 1.5"	

(1) LANDSCAPE CONTRACTOR TO COORDINATE ELECTRICAL POWER OUTLET W/ DEVELOPER.
(2) FLUSH VALVE TO BE LOCATED AT THE END OF THE FARTHEST LATERAL LINE RUN.

VALVE STATION NO.
GPM
VALVE SIZE

P.O.C. INFORMATION:
MAXIMUM DEMAND GPM: 50
STATIC WATER PRESSURE: 80 PSI
WATER METER SIZE: 3/4"
Water Supply Type:
Domestic potable water

Statement of Compliance
I have complied with the criteria of the Landscape Water Conservation Ordinance and applied them for the efficient use of water in the landscape design plan.
Preparer Name: Jason Lee
Preparer Signature:
Professional License/Designation:

Landscape Description:
- No special landscape area is proposed such as lawn, edible plants or high water use plants
- All proposed plants are low-water use plants per *Water Use Classification of Species* (WUCOLS)
- Pool is the only water feature proposed

Total landscape area: 26,882 SF
Total irrigated landscape area: 13,221 SF
Total impervious hardscape area: 3,067 SF
Total pervious hardscape area: 10,070 SF
Total water feature (Pool): 504 SF

See sheet LI-3 for Hydrozone map

NOTE:
ALL ELECTRICAL & UNDERGROUND UTILITIES PER OTHERS

IRRIGATION NOTES

1. IT IS THE INTENT OF THESE DRAWINGS TO INDICATE A COMPLETE AND OPERATIONAL IRRIGATION SYSTEM GIVING FULL COVERAGE AND READY FOR USE BY THE OWNER. THE DRAWINGS ARE BASED ON LANDSCAPE AND GRADING DRAWINGS IN EFFECT AT THE TIME THESE DRAWINGS WERE MADE. ANY DISCREPANCIES, OMISSIONS, ERRORS, ETC. ON THESE DRAWINGS OR ON SITE CHANGES, DO NOT AND SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PROVIDE A COMPLETE SYSTEM AS SHOWN. IF NECESSARY, THE CONTRACTOR MAY, WHERE CHANGES OCCUR, ADD OR DELETE SPRINKLERS, REROUTE PIPE, ETC. TO ASSURE ADEQUATE AND FULL COVERAGE.
2. IRRIGATION CONTRACTOR SHALL VERIFY ALL PRESSURES ON SITE PRIOR TO CONSTRUCTION.
3. CONTRACTOR SHALL INSTALL CHECK VALVES IN ALL HEADS IN WHICH LOW HEAD DRAINAGE OCCURS.
4. ALL IRRIGATION CONTROL VALVES SHALL BE GROUPED TOGETHER IN AN INCONSPICUOUS PLACE, SUCH AS IN A PLANTER AWAY FROM TRAFFIC AREA, WALKWAYS, OR PUBLIC VIEW.
5. THE CONTRACTOR SHALL FIELD ADJUST IRRIGATION SYSTEM WHEN VERTICAL OBSTRUCTIONS (FIRE HYDRANT, STREET LIGHTS, TREES, SIGNAGE, ETC.) INTERFERE WITH THE IRRIGATION MOST EFFICIENT WATERING DESIGN. THE CONTRACTOR SHALL MAKE ADJUSTMENTS OF THE DRIP LINES TO CLEAR OF THE OBSTRUCTION, TO PROVIDE PROPER IRRIGATION COVERAGE. ALL ADJUSTMENT SHALL BE MADE AT NO ADDITIONAL COST TO THE OWNER.
6. IRRIGATION SYSTEM SHALL CONFORM TO STATE AND LOCAL CODES.
7. ALL SHRUBBERY-TYPE HEADS ADJACENT TO WALKS SHALL BE INSTALLED AS LOW AS NECESSARY TO PREVENT ANY DAMAGE TO IRRIGATION SYSTEM.
8. THE SYSTEM SHALL BE FULLY GUARANTEED FOR A PERIOD OF ONE YEAR. ANY DEFECTIVE MATERIAL OR POOR WORKMANSHIP SHALL BE REPLACED OR CORRECTED BY THE IRRIGATION CONTRACTOR AT NO COST TO THE OWNER.
9. 120 VOLT ELECTRICAL POWER OUTLET FOR CONTROLLERS SHALL BE PROVIDED AS NOTED. IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HOOK UP FROM OUTLET TO CONTROLLER.
10. ALL WIRE FROM CONTROLLER TO ELECTRIC CONTROL VALVES SHALL BE COPPER UF #14 DIRECT BURIAL. USE BLACK FOR PILOT, WHITE FOR COMMON. INSTALL IN COMMON TRENCH WITH MAIN LINE PIPING WHERE POSSIBLE.
11. PROVIDE MINIMUM 18" COVER OVER ALL PRESSURE MAIN LINE PIPING AND 12" OVER ALL NON-PRESSURE LATERAL LINE PIPING. ALL PIPE UNDER PAVED AREAS IS TO BE INSTALLED IN A PVC SCH. 40 SLEEVE WITH 24" MIN. COVER. SLEEVE LOCATIONS TO BE AS SHOWN ON PLANS. CITY DEPTH REQUIREMENTS FOR PIPE SUPERCEDE ALL THE ABOVE DIMENSIONS.
12. IRRIGATION CONTRACTOR SHALL FLUSH ALL LINES AND ADJUST ALL HEADS FOR MAXIMUM PERFORMANCE.
13. DO NOT WILLFULLY INSTALL THE SYSTEM AS DESIGNED WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS OR GRADE DIFFERENCES EXIST THAT WERE NOT KNOWN DURING THE DESIGN PROCESS. SUCH CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNERS AUTHORIZED REPRESENTATIVE. OTHERWISE, THE IRRIGATION CONTRACTOR MUST ASSUME FULL RESPONSIBILITY FOR ANY AND ALL NECESSARY REVISIONS.
14. FINAL LOCATION OF AUTOMATIC CONTROLLER SHALL BE DETERMINED BY OWNERS AUTHORIZED REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.
15. ALL DRIP LINES SHALL BE BURIED UNDER GROUNDCOVER SUCH AS MULCH OR GRAVEL AT A MINIMUM DEPTH OF 2". ALL DRIP IRRIGATION LINES SHALL BE SECURED WITH STAPLES AT MINIMUM EVERY 6' O.C.
16. LOCATION OF P.O.C. IS ONLY DIAGRAMATIC. LOCATION MUST BE VERIFIED IN FIELD.
17. IN ADDITION TO THE SLEEVES SHOWN ON THE PLAN, THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ADDITIONAL SLEEVES OF SUFFICIENT SIZE UNDER ALL PAVED AREAS PRIOR TO PAVING UPON APPROVAL OF THE OWNER'S REPRESENTATIVE, IF REQUIRED TO OPERATE SYSTEMS.
18. MAINLINE FEEDER BETWEEN POINT OF CONNECTION, METER, TO BE OF MATERIAL AS REQUIRED BY CURRENT WATER DISTRICT.

NORTH

IRRIGATION PLAN
SCALE: 1/8" = 1'-0"

Atwill Residence
29043 Grayfox Street
Malibu, CA 90265
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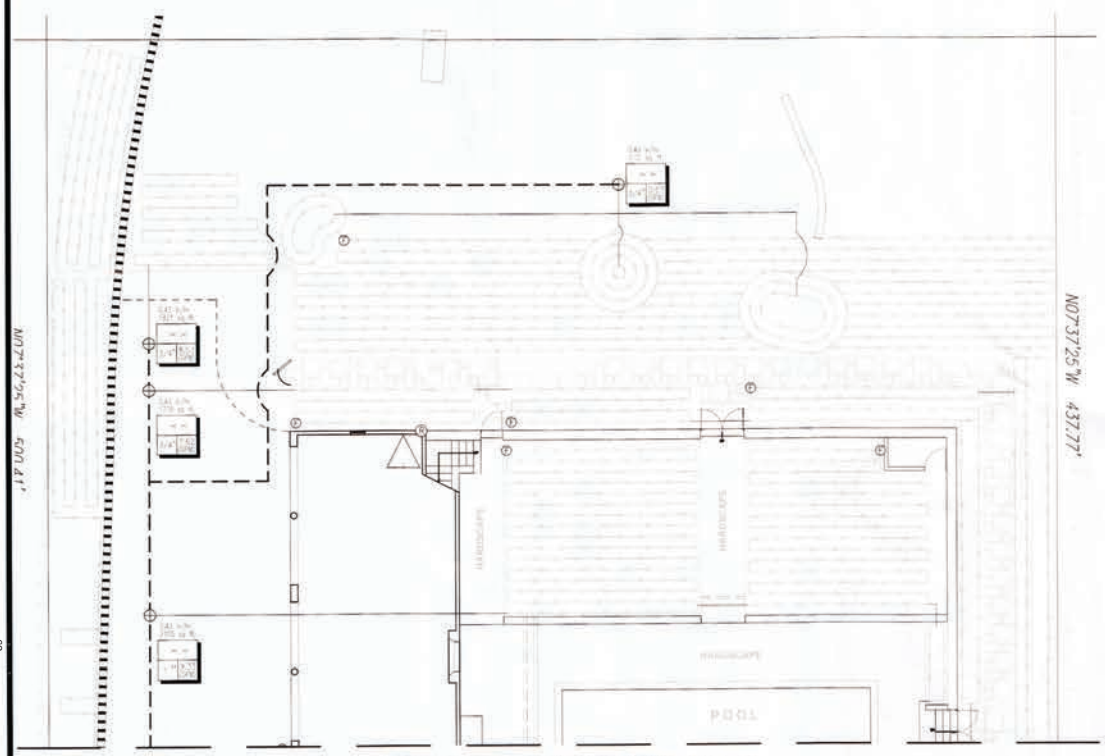
Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST REVIEW
PLANNING CASE NO. 09-17-093
DATE 11/20/17
INITIALS

Irrigation Plan

LI-1



Connect with LI-1

WATER MANAGEMENT PLAN

Los Angeles County Waterworks Districts have restricted outdoor water use to three days per week during the summer and two days per week during the winter.

LANDSCAPE WATERING SCHEDULE:
Summer: 3 days / week
Winter : 2 days / week

Water between Midnight - 9 AM & 6 PM - Midnight

EQUIPMENT LEGEND

SYMBOL	MANUFACTURER/MODEL #		SIZE	NOTES
⊕	HUNTER POW-ARV VALVE W/ FILTER & PRESSURE REGULATOR HPR-075-40		3/4"	
●	VRTAPM 1.0" FLUSH VALVE CAP	15-OV		
△®	HUNTER INDUSTRIES PC-400 SMART IRRIGATION CONTROLLER WITH SOLAR SYNC MODULE & SENSOR	PC-4-00		
X	NIBCO PLASTIC BALL VALVE	4660-S		
———	SCH 40 PVC LATERAL		3/4"	
———	VRTAPM TECHLINE CV TECVR 6		750'	
- - -	SCH 40 PVC MAINLINE			
— — —	SCH 40 PVC SLEEVE. DEDICATED FOR ELECTRICAL LOW VOLTAGE LIGHTING.		2"	
———	SCH 40 PVC SLEEVE		2 x 1.5"	

(1) LANDSCAPE CONTRACTOR TO COORDINATE ELECTRICAL POWER OUTLET W/ DEVELOPER
(2) FLUSH VALVE TO BE LOCATED AT THE END OF THE FARTHEST LATERAL LINE RUN.

VALVE/STATION NO.
GPM
VALVE SIZE

IRRIGATION NOTES

1. IT IS THE INTENT OF THESE DRAWINGS TO INDICATE A COMPLETE AND OPERATIONAL IRRIGATION SYSTEM GIVING FULL COVERAGE AND READY FOR USE BY THE OWNER. THE DRAWINGS ARE BASED ON LANDSCAPE AND GRADING DRAWINGS IN EFFECT AT THE TIME THESE DRAWINGS WERE MADE. ANY DISCREPANCIES, OMISSIONS, ERRORS, ETC. ON THESE DRAWINGS OR ON SITE CHANGES, DO NOT AND SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PROVIDE A COMPLETE SYSTEM AS SHOWN. IF NECESSARY, THE CONTRACTOR MAY, WHERE CHANGES OCCUR, ADD OR DELETE SPRINKLERS, REROUTE PIPE, ETC. TO ASSURE ADEQUATE AND FULL COVERAGE.
2. IRRIGATION CONTRACTOR SHALL VERIFY ALL PRESSURES ON SITE PRIOR TO CONSTRUCTION.
3. CONTRACTOR SHALL INSTALL CHECK VALVES IN ALL HEADS IN WHICH LOW HEAD DRAINAGE OCCURS.
4. ALL IRRIGATION CONTROL VALVES SHALL BE GROUPED TOGETHER IN AN INCONSPICUOUS PLACE, SUCH AS IN A PLANTER AWAY FROM TRAFFIC AREA, WALKWAYS, OR PUBLIC VIEW.
5. THE CONTRACTOR SHALL FIELD ADJUST IRRIGATION SYSTEM WHEN VERTICAL OBSTRUCTIONS (FIRE HYDRANT, STREET LIGHTS, TREES, SIGNAGE, ETC.) INTERFERE WITH THE IRRIGATION MOST EFFICIENT WATERING DESIGN. THE CONTRACTOR SHALL MAKE ADJUSTMENTS OF THE DRIP LINES TO CLEAR OF THE OBSTRUCTION TO PROVIDE PROPER IRRIGATION COVERAGE. ALL ADJUSTMENTS SHALL BE MADE AT NO ADDITIONAL COST TO THE OWNER.
6. IRRIGATION SYSTEM SHALL CONFORM TO STATE AND LOCAL CODES.
7. ALL SPRUNKLER TYPE HEADS ADJACENT TO WALKS SHALL BE INSTALLED AS LOW AS NECESSARY TO PREVENT ANY DAMAGE TO IRRIGATION SYSTEM.
8. THE SYSTEM SHALL BE FULLY GUARANTEED FOR A PERIOD OF ONE YEAR. ANY DEFECTIVE MATERIAL OR POOR WORKMANSHIP SHALL BE REPLACED OR CORRECTED BY THE IRRIGATION CONTRACTOR AT NO COST TO THE OWNER.
9. 120 VOLT ELECTRICAL POWER OUTLET FOR CONTROLLERS SHALL BE PROVIDED AS NOTED. IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HOOK UP FROM OUTLET TO CONTROLLER.
10. ALL WIRE FROM CONTROLLER TO ELECTRIC CONTROL VALVES SHALL BE COPPER UP # 14 DIRECT BURIAL. USE BLACK FOR HOT, WHITE FOR COMMON. INSTALL IN COMMON TRENCH WITH MAIN LINE PIPING WHERE POSSIBLE.
11. PROVIDE MINIMUM 18" COVER OVER ALL PRESSURE MAIN LINE PIPING, AND 12" OVER ALL NON-PRESSURE LATERAL LINE PIPING. ALL PIPE UNDER PAVED AREAS IS TO BE INSTALLED IN A PVC SCH. 40 SLEEVE WITH 24" MIN. COVER. SLEEVE LOCATIONS TO BE AS SHOWN ON PLANS. CITY DEPTH REQUIREMENTS FOR PIPE SUPERCEDE ALL THE ABOVE DIMENSIONS.
12. IRRIGATION CONTRACTOR SHALL FLUSH ALL LINES AND ADJUST ALL HEADS FOR MAXIMUM PERFORMANCE.
13. DO NOT WILLFULLY INSTALL THE SYSTEM AS DESIGNED WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS OR GRADE DIFFERENCES EXIST THAT WERE NOT KNOWN DURING THE DESIGN PROCESS. SUCH CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE. OTHERWISE, THE IRRIGATION CONTRACTOR MUST ASSUME FULL RESPONSIBILITY FOR ANY AND ALL NECESSARY REVISIONS.
14. FINAL LOCATION OF AUTOMATIC CONTROLLER SHALL BE DETERMINED BY OWNER'S AUTHORIZED REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.
15. ALL DRIP LINES SHALL BE BURIED UNDER GROUNDCOVER SUCH AS MULCH OR GRAVEL AT A MINIMUM DEPTH OF 2". ALL DRIP IRRIGATION LINES SHALL BE SECURED WITH STAPLES AT MINIMUM EVERY 6 O.C.
16. LOCATION OF "O.C. IS ONLY DIAGRAMATIC. LOCATION MUST BE VERIFIED IN FIELD.
17. IN ADDITION TO THE SLEEVES SHOWN ON THE PLAN, THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ADDITIONAL SLEEVES OF SUFFICIENT SIZE UNDER ALL PAVED AREAS PRIOR TO PAVING UPON APPROVAL OF THE OWNER'S REPRESENTATIVE, IF REQUIRED TO OPERATE SYSTEM.
18. MAINLINE FEEDER BETWEEN POINT OF CONNECTION, METER, TO SIZE OF MATERIAL AS REQUIRED BY CURRENT WATER DISTRICT.

NORTH

IRRIGATION PLAN
SCALE: 1/8" = 1'-0"

Atwill Residence
29043 Grayfox Street
Malibu, CA 90265
A.P.N. 4466-017-002

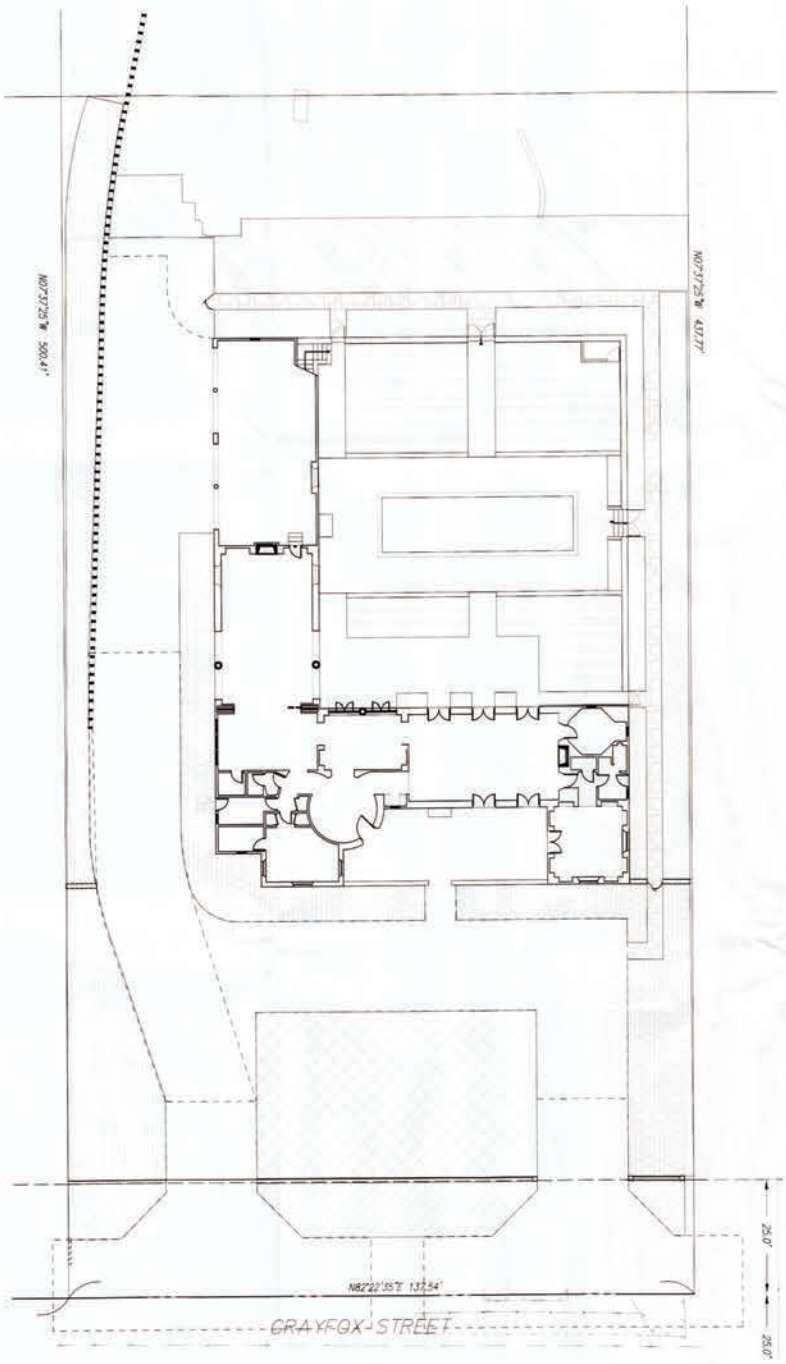
JLDS
Jason Lee Design Studio, Inc.
LANDSCAPE DESIGN
325 W. 8th Street Suite 506 Los Angeles CA 90014
323 - 404 - 7706 www.JasonLeeDesign.com

Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST REVIEW
PLANNING CASE NO 08-17-193
DATE 10/24/17
INITIALS

Irrigation Plan

LI-1



ETAF CALCULATIONS

TOTAL ETAF x AREA (B)	3,966
TOTAL AREA (A)	13,221
AVERAGE ETAF (B/A)	0.30

ALL LANDSCAPE AREA

TOTAL ETAF x AREA (B+D)	3,966
TOTAL AREA (A+C)	13,221
WEIGHTED ETAF (B+D) / (A+C)	0.30

ETWU

ETo (44.2) x 0.62 x ETAF (0.30) x AREA

44.2 x 0.62 X 0.30 X 13,221

[= 108,692]

MAWA

ETo (44.2) x 0.62 x [(ETAF x AREA) + (1 - ETAF) x SLA]

[(0.55 x 5,875) + (1 - 0.30) x 0

(3,233.45) + 0

44.2 x 0.62 X 13,221

[= 362,308]

HYDROZONE # PLANTING DESC.	PLANT FACTOR (PF)	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF / IE)	HYDROZONE AREA (A) SQ FT.	ETAF x AREA	ESTIMATED TOTAL WATER USAGE (ETWU)
REGULAR LANDSCAPE AREA							
AREA A LOW WATER	0.243	DRIP	0.81	0.30	950	289.00	
AREA B LOW WATER	0.243	DRIP	0.81	0.30	2250	675.00	
AREA C LOW WATER	0.243	DRIP	0.81	0.30	2150	645.00	
AREA D LOW WATER	0.243	DRIP	0.81	0.30	2135	640.50	
AREA E LOW WATER	0.243	DRIP	0.81	0.30	2100	630.00	
AREA F LOW WATER	0.243	DRIP	0.81	0.30	1715	514.50	
AREA G LOW WATER	0.243	DRIP	0.81	0.30	1921	576.00	
				TOTAL	(A) 13,221	(B) 3,966	
SPECIAL LANDSCAPE AREA (SLA) INCLUDES AREAS IRRIGATED WITH RECYCLED WATER							
				TOTAL	(C) 0	(D) 0	
						ETWU TOTAL	108,692
						MAWA TOTAL	362,308

AREA A | AREA B | AREA C | AREA D

AREA E | AREA F | AREA G

WELO
SCALE: N.T.S.

NORTH

Atwill Residence
29043 Grayfox Street
Malibu, CA 90265
A.P.N. 4466-017-002

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Revisions	By	Date

CITY OF MALIBU
PLANNING DEPARTMENT
CITY BIOLOGIST REVIEW
PLANNING CASE NO. 07-017
DATE 10/04/17
INITIALS

Water Efficiency Calculation

LI-3

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 317-1950 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator DATE: 3/30/2017

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 17-043
JOB ADDRESS:	29043 GRAYFOX ST
APPLICANT / CONTACT:	Chris Deleau, Schmitz and Associates
APPLICANT ADDRESS:	28118 Agoura Rd. #103 Agoura Hills, CA 91301
APPLICANT PHONE #:	(818) 338-3636
APPLICANT FAX #:	
APPLICANT EMAIL:	cdeleau@schmitzandassociates.net
PROJECT DESCRIPTION:	Demo ESFR, NSFR, pool, OWTS

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

✓ **Conformance Review Complete** for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Plumbing Code (MPC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

____ **Conformance Review Incomplete** for the City of Malibu LCP/LIP and MPC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: ☐ NOT REQUIRED

☐ REQUIRED (attached hereto) ☑ REQUIRED (not attached)

Matt Sunk — Signature

OCTOBER 17, 2017 — Date

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not an onsite wastewater treatment system (OWTS) Plot Plan approval is required.

The Environmental Health Specialist may be contacted Tuesday and Thursday from 8:00 am to 11:00 am, or by calling (310) 456-2489, extension 364.

REFER TO COMPLETED ENV. HEALTH CONFORMANCE REVIEW DATED 6/13/2017 FOR CONDITIONS OF FINAL APPROVAL AND OWTS PLAN.

Rev 141008

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 317-1950 www.malibucity.org

RECEIVED
MAY 30 2017
PLANNING DEPT.

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator **DATE:** ~~5/30/2017~~

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 17-043
JOB ADDRESS:	29043 GRAYFOX ST
APPLICANT / CONTACT:	Chris Deleau, Schmitz and Associates
APPLICANT ADDRESS:	28118 Agoura Rd Agoura Hills, CA 91301
APPLICANT PHONE #:	(818) 338-3636
APPLICANT FAX #:	
APPLICANT EMAIL:	cdeleau@schmitzandassociates.net
PROJECT DESCRIPTION:	Demo ESFR, NSFR, pool, OWTS

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

✓ **Conformance Review Complete** for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Plumbing Code (MPC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

___ **Conformance Review Incomplete** for the City of Malibu LCP/LIP and MPC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: ☐ NOT REQUIRED
☑ REQUIRED (attached hereto) ☐ REQUIRED (not attached)

Signature: Matt Pauk Date: 6/13/2017

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not an onsite wastewater treatment system (OWTS) Plot Plan approval is required.

The Environmental Health Specialist may be contacted Tuesday and Thursday from 8:00 am to 11:00 am, or by calling (310) 456-2489, extension 364.

Rev 141008

City of Malibu

Environmental Health • Environmental Sustainability Department
23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 317-1950 · www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Chris Deleau, Schmitz and Associates cdeleau@schmitzandassociates.net		
Project Address:	**29043 Grayfox Street** Malibu, California 90265		
Planning Case No.:	CDP 17-043		
Project Description:	Demo ESFR, NSFR, pool, OWTS		
Date of Review:	June 12, 2017		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489 ext. 307	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Michael Burch: Plans dated 12-11-2016 (submitted to Planning 3-30-2017)
Grading Plans:	Peak Surveys: Plans dated 3-6-2017
OWTS Plan:	MKN: OWTS plot plan dated 11-8-2016 (received 3-30-2017); revised plan dated 5-4-2017
OWTS Report:	MKN: OWTS summary report dated 11-8-2016 (received 3-30-2017); Response memo dated 5-4-2017
Geology Report:	GeoConcepts: OWTS report dated 9-12-2016 (received 3-30-2017); Geology and soils report dated 11-10-2016 (received 5-30-2017)
Miscellaneous:	Michael Burch: Fixture unit worksheet dated 10-27-2016 (received 3-30-2017)
Previous Reviews:	4-11-2017

REVIEW FINDINGS

Planning Stage:	☒	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Plumbing Code (MPC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	☐	**CONFORMANCE REVIEW INCOMPLETE** for the City of Malibu LIP and MPC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
OWTS Plot Plan:	☐	**NOT REQUIRED**
	☒	**REQUIRED (attached hereto)** ☐ **REQUIRED (not attached)**

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new alternative onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed OWTS meets the minimum requirements of the City of Malibu Plumbing Code, i.e. Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2016 Edition with City of Malibu local amendments (Malibu Municipal Code Section 15.12; hereinafter MPC), and the City of Malibu Local Coastal Program/Local Implementation Plan (LIP). Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the subject development project. In order to obtain Environmental Health final approval of the project OWTS Plot Plan and associated construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.

Conditions of Planning Conformance Review for Building Plan Check Approval

1) **Final OWTS Plot Plan:** A final plot plan shall be submitted showing an OWTS design meeting the minimum requirements of the MPC, and the LCP/LIP, including necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The OWTS Plot Plan shall show essential features of the OWTS, existing improvements, and proposed/new improvements. The plot must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).

2) **Final OWTS Design Report, Plans, and System Specifications:** A final OWTS design report and construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS. All plans and reports must be signed by the California-registered Civil Engineer, Registered Environmental Health Specialist, or Professional Geologist who is responsible for the design. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

   The final OWTS design submittal shall contain the following information (in addition to the items listed above).

   a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (gpd), and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture schedule, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design.

   b. Sewage and effluent pump design calculations (as applicable).

   c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter, ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and the design basis for engineered systems.

   d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit, subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any

unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day (gpd) and gallons per square foot per day (gpsf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gpd). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units, and building occupancy characteristics.

e. All OWTS design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the plan scale is such that more space than is available on the 11" x 17" plot plan is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health). [Note: For OWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

3) **Existing OWTS to be Abandoned:** Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the MPC.

4) **Worker Safety Note and Abandonment of Existing OWTS:** The following note shall be added to the plan drawings included with the OWTS final design. "Prior to commencing work to abandon, remove, or replace existing Onsite Wastewater Treatment System (OWTS) components an "OWTS Abandonment Permit" shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents."

5) **Building Plans:** All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

6) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.

7) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS designer shall be submitted. This shall be the same operations and maintenance manual proposed for later submission to the owner and/or operator of the proposed alternative onsite wastewater disposal system.

8) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed alternative onsite wastewater disposal system after construction shall be submitted. ***Please note only original "wet signature" documents are acceptable***.

9) **OWTS Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an alternative method of sewage disposal pursuant to the City of Malibu Uniform Plumbing Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified copy issued by the City of Malibu Recorder.***

10) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

11) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the OWTS plan shall be obtained.

12) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specifications.

13) **Operating Permit Application and Fee:** In accordance with M.M.C. Chapter 15.14, an application shall be made to the Environmental Health office for an OWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

-o0o-

If you have any questions regarding the above requirements, please contact the Environmental Health office at your earliest convenience.

cc: Environmental Health file
Planning Department

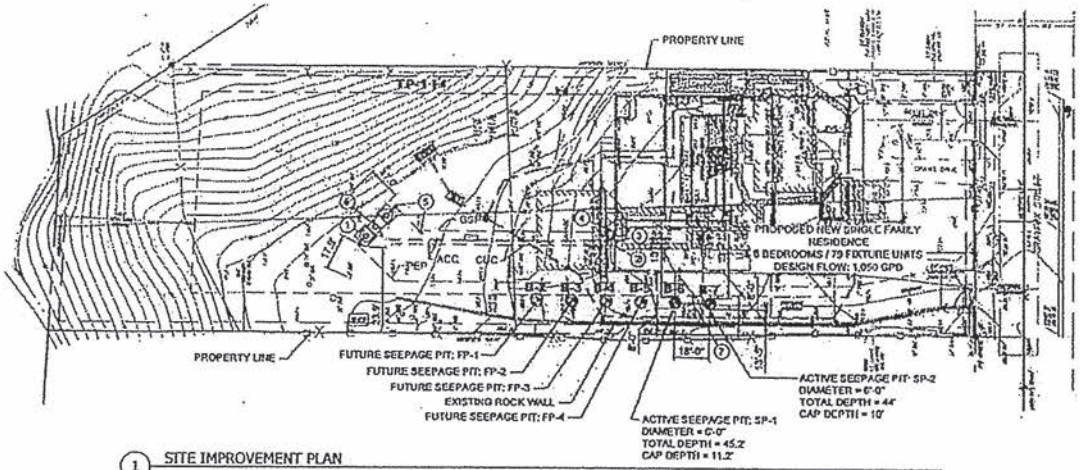
29043 GRAYFOX STREET (CDP 17-043)
MALIBU, CA 90265

S.F.D.:	6 Bedrooms/79 Fixture Units (N)
TREATMENT TANK:	3,634 Gallon MicroSepTec ES12 w/UV Disinfection Unit (N)
ACTIVE:	1 - 6' x 34' BI w/ 11.2' Cap (SP-1) (projected; B-6) (N)
	1 - 6' x 34' BI w/ 10' Cap (SP-2) (projected; B-7) (N)
FUTURE:	1 - 6' x 34' BI w/ 11.5' Cap (FP-1) (projected; B-2) (N)
	1 - 6' x 34' BI w/ 12.8' Cap (FP-2) (projected; B-3) (N)
	1 - 6' x 34' BI w/ 14' Cap (FP-3) (projected; B-4) (N)
	1 - 6' x 34' BI w/ 12.6' Cap (FP-4) (projected; B-5) (N)
PERC RATE:	6,288 gpd/9.8 gpsf (projected; SP-1)
	6,798 gpd/10.6 gpsf (projected; SP-2)
	4,272 gpd/6.7 gpsf (projected; FP-1)
	3,858 gpd/6.0 gpsf (projected; FP-2)
	4,419 gpd/6.9 gpsf (projected; FP-3)
	5,679 gpd/8.9 gpsf (projected; FP-4)
DESIGNER:	Eileen Shields, PE (74757)
REFERENCE:	MKN: OWTS summary report dated 11-8-2016
	GeoConcepts: OWTS report dated 9-12-2016

NOTES:

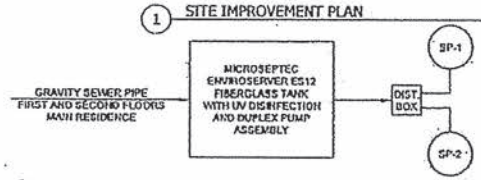
1. This conformance review is for a 6 bedroom (79 fixture units) new single family dwelling. The new alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).
2. This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.
3. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW
JUN 13 2017
SIGNATURE
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.



1 SITE IMPROVEMENT PLAN

Scale: 1" = 40'



2 PROCESS SCHEMATIC

NOT TO SCALE

REFERENCES:

1. SITE SURVEY DATED DECEMBER 2015 AND PREPARED BY PEAK SURVEYS, INC.
2. SITE GRADING PLAN DATED OCTOBER 10, 2016 AND PREPARED BY PEAK SURVEYS, INC.
3. SITE AND ARCHITECTURAL PLANS DATED SEPTEMBER 9, 2016 AND PREPARED BY MICHAEL BURCH ARCHITECTS
4. PRELIMINARY GEOLOGIC AND PERCOLATION REPORT DATED SEPTEMBER 9, 2016 AND PREPARED BY GEOCONCEPTS, INC.

LEGEND:

- BORING LOCATION (GEOCONCEPTS, INC.)
- PROPOSED ACTIVE SEEPAGE PIT
- PROPOSED FUTURE SEEPAGE PIT
- E EXISTING
- P PROPOSED

NOTES:

1. OWNER IS RESPONSIBLE FOR COMPLIANCE WITH ALL LOCAL, STATE, AND FEDERAL REGULATORY REQUIREMENTS.
2. OWNER IS RESPONSIBLE FOR IDENTIFYING AND OBTAINING ANY REQUIRED PERMITS OR APPROVALS RELATED TO THIS PROJECT.
3. TEMPORARY AND PERMANENT SLOPE STABILITY SHALL BE EVALUATED BY A REGISTERED AND QUALIFIED GEOTECHNICAL ENGINEER UNDER DIRECTION OF THE OWNER. MKN & ASSOCIATES, INC. (MKN) IS NOT RESPONSIBLE FOR SOIL SUITABILITY OR STABILITY ISSUES RELATED TO THIS PROJECT.
4. MKN BASED SIZING OF DISPOSAL SYSTEM ON A SOILS REPORT PROVIDED BY THE OWNER. NO FIELD OR LABORATORY TESTING HAS BEEN PERFORMED BY MKN TO EVALUATE OR CONFIRM PERCOLATION RATES.
5. ALL COMPONENTS TO BE INSTALLED IN CONFORMANCE WITH THE LATEST VERSIONS OF THE UNIFORM PLUMBING CODE (UPC) AND NATIONAL ELECTRIC CODE. IN THE EVENT OF CONFLICTS AMONG THE SPECIFICATIONS, CONSTRUCTION DRAWINGS, AND CODES, THE MORE STRINGENT REQUIREMENTS SHALL GOVERN.
6. OWNER AND INSTALLER TO VERIFY ALL DIMENSIONS AND GRADES PRIOR TO SYSTEM INSTALLATION
7. OWNER TO DIRECT INSTALLER TO VENT AOWTS IN ACCORDANCE WITH REQUIREMENTS OF THE LATEST VERSION OF THE UPC AND AS OTHERWISE REQUIRED BY LOCAL CODES. IN THE EVENT OF CONFLICTS, THE MORE STRINGENT REQUIREMENT SHALL GOVERN.
8. UNLESS A STEEPER SLOPE IS SPECIFIED ON THE PLANS, MINIMUM 2% PIPE SLOPE TO BE PROVIDED BETWEEN
   A.) BUILDING SEWER CONNECTION INVERT AND AOWTS INVERT.
   B.) SEEPAGE PIT DISTRIBUTION BOX AND SEEPAGE PITS.

SEEPAGE PIT CAPACITY

PIT	BORING No.	DIAMETER (FT)	EXISTING ELEVATION @ TEST LOCATION	RECOMMENDED CAP ELEVATION PER GEOLOGIST	FINISHED ELEVATION BASED ON PROPOSED GRADING PLAN	CAP DEPTH BASED ON PROPOSED GRADING (FT)	EFFECTIVE DEPTH (FT)	TOTAL DEPTH (FT)
FP-1	B-2	6	+120.5'	+110.5'	+121.5'	11.5	34	45.5
FP-2	B-3	6	+121.3'	+111.5'	+124.1'	12.8	34	46.8
FP-3	B-4	6	+122.0'	+112.0'	+126.0'	14	34	48.0
FP-4	B-5	6	+123.4'	+113.4'	+126.0'	12.6	34	46.6
SP-1	B-6	6	+124.9'	+114.9'	+126.1'	11.2	34	45.2
SP-2	B-7	6	+126.3'	+116.3'	+126.3'	10	34	44.0

AOWTS MAX. DESIGN CAPACITY

COMPONENTS	CAPACITY
PEAK DESIGN FLOW	1,050 GPD / 6 BEDROOMS / 79 FIXTURE UNITS
TREATMENT CAPACITY	1,200 GPD / 7 BEDROOMS
TANK VOLUME	3,634 GAL / 105 FIXTURE UNITS
ACTIVE SEEPAGE PIT DISPOSAL CAPACITY	13,086 GPD / 134 FIXTURE UNITS
FUTURE SEEPAGE PIT DISPOSAL CAPACITY	18,246 GPD / 203 FIXTURE UNITS

EQUIPMENT SCHEDULE

LABEL	DESCRIPTION
1	MICROSEPTEC ENVIROSERVER ES12
2	MICROSEPTEC CONTROL PANEL
3	AIR COMPRESSOR UNITS (2) AND CONCRETE PAD
4	4" PVC SERVICE CONNECTION
5	4" WYE AND CLEANOUT
6	TANK AIR VENT ASSEMBLY
7	DISTRIBUTION BOX 4-OUTLET VERSION

PIPING SCHEDULE

LABEL	DESCRIPTION	SPECIFICATION
ACC	AIR COMPRESSOR CONDUIT	1" SCH80 PVC
CUC	CONTROL UNIT CONDUIT	1" SCH80 PVC
GSP	GRAVITY SEWER PIPE	4" SDR35 PVC
PEP	PUMPED EFFLUENT PIPE	2" SCH40 PVC
PSC	POWER SUPPLY CONDUIT	1" SCH80 PVC

mkn
WATER - WASTEWATER - REUSE
P.O. BOX 1604
ARROYO GRANDE, CA 93421 (805) 904-6520

REGISTERED PROFESSIONAL ENGINEER
EILEEN K. SHIELDS
C 74757
FOR CONSTRUCTION
CIVIL
STATE OF CALIFORNIA

29043 GRAYFOX STREET, MALIBU, CA

AOWTS CONFORMANCE PLOT PLAN

DRAWN BY: JPF
DATE: 05/04/2017

Plot Plan

SHEET 1 OF 1

City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	October 20, 2017	**Review Log #:**	4021
Site Address:	29043 Grayfox Street		
Lot/Tract/PM #:	n/a	**Planning #:**	CDP 17-043
Applicant/Contact:	Chris Deleau, cdeleau@schmitzandassociates.net	**BPC/GPC #:**	
Contact Phone #:	818-338-3636 **Fax #:**	**Planner:**	Richard Mollica
Project Type:	Demolish existing single-family residence, New single-family residence, onsite wastewater treatment system (OWTS), swimming pool/spa, grading and drainage		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in Bold.)*	GeoConcepts, Inc. (Walter, GE 2476; Barrett, CEG 2088): **8-28-17**, 11-10-16 GeoConcepts, Inc. (Barrett, CEG 2088): 9-12-16 Michael K. Nunley & Associates, Inc. (MKN) (Shields, RCE 74757): **8-7-17 (2 reports)**, 11-8-16 Building plans prepared by Michael Burch Architects dated December 11, 2016. Grading plans prepared by Peak Surveys, Inc. dated March 6, 2017. **OWTS Site Plan prepared by MKN dated August 7, 2017.**
Previous Reviews:	6-15-17; Ref: Environmental Health Review Sheets dated June 12, 2017 and April 11, 2017

Review Findings

Coastal Development Permit Review

☒ The residential development project is **APPROVED** from a geotechnical perspective.

☐ The residential development project is **NOT APPROVED** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to approval.

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.

☐ **APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ **NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The supplemental geotechnical report, OWTS report, and OWTS plan were reviewed by the City from a

geotechnical perspective. The project includes demolishing the existing single-family residence and appurtenant structures and constructing a new 7,676 square foot two-story single-family residence and attached garage, swimming pool and spa, low retaining walls, flatwork, landscaping and a new onsite wastewater treatment system (OWTS) that consists of a treatment tank system and two 6' diameter seepage pits (34' BI with a 10' cap and 34' BI with a 11.2' cap based on the grading plan) with 100% expansion. Grading consists of 3,072 yards of R & R; 254 yards of fill under structure; 74 yards of fill for safety; 904 yards of fill non-exempt; and 1,232 yards of import.

Building Plan-Check Stage Review Comments:

1. Please submit a fee of $957.00 to City geotechnical staff for building plan check review.
2. Depending on the expansion potential of finish grade materials, the Consultant should discuss the need for placing sand underneath slabs-on-grade, as well as the need for pre-saturation of the upper finish grade materials within slabs-on-grade and footing areas.
3. Section 7.4 of the City's geotechnical guidelines requires a minimum thickness of 10 mils for vapor barriers beneath slabs-on-grade. The Project Geotechnical Engineer has recommended that the vapor barrier be a minimum thickness of 15 mils, conform to ASTM E1745 Class A requirements, and be installed in accordance with ASTM E1643. Building plans shall reflect the Consultant's recommendation.
4. Please provide reduced setback letters from the OWTS, geotechnical, and structural consultants for any reduced setbacks between the OWTS components and foundations, as applicable.
5. Please clearly show the Code-required minimum foundation setbacks from descending slopes on the plans, where applicable.
6. Include a detail for the swimming pool hydrostatic relief valve on the swimming pool plans.
7. Provide a set of shoring plans for review, as necessary.
8. Include a note on the OWTS plans stating, "*The Project Engineering Geologist shall observe and approve the installation of the seepage pits and provide the City inspector with a field memorandum(s) documenting and verifying that the seepage pits were installed per the approved OWTS plans.*"
9. Two sets of final grading, retaining wall, swimming pool/spa, and residence plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

Please direct questions regarding this review sheet to City Geotechnical staff listed below.

Engineering Geology Review by: _____ 10/20/17 Date

Christopher Dean, C.E.G. #1751, Exp. 9-30-18
Engineering Geology Reviewer
(310-456-2489, x306)
Email: cdean@malibucity.org

Geotechnical Engineering Review by: _____ *10/20/2017*_____

Franklin Fong, G.E. #315, Exp. 12-31-17 Date
Geotechnical Engineering Reviewer (805-496-1222)
Email: Email: ffong@ffongge.com

This review sheet was prepared by representatives of Cotton, Shires and Associates, Inc. and GeoDynamics, Inc., contracted through Cotton, Shires and Associates, Inc., as an agent of the City of Malibu.

COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

GeoDynamics, Inc.
Applied Earth Sciences
Geotechnical Engineering & Engineering Geology Consultants

City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
Nicole Benyamin, Assist. Civil Engineer NB

Date: November 7, 2017

Re: Proposed Conditions of Approval for 29043 Grayfox Street CDP 17-043

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

STREET IMPROVEMENTS

1. This project proposes to construct a new driveway within the City's right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed driveway. The driveway shall be constructed of either 6-inches of concrete over 4-inch of aggregate base, or 4-inches of asphalt concrete over 6-inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

2. Several private improvements are located within the City's right-of-way, such as (but not limited to) landscaping, railroad ties, fencing. These improvements are required to be removed as part of this project and must be shown on the plans. The applicant shall place notes on the plans for the removal of existing encroachments within the City's right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the removal of the private improvements within the City's right-of-way.

GRADING AND DRAINAGE

3. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's LIP Section 8.3. **A note shall be placed on the project that addresses this condition.**

4. A grading and drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project.
    - Public Works Department General Notes
    - The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
    - The limits of land to be disturbed during project development shall be delineated on the grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated.
    - The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.
    - If the property contains trees that are to be protected they shall be highlighted on the grading plan.
    - If the property contains rare and endangered species as identified in the resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
    - Private storm drain systems shall be shown on the grading plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.
    - Public storm drain modifications shown on the grading plan shall be approved by the Public Works Department prior to the issuance of the grading permit.

5. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMP's shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMP's and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

STORMWATER

6. The ocean between Latigo Point and the West City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation allows discharge of storm water only where it is essential for flood control or slope stability, including roof, landscape, road and parking lot drainage, to prevent soil erosion, only occurs during wet weather, and is composed of only storm water runoff. The applicant shall provide a drainage system that accomplishes the following:

- Installation of BMPs that are designed to treat the potential pollutants in the storm water runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
- Prohibits the discharge of trash.
- Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e. no additional pollutant loading).
- Elimination of non-storm water discharges.

7. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

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

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

8. A Storm Water Management Plan (SWMP) is required for this project. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within the City's Local Implementation Plan Section 17.3.2.B.2. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The SWMP shall identify the Site design and Source control Best Management Practices (BMP's) that have been implemented in the design of the project (See LIP Chapter 17 Appendix A). The SWMP

shall be reviewed and approved by the Public Works Department prior to the issuance of the grading/building permits for this project.

9. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
    - Site Design Best Management Practices (BMP's)
    - Source Control BMP's
    - Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technical infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
    - Drainage Improvements
    - A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure.
    - A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
    - The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

MISCELLANOUS

10. The Developers Consulting Engineer shall sign the final plans prior to the issuance of permits.

11. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, alagecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:

    - The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
    - There are sufficient BMPs in place to prevent soil erosion; and

- The discharge does not reach into the MS4 or to the ASBS (including tributaries)

Discharges not meeting the above-mentioned methods must be trucked to a Publicly Owned Wastewater Treatment Works.

The applicant shall also provide a construction note on the plans that directs the contractor to install a new sign stating **"It is illegal to discharge pool, spa or water feature waters to a street, drainage course or storm drain per MMC 13.04.060(D)(5)."** The new sign shall be posted in the filtration and/or pumping equipment area for the property. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.

12. Prior to the approval of any grading and drainage permit, the applicant shall submit a PDF of the final plans. If there are further modifications to the plans, the applicant shall provide the City with an updated PDF.

FIRE DEPARTMENT NOTES:

- THE REQUIRED FIRE FLOW IS BASED ON THE FOLLOWING CALCULATION:

TYPE OF CONSTRUCTION PER THE BUILDING CODE: Type 1B
VEHICLE YES X NO ____
SIZE OF LOT (ACRES) 1.24 ACRES

FIRE FLOW BASED ON THE FIRE-FLOW CALCULATION AREA	2,250 gpm
REDUCTION FOR FIRE SPRINKLERS (MAXIMUM 50%):	1,000 gpm
TOTAL FIRE FLOW REQUIRED:	1,250 gpm

SPRINKLER NOTES

1. THE INSPECTION, HYDROSTATIC TEST AND FLUSHING OF THE FIRE SPRINKLER PIPING SHALL BE WITNESSED BY AN AUTHORIZED FIRE DEPARTMENT REPRESENTATIVE. FIRE CODE 903.4
2. PROVIDE AN APPROVED AUTHORIZED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE 903 AND FIRE CODE 903. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.

   REASON: RESIDENTIAL CODE & FIRE CODE: 903.2.11.7 & FIRE FLOW REDUCTION

   TYPE OF FIRE SPRINKLER SYSTEM: 903.3.1.1, 903.3.1.2, 903.3.1.3

- BUILDING

APPROVED BUILDING ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION SHALL BE PROVIDED AND MAINTAINED SO AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY. THE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND, BE ARABIC NUMBERS OR ALPHABET LETTERS, AND BE A MINIMUM OF 4 INCHES HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH. FIRE CODE 505.1

EXITS DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT. BUILDING CODE 1008.1.9

ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.5.3.4 AND BUILDING CODE 705.4.1)

CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 325

SINGLE AND MULTIPLE STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2075. CARBON MONOXIDE ALARMS REQUIRED BY (SECTIONS R315.1 AND R315.2) OR (SECTIONS 420.4.1 AND 420.4.2) SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS: 1. OUTSIDE OF EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S). 2. ON EVERY LEVEL OF A DWELLING UNIT INCLUDING BASEMENTS. 3. FOR R-1 ONLY: 4. ON THE CEILING OF SLEEPING UNITS WITH PERMANENTLY INSTALLED FUEL-BURNING APPLIANCES. RESIDENTIAL CODE R315.2, BUILDING CODE 420.4.2

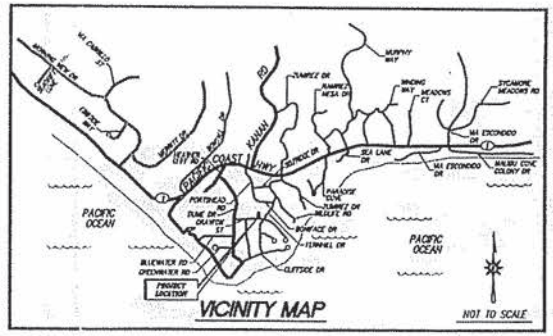
ADDITIONAL FIRE DEPARTMENT NOTES:

1. FIRE DEPARTMENT VEHICULAR ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION. FIRE CODE 501.4

LOS ANGELES COUNTY FIRE DEPARTMENT APPROVED
FIRE LANE INSCRIPTION AND INSTALLATION REQUIREMENTS
PER FIRE CODE 503.3

1. Metal reflectorized sign
2. Size: Minimum 12" X 18"
3. Minimum 3 inch lettering
4. White background with red lettering
5. Bottom of the sign shall be 7 feet above ground level
6. Sign shall be provided for fire apparatus access road

PROVIDE APPROVED SIGNS OR OTHER APPROVED NOTICES OR MARKINGS THAT INCLUDE THE WORDS "NO PARKING – FIRE LANE". SIGNS SHALL HAVE A MINIMUM DIMENSION OF 12 INCHES WIDE BY 18 INCHES HIGH AND HAVE RED LETTERS ON WHITE REFLECTIVE BACKGROUND. SIGNS SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS ROADS, TO CLEARLY IDENTIFY THE ENTRANCE TO SUCH ROAD, OR PROHIBIT THE OBSTRUCTION THEREOF AND AT INTERVALS, AS REQUIRED BY THE FIRE INSPECTOR. FIRE CODE 503.3



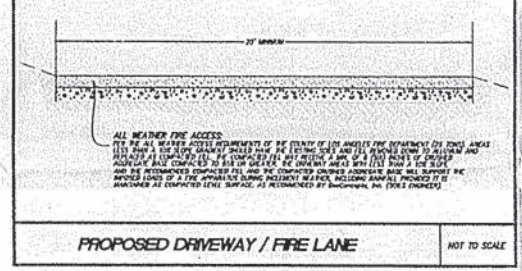
NOTES:

FIRE DEPARTMENT VEHICULAR ACCESS ROADS SHALL BE HARD SCAPE ALL WEATHER ACCESS IN ACCORDANCE WITH THE DEPARTMENT'S ALL WEATHER ACCESS REQUIREMENTS. FIRE CODE 503.2.3

THE REQUIRED FIRE FLOW FOR THE FIRE HYDRANTS AT THIS LOCATION IS 1,250 GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF 2 HRS OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 and Appendix B105.1 Appendix B.

THE REQUIRED FIRE FLOW IS BASED ON THE FOLLOWING CALCULATION:
TYPE OF CONSTRUCTION PER THE BUILDING CODE: TYPE VB

FIRE FLOW BASED ON THE FIRE-FLOW CALCULATION AREA:	2,250 GPM
REDUCTION FOR FIRE SPRINKLERS (MAXIMUM 50%):	1,000 GPM
TOTAL FIRE FLOW REQUIRED:	1,250 GPM



PROPOSED DRIVEWAY / FIRE LANE | NOT TO SCALE

RESIDENTIAL FLOOR AREA ANALYSIS
TOTAL DEVELOPMENT SQUARE FOOTAGE

1-ST FLOOR	4,641.1 SF
2-ND FLOOR	3,073.7 SF (66% OF 1-ST FLOOR)
INCLUDING 323.6 SF COVERED UPPER LOGGIA	
TOTAL HOUSE	7,714.8 SF

PREPARED FOR:

JOHN ATWILL
13400 NEW CENTURY DRIVE
GARDENA, CA 90248

LEGAL DESCRIPTION:

THAT PORTION OF PARCEL 28, RECORD OF SURVEYS FILED IN RS 27/9-10, AS DESCRIBED IN A DEED RECORDED AS 20140623878.

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION
Fire Prevention Engineering
5823 Rickenbacker Road
Los Angeles, CA 90040
Telephone (323) 890-4125 Fax (323) 890-4120

Information on Fire Flow Availability for Building Permit

For Single Family Dwellings (R-3):

INSTRUCTIONS:
Complete parts I, II (A) when:
Verifying fire flow, fire hydrant location and fire hydrants spacing
Complete parts I, II (A), & II (B) when:
For buildings equipped with fire sprinkler systems, and/or reduce min. fire flow

LOS ANGELES COUNTY WATERWORKS DISTRICTS
THIS INFORMATION PROVIDED BEFORE FINAL VERIFICATION OF PUBLIC FIRE FLOW AVAILABILITY CAN BE MADE. IT IS NOT FINAL APPROVAL FOR FIRE SERVICE CONNECTIONS

PROJECT INFORMATION
(To be Completed by Applicant)

PART I

Building Address: 29043 Grayfox St.
City or Area: Malibu
Nearest Cross Street: Pacific Coast Highway
Distance of Nearest Cross Street: 4,635 feet
Property Owner: John Atwill Telephone: (310) 515-1700
Address: 29043 Grayfox St.
City Malibu, CA Zip Code 90265
Occupancy (Use of Building): Single Family Residence Sprinklered: Yes [X] No [ ]
Type of Construction: VB
Square Footage: 7,714.8 sq. ft. Number of Stories: 2
Present Zoning: RR-1, City of Malibu

Applicant's Signature
Feb. 28, 2017
Date

PART II (A) INFORMATION ON FIRE FLOW AVAILABILITY
(Part II to be completed by Water Purveyor)

The distance from the fire hydrant to the property line is 40' (across the street)
feet via vehicular access. The fire flow services will be rendered from a 12"
inch diameter water main. The hydrant is located on Grayfox St.
40' (Feet) West (Direction) of Fernhill Dr. (Street) (Nearest Cross - Street)
Under normal operating conditions the fire flow available from this 6x4x2.5" (Size)
hydrant is 1,250 GPM at 20 PSI residual for 2 hours at 60 PSI Static

PART II (B) SPRINKLERED BUILDINGS ONLY
Detector Location (check one): [ ] Above Grade [ ] Below Grade [ ] Both
Backflow protection required (for NFPA 13R/13D/multi-family): [ ] Yes [ ] No
Type of Protection Required (check one):
[ ] Double Check Detector Assembly [ ] Reduced Pressure Detector Assembly
[ ] Other: Domestic Meter

PART II (C)
L. A. Co. Waterworks District # 29
Water Purveyor
Signature
Feb 7/07 2017
Date
Christopher Kim, EA III
Title

PART III Conditions for Approval by the Building Department
(To be Completed by Building Department)

This building permit may be issued for single family dwellings when the above information is complete and shows that the following minimum requirements are met and the property is not in a High Fire Hazard Severity Zone or the Very High Fire Hazard Severity Zone.

The water system is capable of delivering at least 1250 GPM at 20 PSI for two hours.
The structure is less than 3,600 square feet.
The distance from the structure to the fire hydrant does not exceed 400 feet via vehicular access.
The proposed driveway that must be within 150 feet of a vehicular access roadway that is a minimum of 20 feet wide, paved with concrete or asphalt and does not exceed 15% grade.

APPROVED BY DATE OFFICE

This Information is Considered Valid for Twelve Months

Where the water service does not meet the above requirements for approval by the Building Department, Fire Prevention Division approval of the site plan will be required before a Building Permit can be issued by the Building Department.

20043 Grayfox St.
(1)

RECEIVED
NOV 1 5 2017
PLANNING DEPT.

DIGALERT
DIAL TOLL FREE
1-800-422-4133
AT LEAST TWO DAYS BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

#	REVISIONS	DATE

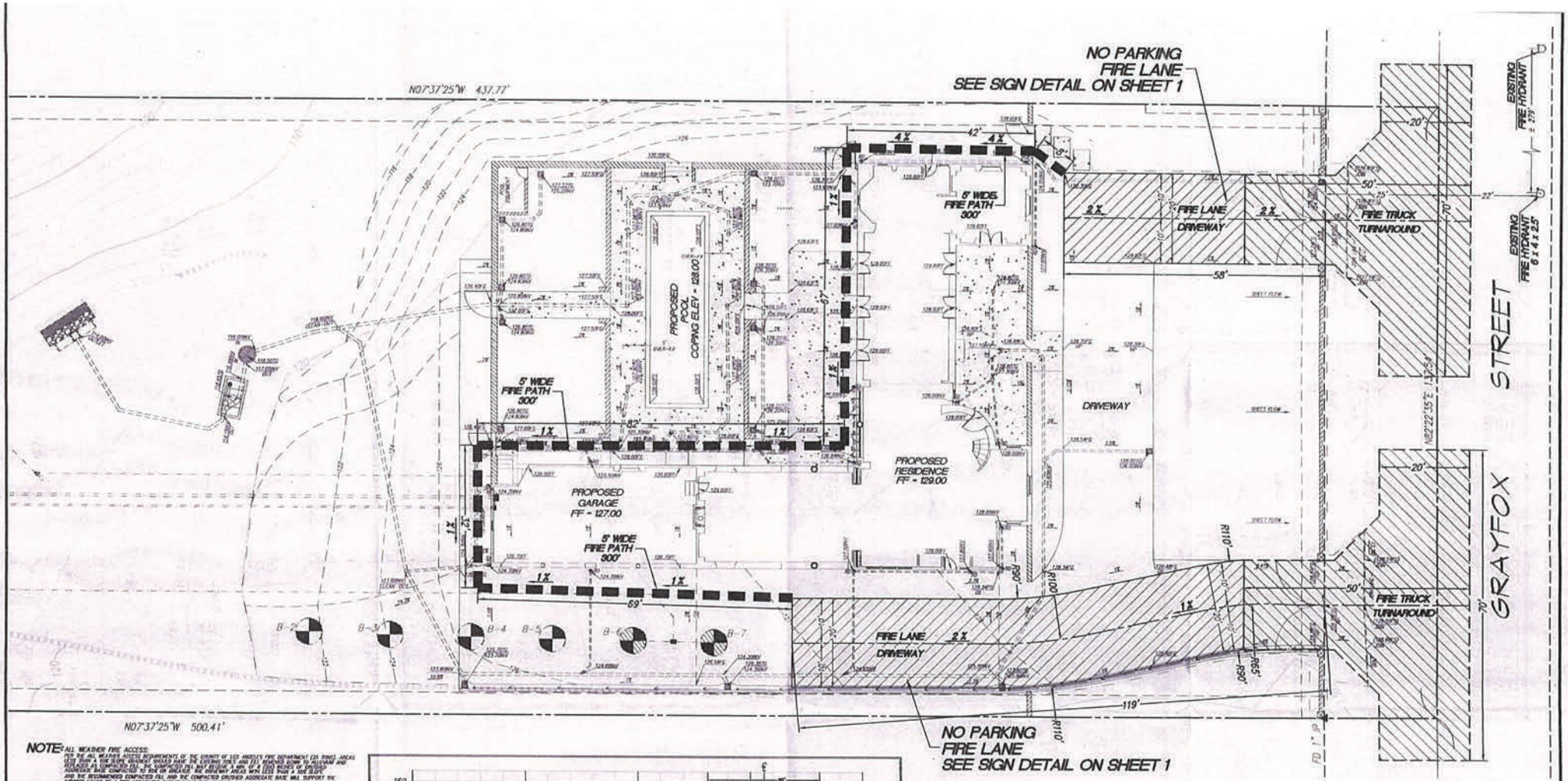
Prepared by
PEAK SURVEYS INC.
CIVIL · SURVEY · DESIGN
24900 TOWNSGATE RD., Suite 13
WESTLAKE VILLAGE, CA 91361
P: 805.497.0303 F: 805.495.7014
www.peaksurvey.com

REGISTERED ENGINEER RCE DATE

CITY OF MALIBU
FIRE ACCESS PLAN
29043 GRAYFOX STREET

DRAWN BY/DATE	DESIGNED BY/DATE	CHECKED BY/DATE	SHEET 1 OF 2
MR 08/18/2017	MR 08/18/2017	CL 08/18/2017	

G:\PROJECTS\15-3072\DWG\FIRE ACCESS PLAN.PLAN.dwg 08/18/2017

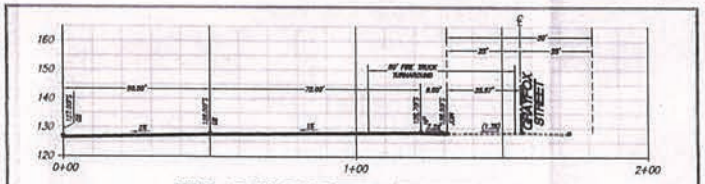


NOTE: ALL WEATHER FIRE ACCESS:
PER THE ALL WEATHER ACCESS REQUIREMENTS OF THE COUNTY OF LOS ANGELES FIRE DEPARTMENT (24 RING) AREAS LESS THAN A FIRE SERVE VEHICLE SHOULD HAVE THE EXISTING TOPSOIL AND FILL REMOVED DOWN TO ALLUVIUM AND REPLACED AS COMPACTED FILL. THE COMPACTED FILL MAY INCLUDE A MIX OF A FINE MIXTURE OF ENGINEER AGGREGATE BASE COMPACTED TO 95% OR GREATER. THE DRIVEWAY AREAS WITH LESS THAN A 15% SLOPE AND THE RECOMMENDED COMPACTED FILL AND THE COMPACTED CRUSHED AGGREGATE BASE WILL SUPPORT THE IMPOSED LOADS OF A FIRE APPARATUS DURING INCLEMENT WEATHER, INCLUDING RAINFALL PROVIDED IT IS MAINTAINED AS COMPACTED LEVEL SURFACE, AS RECOMMENDED BY GeoConcepts, Inc. (SOILS ENGINEER).

LEGEND

- FIRE LANE
- FIRE TRUCK TURNAROUND
- 5' WIDE FIRE FIGHTER ACCESS WALKWAY 300' AS SHOWN

GRAPHIC SCALE: 1" = 10'



FIRE ACCESS CENTER LINE PROFILE
SCALE: 1"=20'

DIGALERT
DIAL TOLL FREE
1-800-422-4133
AT LEAST TWO DAYS BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

#	REVISIONS	DATE

Prepared by:
PEAK SURVEYS INC.
CIVIL • SURVEY • DESIGN
24008 TOWNSGATE RD, Suite 13
WESTLAKE VILLAGE, CA 91361
P: 805 497 0102 F: 805 498 3014
www.peaksurvey.com

REGISTERED ENGINEER RCE DATE

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING
APPROVED
ACCESS REQUIREMENTS ONLY
By [signature]
Fire Prevention Engineer
Date 6/11/17

CITY OF MALIBU			
FIRE ACCESS PLAN			
29043 GRAYFOX STREET			
DRAWN BY/DATE BR 08/16/2017	DESIGNED BY/DATE BR 08/16/2017	CHECKED BY/DATE CL 08/16/2017	SHEET 2 OF 2

© S:\PROJECTS\15-187\DWG\FIRE ACCESS PLAN PLAN.dwg 08/16/2017

Story Pole Photos

CDP 17-043
29043 Grayfox Street

Northeast view of the proposed residence from Grayfox Street

Northeast view of proposed residence from Grayfox Street

North view of proposed residence along western property line

Northwest view of proposed residence from Grayfox Street

North view of proposed residence from Grayfox Street

Raneika Brooks

From: John Stockwell [redacted]
Sent: Friday, July 24, 2020 12:54 PM
To: Raneika Brooks
Cc: Bonnie Blue
Subject: Re: Square Footage Data

Hi Raneika and Bonnie

I also wanted to add that we are very disappointed that after being rejected by the planning commission on a "neighborhood character" finding, a rejection that was upheld by the city council on appeal, the applicant and their expeditor, never even attempted to reach out to neighbors. The first thing my planner Ha Ly told us was "reach out to the neighbors" which of course we did when we were planning our house.
It's possible that they could decide they can't accommodate the neighbors concerns but at least they have made an attempt to listen to what they are.

It is critical and only fair that you put in your report that this applicant never met with or talked with any of the neighbors objecting to the proposed residence after it was rejected by the planning commission and city council on a neighborhood character finding.

On Jul 23, 2020, at 4:10 PM, John Stockwell <johnstockwell4@gmail.com> wrote:

Hi Raneika

If the neighbor did not have access to building plan either the neighbor or myself measured the outside of the exterior perimeter walls to assess second floor square footage. In many cases, as with studios above garages, the studio was exactly the same size as the 1st floor garage so they only had to measure the exterior garage dimensions. If it was difficult to measure an irregular second story they would measure the interior dimensions adding 1' in each direction to account for the thickness of walls.

10 of the neighboring 23 homes had no second story square footage so no measurements were necessary.

Even with their revised pergolas with beams instead of fully enclosed roofs they have by far the largest amount of second story square footage and floor area - far above the average of 702 square feet. More importantly, having an open beam ceiling pergola or porch, versus a pergola or porch with a ceiling does not mitigate the privacy, sun shading, and noise issues on the neighbors. Nor does it reduce the overall mass bulk and height of the structure. One could argue that having an open pergola or deck increases the noise and privacy issues for the neighbors.

On Jul 23, 2020, at 3:02 PM, Raneika Brooks <rbrooks@malibucity.org> wrote:

Hi Mr. Stockwell,

I'm making the final edits to the staff report and Bonnie wants me to include the method you and the neighbors used to measure the second floor square footage when building plans weren't accessible.

Could you briefly explain how the measurements were taken?

Thanks

Best,

Raneika K. Brooks
Associate Planner | City of Malibu | Planning Department
23825 Stuart Ranch Road, Malibu, CA 90265-4861
Office: (310) 456-2489. Ext. 276 | Cell: (424) 422-8364 | Fax: (310) 456-7650
www.malibucity.org | rbrooks@malibucity.org

From: John Stockwell [redacted]
Sent: Tuesday, June 30, 2020 8:44 AM
To: Raneika Brooks <rbrooks@malibucity.org>
Subject: Re: Square Footage Data

Hi Raneika, hope you are well.

Obviously, from simple visual inspection 10 of the 23 homes in the chart have NO second-story footage.

For the other homes, including our own, I asked my neighbors to reference their building plans and let me know what their second story square footage was.

If they didn't have building plans available to them I asked them to measure the second story square footage or I measured it myself.

For the homes that only have studios directly above the detached garage it was easy to measure the exterior of the ground level garage to get the square footage of the studio above the garage.

I did not use any of the more questionable methods that Don Schmitz uses to calculate square footage like Zillow and Google earth.

Although I put in the work to get the real numbers. It does not take anything more than a simple visual inspection to realize there is no other home nearby that has anywhere near 3073 ft.^{2} of second story.

I have not been approached by the applicant or Don Schmidtz to review any of the revised plans. Both the planning commission and the city Council recommended that the applicant include the neighbors in the planning process because that's the smart way to get approvals. When we were working towards getting approvals for our home, our planner was Ha Ly and the critical thing she told us was - go to your neighbors - talk to them about the design for your proposed house even though it's far under the allowable maximums.

On Jun 29, 2020, at 3:18 PM, Raneika Brooks <rbrooks@malibucity.org> wrote:

Good afternoon Mr. Stockwell

I hope this message finds you and your family well. I am reviewing the revised plans and square footage data for the project proposed at 29043 Grayfox Street, which includes the attached correspondence from you. Could you confirm the source of the square footage data I the attached table? I want to reference it correctly in the staff report.

Thank you.

Stay vigilant and well!

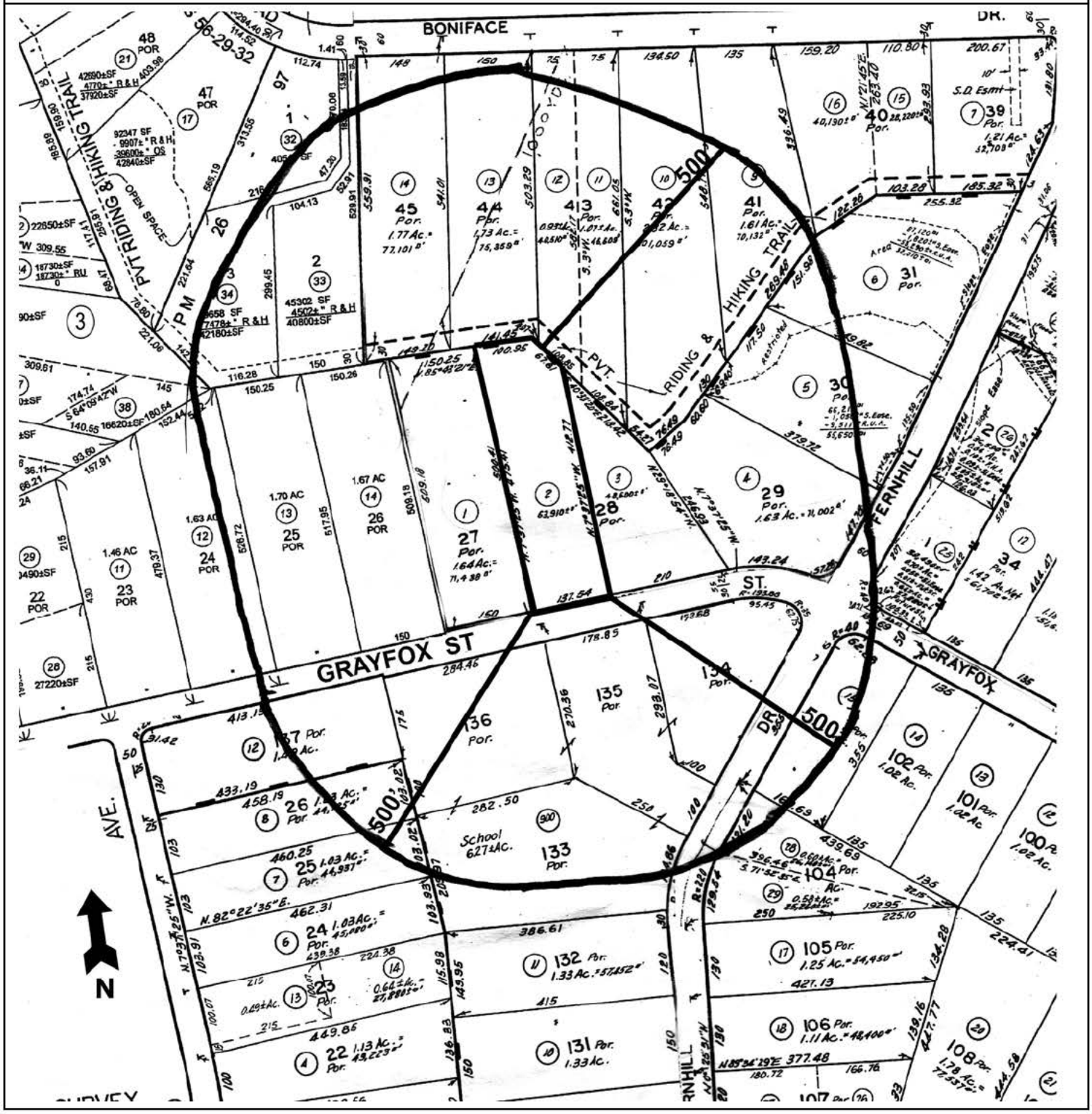
Best,

Raneika K. Brooks
Associate Planner | City of Malibu | Planning Department
23825 Stuart Ranch Road, Malibu, CA 90265-4861
Office: (310) 456-2489. Ext. 276 | Cell: (424) 422-8364 |
Fax: (310) 456-7650
www.malibucity.org | rbrooks@malibucity.org
43
<CITY COUNCIL - CORRESPONDENCE - 10-14-2019 - ITEM 4A_JSTOCKWELL.PDF>

Advanced Listing Services Inc
Ownership Listings & Radius Maps
P.O. Box 2593 • Dana Point, CA • 92624
Office: (949) 361-3921 • Cell: (949) 310-6869
www.Advancedlisting.com denise@advancedlisting.com

Subject APN: 4466-017-002
500' Radius

Address: 29043 GRAYFOX ST
MALIBU CA 90265



City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

PLANNING DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, August 3, 2020, at 6:30 p.m.,** on the project identified below via teleconference only in order to reduce the risk of spreading COVID-19, pursuant to the Governor's Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer's Safer at Home Order.

COASTAL DEVELOPMENT PERMIT NO. 17-043, SITE PLAN REVIEW NO. 17-014, AND DEMOLITION PERMIT NO. 17-013 - An application for the demolition of an existing single-family residence and associated development and construction of a new single-family residence, swimming pool, replacement of an existing onsite wastewater treatment system with an onsite wastewater treatment system, grading, hardscaping, and landscaping, including a site plan review for height in excess of 18 feet; this application was appealed to the City Council and remanded back to the Planning Commission for reconsideration of a revised project design.

LOCATION / APN / ZONING:	**29043 Grayfox Street** / 4466-017-002 / Rural Residential-One Acre (RR-1)
APPLICANT / OWNERS:	Schmitz and Associates, Inc. / John and Tatiana Atwill
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15301(l) and 15303(a) and (e)
APPLICATION FILED:	March 30, 2017
CASE PLANNER:	Raneika Brooks, Associate Planner, rbrooks@malibucity.org (310) 456-2489, ext. 276

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in he Agenda Center http://www.malibucity.org/agendacenter. Related documents are available for review by contacting he Case Planner. You will have an opportunity to testify at the public hearing; written comments, which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing. To view or sign up to speak during the meeting, visit malibucity.org/virtualmeeting.

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be emailed to psalazar@malibucity.org within ten days following the date of ac ion and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Payment must be received within 10 days of the appeal deadline. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal online, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

BONNIE BLUE, Planning Director

Date: July 9, 2020

ATTACHMENT 11

City of Malibu Planning Commission Hearing (Item #5A)

29043 Grayfox Street, Malibu, CA 90265

APN: 4466-017-002

Received
8/3/20
Planning Dept.

August 3rd, 2020

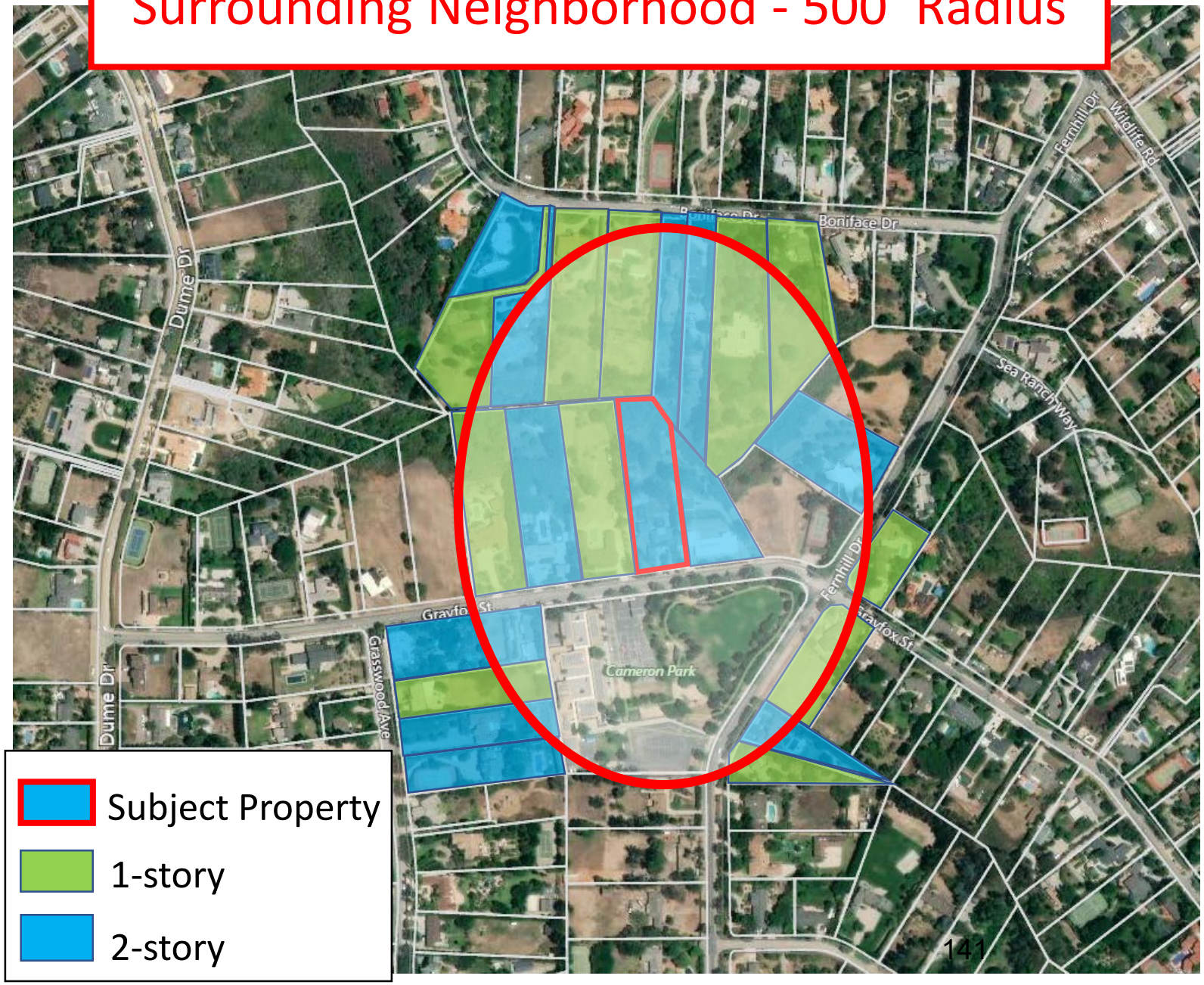
SCHMITZ & ASSOCIATES INC.

Date Received 8/3/20 Time 6:30 PM
Planning Commission meeting of 8/3/20
Agenda Item No. 5A
Total No. of Pages 77

Project History

- Application Submitted on March 30th, 2017.
- 1st Planning Commission hearing for ACDP on October 2nd, 2018.
- Planning Commission denial on January 22nd, 2019 (3-2 vote). Commission requested additional information on average sq. footage of 2nd stories in the neighborhood.
- Council directs redesign of 2nd floor on October 14th, 2019 and remands to Planning Commission.

Surrounding Neighborhood - 500’ Radius



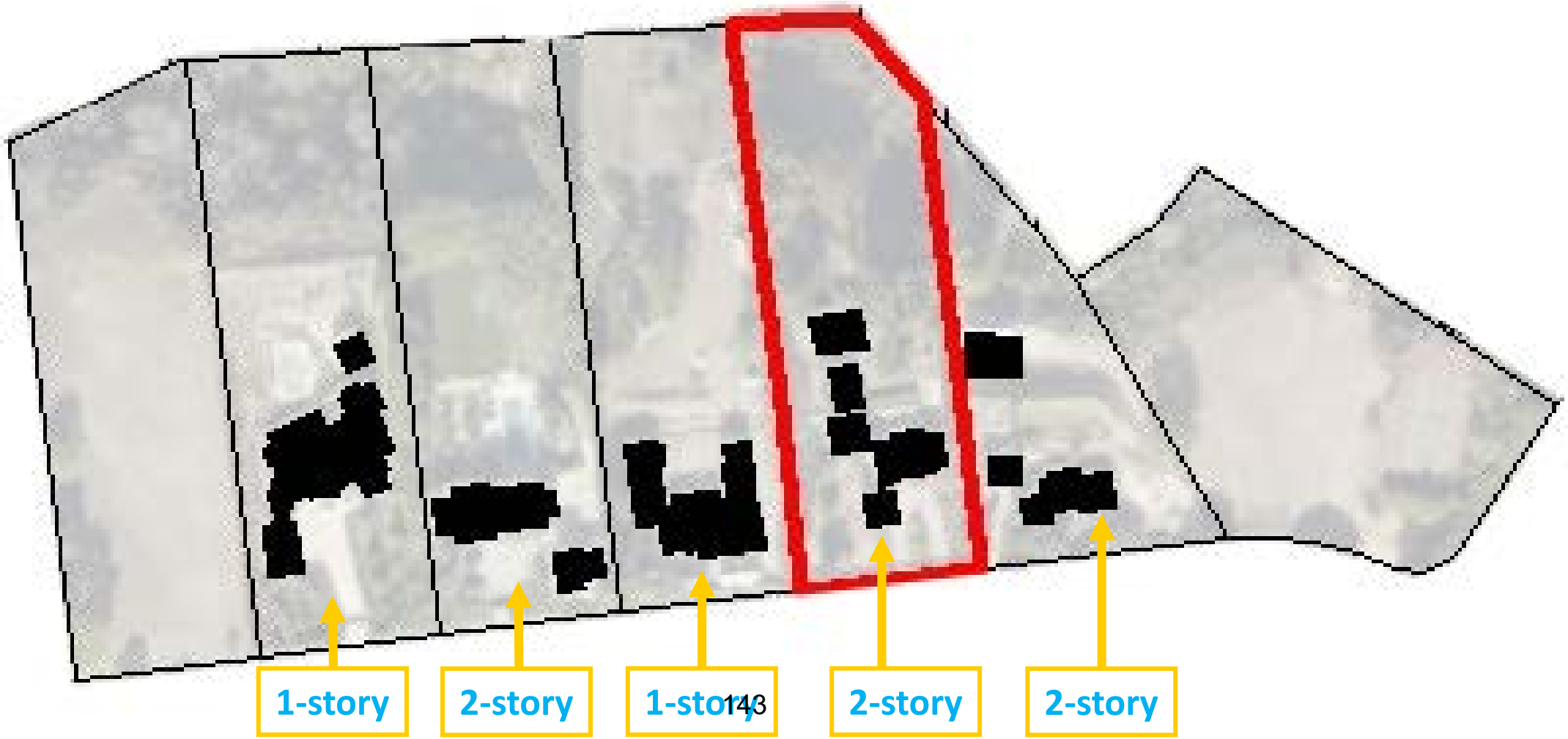
Property Address	Year Built	No. of Stories	Parcel Size (Sq. Ft.)
29043 Grayfox Street	1950	2	67,220
29033 Grayfox Street	1955	2	44,881
28975 Grayfox Street	1956	1	30,230
29055 Grayfox Street	1957	1	71,688
29075 Grayfox Street	1994	2	72,628
29089 Grayfox Street	2009	1	74,327
6900 Grasswood Avenue	1962	2	65,017
6924 Grasswood Avenue	1962	1	45,408
6934 Grasswood Avenue	2012	2	44,197
6938 Grasswood Avenue	1956	2	45,555
6936 Fernhill Drive	1973	2	27,657
6902 Fernhill Drive	1955	1	45,236
6944 Fernhill Drive	1954	1	25,243
6851 Fernhill Drive	1980	2	66,170
28850 Boniface Drive	1955	1	71,572
28872 Boniface Drive	1985	1	101,458
28904 Boniface Drive	1956	2	47,112
28910 Boniface Drive	1957	2	39,983
28926 Boniface Drive	1955	1	73,267
28936 Boniface Drive	1960	2	76,453
28942 Boniface Drive	1976	2	50,074
28946 Boniface Drive	1972	1	56,768
28950 Boniface Drive	1997	2	40,275
Average	**57% = 2-story**		

Surrounding Properties

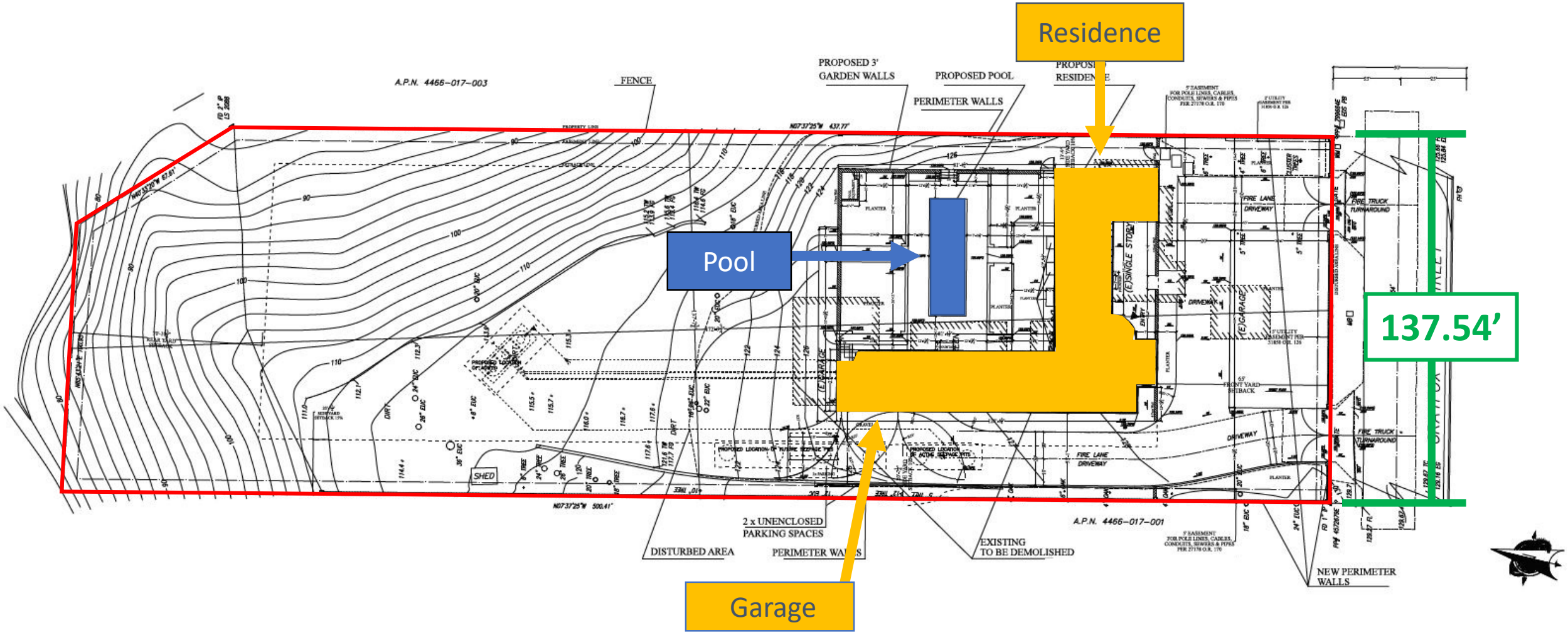
The site is surrounded by a mixture of one- and two-story residences, most of which are sited closer to Grayfox Street and contain block walls and/or landscaping along the front property line that screen the residences' visibility from Grayfox Street.

from City Council Hearing Staff Report on October 14th, 2019, Pg. 11 of 18

No. of Stories on Grayfox Street (the Subject Property Block)



PROPOSED DESIGN LAYOUT



Project Comments
City Council Hearing on October 14th, 2019

"What is different here that wasn't discussed really in the staff report, but certainly was at the Planning Commission was how large the second story is and that is notable…

"…And to me everything else that we're talking about here, all the other stuff, it all comes back to neighborhood character. And that's what we should be focusing on…"

"It's definitely as we said, is not a TDSF issue, it is a neighborhood character issue…"

(Mayor Pierson; 2:43:58)

Maximum Allowed TDSF on 29043 Grayfox Street (Subject Property)

8,047 square feet

Previously Proposed TDSF for 29043 Grayfox Street (Subject Property)

7,590 square feet

Currently Proposed TDSF for 29043 Grayfox Street (Subject Property)

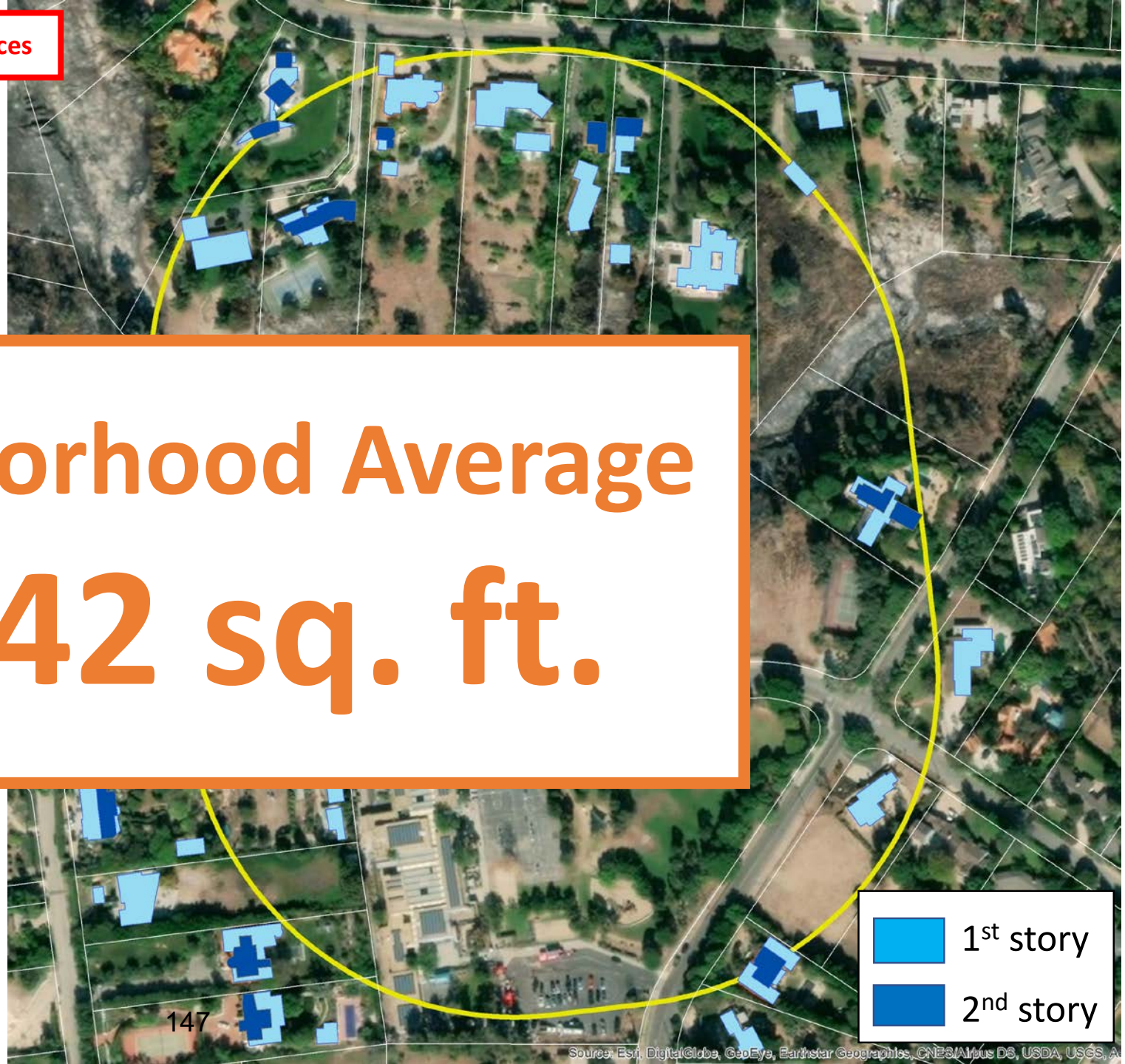
6,396 square feet

Surrounding Neighborhood - 500’ Radius for two-story residences

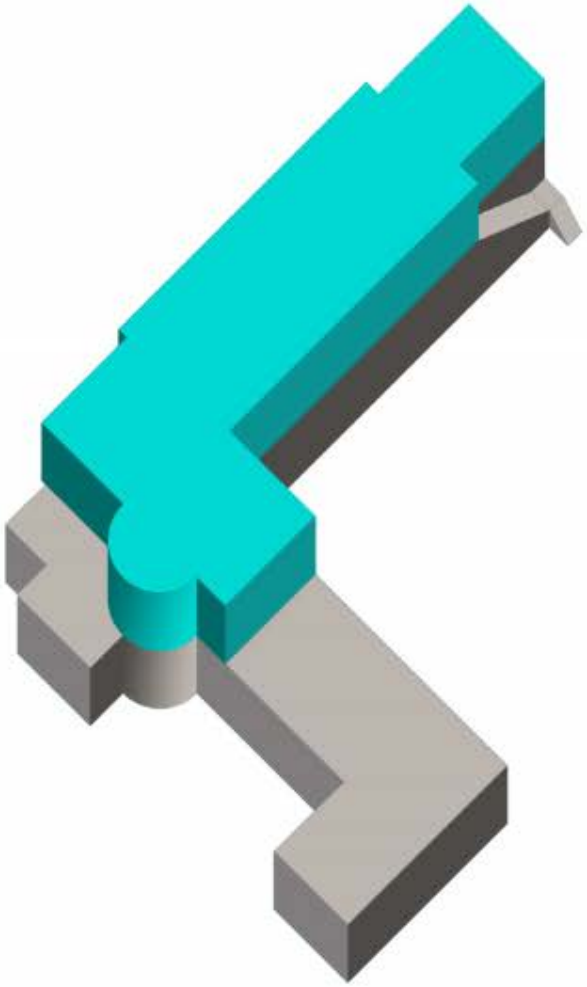
Property Address	Building Permits & GIS
29043 Grayfox	881
29033 Grayfox	674
29075 Grayfox	4,290
6900 Grasswood	
6934 Grasswood	
6938 Grasswood	
6936 Fernhill	
6851 Fernhill	
28904 Boniface	
28910 Boniface	
28936 Boniface	605
28942 Boniface	2,695
28950 Boniface	2,434
Neighborhood Average	**1,842**

Neighborhood Average

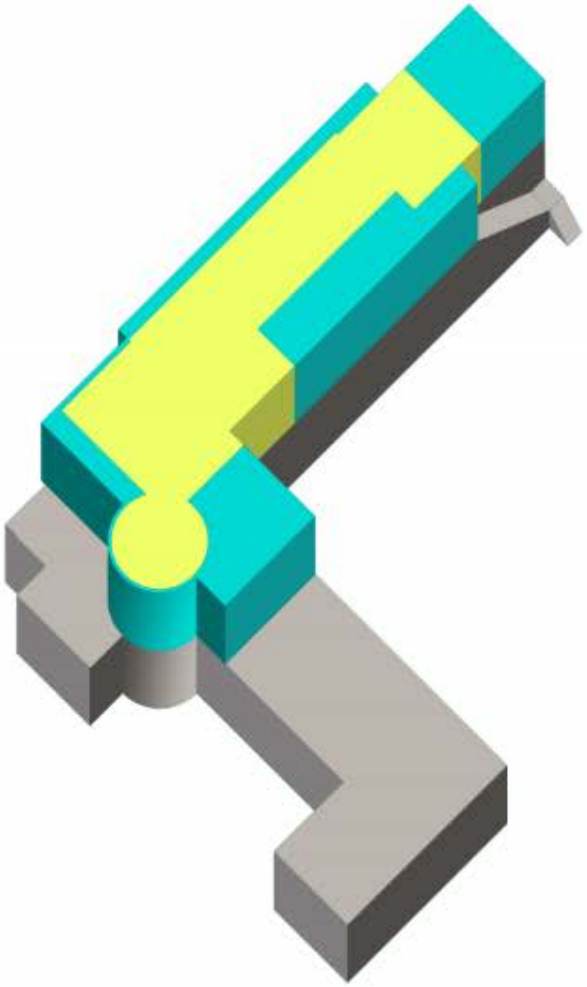
1,842 sq. ft.



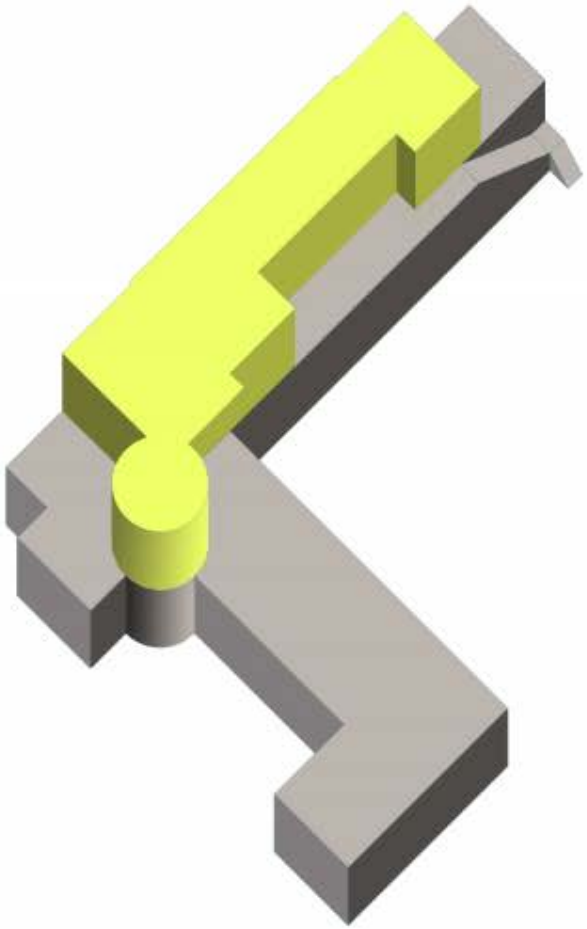
PROPOSED DESIGN LAYOUT



Original Proposed

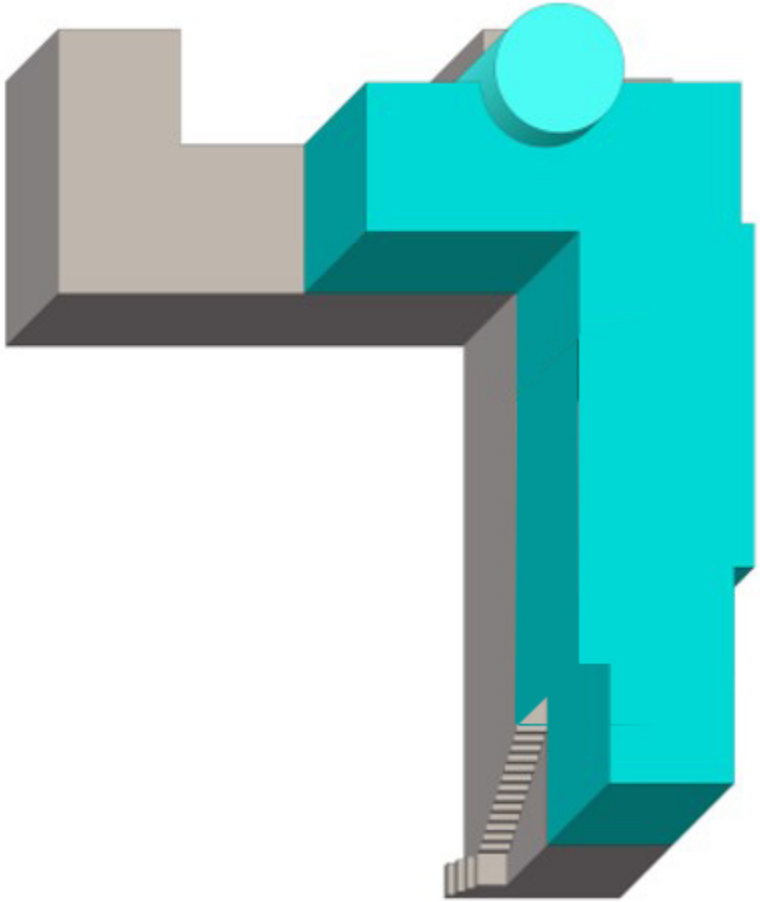


2nd Story TDSF Reduction

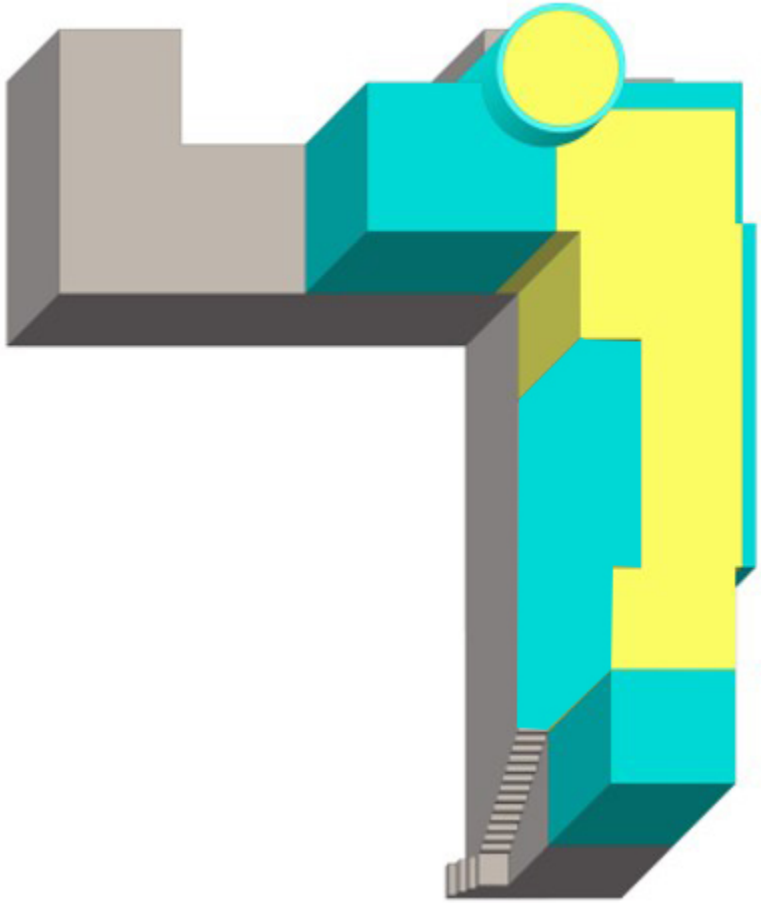


Currently Proposed

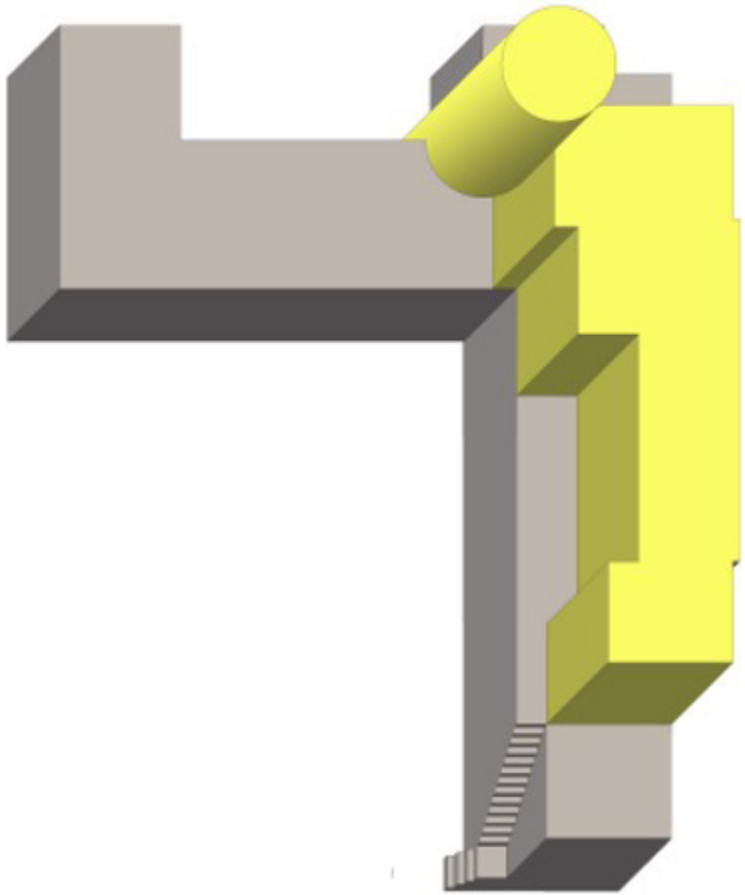
PROPOSED DESIGN LAYOUT



Original Proposed
1st floor = 4,641 sq. ft.
2nd floor = 3,073 sq. ft.

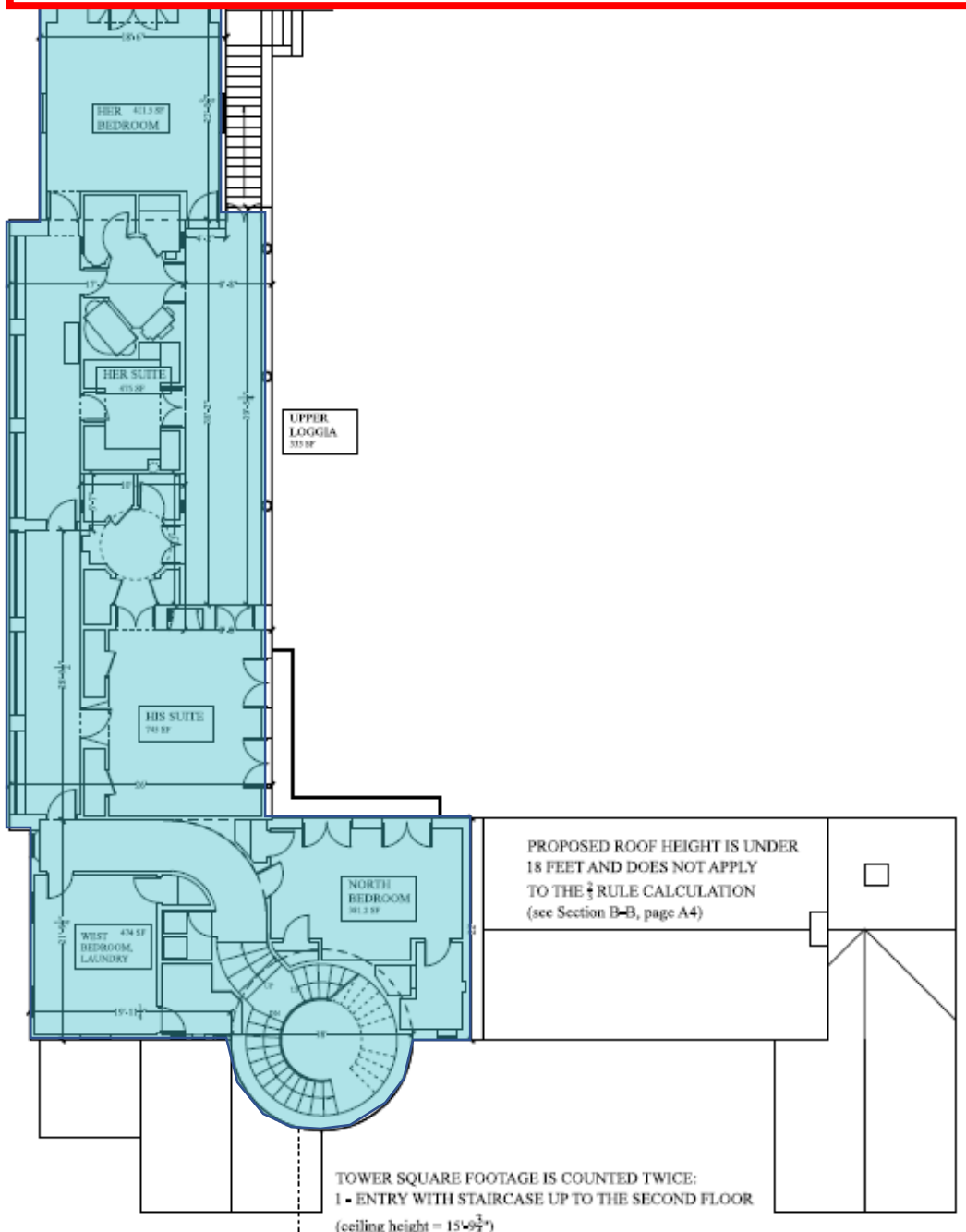


40% Reduction of 2nd Story
1,233 sq. ft.

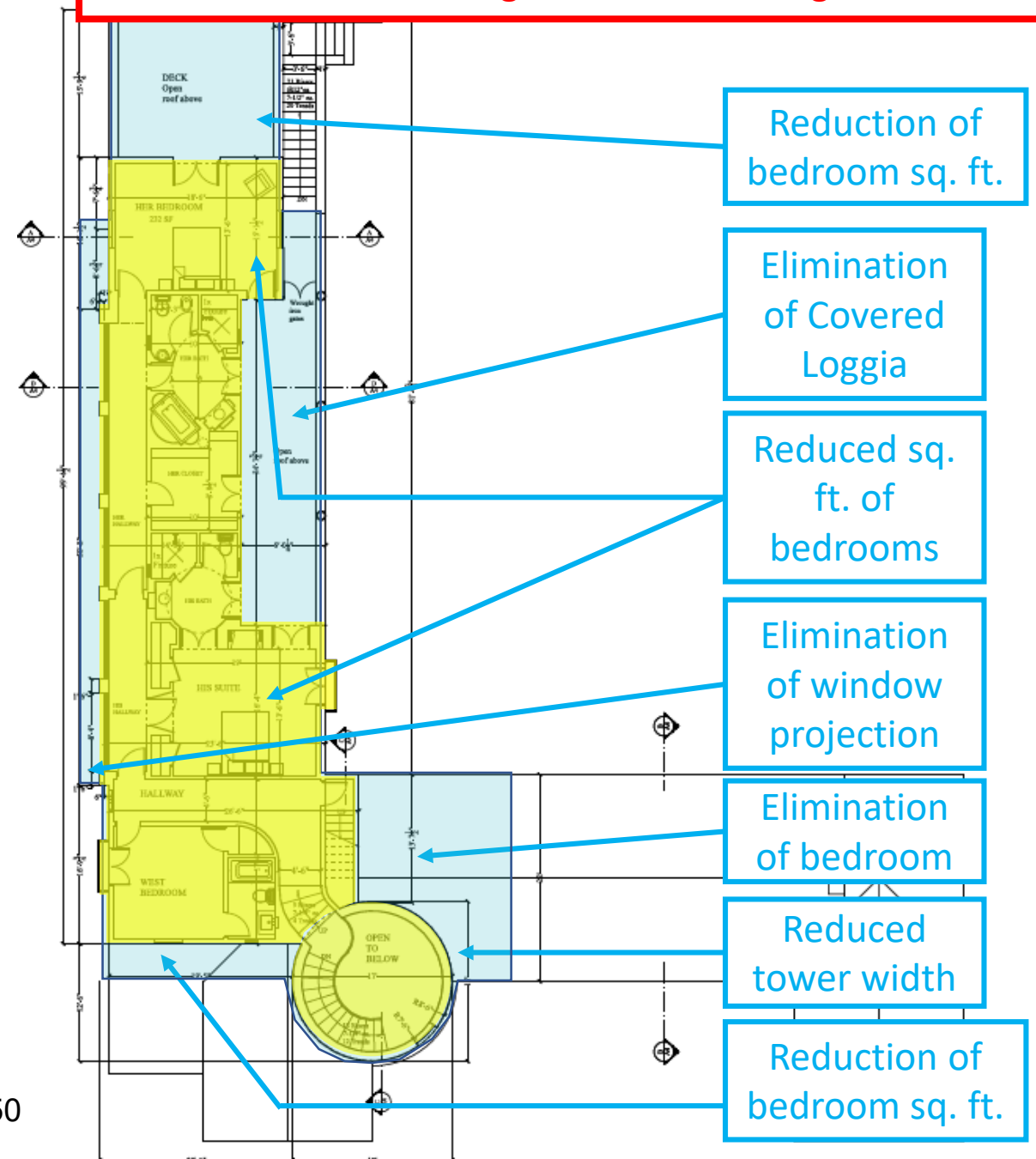


Currently Proposed
1st floor = 4,556 sq. ft.
2nd floor = 1,840 sq. ft.

Project Reviewed by City Council - October 14th, 2019



Revised Plan for Planning Commission - August 3rd, 2020



Reduction of bedroom sq. ft.

Elimination of Covered Loggia

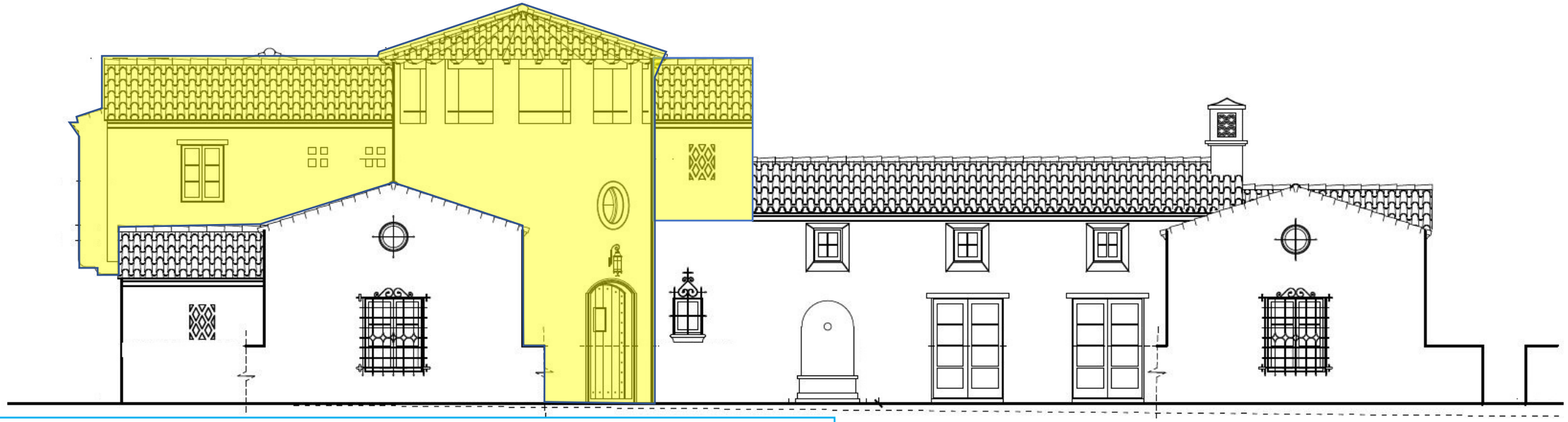
Reduced sq. ft. of bedrooms

Elimination of window projection

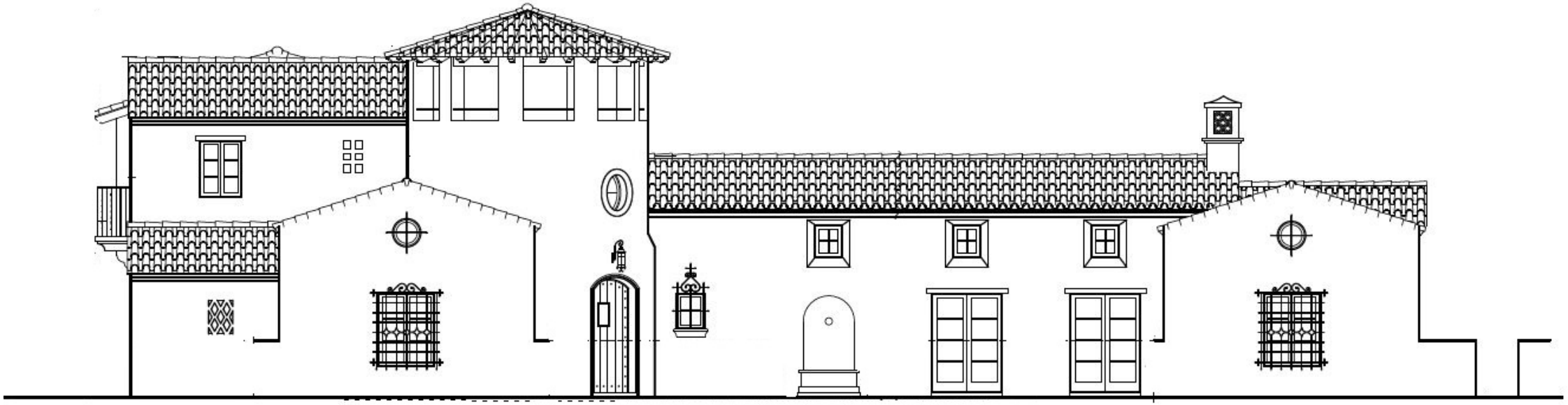
Elimination of bedroom

Reduced tower width

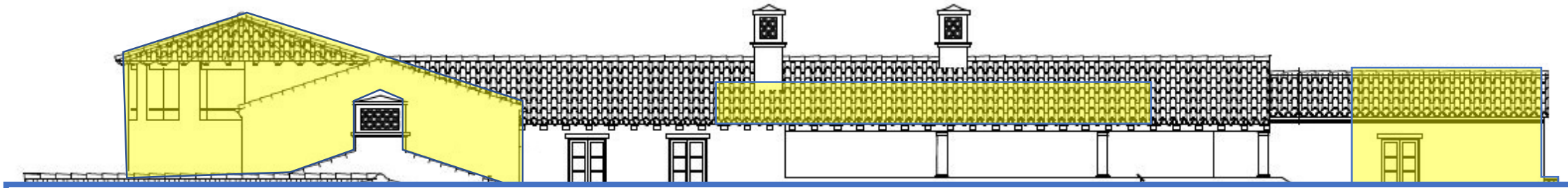
Reduction of bedroom sq. ft.



South (Front) Elevation – Previously Proposed



South (Front) Elevation – Currently Proposed

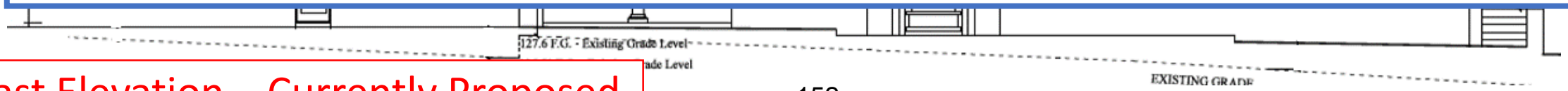


'…The new second floor design is 1,840 square feet which is within the range of sizes of surrounding second floors, based on data submitted by the applicant.'

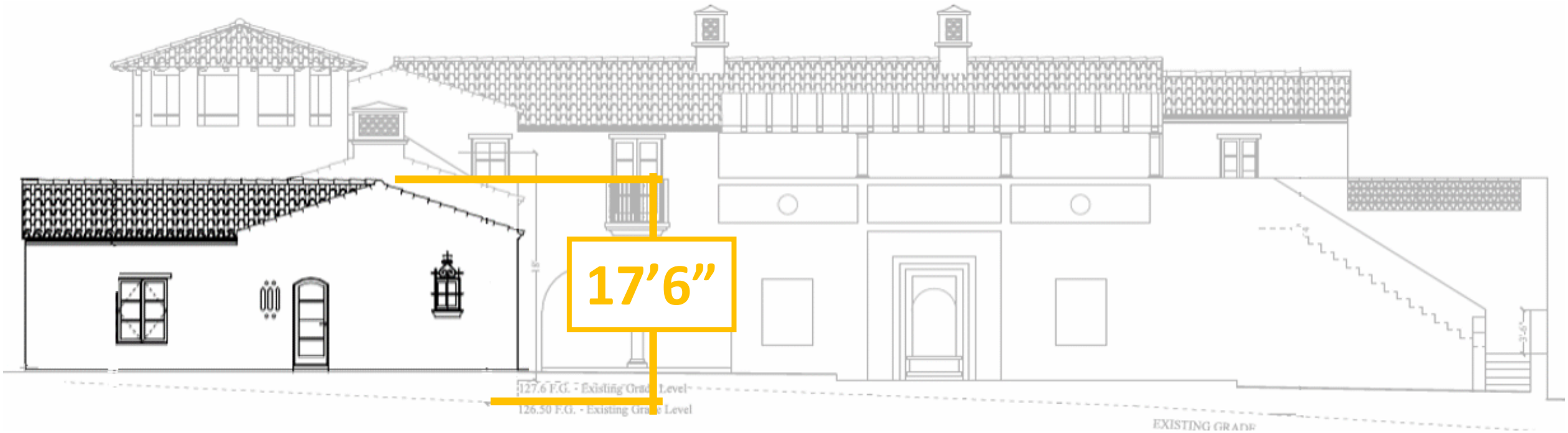
Ea

'…This change was intended to help the project better blend with the surrounding one- and two-story single-family homes.'

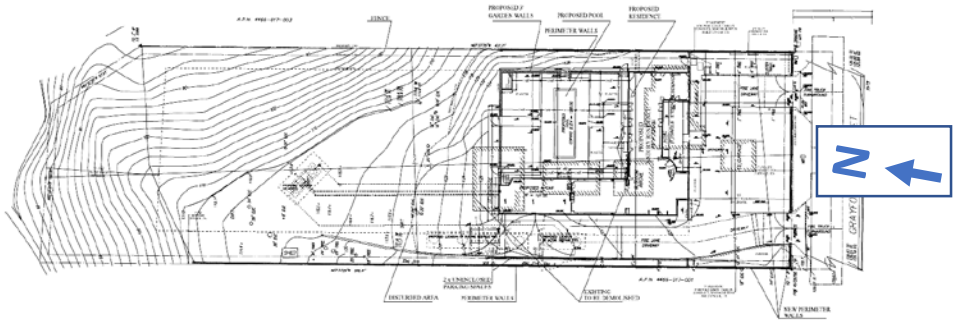
City of Malibu, Planning Commission Staff Report, August 3rd 2020, Page 11

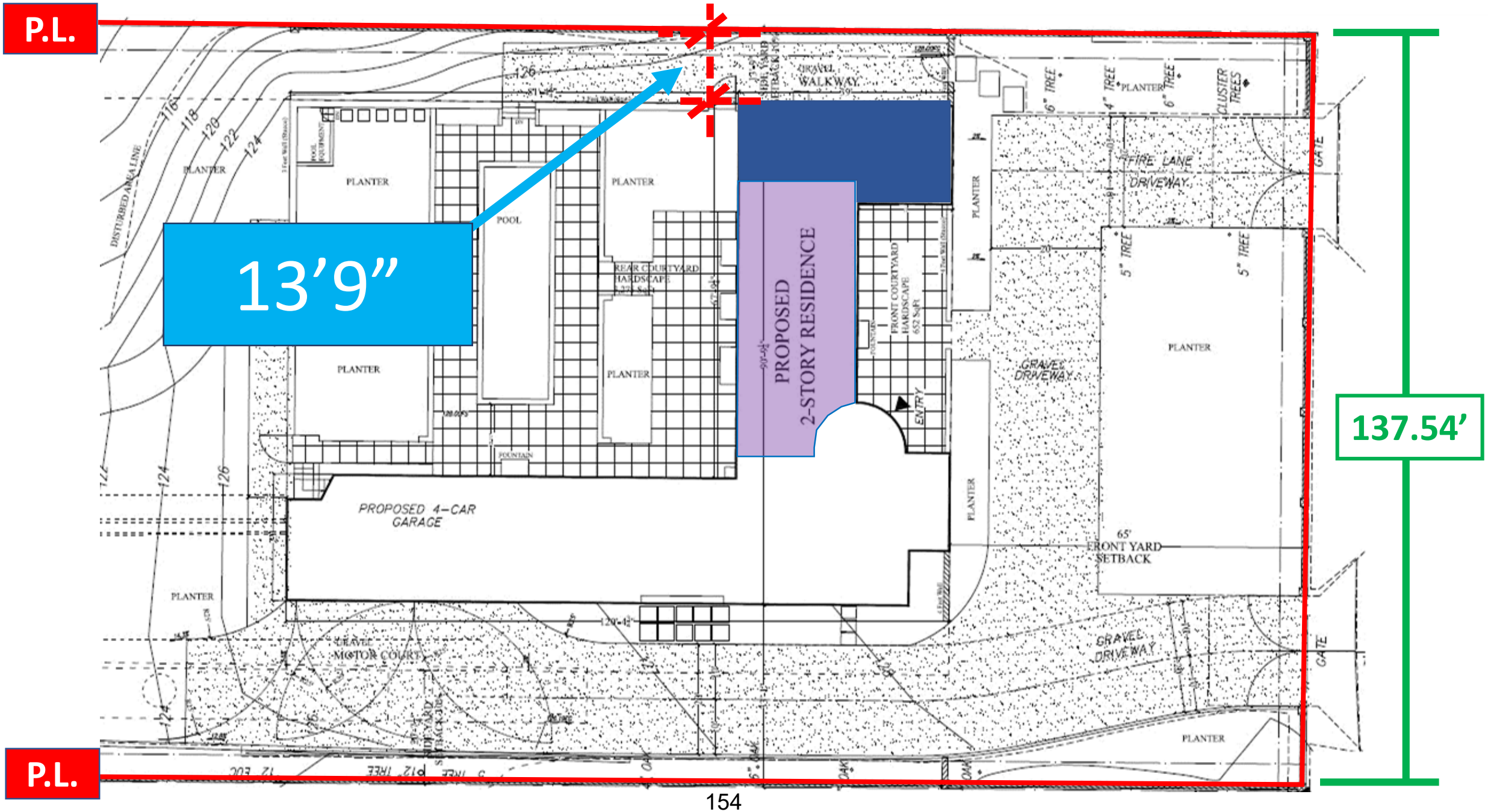


East Elevation – Currently Proposed



Currently Proposed – East Elevation




P.L.
P.L.
13’9”
137.54’
PROPOSED
2-STORY RESIDENCE
PROPOSED 4-CAR
GARAGE
PLANTER
POOL
REAR COURTYARD
HARDSCAPE
FRONT COURTYARD
HARDSCAPE
652 SqFt
ENTRY
FOUNTAIN
GRAVEL
WALKWAY
FIRE LANE
DRIVEWAY
GRAVEL
DRIVEWAY
GRAVEL
MOTOR COURT
65'
FRONT YARD
SETBACK
CLUSTER
TREES
GATE
DISTURBED AREA LINE

Existing 10’
building setback
Proposed 13’9”
building setback

Opposition Letter from Neighbor at 29055 Grayfox Street

29043 Grayfox (CDP 17-043)

Reika Brooks
Bonnie Blue
Planning Commissioners

My wife, Helene Henderson and I reside at 29033 Grayfox Street on Pt. Dume and we are writing in objection to the proposed new single family residence directly adjacent at 29043 Grayfox Street.

I met earlier with Reika Brooks to review the plans and saw that the developers were maxing
was over 18 f

We were more
massive the p
other, mostly

If not the large
that has been
city.

We object to t
character with
of a neighborh

The turrets an
like the portion
especially all t

My understan
a public hearin
review.

Just to be clea
upsize from a
Point. My wif
Grayfox as we
We worked cl
ensure that ou
recently completed main residence is 3400 square feet and we have a 900 square foot guest house on a lower section of the property.

We worked hard to create a low profile, home that endeavored to blend into the rural environment that makes Pt Dume so special. The proposed home, with it's bulking and mass could be well suited to other more suburban neighborhoods but is very much out of character with the Point.

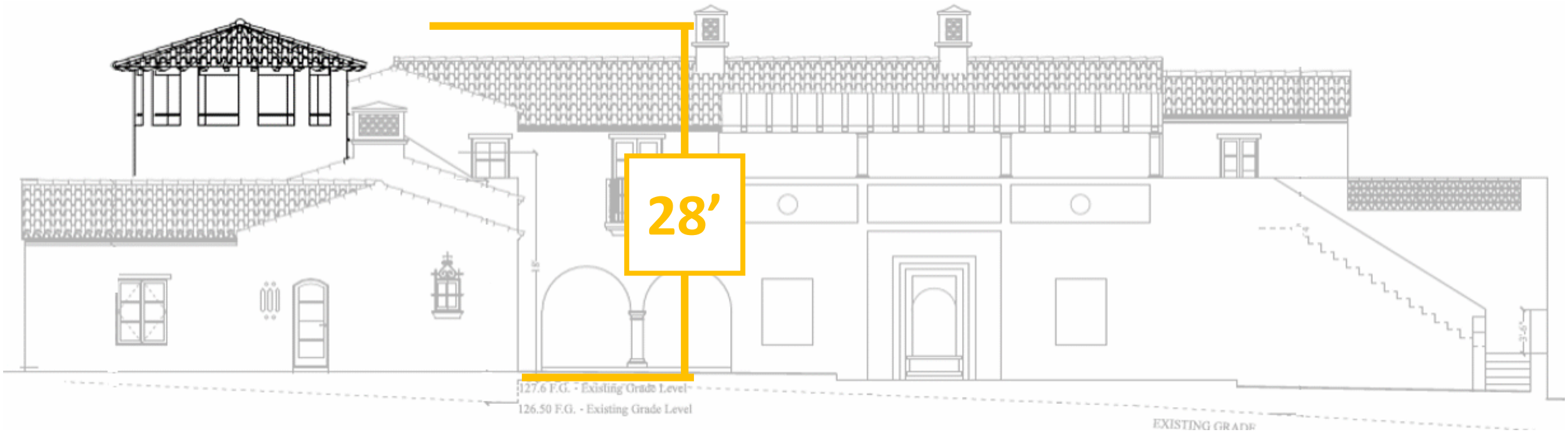
Thanks for your attention to this matter.

John Stockwell and Helene Henderson

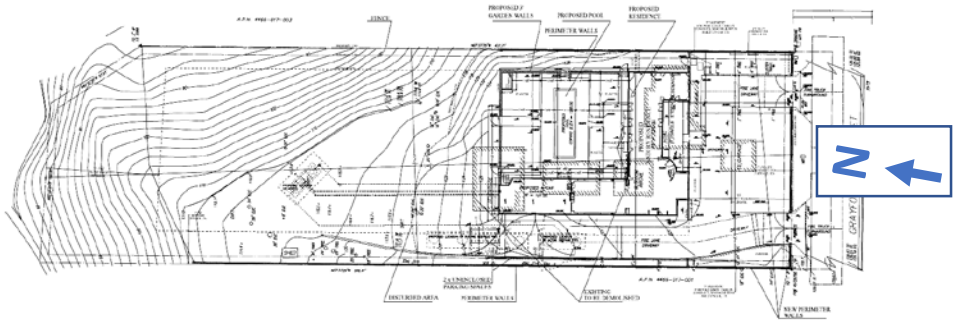
We object to the bulk and massing of the project. It is very much out of character with the neighborhood and is a textbook example of "mansionization" of a neighborhood.

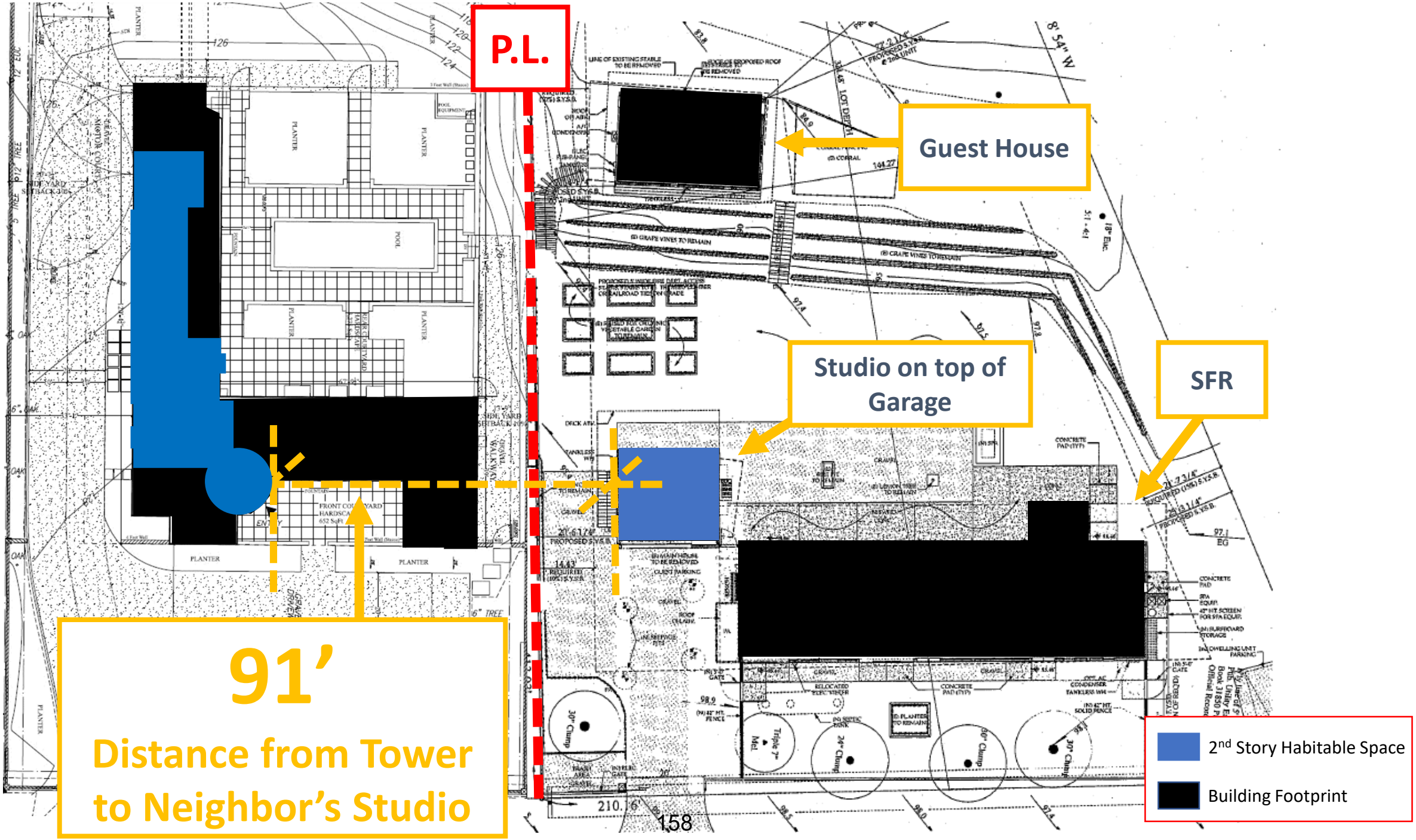
The turrets and viewing room look directly down onto our property. We would like the portion of the development over 18 feet to be reduced significantly - especially all the ornamentation that is over 18 feet.

From Planning Commission Hearing, January 22nd, 2019, Item #4c

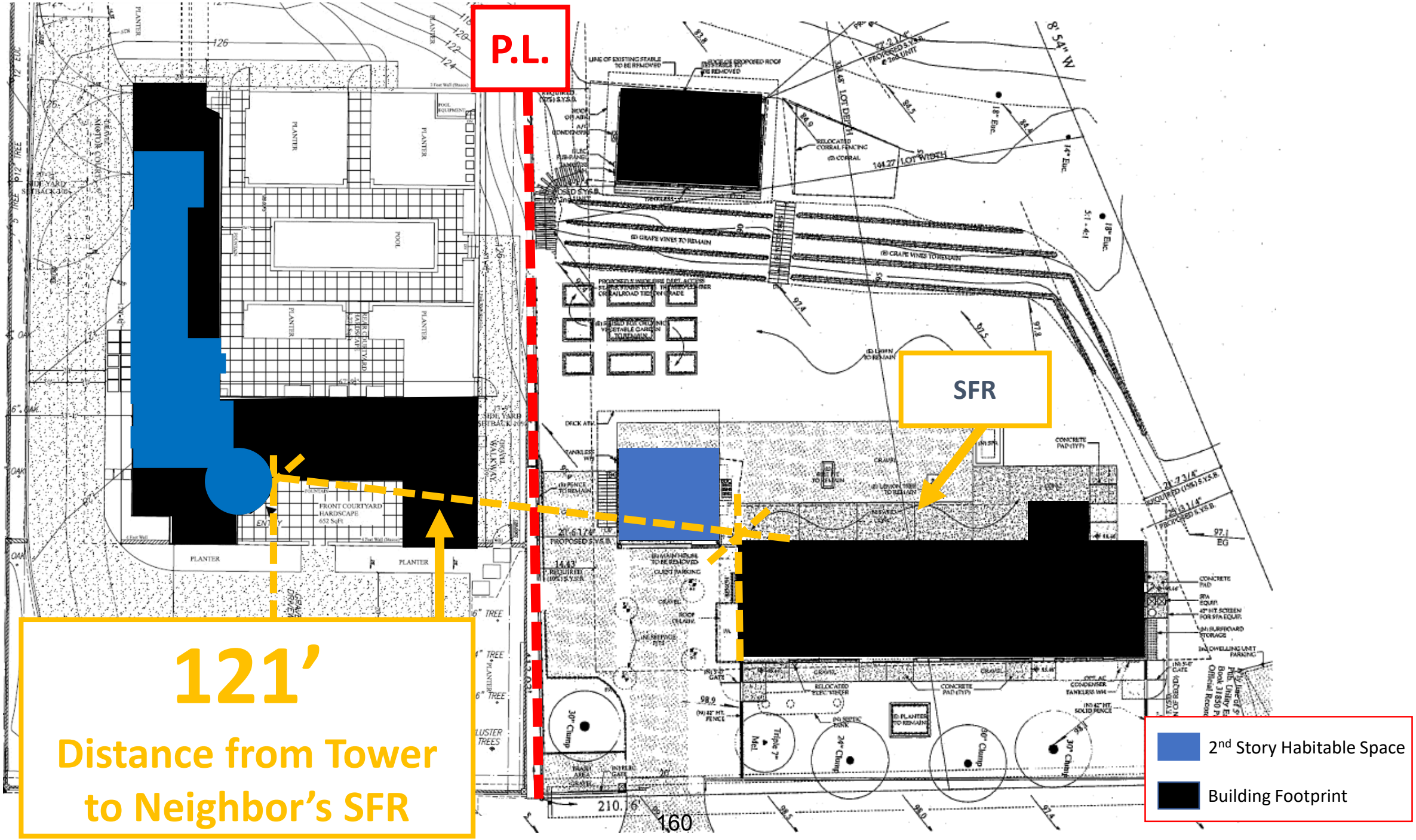


Currently Proposed – East Elevation

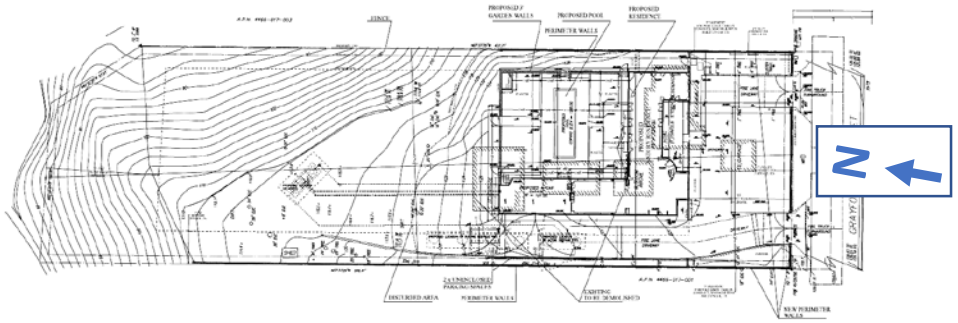


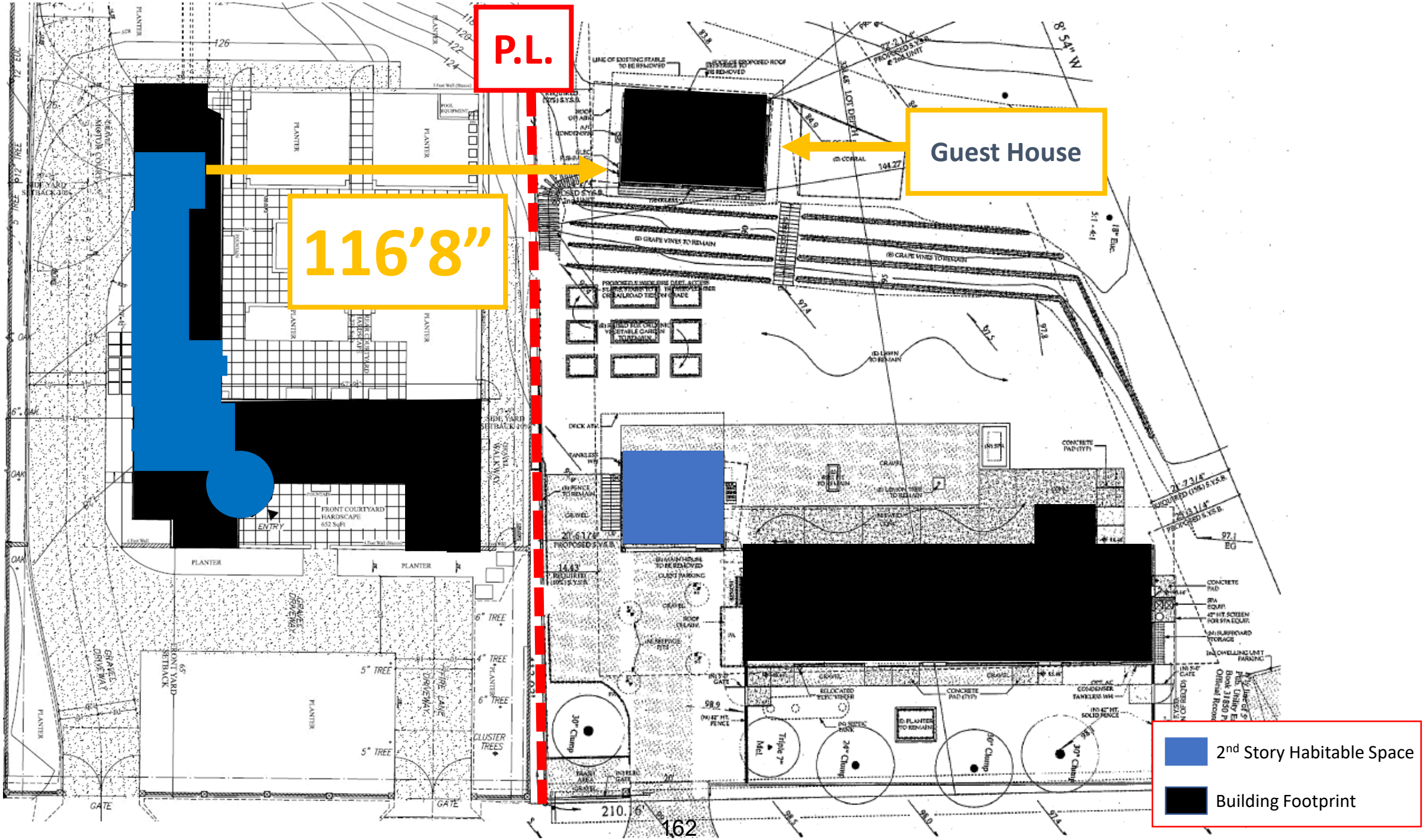

P.L.
Guest House
Studio on top of Garage
SFR
91’
Distance from Tower to Neighbor’s Studio
2nd Story Habitable Space
Building Footprint

Studio at 29033 Grayfox Street (Stockwell Property)

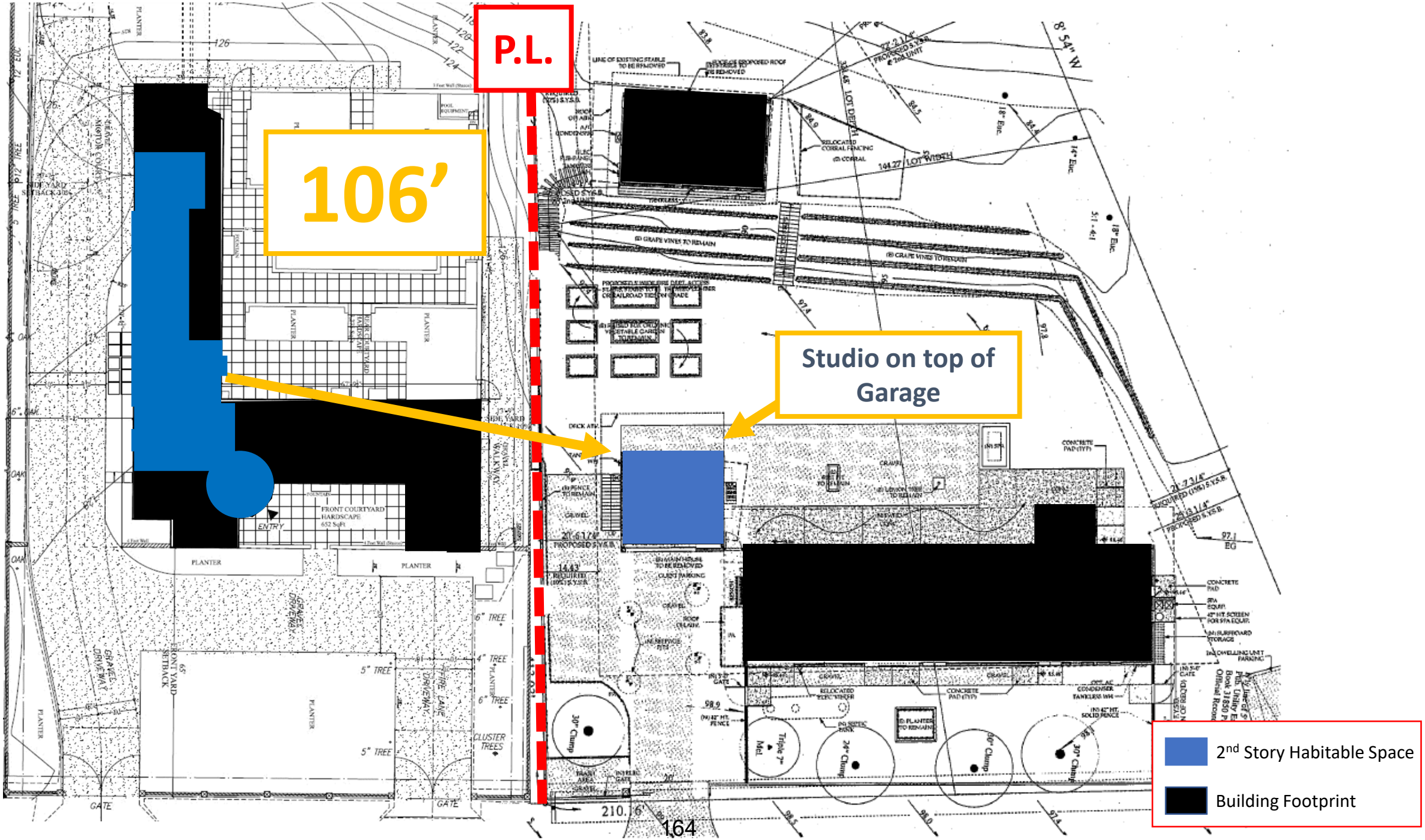

P.L.
SFR
121’
Distance from Tower to Neighbor’s SFR
2nd Story Habitable Space
Building Footprint
PLANTER
POOL
FRONT COURTYARD HARDSCAPE
652 SqFt
ENTRY
144.27' LOT WIDTH
LOT DEPTH
210.16'
8° 54" W

Currently Proposed – East Elevation

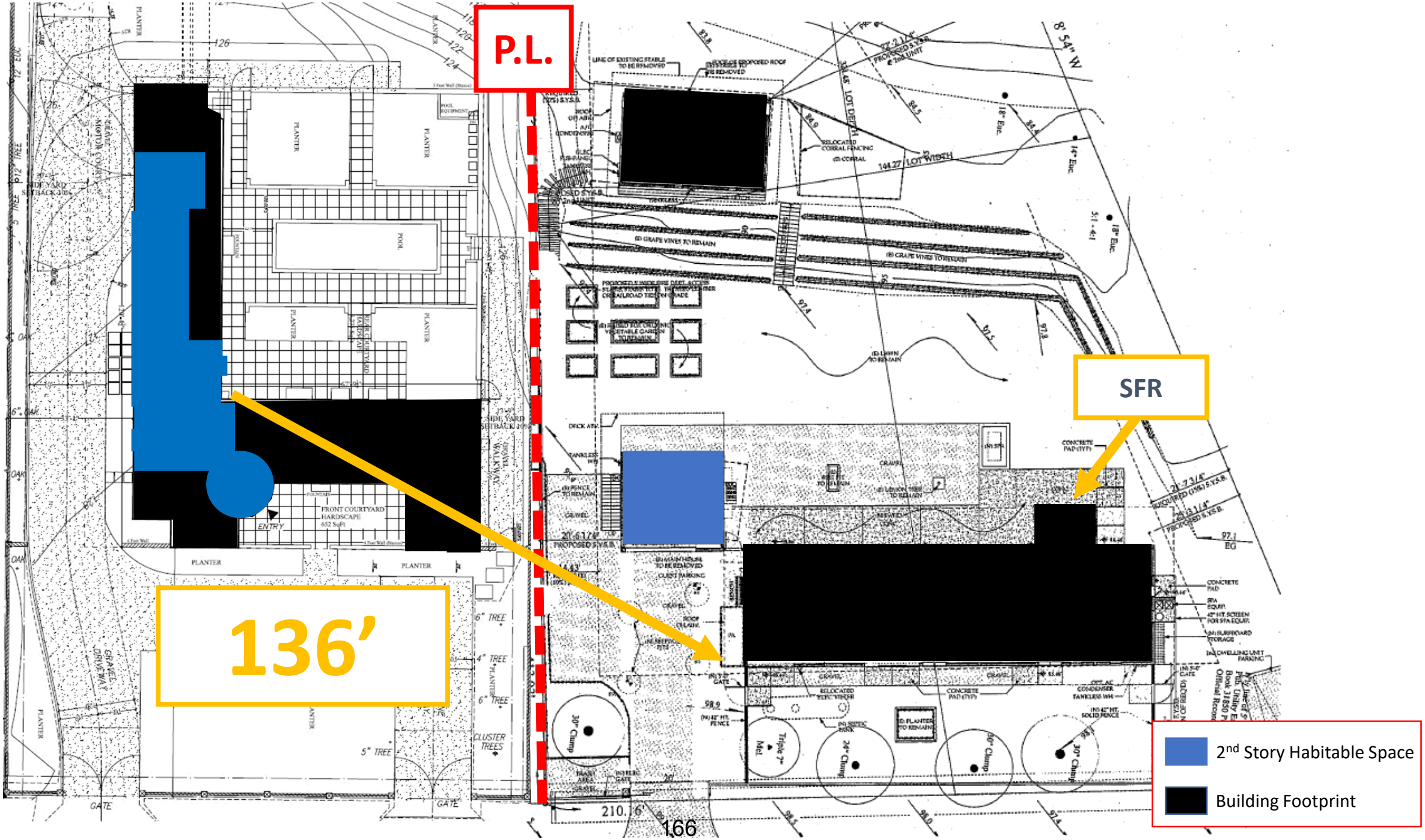



P.L.
Guest House
116’8”
2nd Story Habitable Space
Building Footprint

Grade level of Atwill Property is at the Roof level of Guest House (Stockwell Property)


P.L.
106’
Studio on top of Garage
2nd Story Habitable Space
Building Footprint

Studio at 29033 Grayfox Street (Stockwell Property)


P.L.
SFR
136’
2nd Story Habitable Space
Building Footprint

Included in the January 22, 2019 Planning Commission Agenda Report (Exhibit E) is correspondence from several property owners in the Point Dume neighborhood, including those immediately east of the project site at 29033 Grayfox Street who have voiced their objections to the proposed project because of concerns about the project's scale potentially altering the character of the neighborhood. Although the square footage of the property to the east has square footage that is slightly smaller than the proposed project, it does include two-story development above 18-feet in height in the form of a second-story art studio above the garage located on the western portion of the property. The subject project is designed with the two-story portion sited on the western side of the project site which minimizes impacts to the easterly neighbor.

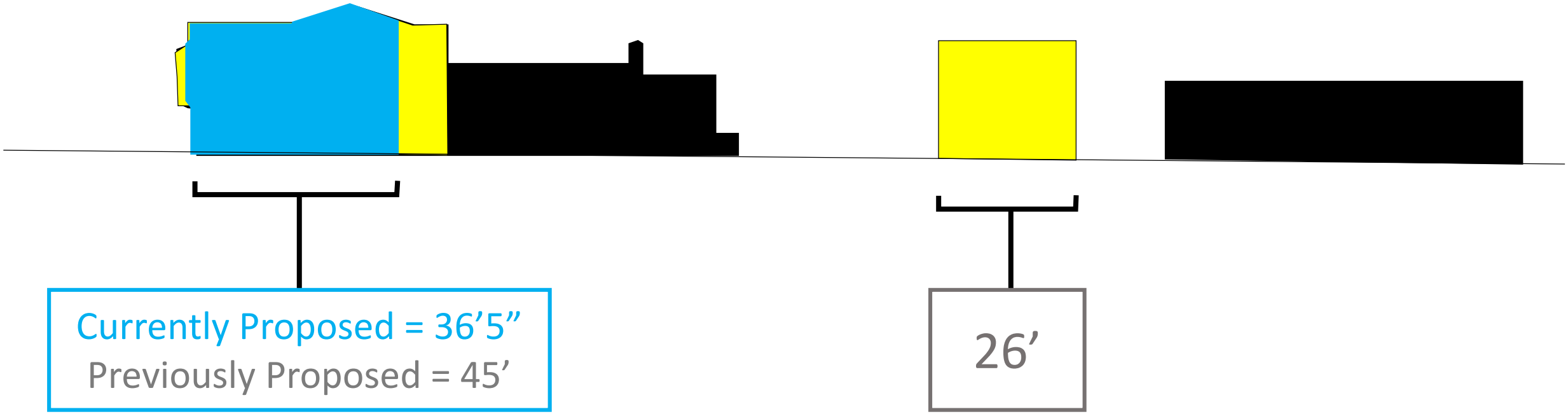
Also included in the public correspondence are letters in support of the project, including a letter from the westerly neighbor, that approve of the design and agree that the Project is compatible with the character of the neighborhood.

Included in the January 22, 2019 Planning Commission Agenda Report (Exhibit E) is correspondence from several property owners in the Point Dume neighborhood, including those immediately east of the project site at 29033 Grayfox Street who have voiced their objections to the proposed project because of concerns about the project's scale potentially altering the character of the neighborhood. Although the square footage of the property to the east has square footage that is slightly smaller than the proposed project, it does include two-story development above 18-feet in height in the form of a second-story art studio above the garage located on the western portion of the property. The subject project is designed with the two-story portion sited on the western side of the project site which minimizes impacts to the easterly neighbor.

Staff Report for City Council, October 14th, 2019, Page 10

View of Subject Property from Grayfox Street

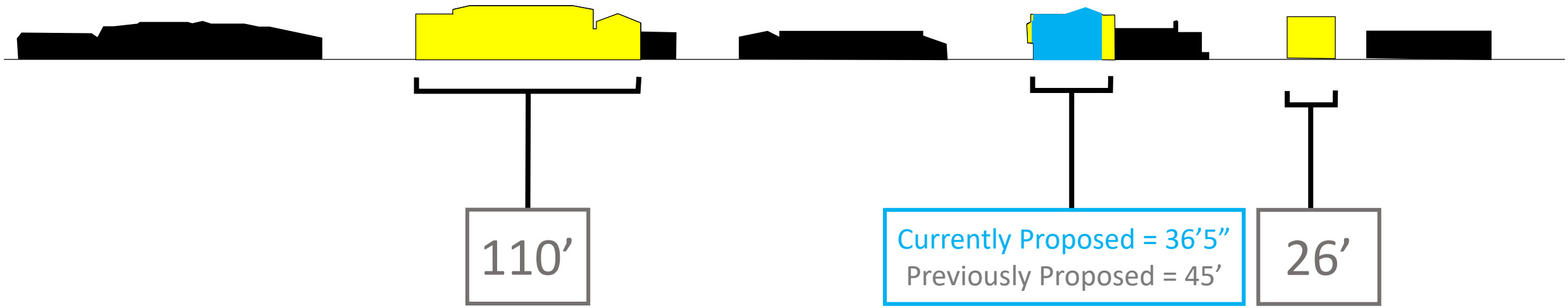
Width of 2nd Story on Grayfox Street



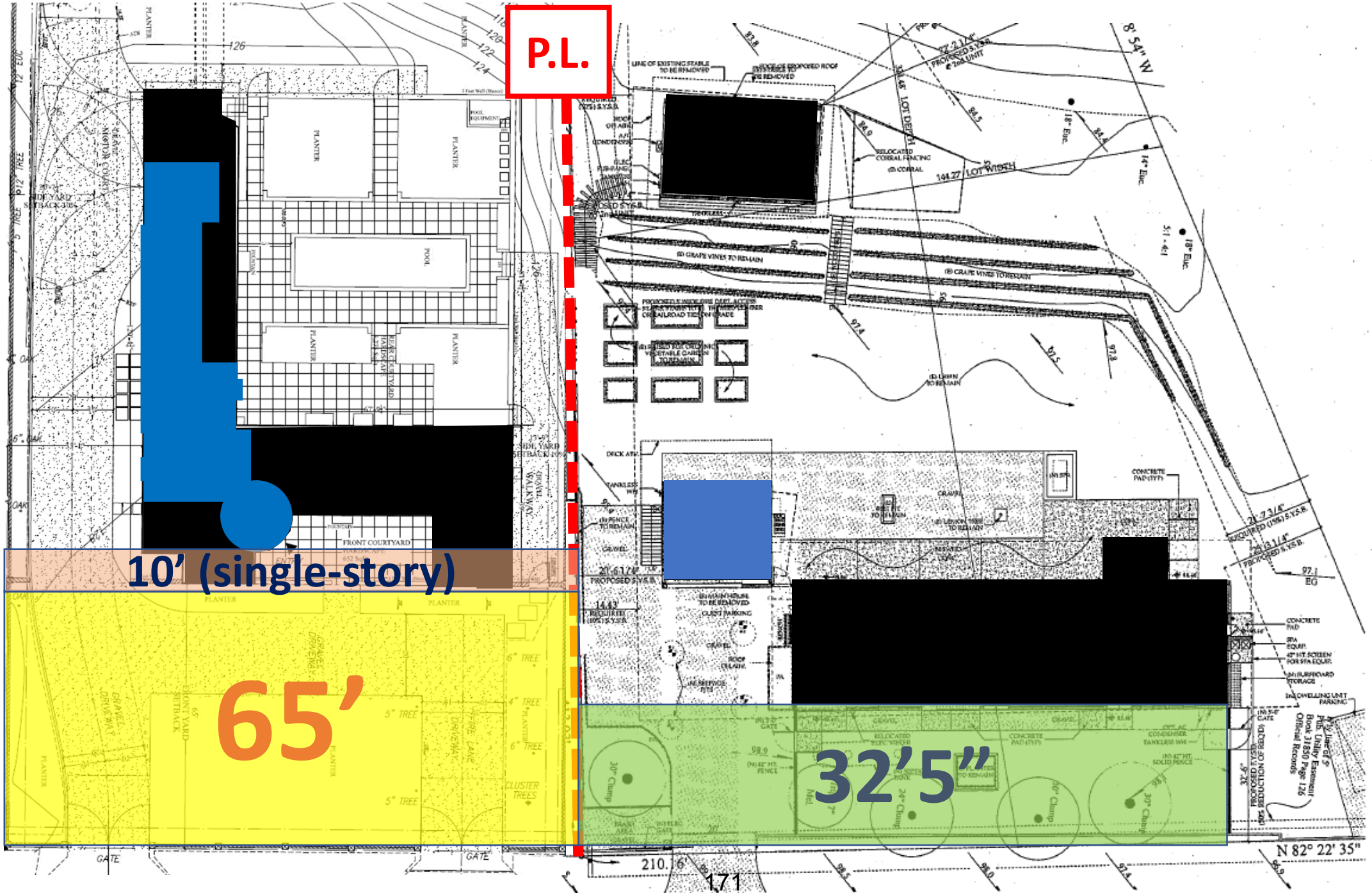
Subject Property

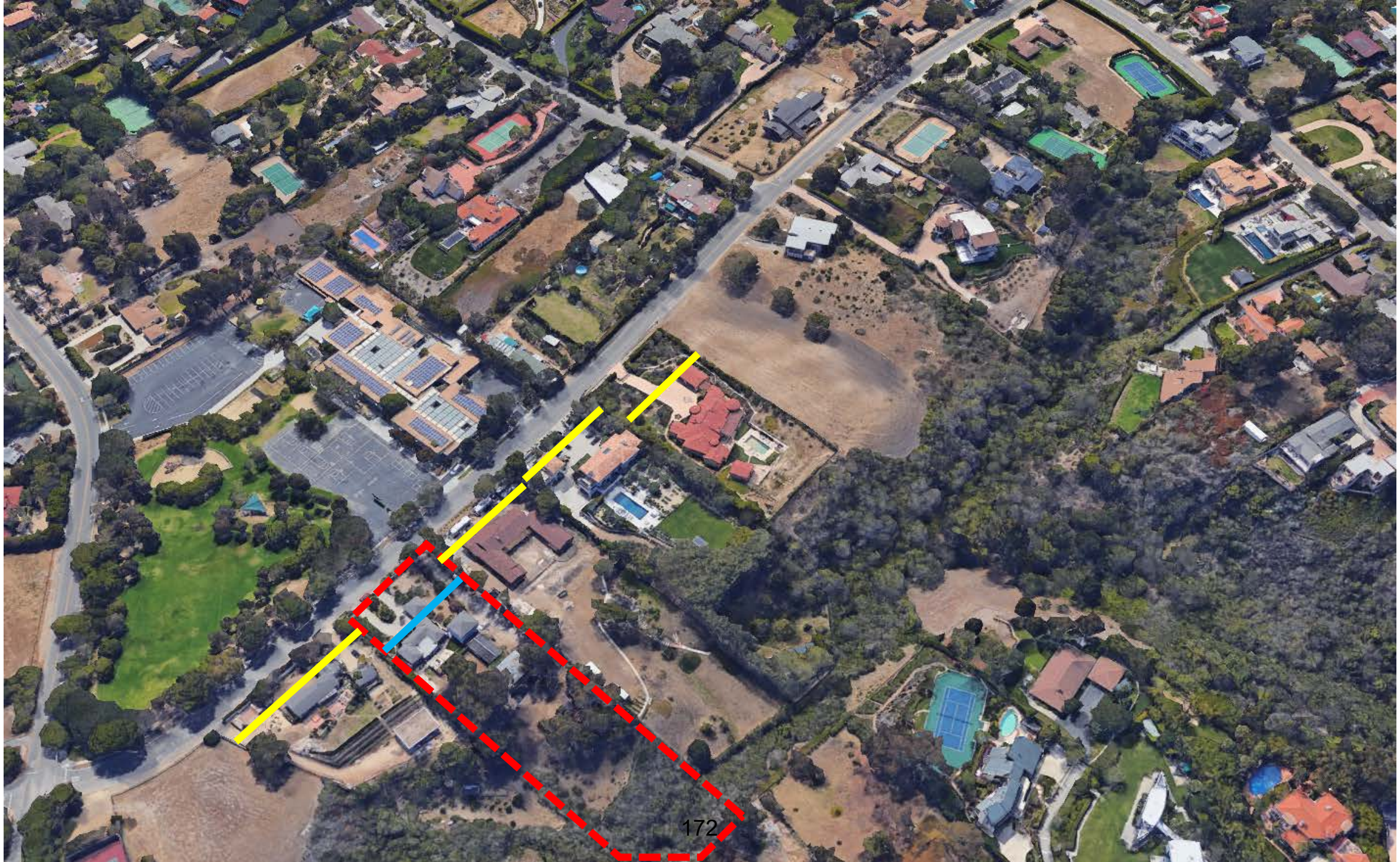
Neighbor’s Property

Width of 2nd Story on Grayfox Street



Subject Property *Neighbor’s Property*


P.L.
10’ (single-story)
65’
32’5”
N 82° 22' 35"
210.16'
144.27' LOT WIDTH
LOT DEPTH
8° 54" W
PLANTER
POOL
FRONT COURTYARD
GATE
FRONT YARD SETBACK
GRAVEL DRIVEWAY
FIRE LANE
CLUSTER TREES
5" TREE
6" TREE
4" TREE
30" Clump
24" Clump
60" Clump
(E) GRAPE VINES TO REMAIN
(E) LAWN TO REMAIN
RELOCATED CORRAL FENCING
(E) CORRAL
CONCRETE PAD (TYP)
SPA EQUIP.
42" HT. SCREEN FOR SPA EQUIP.
(N) SURFBOARD STORAGE
(N) DWELLING UNIT PARKING
PROPOSED 5' YSB REDUCTION
Pacific Gas & Electric Utility Easement Book 31850 Page 126 Official Records



Section 13.27.5(A) requires that the City make four findings in consideration and approval of a site plan review. Two additional findings are required pursuant to MMC Section 17.62.040(D) when a project exceeds 18 feet. Based on the foregoing evidence contained in the record, the required findings for SPR No. 17-014 are made as follows:

Finding 1. The project is consistent with policies and provisions of the Malibu LCP.

As previously discussed in Section A, the proposed project has been reviewed for all relevant policies and provisions of the LCP, and the proposed project, as designed, is consistent with all applicable development and design standards of the LCP.

Finding 2. The project does not adversely affect neighborhood character.

The redesign also introduces more articulation to the front façade in that the round "tower" feature was reduced in diameter and the rest of the second floor is slightly stepped back from the first floor. The topography of the site descends from the street which helps reduce the visual mass of the building from the street. Also, the nearest part of the first floor is 65 feet from the front property line, but most of the building is set back 70 to 80 feet. This is a greater setback than the residences on either side of the project.

The redesign also introduces more articulation to the front façade in that the round "tower" feature was reduced in diameter and the rest of the second floor is slightly stepped back from the first floor. The topography of the site descends from the street which helps reduce the visual mass of the building from the street. Also, the nearest part of the first floor is 65 feet from the front property line, but most of the building is set back 70 to 80 feet. This is a greater setback than the residences on either side of the project.

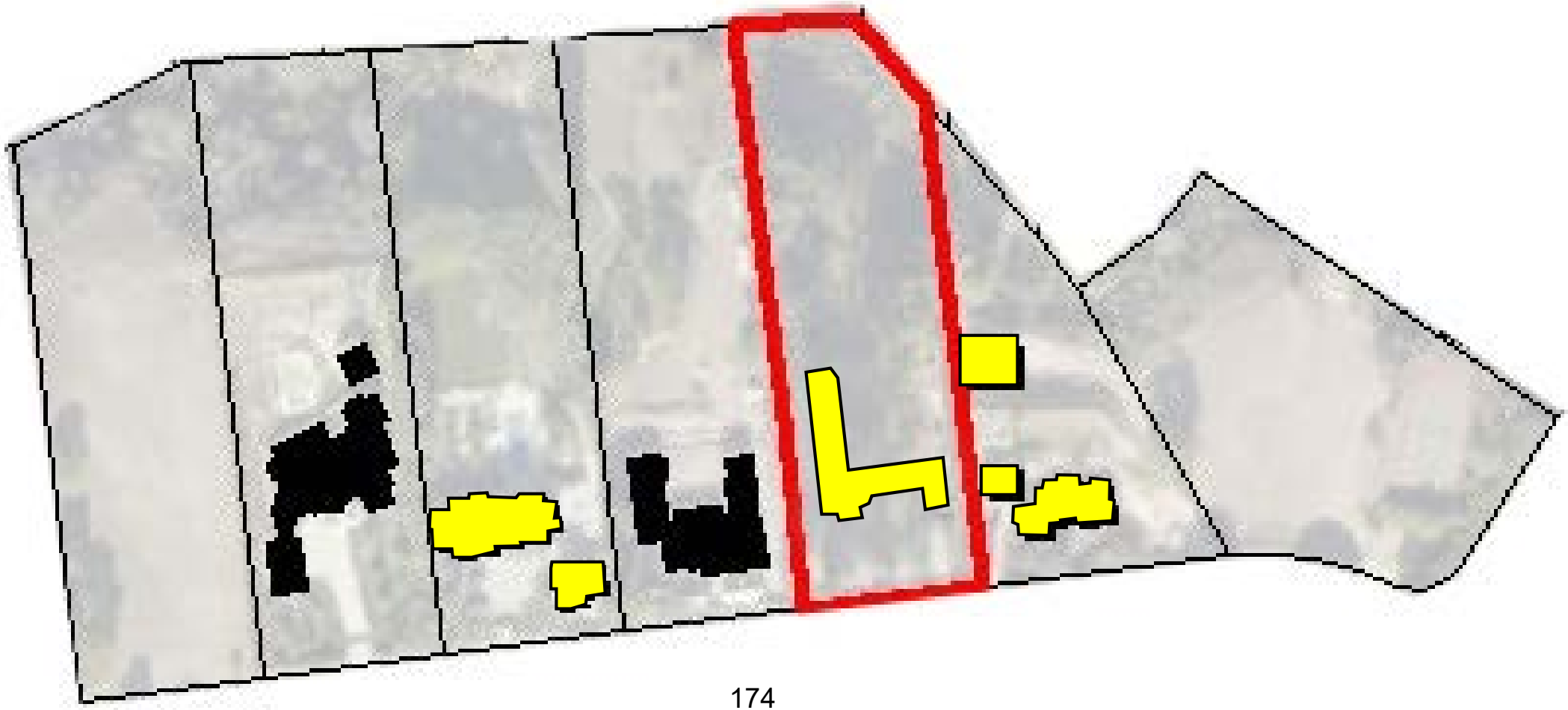
About half of the homes in the surrounding area have at least some two-story element, as shown in Table 4.

Table 4 – Surrounding Development

Direction	Address	No. of Stories	Zoning
Subject Parcel	29043 Grayfox Street	2	RR-1
Northeast	28936 Boniface Drive	1	RR-1

Staff Report for Planning Commission, August 3rd, 2020, Finding #2 on Page 12 of 19

Building Footprints on the Subject Property Block on Grayfox Street



29033 Grayfox Street

29055 Grayfox Street

29055 Grayfox Street

29075 Grayfox Street

29075 Grayfox Street & 29055 Grayfox Street 179

29089 Grayfox Street

29089 Grayfox Street

Neighborhood Character and 2nd Story Analysis

to the Project. To avoid such confusion in the future, Staff recommends that LACTA data not be provided in the future, but without direction from the City Council it anticipates that the Planning Commission will continue to request LACTA data.

The project does not include a request to exceed the maximum height, TDSF, or to reduce the development's setbacks, which would allow the use of the Neighborhood Standards methodology—thus Neighborhood Standards requirements do not apply to this Project and should not be applied by the council in its examination of the Project. Moreover, the City must consistently apply the LIP and MMC so that applicants can understand their ability to develop their property without hiring teams of consultants. Decisions of the Planning Commission and City Council must be determined solely by whether the project complies with the codes and regulations in place. The MMC and LIP may be amended by legislative action, but until such action is taken, the codes and regu

Plan

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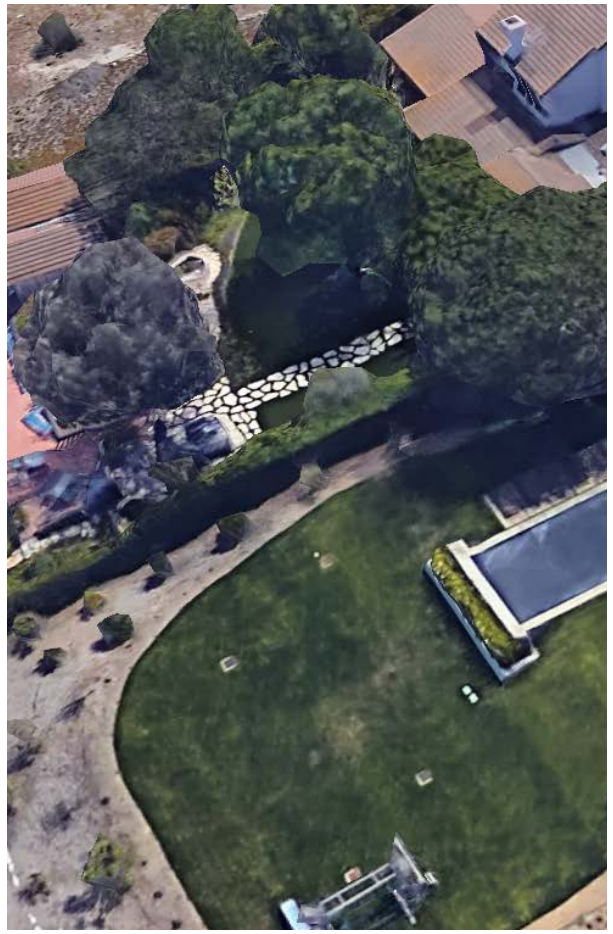
The siting and massing of the project have been designed in response to the context of the neighborhood to avoid adverse impacts associated with the additional height. For example, about one-half of the surrounding residences within 500 feet of the project site are also two stories, and many are sited closer to the street with reduced setbacks from Grayfox Street, which increases their visual prominence. The proposed residence minimizes its potential for visual impacts to neighboring residences by providing the full 65-foot front yard setback, which reduces the building's visual prominence from the street. The proposed residence is an L-shaped building that also includes landscaping and first and second-floor loggias, which are roofed hallways and patios that are open on one or more sides, which break up the building's massing.

6934 Grasswood Avenue

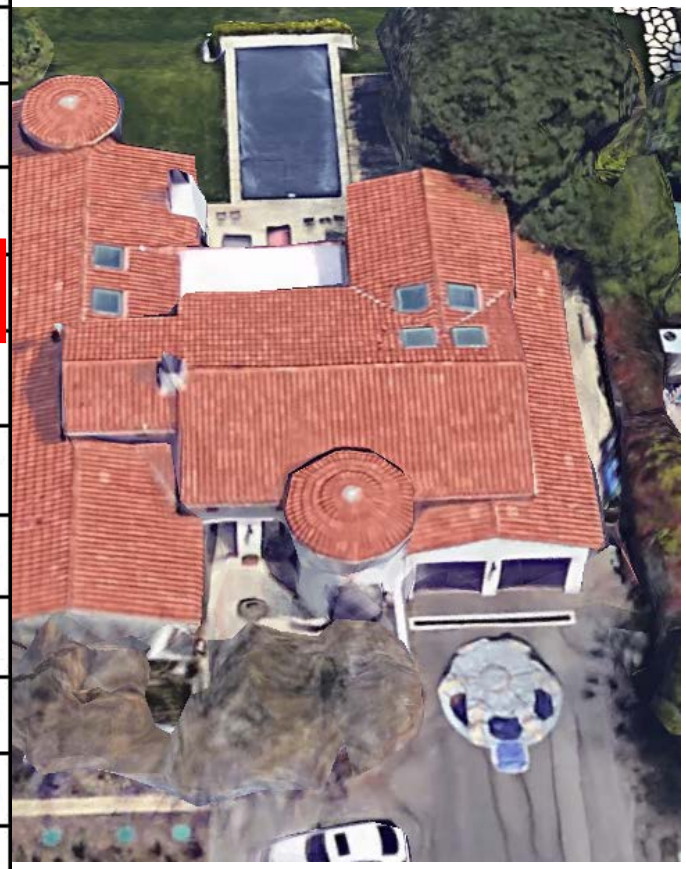
Surrounding Neighborhood 500’ Radius

5,348 square feet
(Source: City of Malibu)

ue



Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.
29043 Grayfox	620	381
29033 Grayfox	674	574
29075 Grayfox	1,896	4,190
6900 Grasswood	1,[illegible]5	2,[illegible]87
6934 Grasswood	1,340	2,189
6938 Grasswood	1,520	2,815
6936 Fernhill	1,200	1,547
6851 Fernhill	820	1,160
28904 Boniface	1,026	1,171
28910 Boniface	1,400	1,297
28936 Boniface	1,214	605
28942 Boniface	1,340	2,695
28950 Boniface	1,950	2,434
AVERAGES	**1,242**	**1,842**



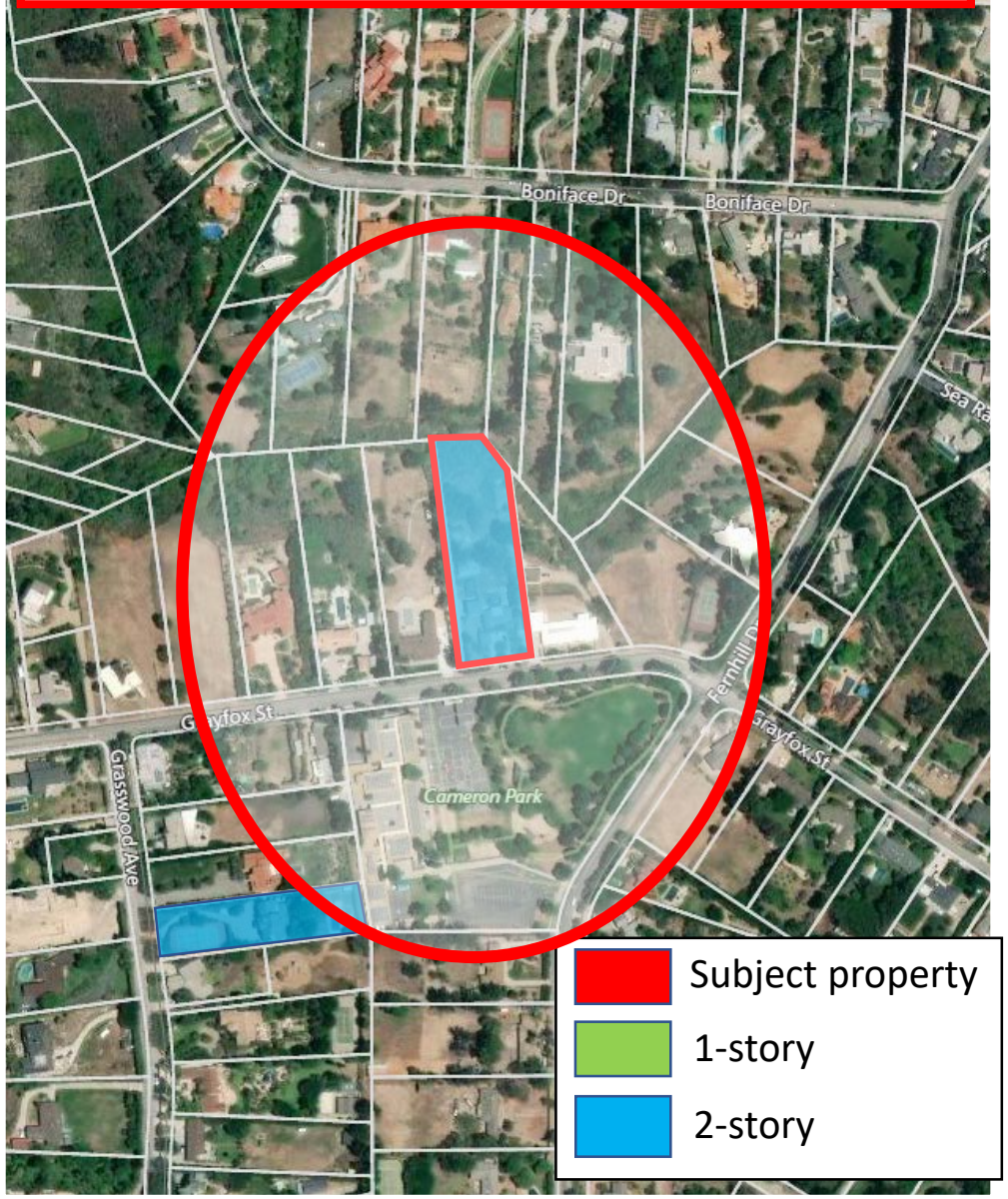
Source: City Approved Plans (A

6938 Grasswood Avenue

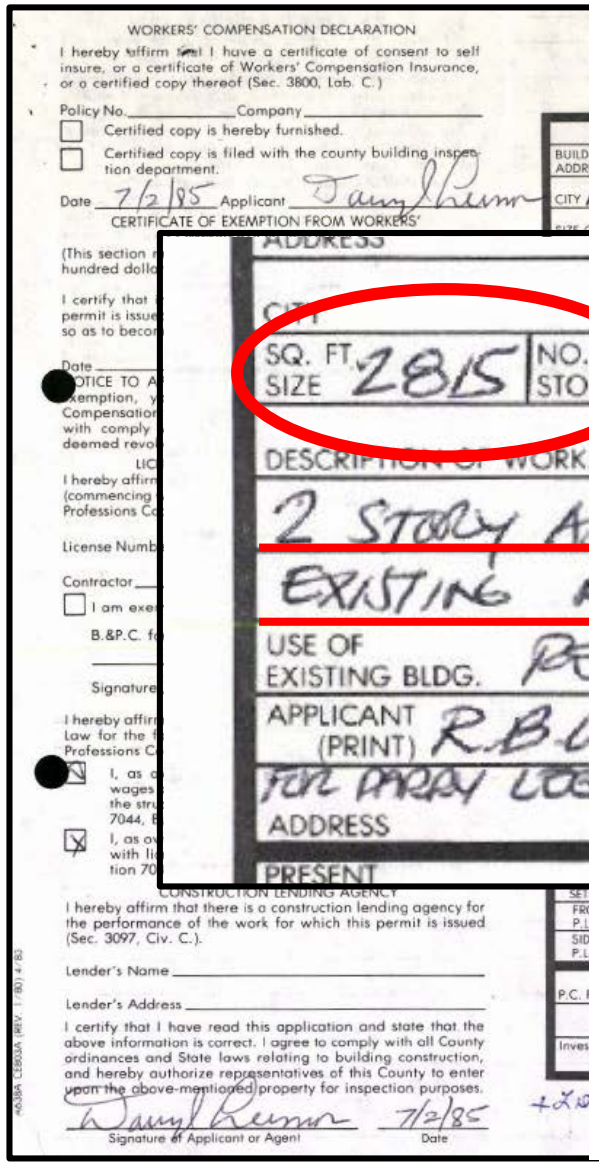
Surrounding Neighborhood 500’ Radius

5,741 square feet

(Source: L.A. County Assessor’s Office)



nue


WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self insure, or a certificate of Workers' Compensation Insurance, or a certified copy thereof (Sec. 3800, Lab. C.)

Policy No. _____ Company _____

☐ Certified copy is hereby furnished.

☐ Certified copy is filed with the county building inspection department.

Date 7/2/85 Applicant _____

CERTIFICATE OF EXEMPTION FROM WORKERS'

ADDRESS

SQ. FT. SIZE 2815

DESCRIPTION OF WORK

2 STORY A

EXISTING

USE OF EXISTING BLDG.

APPLICANT (PRINT) R.B.

FOR PARRY LOE

ADDRESS

PRESENT

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

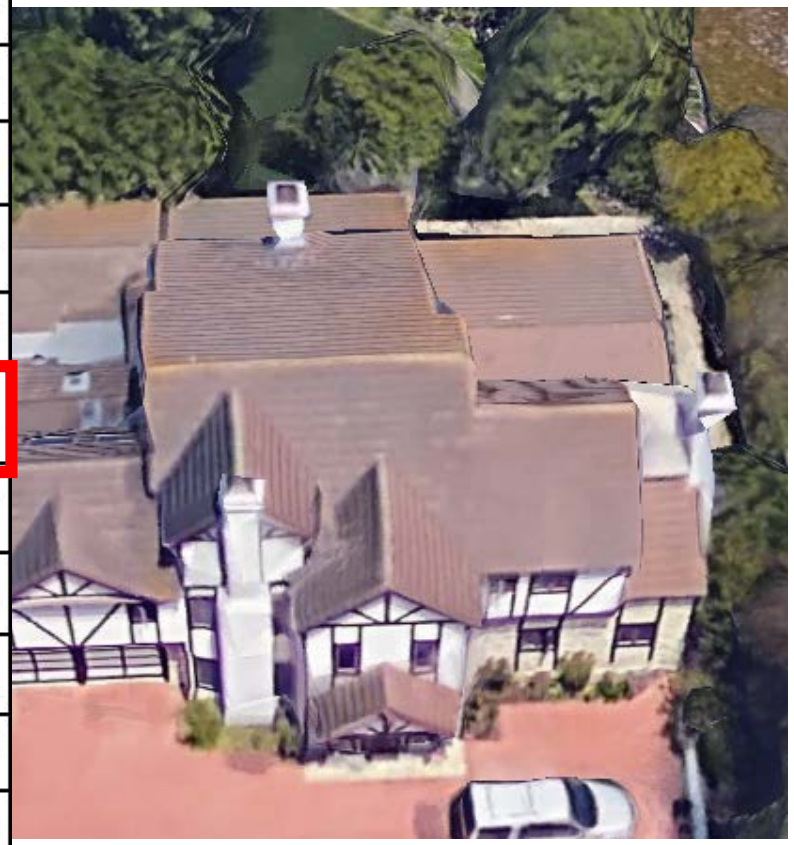
Lender's Name _____

Lender's Address _____

I certify that I have read this application and state that the above information is correct. I agree to comply with all County ordinances and State laws relating to building construction, and hereby authorize representatives of this County to enter upon the above-mentioned property for inspection purposes.

Signature of Applicant or Agent — Date 7/2/85

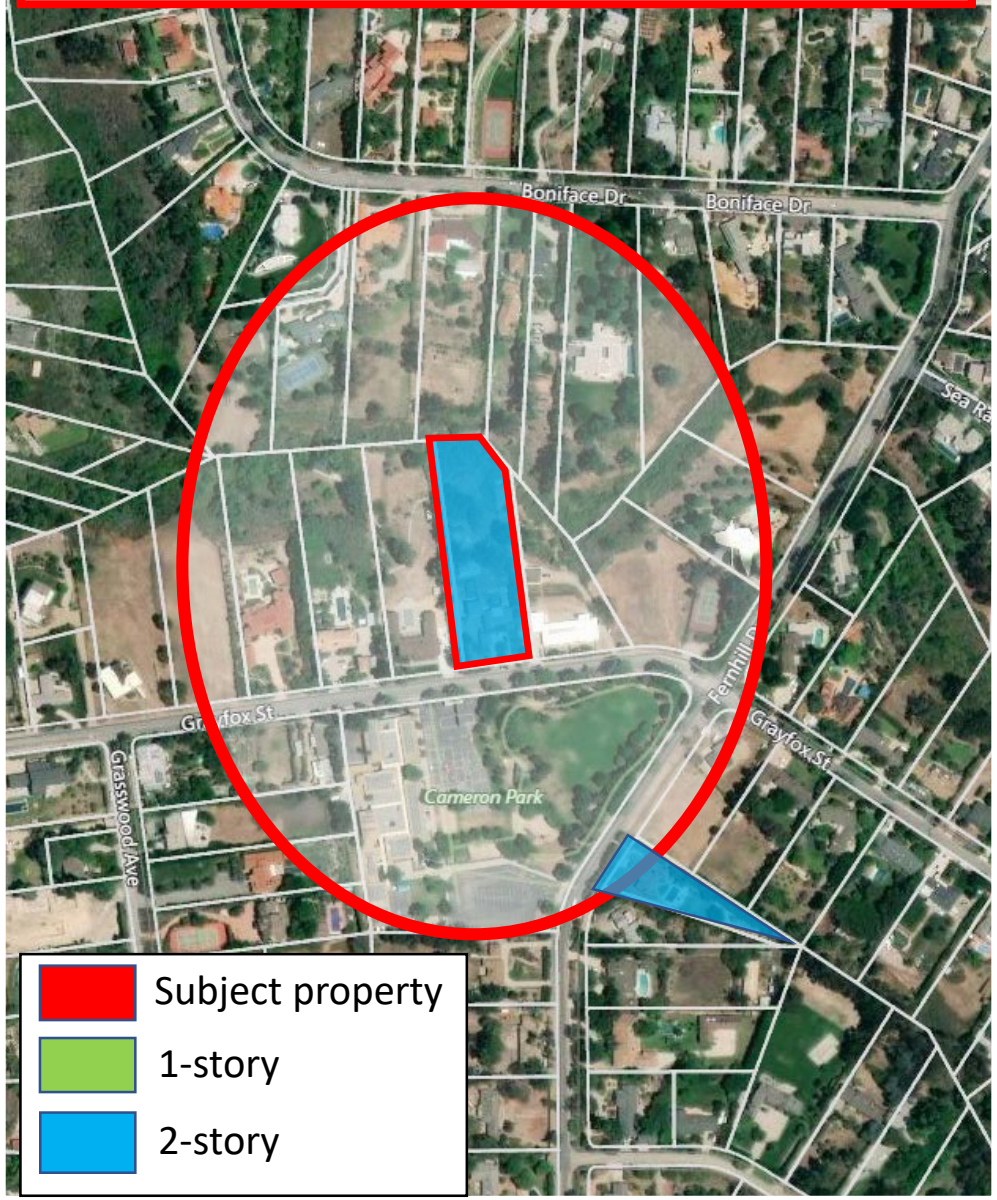
Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.
29043 Grayfox	620	381
29033 Grayfox	674	574
29075 Grayfox	1,896	4,290
6900 Grasswood	1,145	2,187
6934 Grasswood	1,[illegible]0	2,[illegible]89
6938 Grasswood	1,520	2,815
6936 Fernhill	1,200	1,547
6851 Fernhill	820	1,160
28904 Boniface	1,026	1,171
28910 Boniface	1,400	1,297
28936 Boniface	1,214	605
28942 Boniface	1,340	2,695
28950 Boniface	1,950	2,434
AVERAGES	**1,242**	**1,842**

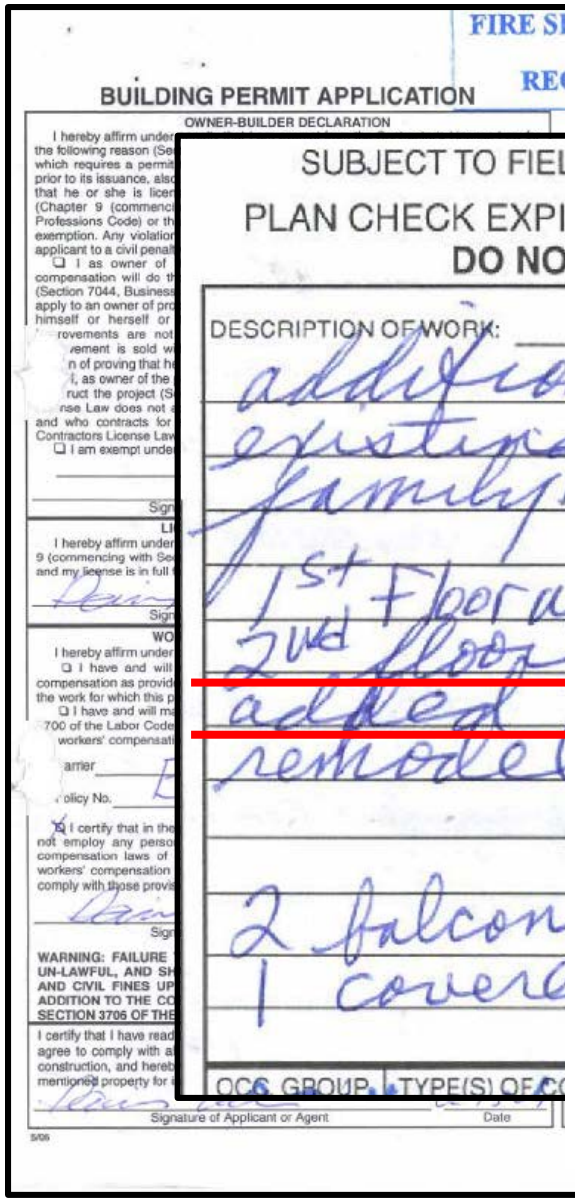


6934 Grasswood Avenue
6938 Grasswood Avenue

6936 Fernhill Drive

Surrounding Neighborhood 500’ Radius





Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.
29043 Grayfox	620	881
29033 Grayfox	674	574
29075 Grayfox	1,896	4,290
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6934 Grasswood	1,340	2,189
6938 Grasswood	1,[illegible]0	2,[illegible]15
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28904 Boniface	1,026	1,171
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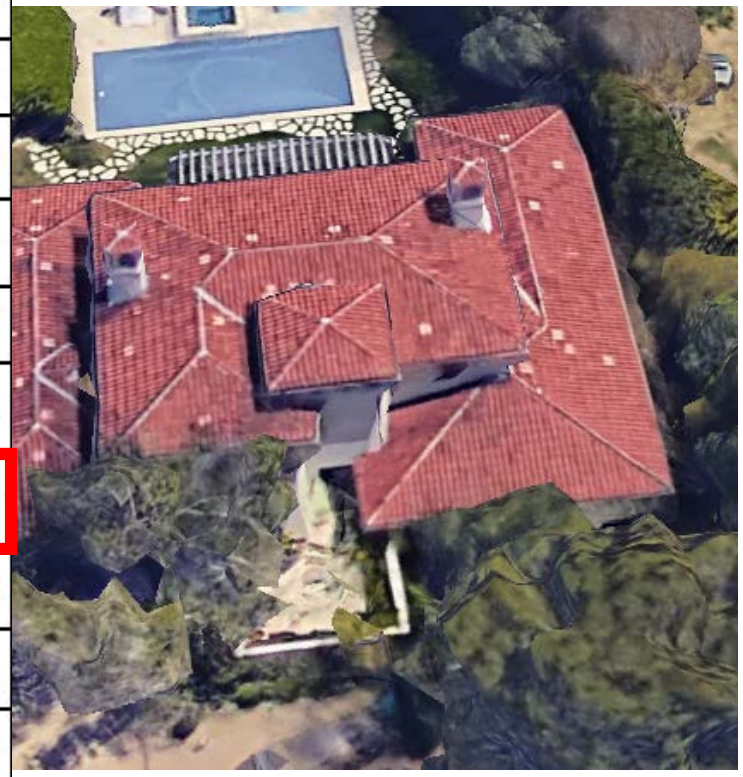
28950 Boniface	1,950	2,434
AVERAGES	**1,242**	**1,842**



6936 Fernhill Drive

Comparison of **Mr. Stockwell's Original Calculation of Sq. Ft.** & **Schmitz & Associates, Inc. Sq. Ft. Findings**

Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.
29043 Grayfox	620	881
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29075 Grayfox	1,896	4,290
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28950 Boniface	1,950	2,434
AVERAGES	**1,242**	**1,842**

Source: Attachment 4 of Planning Commission Staff Report August 3rd, 2020

CONCLUSIONS

- Project complies with all MMC and LCP Development Standards.
- **3 out of 5** of the neighboring properties on Grayfox Street are 2-story and **13 out of 23** properties in the surrounding neighborhood are 2-story.
- The project's 2nd story has been **revised from 3,034 sq. ft. to 1,840 sq. ft.** after our research concluded the neighborhood average is 1,842 sq. ft. for second story.
- The project's 2nd story is **reduced by 40%** (1,233 sq. ft.).

THANK YOU

SCHMITZ & ASSOCIATES INC.

REBUTTAL

SCHMITZ & ASSOCIATES INC.

Surrounding Neighborhood - 500’ Radius for two-story residences

Property Address	Building Permits & GIS
29043 Grayfox	881
29033 Grayfox	674
29075 Grayfox	4,290
6900 Grasswood	2,187
6934 Grasswood	2,189
6938 Grasswood	2,815
6936 Fernhill	1,547
6851 Fernhill	1,160
28904 Boniface	1,171
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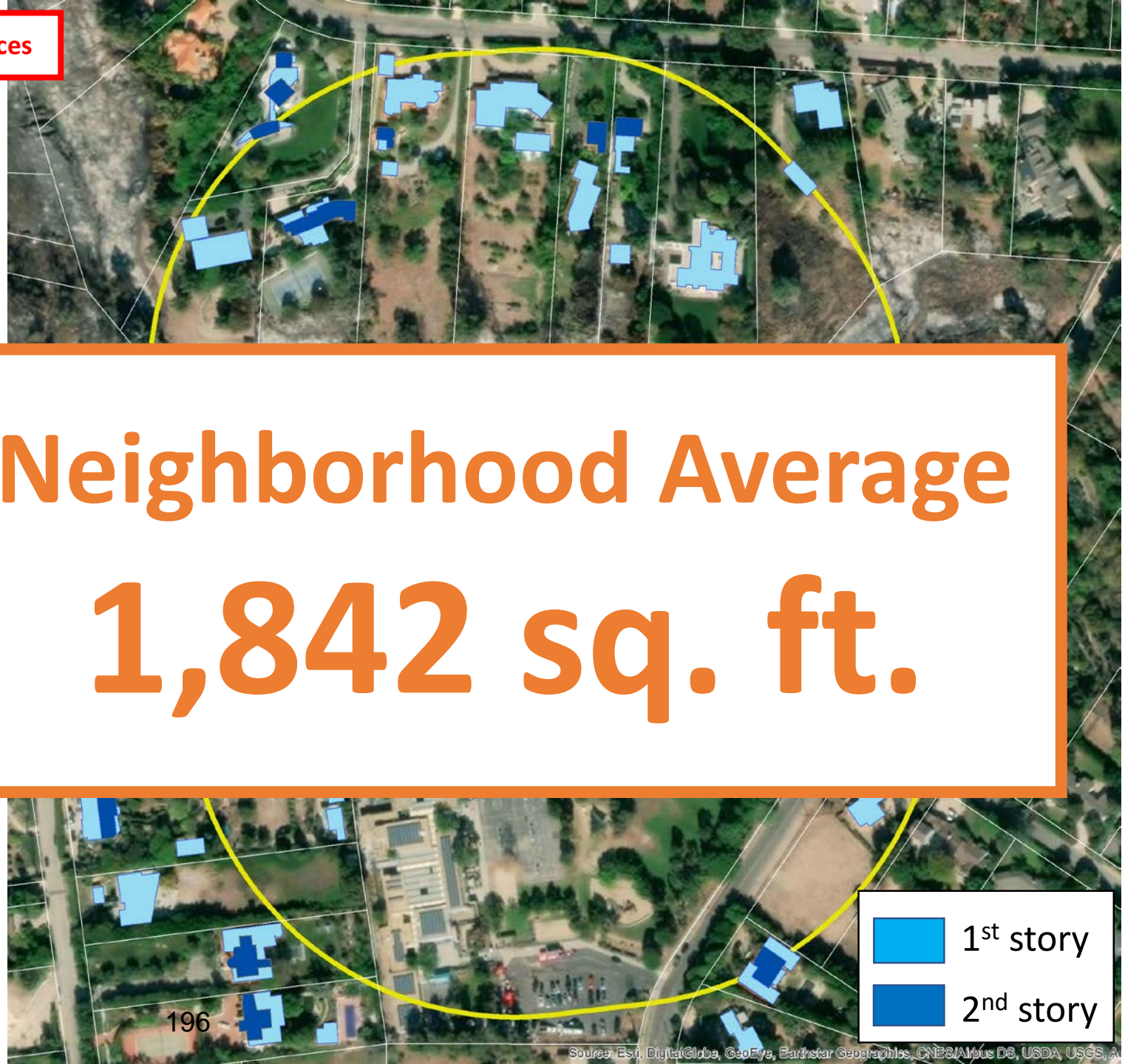
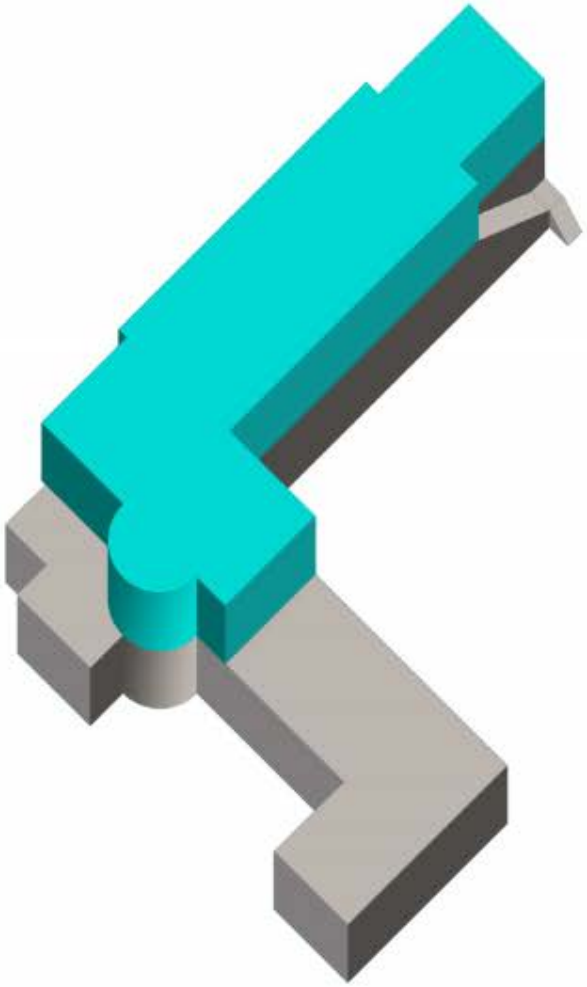
Neighborhood Average	**1,842**



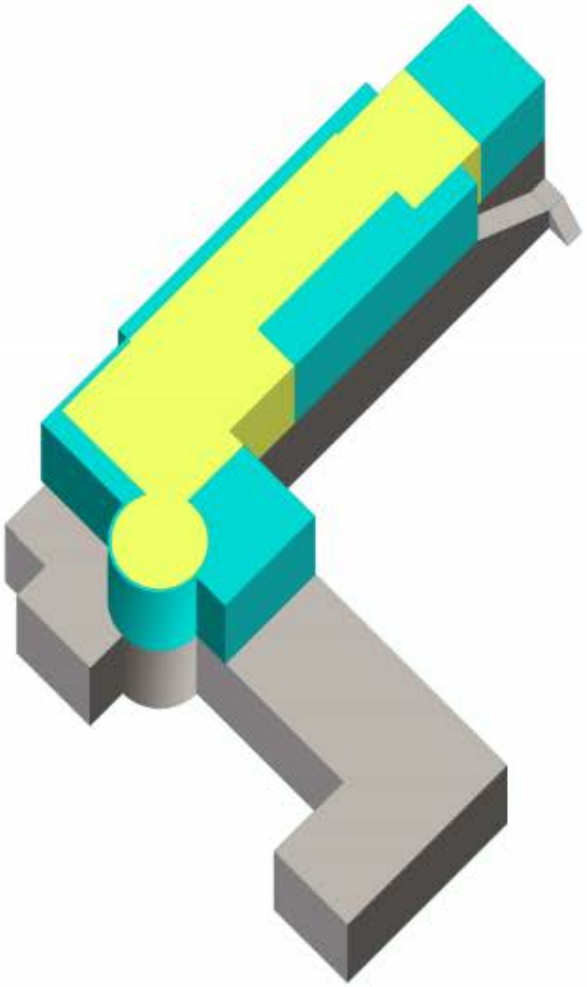
Neighborhood Average

1,842 sq. ft.

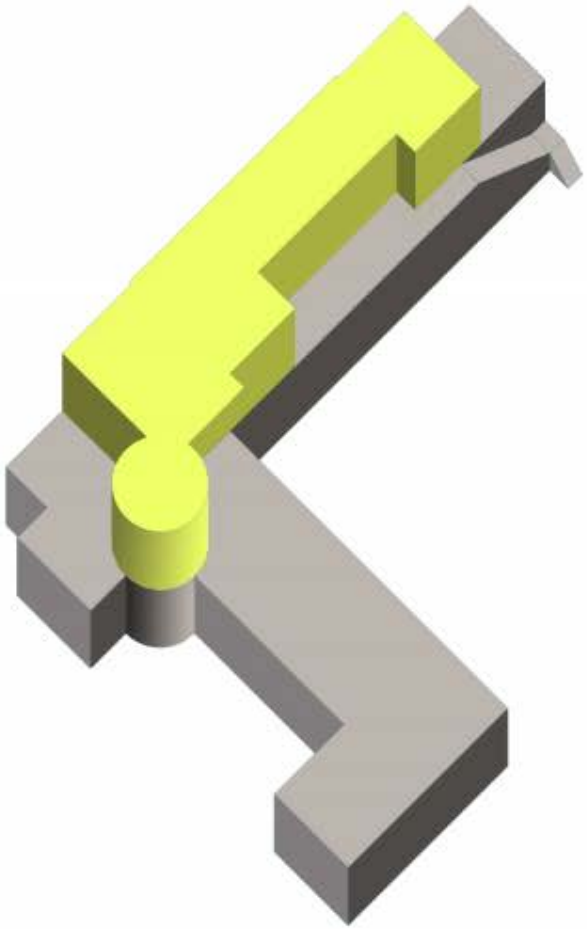
PROPOSED DESIGN LAYOUT



Original Proposed

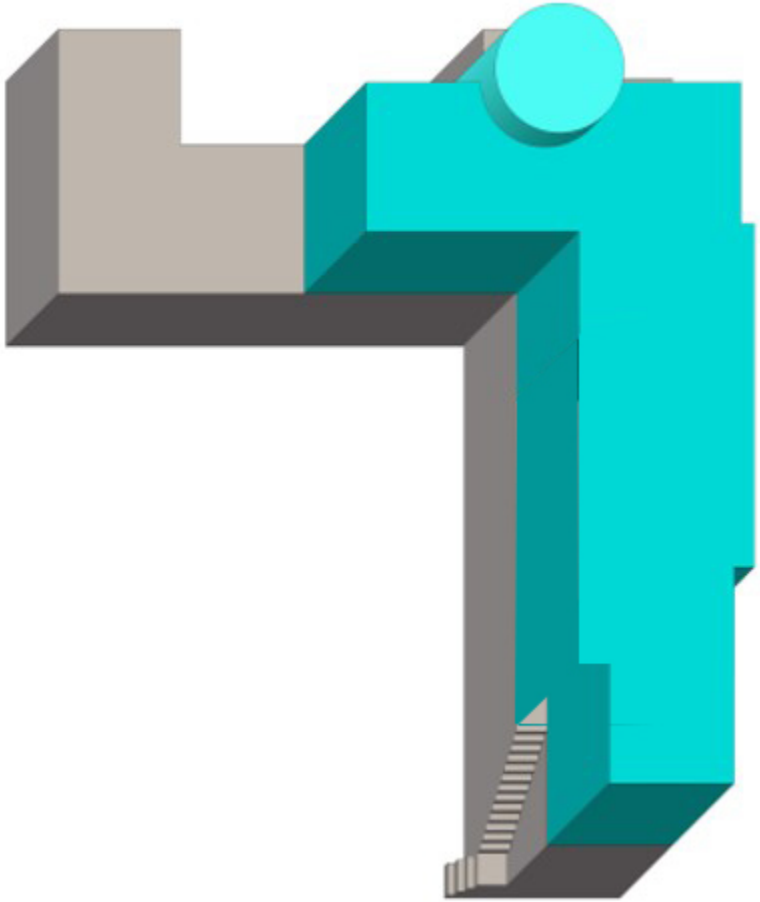


2nd Story TDSF Reduction

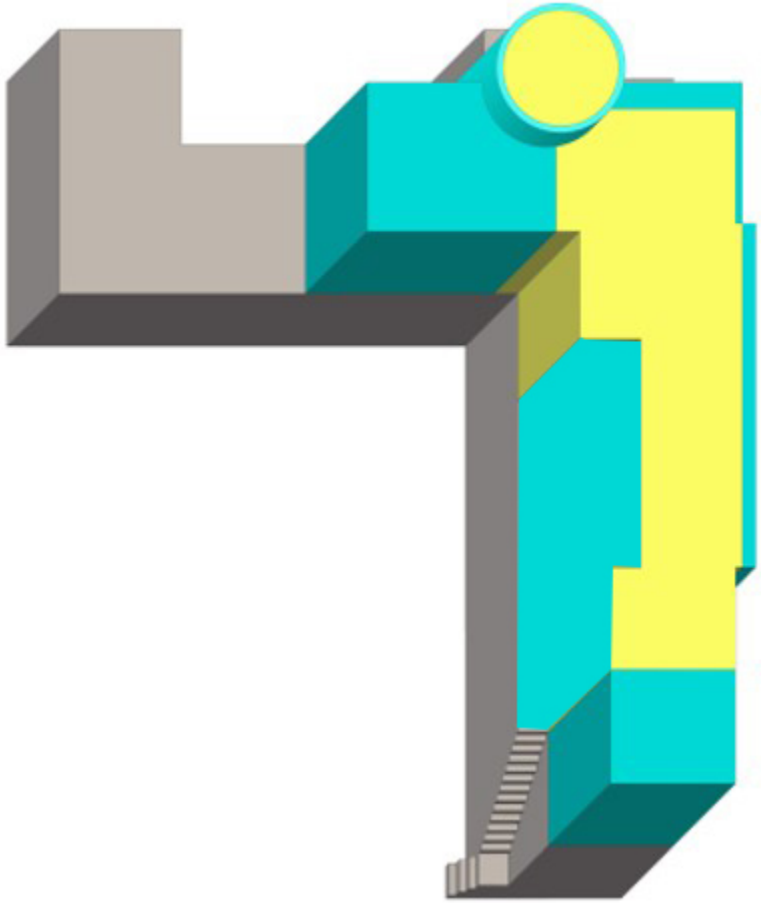


Currently Proposed

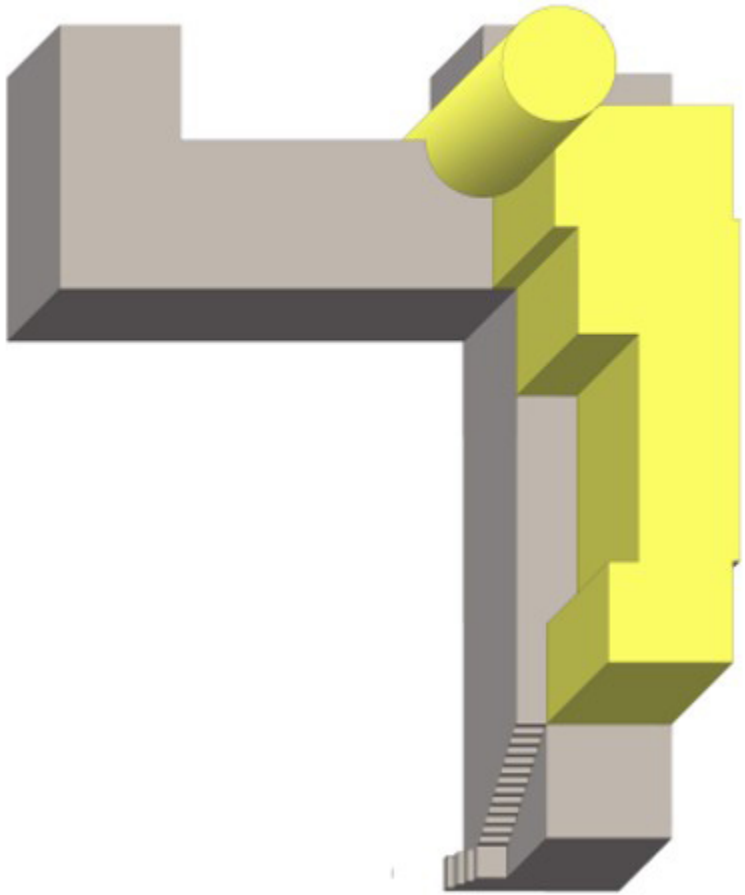
PROPOSED DESIGN LAYOUT



Original Proposed
1st floor = 4,641 sq. ft.
2nd floor = 3,073 sq. ft.

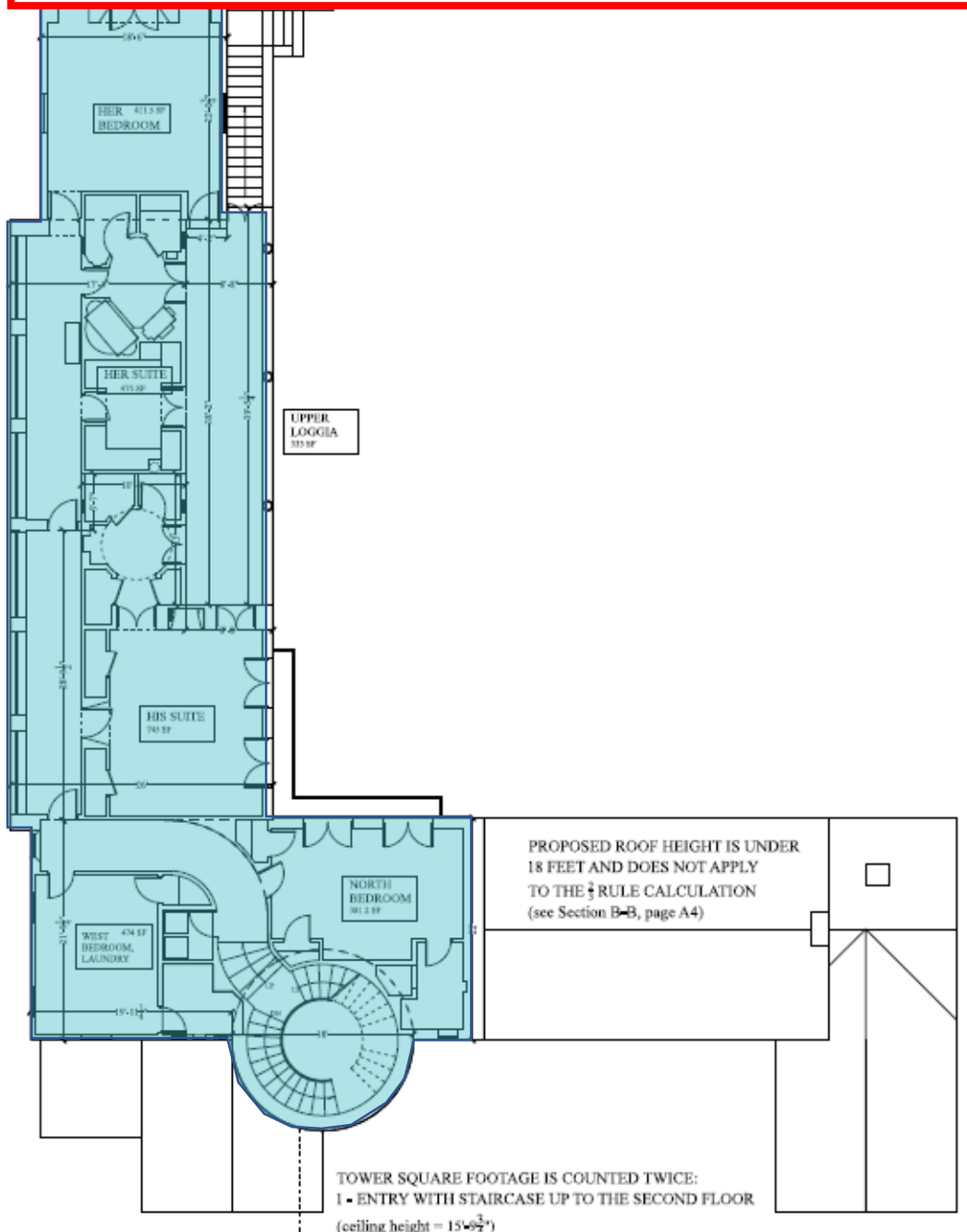


40% Reduction of 2nd Story
1,233 sq. ft.

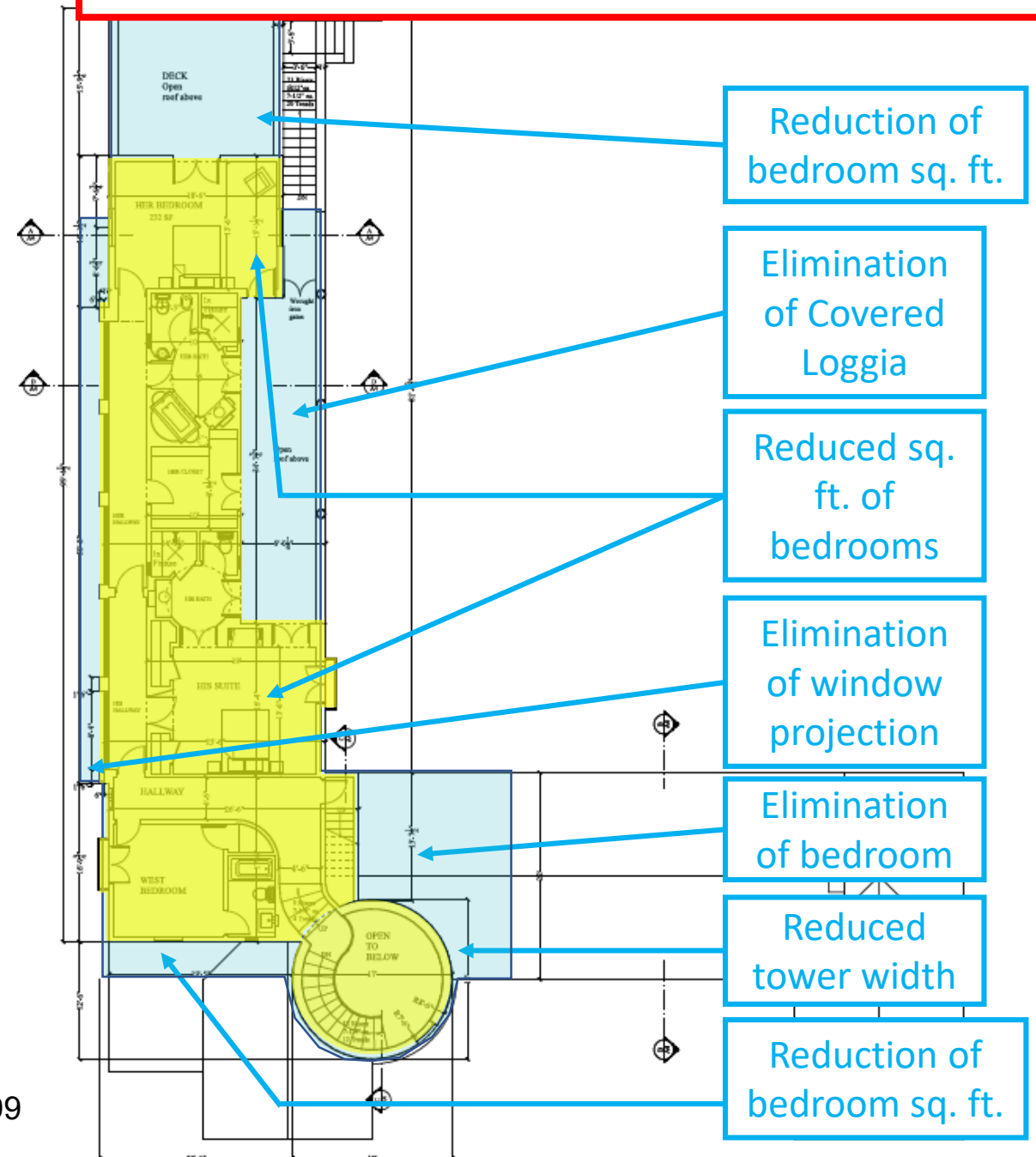


Currently Proposed
1st floor = 4,556 sq. ft.
2nd floor = 1,840 sq. ft.

Project Reviewed by City Council - October 14th, 2019



Revised Plan for Planning Commission - August 3rd, 2020



Reduction of bedroom sq. ft.

Elimination of Covered Loggia

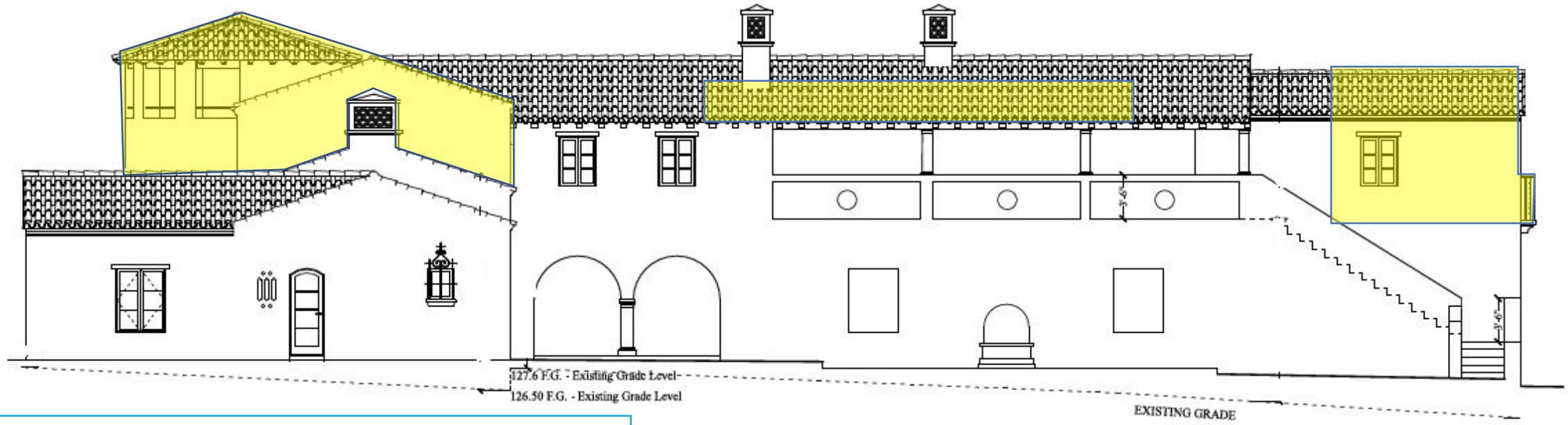
Reduced sq. ft. of bedrooms

Elimination of window projection

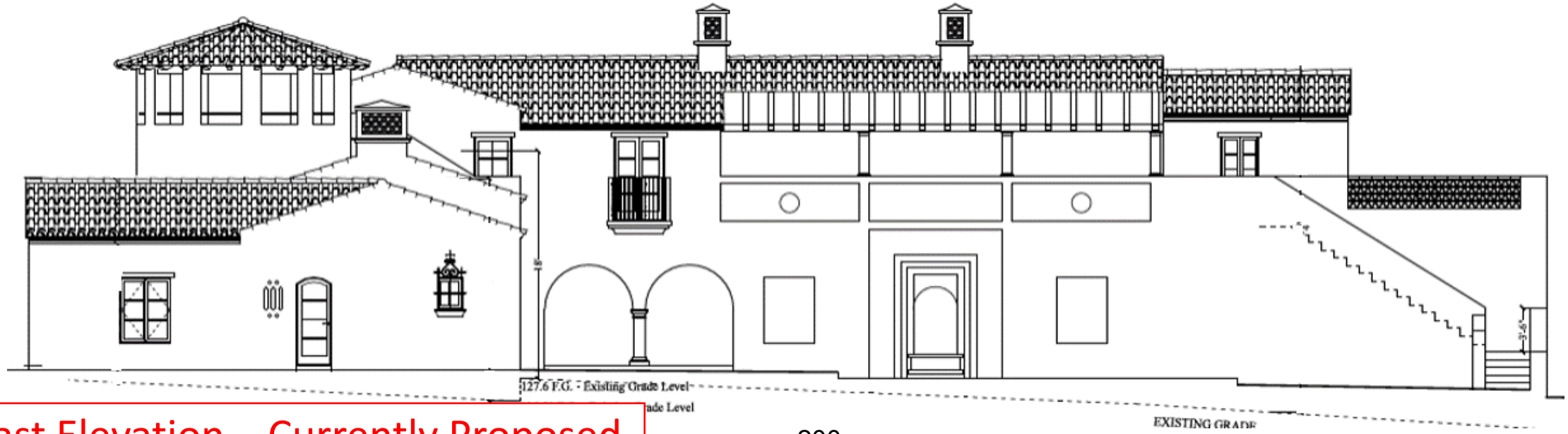
Elimination of bedroom

Reduced tower width

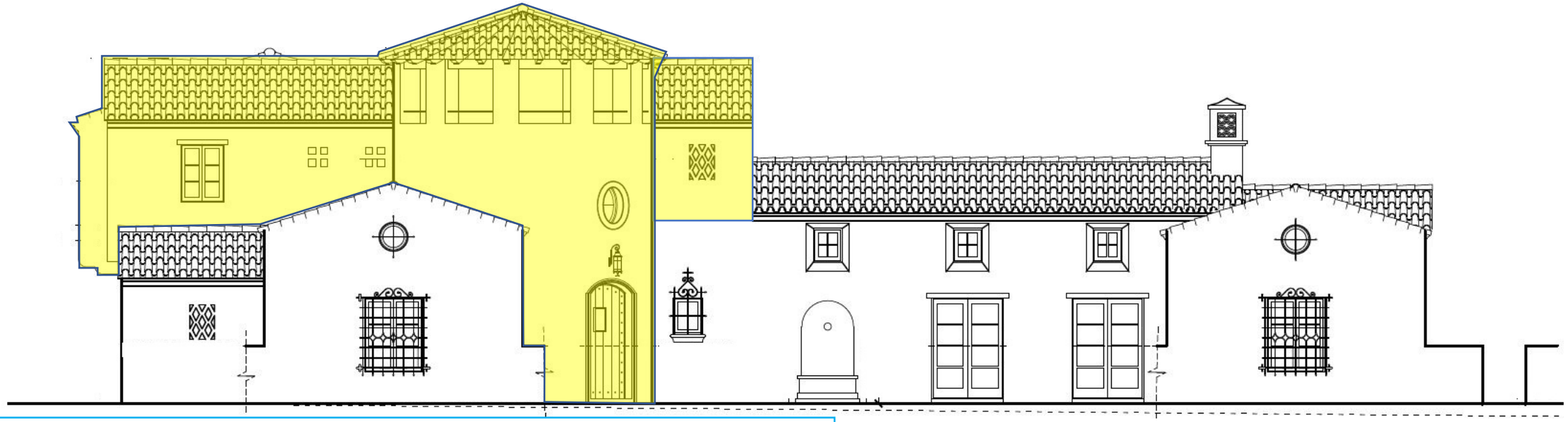
Reduction of bedroom sq. ft.



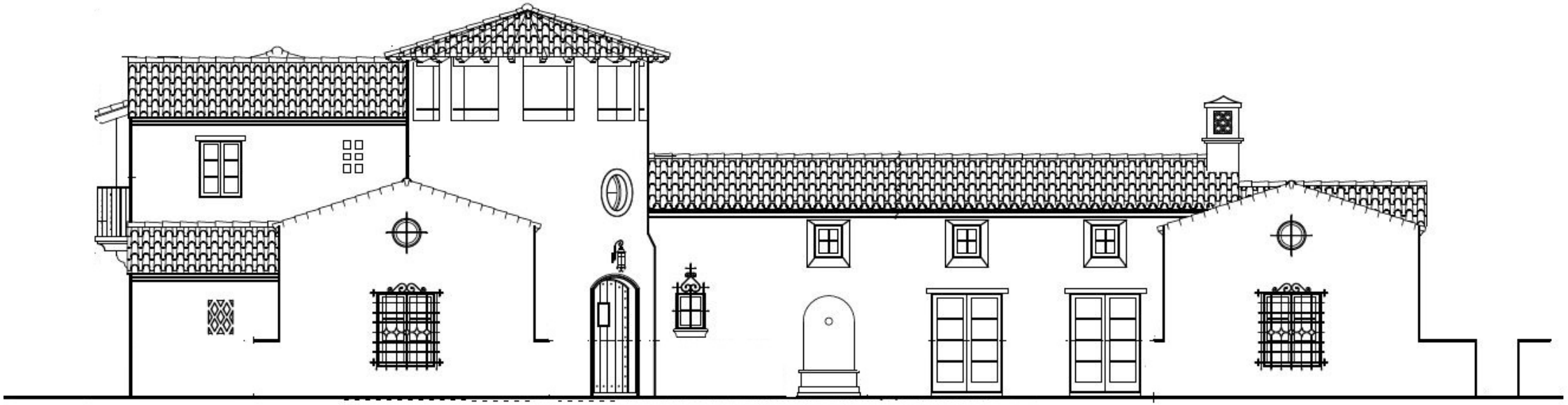
East Elevation – Previously Proposed



East Elevation – Currently Proposed



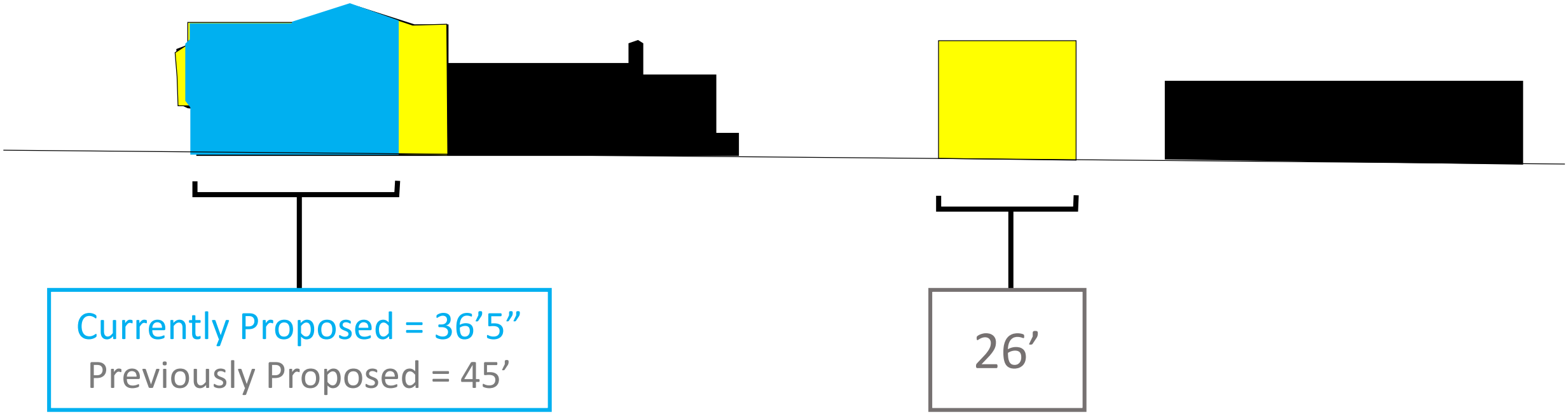
South (Front) Elevation – Previously Proposed



South (Front) Elevation – Currently Proposed

View of Subject Property from Grayfox Street

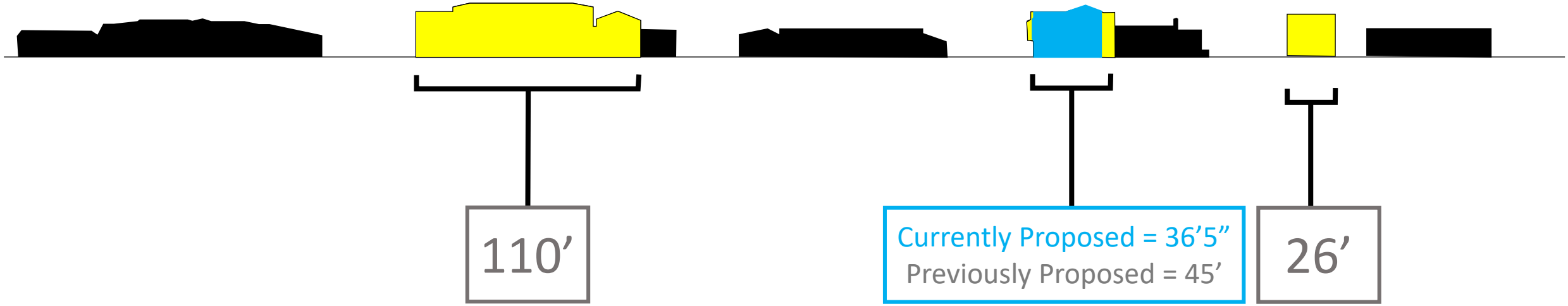
Width of 2nd Story on Grayfox Street



Subject Property

Neighbor’s Property

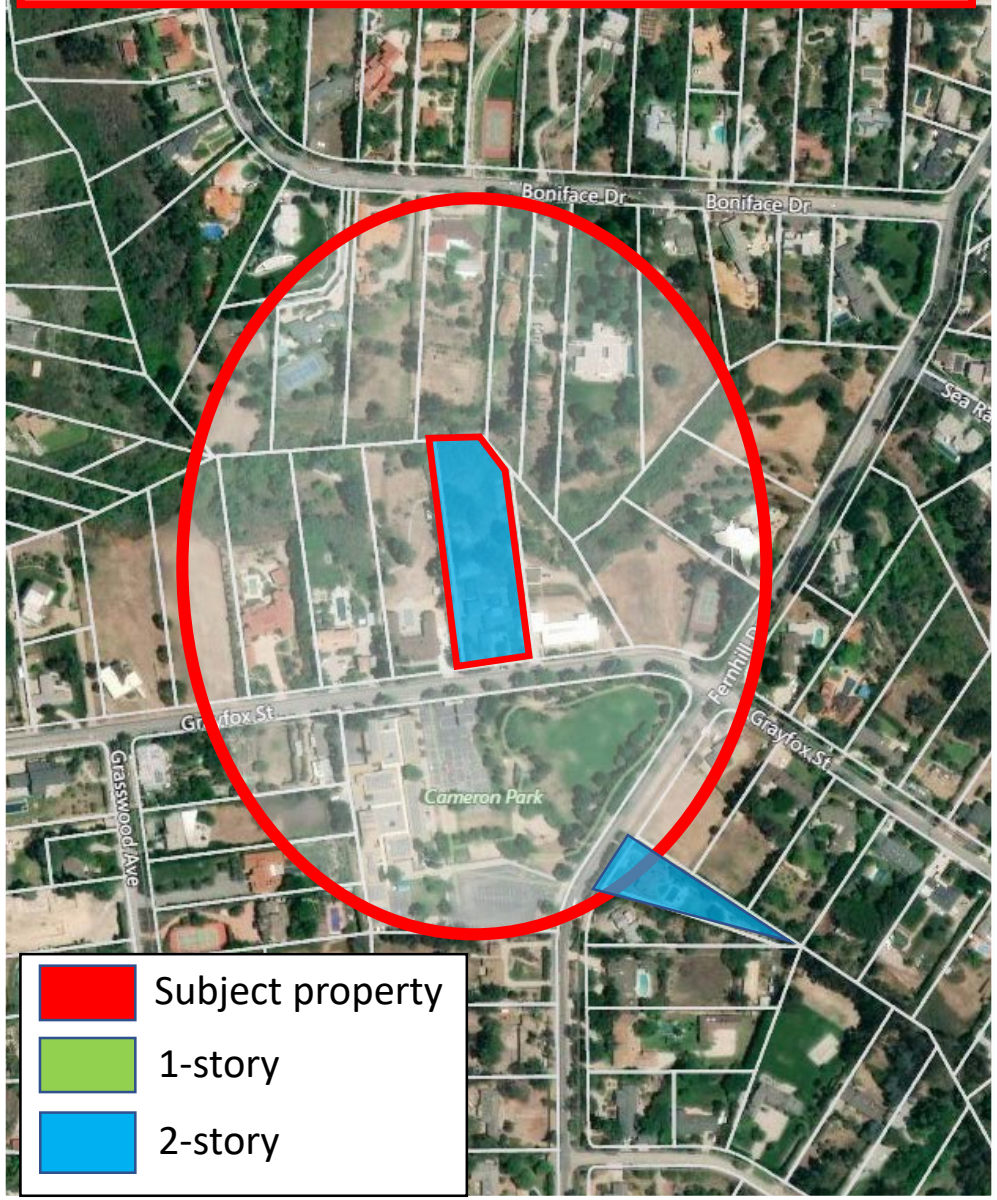
Width of 2nd Story on Grayfox Street



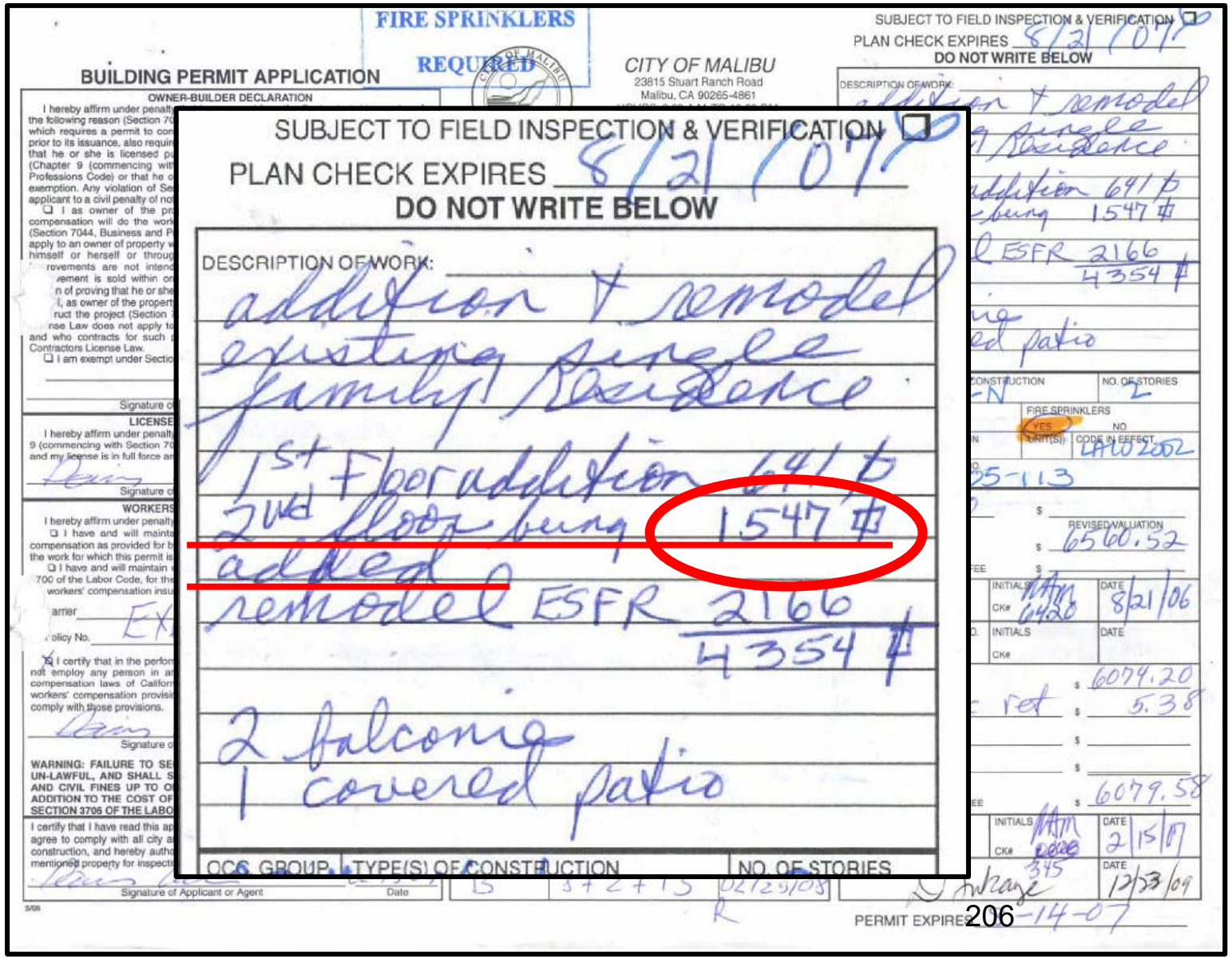
Subject Property *Neighbor’s Property*

6936 Fernhill Drive

Surrounding Neighborhood 500’ Radius



6936 Fernhill Drive



FIRE SPRINKLERS REQUIRED

BUILDING PERMIT APPLICATION

CITY OF MALIBU
23815 Stuart Ranch Road
Malibu, CA 90265-4861

SUBJECT TO FIELD INSPECTION & VERIFICATION ☐

PLAN CHECK EXPIRES 8/21/07

DO NOT WRITE BELOW

DESCRIPTION OF WORK:
addition + remodel existing single family Residence
1st + floor addition 641 ft
2nd floor living 1547 ft
added remodel ESFR 2166
4354 ft

2 falconing
1 covered patio

OCC. GROUP | TYPE(S) OF CONSTRUCTION | NO. OF STORIES

CONSTRUCTION | NO. OF STORIES 2

FIRE SPRINKLERS YES NO

UNIT(S) | CODE IN EFFECT LAMC 2002

REVISED VALUATION $ 6560.52

INITIALS | DATE 8/21/06

CK# 6420

$ 6074.20

$ 5.38

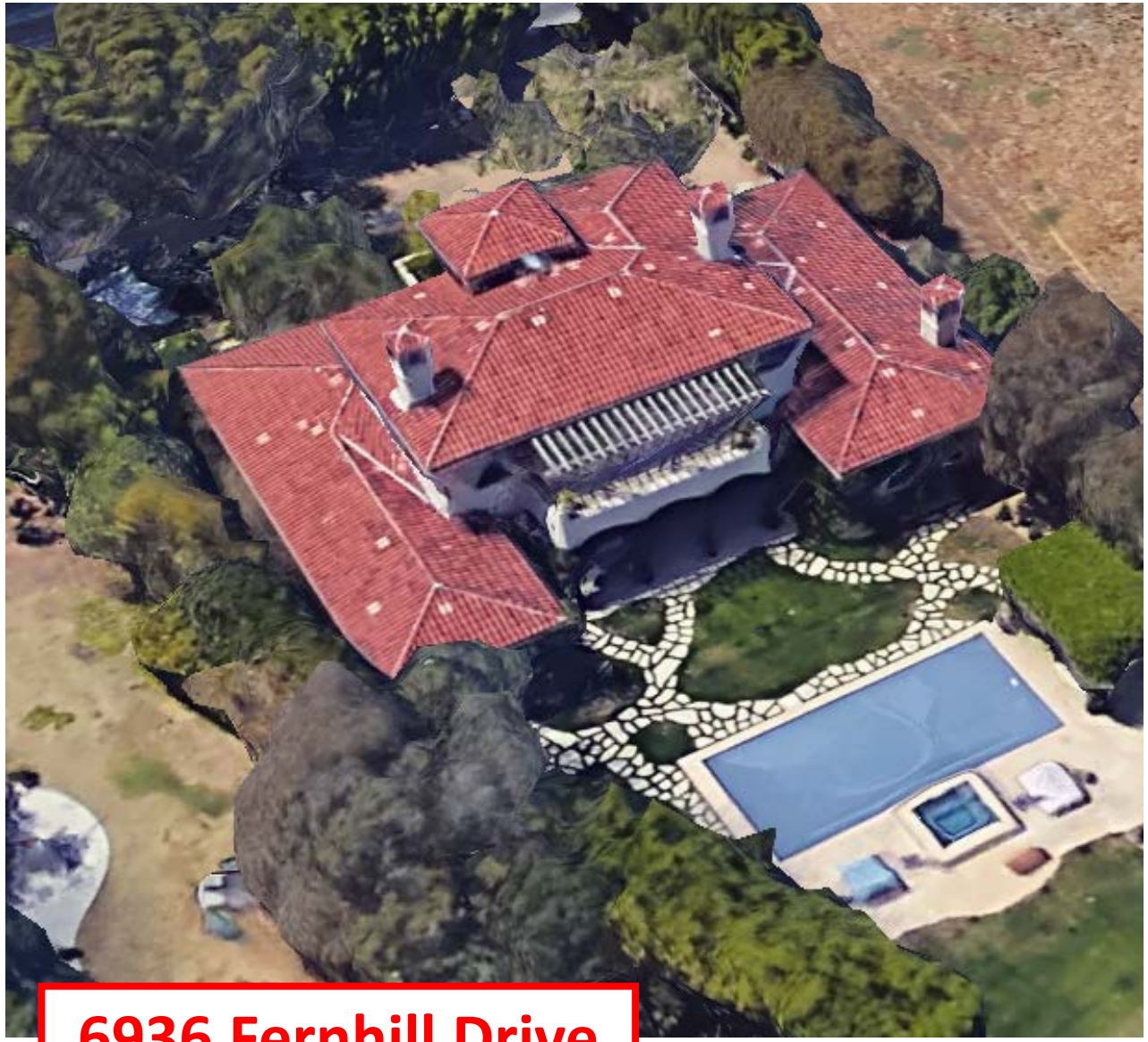
$ 6079.58

INITIALS | DATE 2/15/07

CK# 345

DATE 12/23/09

PERMIT EXPIRES 2-14-07



6936 Fernhill Drive

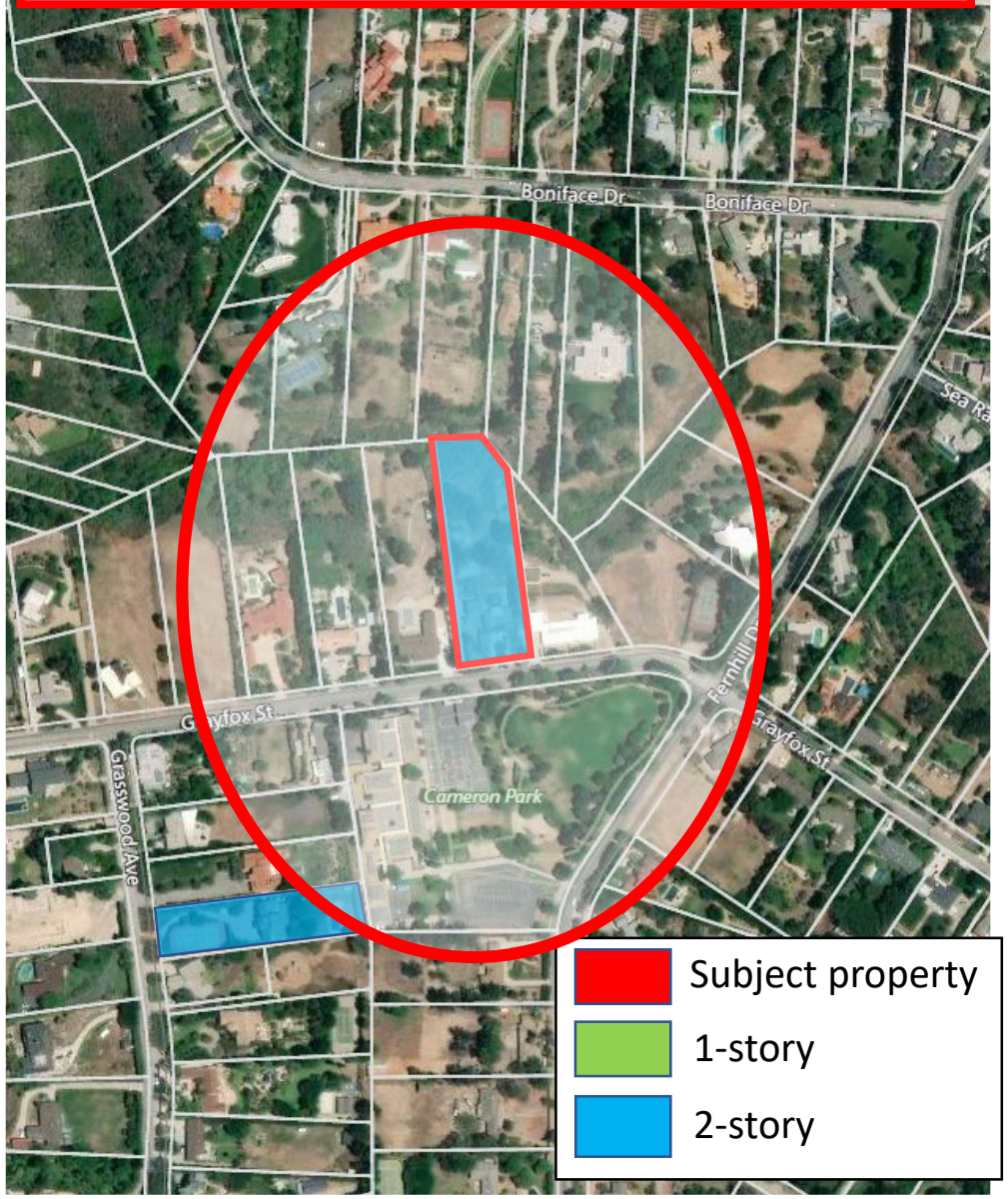
Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.
29043 Grayfox	620	381
29033 Grayfox	674	574
29075 Grayfox	1,896	4,290
6900 Grasswood	1,145	2,187
6934 Grasswood	1,340	2,189
6938 Grasswood	1,[illegible]0	2,[illegible]15
6936 Fernhill	1,200	1,547
6851 Fernhill	820	1,160
28904 Boniface	1,026	1,171
28910 Boniface	1,400	1,297
28936 Boniface	1,214	605
28942 Boniface	1,340	2,695
28950 Boniface	1,950	2,434
AVERAGES	**1,242**	**1,842**

6938 Grasswood Avenue

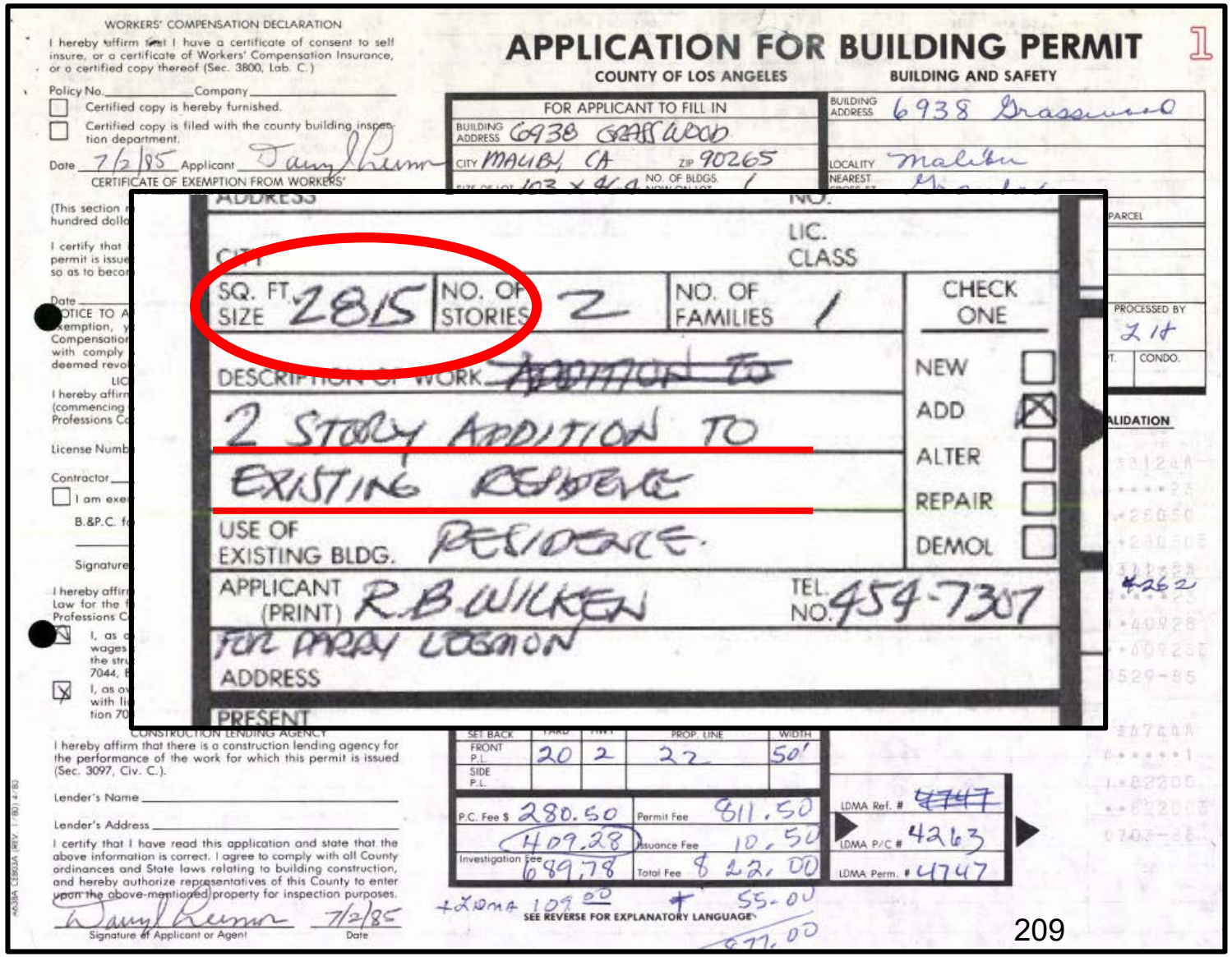
Surrounding Neighborhood 500’ Radius

5,741 square feet

(Source: L.A. County Assessor’s Office)



6938 Grasswood Avenue



APPLICATION FOR BUILDING PERMIT

COUNTY OF LOS ANGELES — BUILDING AND SAFETY

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self insure, or a certificate of Workers' Compensation Insurance, or a certified copy thereof (Sec. 3800, Lab. C.)

Policy No. _____ Company _____

☐ Certified copy is hereby furnished.

☐ Certified copy is filed with the county building inspection department.

Date 7/2/85 Applicant Tamy Reum

CERTIFICATE OF EXEMPTION FROM WORKERS'

FOR APPLICANT TO FILL IN

BUILDING ADDRESS 6938 GRASSWOOD

CITY MALIBU, CA ZIP 90265

NO. OF BLDGS. 1

BUILDING ADDRESS 6938 Grasswood

LOCALITY Malibu

NEAREST

PARCEL

PROCESSED BY Z It

CONDO.

ADDRESS NO.

CITY LIC. CLASS

SQ. FT. SIZE 2815	NO. OF STORIES 2	NO. OF FAMILIES 1	CHECK ONE
DESCRIPTION OF WORK ~~ADDITION TO~~ 2 STORY ADDITION TO EXISTING RESIDENCE			NEW ☐ ADD ☒ ALTER ☐ REPAIR ☐ DEMOL ☐
USE OF EXISTING BLDG. RESIDENCE			
APPLICANT (PRINT) R.B. WILKEN		TEL. NO. 454-7307	
FOR PARTY LOCATION ADDRESS			
PRESENT			

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

Lender's Name _____

Lender's Address _____

I certify that I have read this application and state that the above information is correct. I agree to comply with all County ordinances and State laws relating to building construction, and hereby authorize representatives of this County to enter upon the above-mentioned property for inspection purposes.

Signature of Applicant or Agent: Tamy Reum Date: 7/2/85

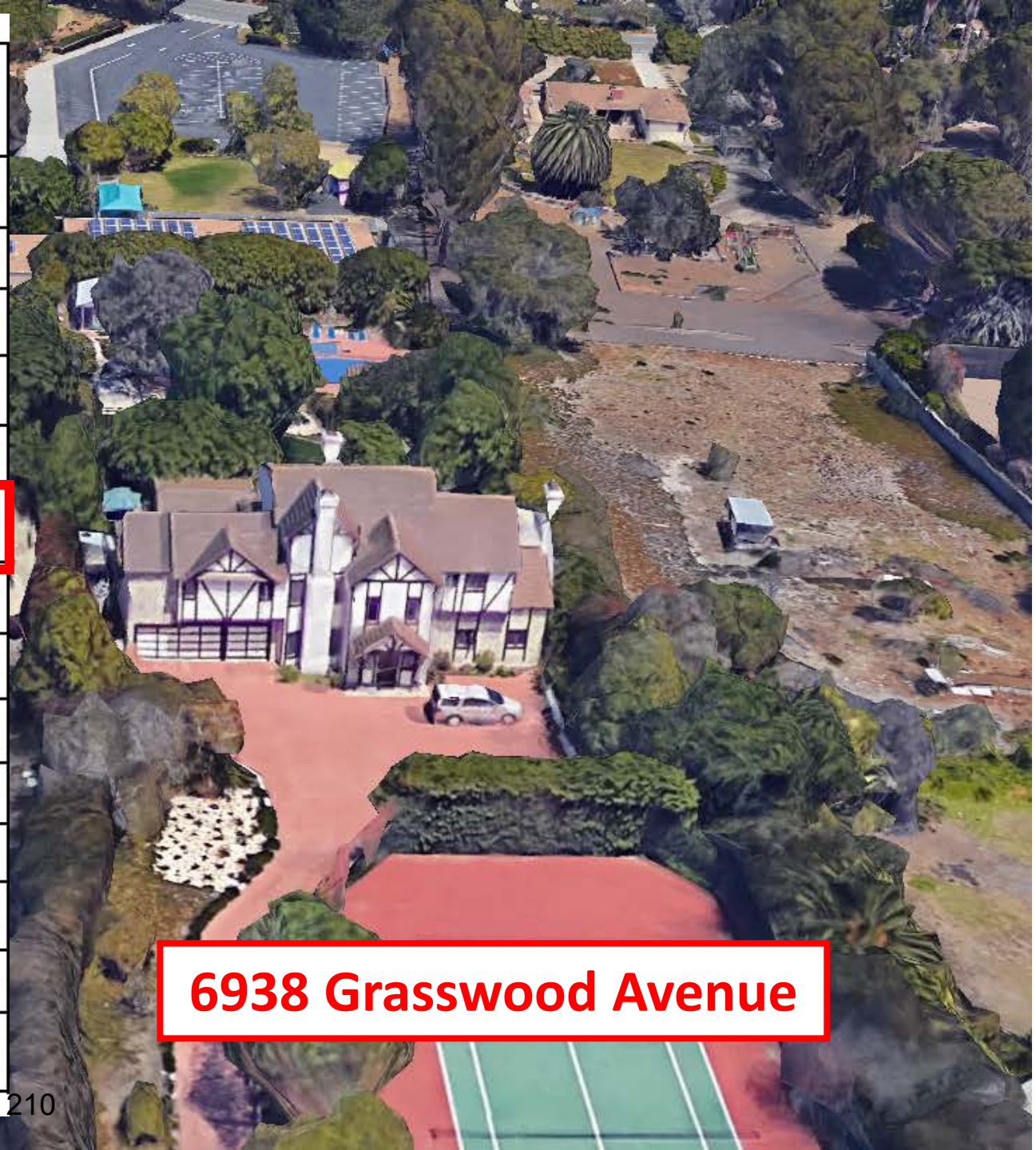
SET BACK	YARD		PROP. LINE	WIDTH
FRONT P.L.	20	2	22	50'
SIDE P.L.				

P.C. Fee $ 280.50	Permit Fee 811.50	LDMA Ref. # ~~4747~~	
409.28	Issuance Fee 10.50	LDMA P/C # 4263	
Investigation Fee 689.78	Total Fee $ 822.00	LDMA Perm. # 4747	

+LDMA 109.00 + 55.00 = 877.00

SEE REVERSE FOR EXPLANATORY LANGUAGE

Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.
29043 Grayfox	620	381
29033 Grayfox	674	574
29075 Grayfox	1,896	4,190
6900 Grasswood	1,145	2,187
6934 Grasswood	1,[illegible]0	2,[illegible]89
6938 Grasswood	1,520	2,815
6936 Fernhill	1,200	1,547
6851 Fernhill	820	1,160
28904 Boniface	1,026	1,171
28910 Boniface	1,400	1,297
28936 Boniface	1,214	605
28942 Boniface	1,340	2,695
28950 Boniface	1,950	2,434
AVERAGES	**1,242**	**1,842**



Maximum Allowed TDSF on 29043 Grayfox Street (Subject Property)

8,047 square feet

Previously Proposed TDSF for 29043 Grayfox Street (Subject Property)

7,590 square feet

Currently Proposed TDSF for 29043 Grayfox Street (Subject Property)

6,396 square feet

29043 Grayfox Street (Atwill Property)

1-st Floor	3,245.0 SF
Garage	966.0 SF
Loggia	345.0 SF
TOTAL 1-st FLOOR	**4,556.0 SF**
2-nd Floor	1,615.0 SF
(All to be Demolished)	
Allowable Impermeable	19,149 SF
Proposed Impermeable	**8,637 SF**
Maximum Allowable Square Footage	8,047 SF
Proposed Square Footage	**6,396.0 SF**

TDSF

6,396

29033 Grayfox Street (Stockwell Property)

Minor Modification No. 11-009
Demolition Permit No. 12-003
Categorical Exemption No. 12-075
29033 Grayfox Street/ APN: 4466-017-003

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application from Andrew Ferguson of Burdge & Associates, on behalf of property owners John Stockwell and Helena Henderson

Total Development Square Footage (TDSF)

- Main Reside
- Attached ga
- Art studio a
- Covered are
- Detached s

TDSF

7,197

II. Construction

a. one-story, 16 foot tall, 3,400 square foot single-family residence;
b. attached, two-story, 24 foot tall, 1,348 square foot accessory structure consisting of a two-car garage on the first floor and an art studio above;
c. detached, one-story, 900 square foot second unit;
d. 1,549 square foot of covered areas that project more than six feet;
e. spa, outdoor barbeque area, firepit;
f. Hardscape;

Page 1 of 25

Comparison of **Mr. Stockwell's Original Calculation of Sq. Ft.** & **Schmitz & Associates, Inc. Sq. Ft. Findings**

Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.
29043 Grayfox	620	881
29033 Grayfox	674	674
29075 Grayfox	1,896	4,290
6900 Grasswood	1,145	2,187
6934 Grasswood	1,340	2,189
6938 Grasswood	1,520	2,815
6936 Fernhill	1,200	1,547
6851 Fernhill	820	1,160
28904 Boniface	1,026	1,171
28910 Boniface	1,400	1,297
28936 Boniface	1,214	605
28942 Boniface	1,340	2,695
28950 Boniface	1,950	2,434
AVERAGES	**1,242**	**1,842**

Source: Attachment 4 of Planning Commission Staff Report August 3rd, 2020

Property Address	Stockwell Area (sq. ft.)
29043 Grayfox	620
29033 Grayfox	674
29075 Grayfox	1,896
28910 Boniface	1,400
28936 Boniface	1,214
28942 Boniface	1,340
28950 Boniface	1,950
AVERAGES	**1,242**

Mr. Stockwell's

Original Calculation of 2nd Story Sq. Ft.

(Public Correspondence attachment to Item #4C of Planning Commission Staff Report, January 22nd, 2019)

Property Address	Second Story Square Footage (Sq Ft.)
29043 Grayfox	620
29033 Grayfox	674
28975 Grayfox	0
29055 Grayfox	0
29075 Grayfox	1896
29089 Grayfox	0
6900 Grasswood	1145
6924 G	
6934 G	
6938 G	
6936 F	
6902 F	
6944 F	
6851 F	
28850	
28872	
28904	
28910 Boniface	1400
28926 Boniface	0
28936 Boniface	1214
28942 Boniface	1340
28946 Boniface	0
28950 Boniface	1950
Average Second Story Sq Ft	**702**

Mr. Stockwell's

Revised Calculation of 2nd Story Sq. Ft. INCLUDES SINGLE-STORY residences

(Attachment 3 of Staff Report, August 3rd, 2020)

PROPOSED DESIGN LAYOUT - FIXTURE COUNTS

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 317-1950 · www.malibucity.org

ONSITE WASTEWATER TREATMENT SYSTEM
FIXTURE UNIT WORKSHEET

Previously Proposed

79 fixture counts

6 bedrooms

TOTAL FUTURE FIXTURE UNITS 79

Notes

1. In completing this form, a room is considered a bedroom if it provides privacy, has an associated closet, and is in close proximity to a bathroom with bathtub and/or shower fixtures.
2. If an existing fixture is to be deleted from the project, indicate the fixture with a minus sign (–) next to the proposed fixture quantity in column "B".
3. For plumbing fixtures not shown in this table please refer to Malibu Plumbing Code (MPC) Table 7-3.

G:\Bardouin\Misc\Bardouin\FIXTURE UNIT WORKSHEET 12.03.21.doc

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 317-1950 · www.malibucity.org

ONSITE WASTEWATER TREATMENT SYSTEM
FIXTURE UNIT WORKSHEET

Proposed AFTER Project Revisions

70 fixture counts

5 bedrooms

TOTAL FUTURE FIXTURE UNITS 70

Notes

1. In completing this form, a room is considered a bedroom if it provides privacy, has an associated closet, and is in close proximity to a bathroom with bathtub and/or shower fixtures.
2. If an existing fixture is to be deleted from the project, indicate the fixture with a minus sign (–) next to the proposed fixture quantity in column "B".
3. For plumbing fixtures not shown in this table please refer to Malibu Plumbing Code (MPC) Table 7-3.

G:\Bardouin\Misc\Bardouin\FIXTURE UNIT WORKSHEET 12.03.21.doc

Kathleen Stecko

Subject: 29043 Grayfox Item Item CDP 17-043 Item 5 on 8/3/2020

Received
8/3/20
Planning Dept.

From: John Stockwell
Date: Saturday, August 1, 2020 at 3:00 PM
To: <davidweil@gmx.com>
Cc: Mikke Pierson <zjmikke@gmail.com>
Subject: 29043 Grayfox Item Item CDP 17-043 Item 5 on 8/3/2020

Date Received 8/3/20 Time 6:00 PM
Planning Commission meeting of 8/3/20
Agenda Item No. 5A
Total No. of Pages 2

Hi David,

This is John Stockwell from 29033 Grayfox St. I don't believe we have ever met but I'm a big supporter of Mikke. You weren't on the commission when it was initially heard and rejected. Ultimately it was denied by the commission on a "neighborhood character" finding, a decision upheld by the city council. Neighborhood character is a different issue "neighborhood standards" but it essentially comes into effect because there is a site plan review for this project because of the amount of the structure above 18'. I have always said that I have no issue with a large house as they have a very large flat lot and can easily accommodate a 8,000 square foot house. My issue is the amount of the structure that is second story, above 18', and blocks light, impedes views, and creates privacy issues that come from a massive two story home in a neighborhood that consists largely of single story homes or single story homes with a studio above the garage. Above all, I believe the way they have re-submitted this project and incorrectly calculated 2nd story square footage seems very egregious and does nothing to actually address the neighborhood character issues. I would hope you would reject this and urge them to come back with accurate calculations that accurately reflect the character of 2nd story square footage in the neighborhood.

The neighbors and I are very disappointed that despite this project having been rejected by your planning commission on a “neighborhood character” finding, a ruling which was upheld by the city council, the applicant and Don Schmidtz never reached out to myself or any of the neighbors before they resubmitted their “revisions” of the rejected plan.

They could have met with us and decided that there was no way to incorporate any of our thoughts or ideas but to not even attempt to meet seems to fly in the face of what it means to work with neighbors which both the commissioners and councilman suggested they do.

The report claims square footage above 18’ has been reduced from 3043 to 1840 square feet. This is very misleading. It’s actually gone from 3043 square feet of second story to 2,444 square feet or 19%

Because they have changed the “covered” loggia to a “trellised” loggia and changed a covered area to an “open deck” they are not including those in the new second story square footage. The one structural element they have actually removed was in the shadow of the “tower” so removing it didn’t affect the shading of our house.

As was pointed out in the hearing, it is not the overall TDSF of the house that is the issue. It is the amount of bulk and mass above 18’. This impacts the shading and light blockage of neighbors as well as privacy and noise issues with residents and their guests looking down on all the properties below them.

Open patios and loggias have even more impact in terms of noise for the neighbors.

In his calculations of the “average” second story of the 23 homes within 500 feet, Don Schmidtz has numbers that are clearly incorrect. As an example, he has the second story square footage of 29075 Grayfox, our friends house three doors away as 4,290 square feet. The entire square footage of the home is 4160 on both as recorded on both the assessors role, the GISNET, as well as the owners own plans!

CC: Planning Commission, PD, Recording Secretary, Reference Binder, File

He completely excludes the ten homes that have no 2nd floor square footage. If you are trying to do a SPR and determine If this new home with its proposed amount of second-story square footage fits into a neighborhood, how can you exclude the 10 homes in the neighborhood that don't exceed 18 feet high when you are trying to decide the character of the neighborhood? The 10 homes with no second story square footage are still part of the neighborhood including his sister in law's recently remodeled and beautiful home directly to the west which has no second story square footage. If you have a neighborhood with 30 homes and two of them have 10,000 ft.² of second-story you don't determine that neighborhood has an average of 10,000 ft.² of second story. That is not how the neighborhood would be characterized.

Even with his incorrect data on the 2nd story square footage , if you include the 10 homes with no second story square footage the 2nd story square footage average in the neighborhood is 1,041 far below the 1840 they are using to calculate their 2nd story TDSF and even further below the 2,444 which is the real amount of floor area that they have above 18'. If you use just the correct square footage of 2nd story square footage at 29075 Grayfox, the average 2nd story TDSF in the neighborhood is 937.

This is a critical issue for the community. This is not a TDSF issue. This is not a ⅔ issue. This is a project rejected by the planning commission, a decision upheld by the city council on a "neighborhood character" finding as a result of development above 18" - a first for the council to uphold a "neighborhood character" finding.

Please do not let Don Schmidtz who clearly knows how to work the system get away with inaccurate numbers and clearly flawed calculations. If they want to argue that this project is consistent with neighborhood standards then it is imperative that they supply everyone with accurate assessment and numbers that accurately reflect the standards of the neighborhood.

Thank you

John Stockwell and Helene Henderson

Kathleen Stecko

Subject: 29215 Cliffside Dr.

Received
8/3/20
Planning Dept.

From: K Hill
Sent: Sunday, August 2, 2020 8:50 PM
To: Jeffrey D Jennings; Mazza John; Uhring Steve; Chris Marx; David Weil; Kathleen Stecko
Subject: 29215 Cliffside Dr.

Dear Commissioners,

A few comments re item 5.A, 29043 Grayfox Street.

The Applicant (and Staff) have ignored and flouted LIP 3.5.3(K)(2), "Any portion of the structure above 18 feet in height shall...shall be oriented so as to minimize view blockage from adjacent properties." In direct contravention of that, the project has been expressly oriented to maximally block views of the property to the West. They say it's okay because that property is owned by a relation of the project's owner. But the code doesn't say anything like, "unless the adjacent property is owned by a close relation." Given the average rate of ownership flippage in Malibu – whatever it may be precisely is not material – that house will eventually be owned by a non-relation. The fact that a relation owns it at the moment cannot be a consideration in applying the clear rule in the LIP. If you intend to allow violation of that rule, you should require staff or the applicant to point to the authority that would allow it.

Also, that code-disallowed view blockage affects more than the familial relation to the West. The neighbors to the East also look across the subject parcel, such that a greater portion of their view – measured in radial degrees – is blocked by that volume aligned tangent to their property than it would be if it were aligned more with the street. In the latter case, they'd be looking more along the length of the volume so it wouldn't block as many radial degrees of view.

As for the size of the second story (re impacts on neighborhood character), my recollection is that Council's direction was to come back with a second story half the size of the one proposed. That would be approximately 1,500 sq.ft., yet by the applicant's own calculations it's 1,840 sq.ft.

Beyond that, the switch from a "covered loggia" to a "trellised loggia" is a distinction without a meaningful difference, as the trellis could be covered by any sort of cheap roofing material (e.g., corrugated) for a few hundred dollars and a few hours of labor. So in effect, the volume of the 2nd story has been reduced only to 2,444 sq.ft., a reduction of only 19%, not the 50% demanded by Council.

As an aside, it's inconsistent and unfair that the City can say that a second story can be infinitely large as long as decks are attached to create covered areas that can be counted as TDSF for the first floor, then two weeks later turns around and say you don't count the TDSF under the covered area on the second floor if its cover is at all permeable. Given that the concern of the 2/3 Rule is the visual mass or volume of the space enclosed, the relative permeability of its cover should be irrelevant. The question is whether the space is enclosed in a way that affects its perceptible volume. This bureacratic hypocrisy is especially unfortunate given that the 2/3 Rule, as written, does not reference TDSF at all, and nor was the "interpretation" to use TDSF as the standard ever formally adopted.

Finally, the applicant, in calculating the average size of 2nd stories in the neighborhood, should include a value of "zero" for every house that doesn't have a second story. Nearly half the homes in the neighborhood don't have a second story, so the average size of 2nd stories should be roughly half of what the applicant has stated it as.

– Kraig

Date Received 8/3/20 Time 8:00 AM
Planning Commission meeting of 8/3/20
Agenda Item No. 5A
Total No. of Pages 1

CC: Planning Commission, PD, Recording Secretary, Reference Binder, File

Received
8/28/20
Planning Dept.

Schmitz & Associates, Inc.
28118 Agoura Road, Suite 103
Agoura Hills, CA 91301

Don Schmitz
Schmitz & Associates, Inc.
28118 Agoura Road, Suite 103
Agoura Hills, CA 91301

August 27th, 2020

Date Received 8/28/20 Time 8:00 AM
Planning Commission meeting of 9/8/20
Agenda Item No. 4B
Total No. of Pages 2

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

RE: Meeting dates with the neighbor (appellant), Mr. John Stockwell, located at 29033 Grayfox Street to satisfy the conditions of the proposed development at 29043 Grayfox Street, Malibu, CA 90265 (CDP No. 17-043).

To The Honorable Commissioners,

I am writing in regards to the CDP No. 17-043 on behalf of our client and property owner, Mr. John Atwill. On August 19th, we submitted a letter that summarized the numerous meetings our client and Schmitz & Associates, Inc. conducted with the neighbor, Mr. John Stockwell.

We would like to clarify in response to the meeting Mr. Atwill had with Mr. Stockwell regarding the design of the house on December 12th, 2018. This discussion actually occurred during a meeting between Mr. Atwill and Mr. Stockwell in Spring 2016 and not December 12th, 2018 as originally indicated. Please see the below the result of the meeting:

> **Spring 2016**
> The house was originally designed adjacent to and parallel to Mr. Stockwell's property. As a result, the pool would have the maximum sun exposure (eastern portion of property). However, Mr. Stockwell expressed that he was not happy with this design, and therefore the building was flipped to the western portion of the property (current design configuration).
>
> As a result, the architect redesigned the site plan by increasing the distance from Mr. Atwill's residence from the neighbor's property line. This occurred before application was submitted to City of Malibu on March 30th, 2017.

CC: Planning Commission, PD, Recording Secretary, Reference Binder, File

EXHIBIT C

Thank you for your time and consideration. Should you have any questions regarding this submittal or any of our responses please do not hesitate to contact us at (310) 589-0773.

Best Regards,
Don Schmitz

JOHN F. ATWILL
29043 Gray Fox

Received
8/28/20
Planning Dept.

August 27, 2020

TO: MR. JOHN STOCKWELL

I do not understand why you are being so difficult. I am not an outsider from out of state, my ancestors moved to Santa Monica in the 1880's. Both, my mother and father were born in Santa Monica. My father played football with Chris Mallin's father at Samohi. I went to Pali High, surfed with Jay Riddle who knows Zuma Jay. Turned to scuba diving all up and down the Malibu coast for years. I know Peter Hernandez, I consider Matt Rapf a friend. I had relatives that used to live at Nicholas Beach until the State tore all the houses down.

I have tried to be a good neighbor, when we walked my property to go over the house design. I offered to help you work at your place clearing brush or digging holes in the ground just for exercise.

I have worked hard all my life and saved my money. I would like to build my retirement home at Point Dume. It will be a beautiful home, correctly landscaped and private, and my house will increase the overall value of yours.

I have already reduced the planning of 4 bedrooms on the second floor to two bedrooms. I think this is a big compromise.

Would you please let me build my house?

Best regards,

JOHN F. ATWILL

/ia.

Date Received 8/28/20 Time 10:00 AM
Planning Commission meeting of 9/8/20
Agenda Item No. 4B
Total No. of Pages 1

CC: Planning Commission, PD, Recording Secretary, Reference Binder, File

Kathleen Stecko

Subject: 29043 Grayfox
Attachments: Timeline 29043 Grayfox.pdf; Emails Re 29043 Grayfox (1).pdf

From: John Stockwell
Date: Tuesday, September 1, 2020 at 10:02 AM
To: Steve Uhring <steveuhring@yahoo.com>
Cc: SKYLAR PEAK
Subject: 29043 Grayfox

Hi Steve,

I believe you should have recently received the staff report about 29043 Grayfox Street but I wanted to quickly summarize what has transpired.

Essentially, after not being willing to listen to any of the specific issues the neighbors had with the bulk and orientation of the second story, and after doing a redesign of the second story without any input from neighbors, they were forced to have a virtual meeting where we presented the outlines of a proposal that would have given them over 1803 square feet of habitable second story versus the 1840 they had proposed in the August 3rd meeting but have a dramatic reduction of the impact of this second story square footage on the neighbors and the neighborhood. At the last meeting, Don Schmidtz had claimed that they never met with me because I was only interested in a house that had no second story. As I have stated multiple times in the past, this was clearly not the case.

Mr. Atwill threatened to sue me for harassment. They did not say, okay now that we understand your concerns are about the North - South portion of the second story and not the East-West let us get back to you, or let's meet in the middle or let us get back to you with some changes. They said - we are not changing anything. Not a single square foot.

Ironically, the redesign of the second story that they had done in the ten months since the city council denial, was a redesign done without any input from the neighbors and a redesign that resulted in them removing the portion of the second story that had the least adverse impact on the neighborhood while keeping the monolithic North-South section of the project that had the most adverse impact on the neighborhood.

We suggested reducing the overall length of the North side of the second story portion of the project by 40 linear feet which would reduce the square footage by 596 square feet. They could offset that loss by adding back what they called the "North" bedroom that they had in their original plan which adds another 375 square feet. This bedroom was already directly in the shade zone of the entry tower so putting it back does not add any additional shading or privacy issues. We suggested they add back the square footage on the West side of the projects they had in their original plan for the same reason. We also suggested they increase the East to West width for the entire second floor from the 18' 6" width to 26'6" or the same width as the current South side of the beginning of the second floor. This increase in width would give the second floor another 184 square feet without increasing shading or privacy issues for the neighbors. These combined changes would result in a net loss of 37 square feet of second story square footage (Original 1840 square ft, Revised 1803 square ft.) but have a dramatic reduction of the impact of this second story square footage on the neighbor and the neighborhood. We also told them that this was just the start of the discussion and would hopefully show them that we did not objects to "any second story" as Mr Schmidtz had continually stated but

Mr Atwill did not react well. He said he had already spent 100K redesigning the project without input from the neighbors. I told him I sympathized but redesigning a project that has been rejected on a neighborhood character finding without trying to find out the specifics of the neighbors objections did not seem productive. I explained that Doug Burdge, my architect, has advised that we go to the neighbors very early on in the planning process so no costs were incurred that could be avoided. I went to my neighbor Charlene Kabrins with rough elevations and site plans and she responded that she didn't want any second story windows from my art studio looking out at her properly and that she wanted us to move the garage/art studio 5 feet to the west and 10 feet to the North. We did what she wanted and avoided having her object at a hearing or having to learn what her objections were after we were deep into the approvals process and incurring additional change costs.

Mr Atwill let me know ***that he was contemplating "suing me for harassment". I told him this was unfortunate and neighbors should not be threatened with litigation for expressing their views in the public planning process.***

Mr Schmidtz went through my proposed changes on his shared screen to make sure he understood them. Without committing to anything he asked Raneika if the planning department would be okay with my planned changes and she said they would.

I explained that I hope this was the start of the process and that I would welcome them coming back with any thoughts they or their architects had now that they understood the specifics of the second story square footage that had the most adverse impact on the neighbors.

Unfortunately, on August 14, 2020 I received a phone call from Raneika Brooks who informed me that the applicant was not going to make any changes to the plans that had been submitted to the planning commission on August 3 and that no changes were going to be proposed even after it was now clear that I was not objecting to any 2nd story square footage. This was very disappointing as I believe we were finally on the right path to having a constructive dialogue.

The applicant Mr. Atwill is represented by a very competent and very seasoned expeditor, Don Schmidtz, who knows that a Site Plan Review is required when development above 18' is proposed. He knows that a Site Plan Review requires a "neighborhood character" finding. I'm sure Don counseled his client to meet with the neighbors if for no other reason than to look like you are following the council's direction but for whatever reason, a decision was made to not reach out. This was really unfortunate as if they had met they could have understood the specifics of how to mitigate the adverse impacts of the second story footage on the neighborhood. If you want to understand how to mitigate the negative impacts on the neighborhood it's helpful to talk with the neighbors and understand their specific concerns and not do a redesign in a vacuum.

Mr Schmidtz and Mr Atwill have met with and lobbied the planning commissioners and the city council members numerous times with regards to this project. I have never met with a planning commissioner or a city councilperson with regards to this project.

Mr Schmidtz and the applicant have been afforded the courtesy on three different occasions to withdraw the project rather than have it rejected outright.

It is really disconcerting being threatened with litigation for speaking up in the public planning process. I am not a paid consultant. I am not an architect. I am just an engaged neighbor which is what we want every neighbor to be.

Mikke Pierson said during the city council appeal that neighborhood character exists precisely for this project.

Anyone who's lived in Malibu for a while knows it's a small town and neighbors rely upon each other. This was never more evident than during the Woolsey fire when neighbors came to each other's aid including my son and his fellow Bomberos who helped put out a fire that had started on the siding of Mr. Atwill's home. We only work well if we were a community that looks out for each other. There are many other communities where you can live behind big walls and have no idea who your neighbors are or how you impact them but that is not Malibu.

Raneika told me that Don was going to submit a timeline of all the meetings they had with me and my continually changing demands. Given all the misrepresentations so far, I wanted to include my timeline and comments that are all supported by the attached emails and correspondence. I had one meeting with Don and the applicant, a meeting that I requested and a meeting where I was told no changes would be made to the project and that if I continued to object the second story square footage would be moved closer to my property.

I am attaching a timeline as well as the emails that have been exchanged.

City of Malibu Planning Commission Hearing (Item #4B)

29043 Grayfox Street, Malibu, CA 90265

APN: 4466-017-002

Received
9/8/20
Planning Dept.

September 8th, 2020

Date Received 9/8/20 Time 6:30 PM
Planning Commission meeting of 9/8/20
Agenda Item No. 4B
Total No. of Pages 32

SCHMITZ & ASSOCIATES INC.

Meeting History with Neighbor

1. Spring 2016 (before application was submitted to City of Malibu)

The house was originally designed adjacent to and parallel to Mr. Stockwell's property (eastern portion of property). When Mr. Atwill met with Mr. Stockwell on his property, he was not happy with this design. Therefore, the architect redesigned the building to the western portion of the property (current design) and increased the distance from the neighbor's property line.

2. October 17, 2018

Mr. Atwill spoke with Mr. Stockwell on his property. They discussed on the size of the proposed house in relationship to the size of the lot, and whether there is a bedroom in the tower.

3. November 1, 2018

Mr. and Mrs. Atwill spoke with Mr. Stockwell on his property. They discussed the height and massing of the project, and the purported impact of privacy affecting Mr. Stockwell's property.

Meeting History with Neighbor

4. December 12, 2018

Mr. Atwill met at Mr. Stockwell's residence to review the project plans. After they conducted a site visit, Mr. Stockwell expressed that he did not want a second floor next to his residence. Furthermore, Mr. Stockwell expressed that Mr. Atwill's age should dissuade him from having a two-story residence.

5. January 4, 2019

An in-person meeting was conducted with Mr. Stockwell and Mr. Atwill at the Schmitz & Associates offices. We discussed setbacks from the neighboring property, square feet calculations, and the review of neighborhood character findings. Mr. Stockwell continued to oppose the project and stated that he would support an 8,000 sq. ft. house if we eliminated the second story.

Meeting History with Neighbor

6. July 20th, 2020

An online zoom meeting was conducted with Ms. Ranieka Brooks, Mr. John Stockwell, and Schmitz & Associates, Inc. to review the plans. Mr. Stockwell was not happy with the sq. ft. reductions to the second story and requested additional information, including:

(1) Roof opening over the loggia;

(2) Mr. Stockwell did not believe that the Council provided a clear direction on the project redesign;

(3) Mr. Stockwell claimed that he never demanded total elimination of the second story and having a large one-story house;

(4) We repeatedly mentioned to Mr. Stockwell that we were not willing to eliminate the 2nd story, nor did the Councilmembers direct us to do so.

Meeting History with Neighbor

7. August 11th, 2020

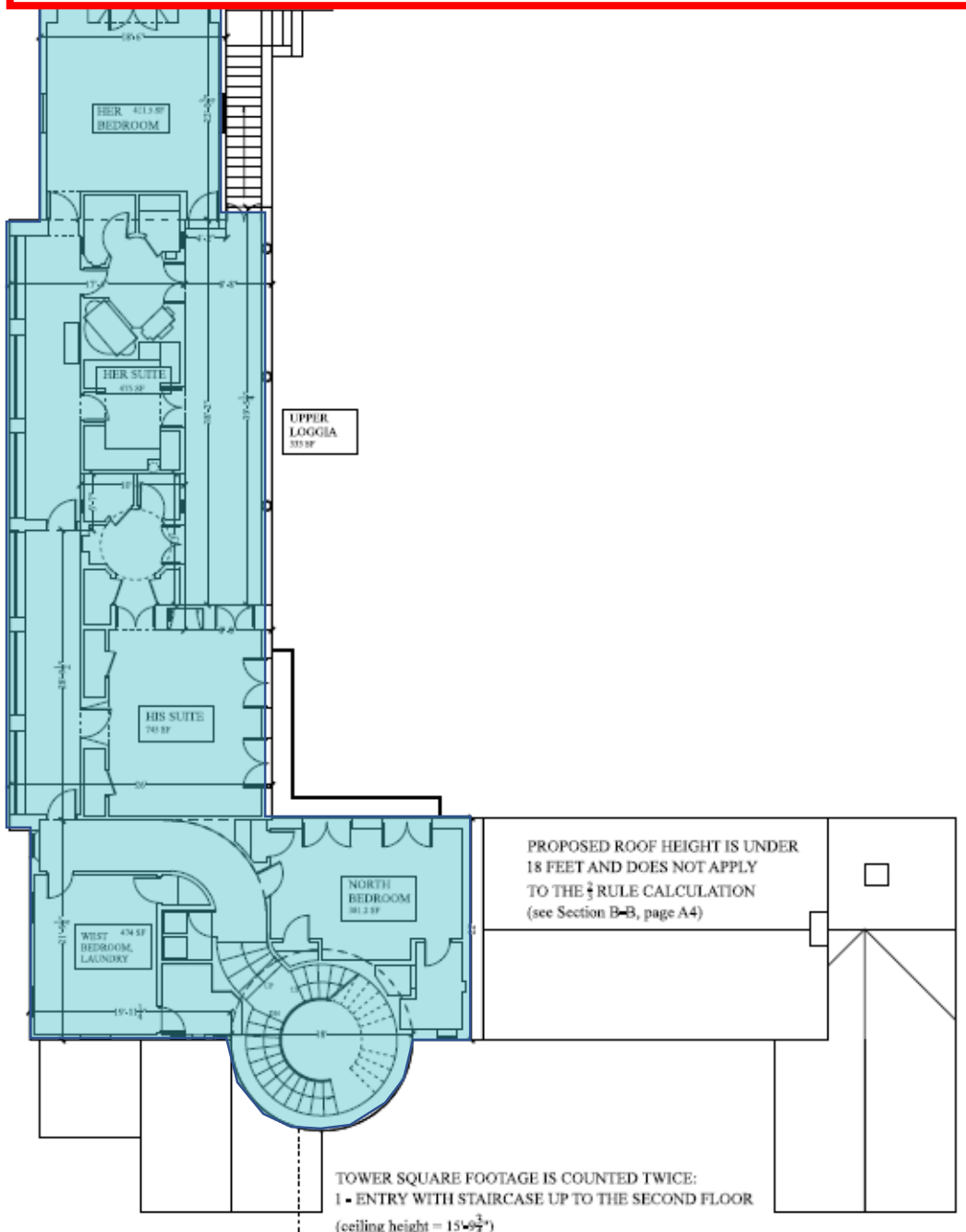
- Mr. Stockwell claimed that he never demanded the elimination of the second story, but requested a reduction of the 2nd story sq. ft.

- Mr. Stockwell requested we eliminate the northern portion of the 2nd story.

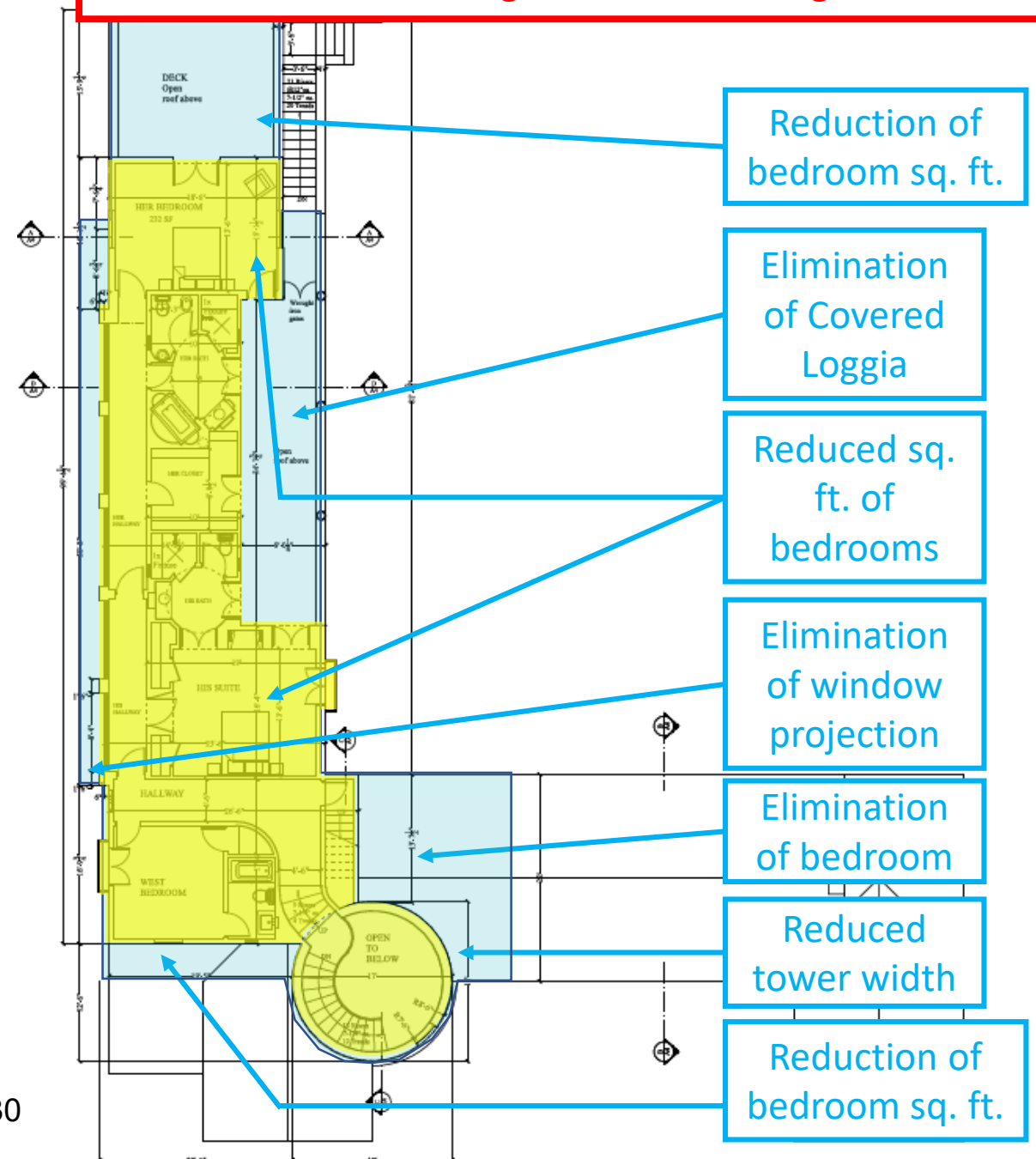
- Mr. Stockwell wanted us to **put back into the design the bedroom on the east side of the tower (closer to his home).**

- Mr. Stockwell stated he was now **supportive of a 2nd story just over 1,800 square feet.**

Project Reviewed by City Council - October 14th, 2019



Revised Plan for Planning Commission - August 3rd, 2020



Reduction of bedroom sq. ft.

Elimination of Covered Loggia

Reduced sq. ft. of bedrooms

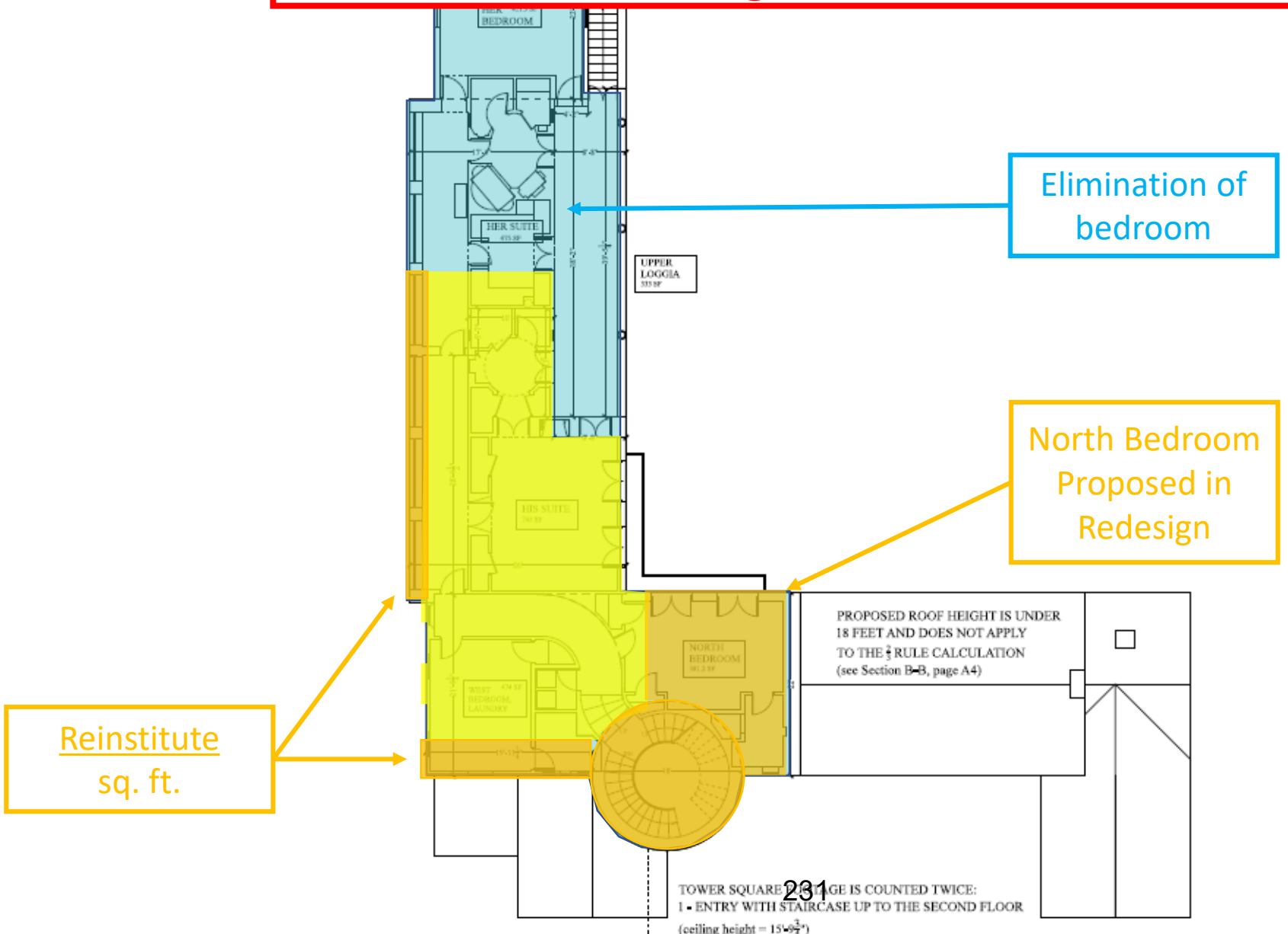
Elimination of window projection

Elimination of bedroom

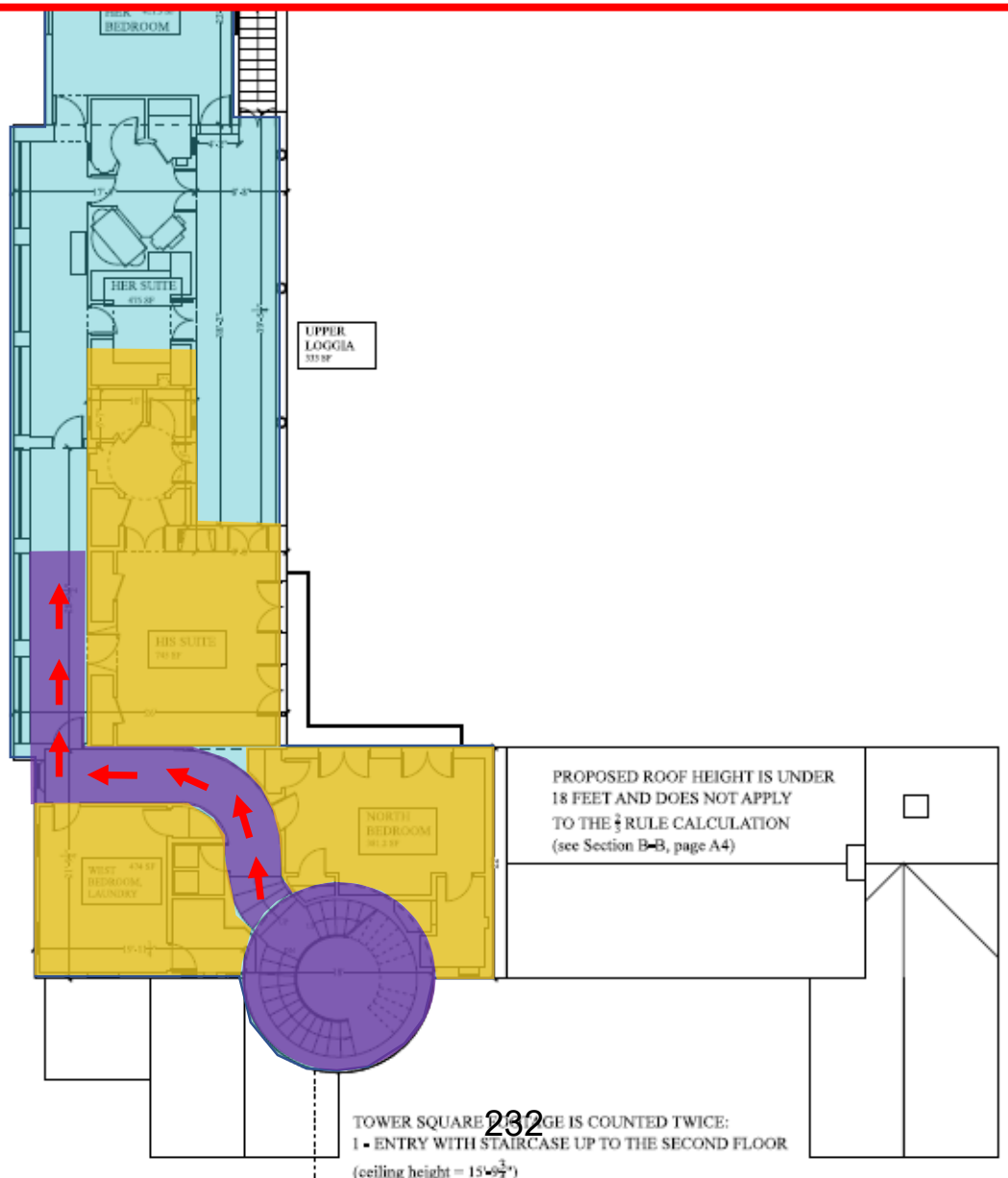
Reduced tower width

Reduction of bedroom sq. ft.

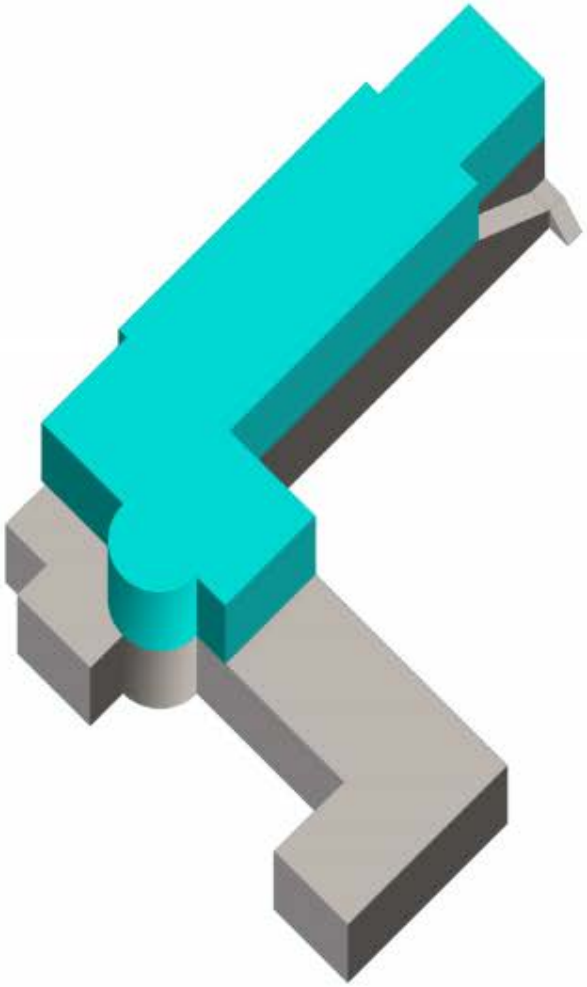
Requested Redesign by Stockwell per meeting on August 11th, 2020



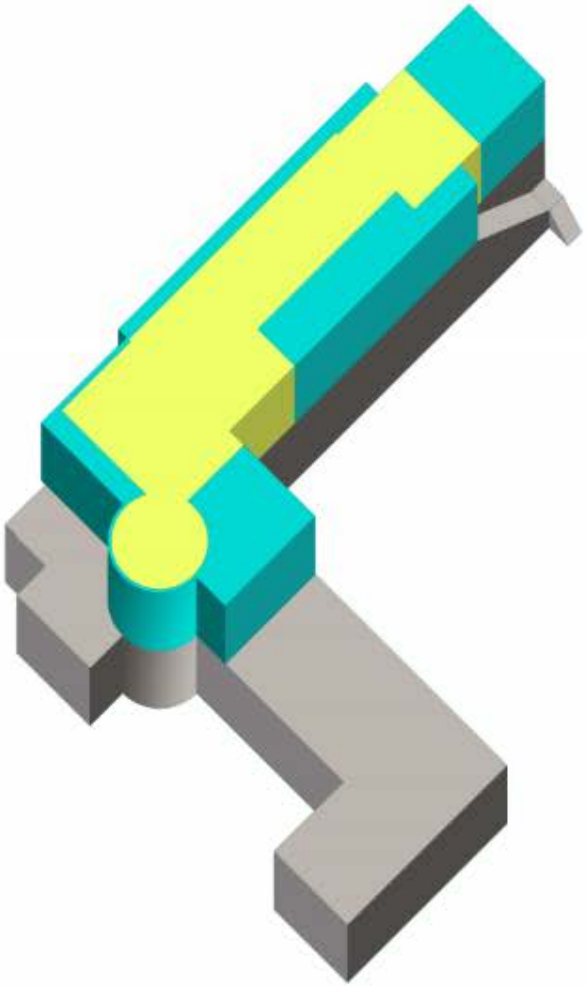
Results in Disjointed and Dysfunctional Floor Plan



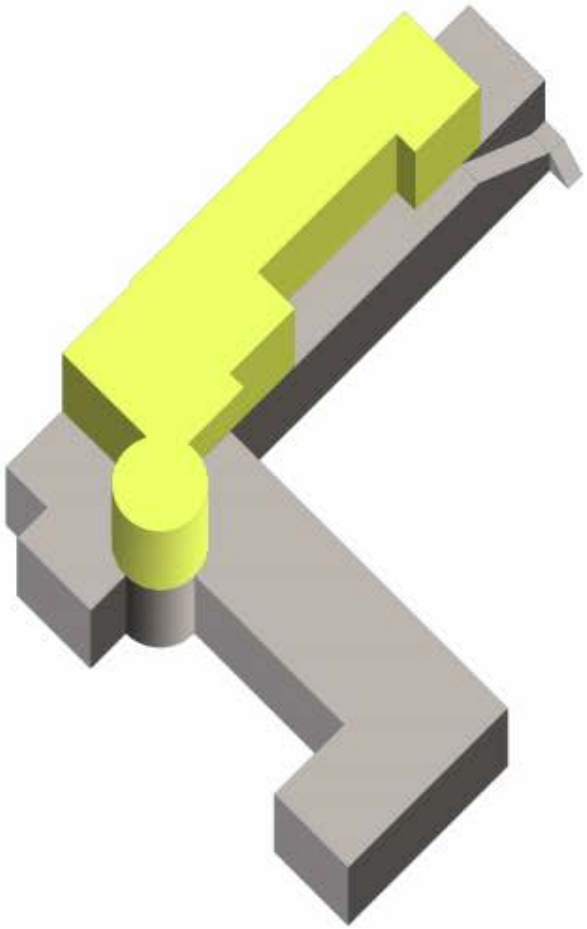
PROPOSED DESIGN LAYOUT



Original Proposed

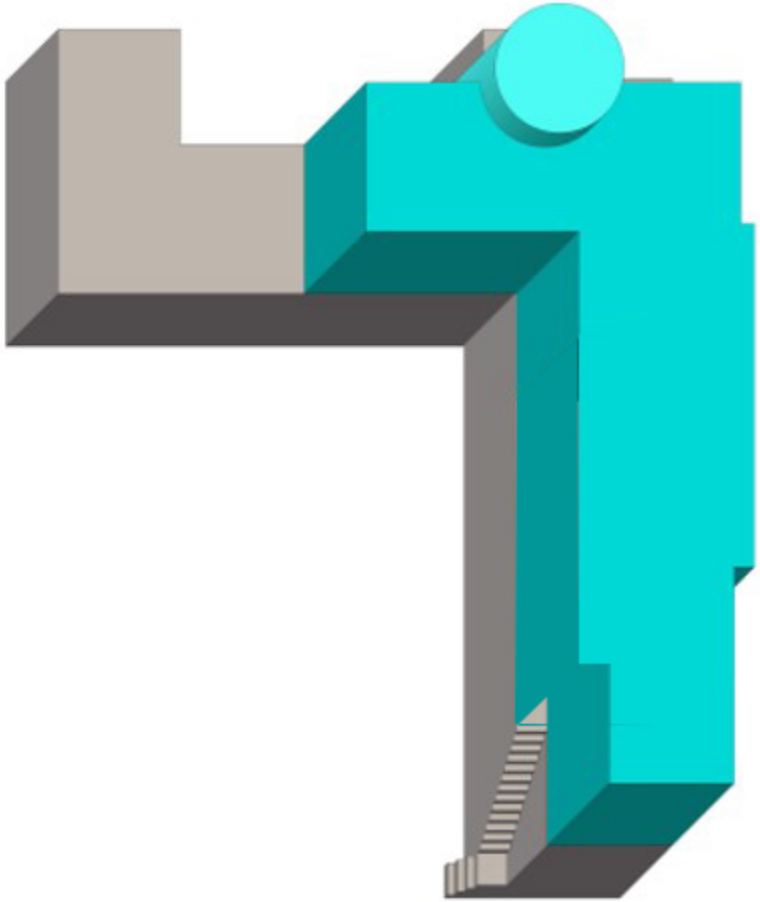


2nd Story TDSF Reduction

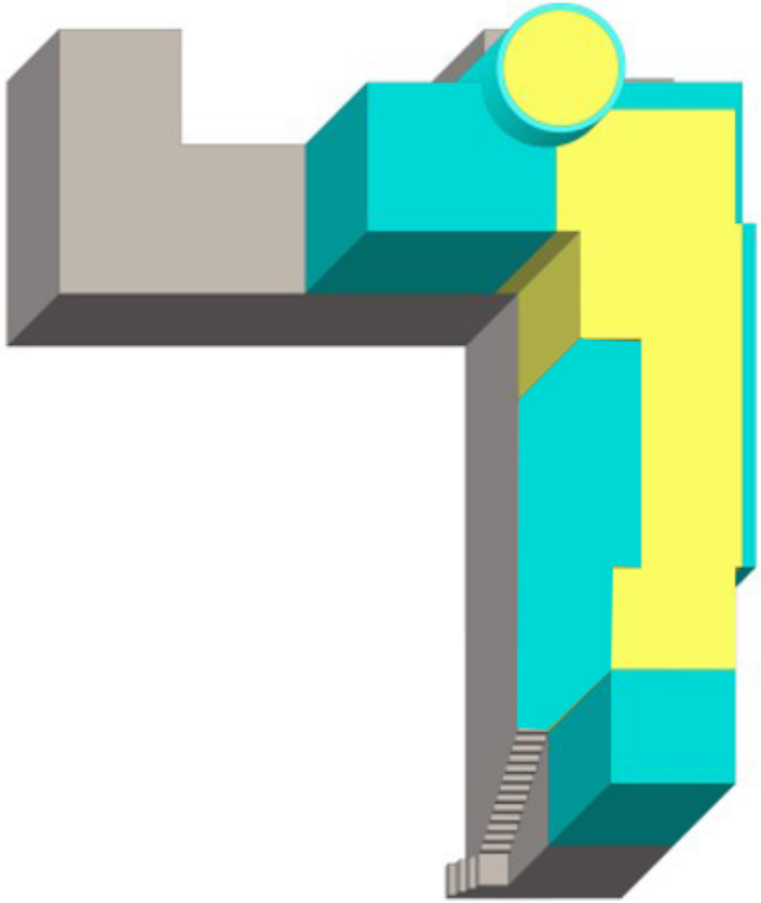


Currently Proposed

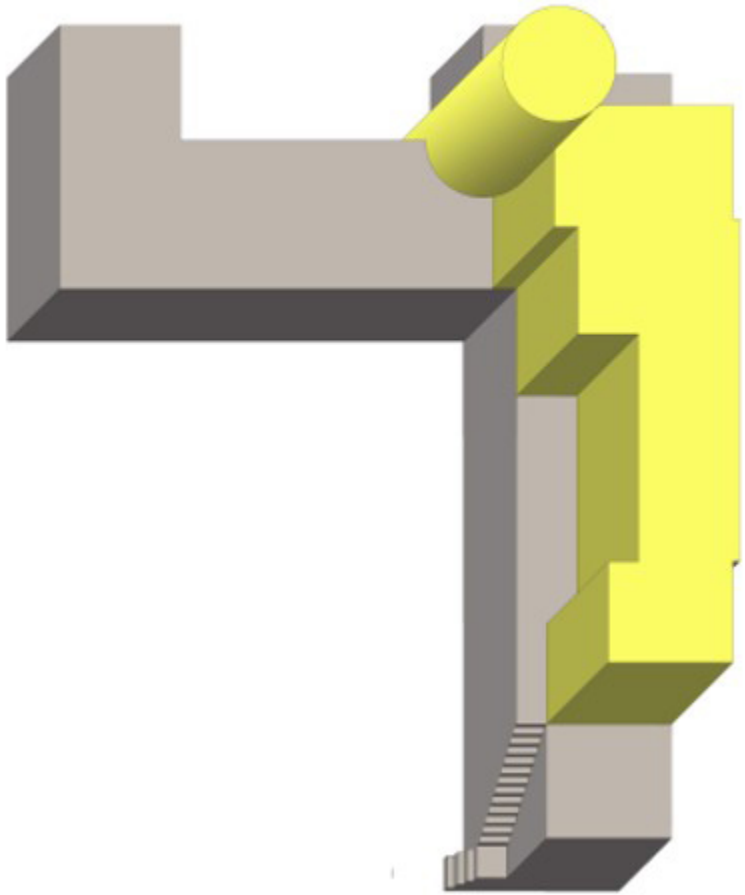
PROPOSED DESIGN LAYOUT



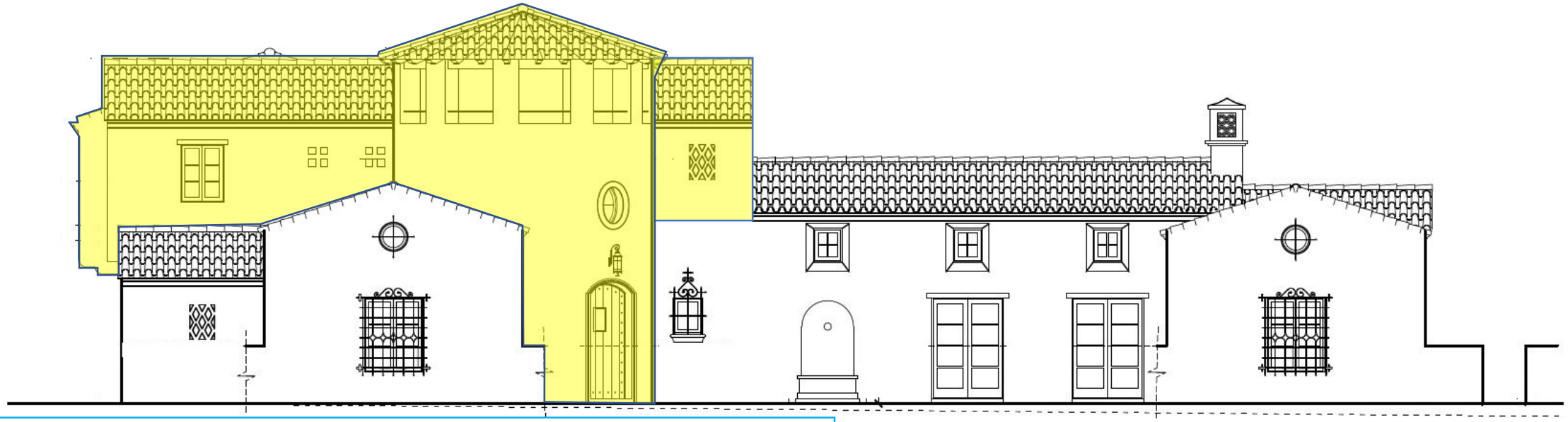
Original Proposed
1st floor = 4,641 sq. ft.
2nd floor = 3,073 sq. ft.



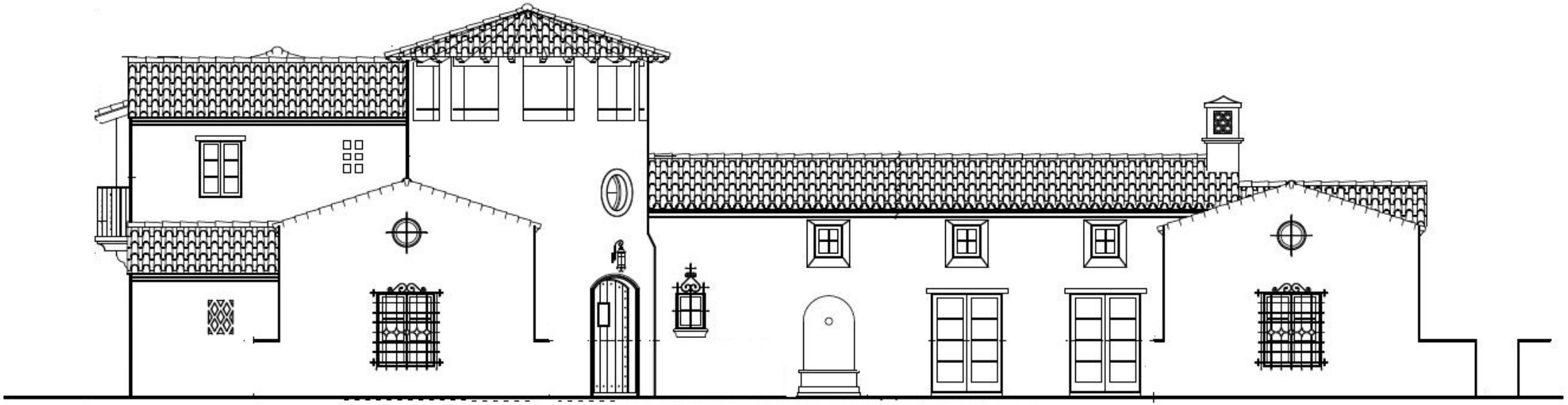
40% Reduction of 2nd Story
1,233 sq. ft.



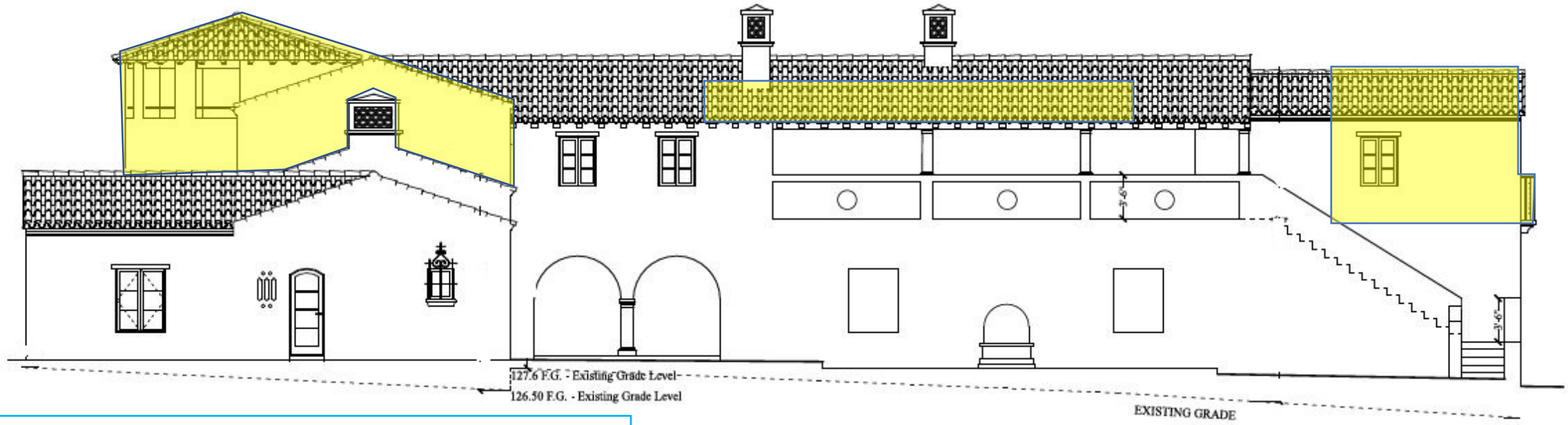
Currently Proposed
1st floor = 4,556 sq. ft.
2nd floor = 1,840 sq. ft.



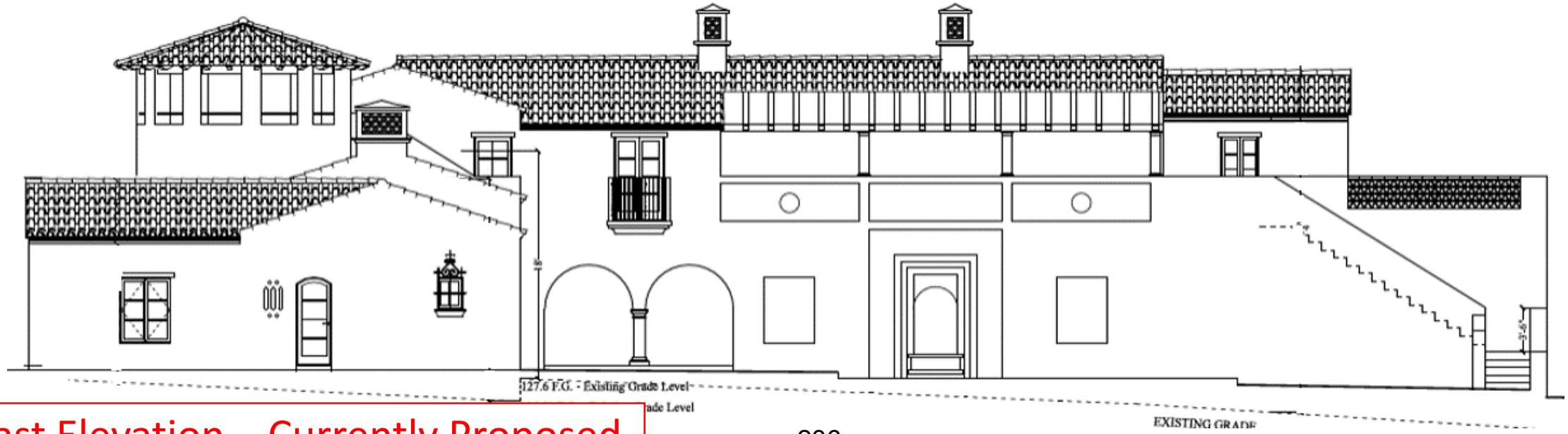
South (Front) Elevation – Previously Proposed



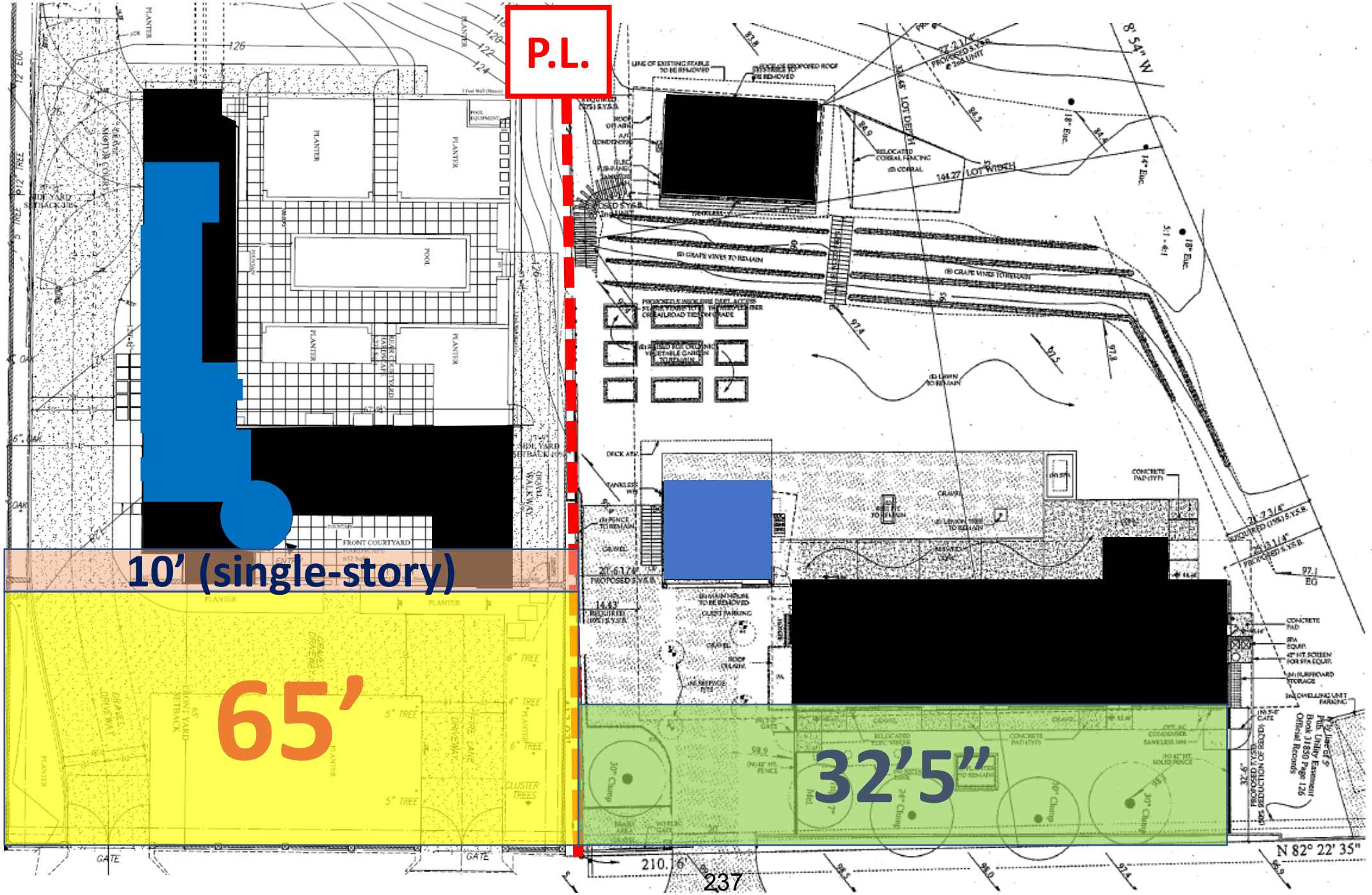
South (Front) Elevation – Currently Proposed



East Elevation – Previously Proposed

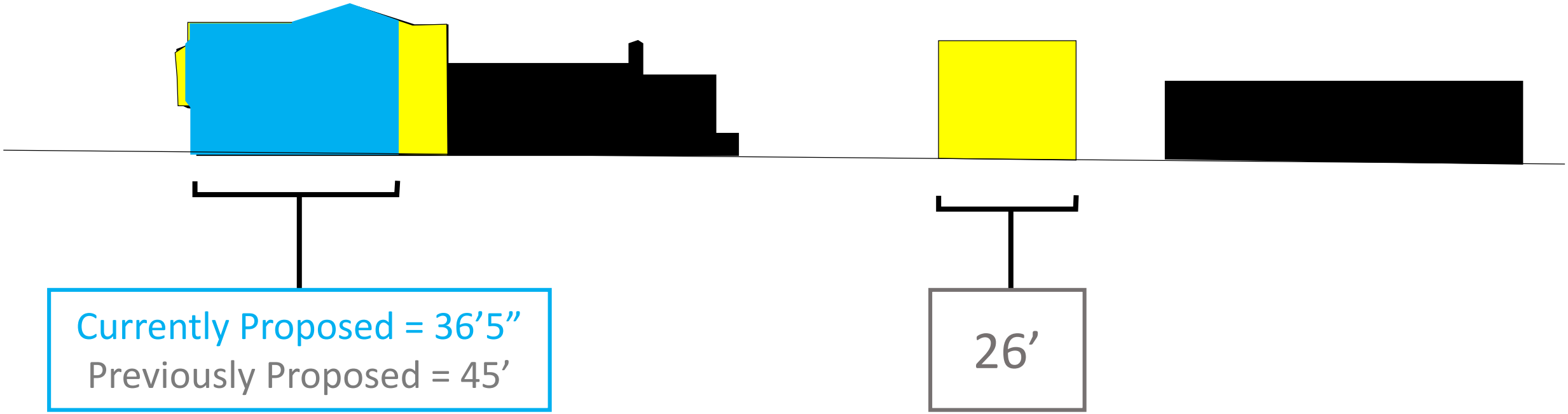


East Elevation – Currently Proposed


P.L.
10’ (single-story)
65’
32’5”
N 82° 22' 35"
210.16'
GATE
GATE
FRONT COURTYARD
POOL
PLANTER
144.27' LOT WIDTH
LOT DEPTH
8° 54" W

View of Subject Property from Grayfox Street

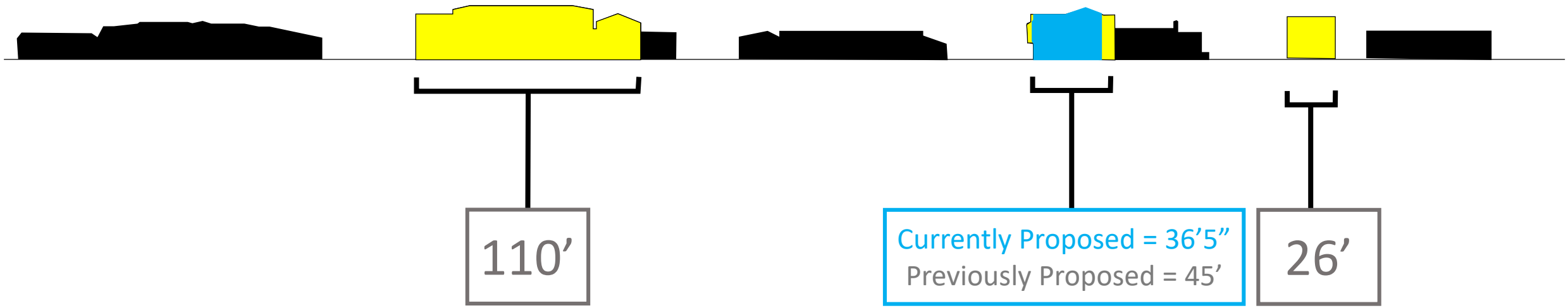
Width of 2nd Story on Grayfox Street



Subject Property

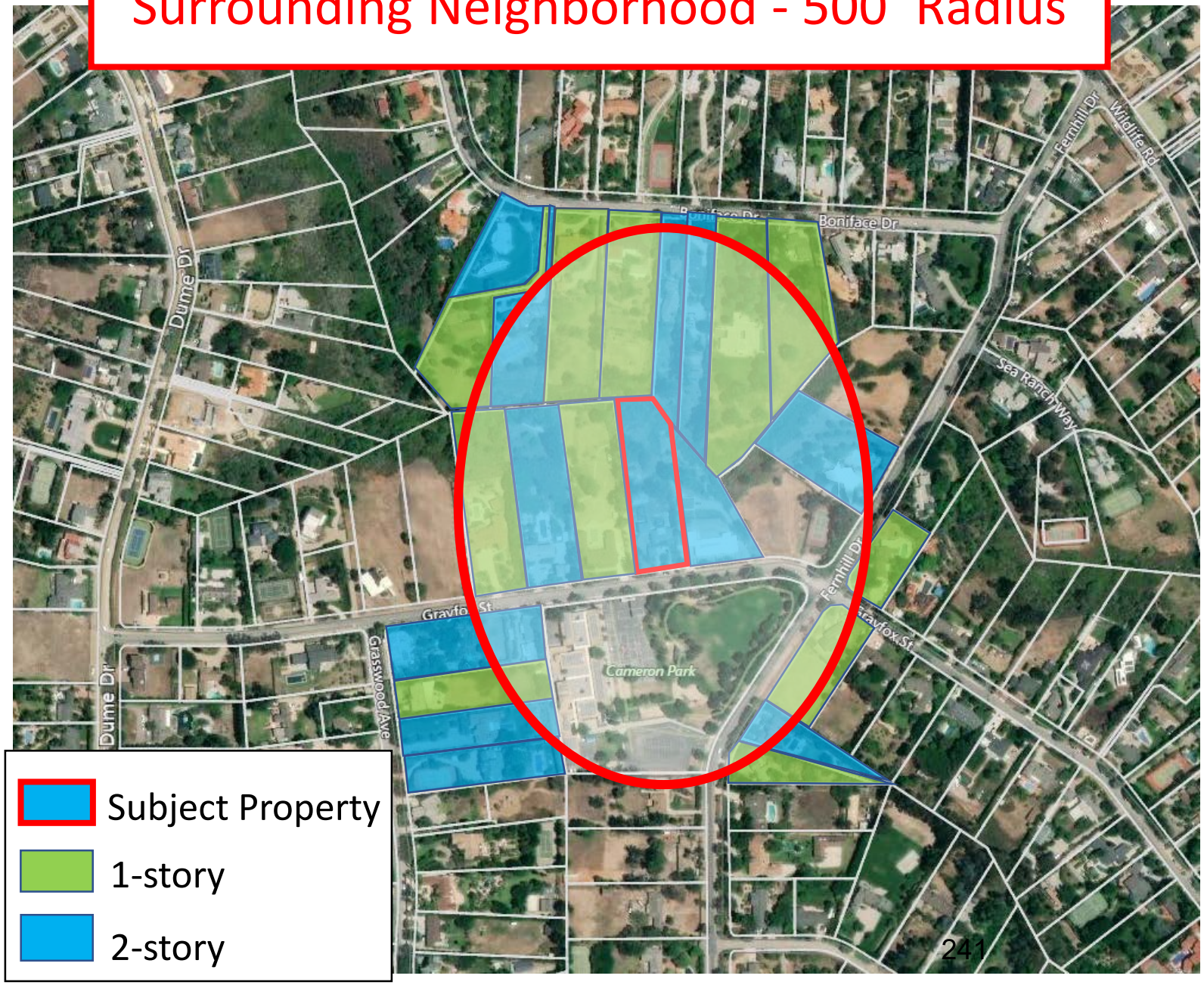
Neighbor’s Property

Width of 2nd Story on Grayfox Street



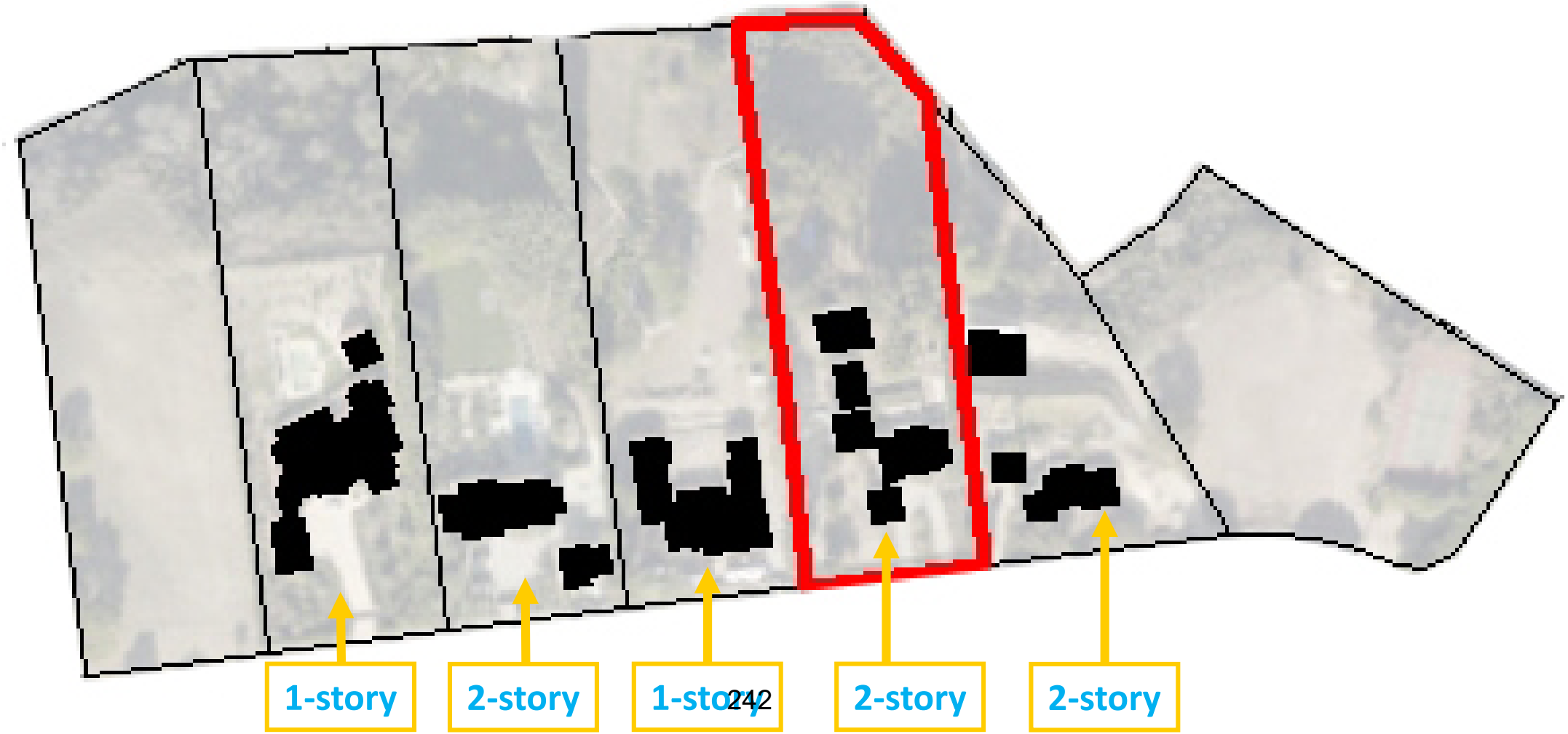
Subject Property *Neighbor’s Property*

Surrounding Neighborhood - 500’ Radius



Property Address	Year Built	No. of Stories	Parcel Size (Sq. Ft.)
29043 Grayfox Street	1950	2	67,220
29033 Grayfox Street	1955	2	44,881
28975 Grayfox Street	1956	1	30,230
29055 Grayfox Street	1957	1	71,688
29075 Grayfox Street	1994	2	72,628
29089 Grayfox Street	2009	1	74,327
6900 Grasswood Avenue	1962	2	65,017
6924 Grasswood Avenue	1962	1	45,408
6934 Grasswood Avenue	2012	2	44,197
6938 Grasswood Avenue	1956	2	45,555
6936 Fernhill Drive	1973	2	27,657
6902 Fernhill Drive	1955	1	45,236
6944 Fernhill Drive	1954	1	25,243
6851 Fernhill Drive	1980	2	66,170
28850 Boniface Drive	1955	1	71,572
28872 Boniface Drive	1985	1	101,458
28904 Boniface Drive	1956	2	47,112
28910 Boniface Drive	1957	2	39,983
28926 Boniface Drive	1955	1	73,267
28936 Boniface Drive	1960	2	76,453
28942 Boniface Drive	1976	2	50,074
28946 Boniface Drive	1972	1	56,768
28950 Boniface Drive	1997	2	40,275
Average	**57% = 2-story**		

No. of Stories on Grayfox Street (the Subject Property Block)



Surrounding Neighborhood - 500’ Radius for two-story residences

Property Address	Building Permits & GIS
29043 Grayfox	881
29033 Grayfox	674
29075 Grayfox	4,290
6900 Grasswood	2,187
6934 Grasswood	2,189
6938 Grasswood	2,815
6936 Fernhill	1,547
6851 Fernhill	1,160
28904 Boniface	1,171
28910 Boniface	1,297
28936 Boniface	605
28942 Boniface	2,695
28950 Boniface	2,434
Neighborhood Average	**1,842**

6934 Grasswood Avenue
6938 Grasswood Avenue

THANK YOU

SCHMITZ & ASSOCIATES INC.

REBUTTAL

SCHMITZ & ASSOCIATES INC.

Opposition Letter from Neighbor at 29055 Grayfox Street

29043 Grayfox (CDP 17-043)

Reika Brooks
Bonnie Blue
Planning Commissioners

My wife, Helene Henderson and I reside at 29033 Grayfox Street on Pt. Dume and we are writing in objection to the proposed new single family residence directly adjacent at 29043 Grayfox Street.

I met earlier with Reika Brooks to review the plans and saw that the developers were maxing
was over 18 f

We were more
massive the p
other, mostly

If not the large
that has been
city.

We object to t
character with
of a neighborh

The turrets an
like the portion
especially all t

My understan
a public hearin
review.

Just to be clea
upsize from a
Point. My wif
Grayfox as we
We worked cl
ensure that ou
recently completed main residence is 3400 square feet and we have a 900 square foot guest house on a lower section of the property.

We worked hard to create a low profile, home that endeavored to blend into the rural environment that makes Pt Dume so special. The proposed home, with it's bulking and mass could be well suited to other more suburban neighborhoods but is very much out of character with the Point.

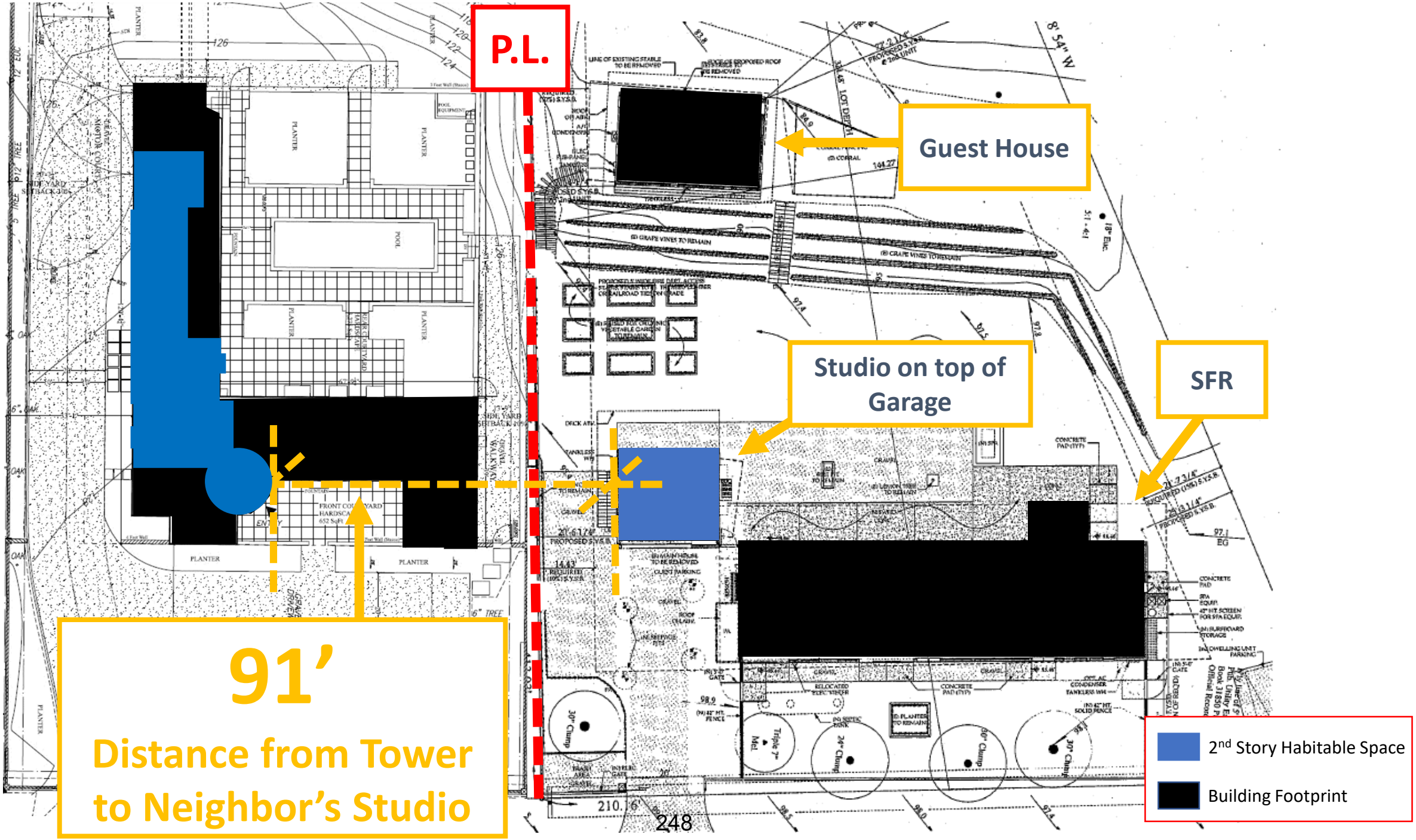
Thanks for your attention to this matter.

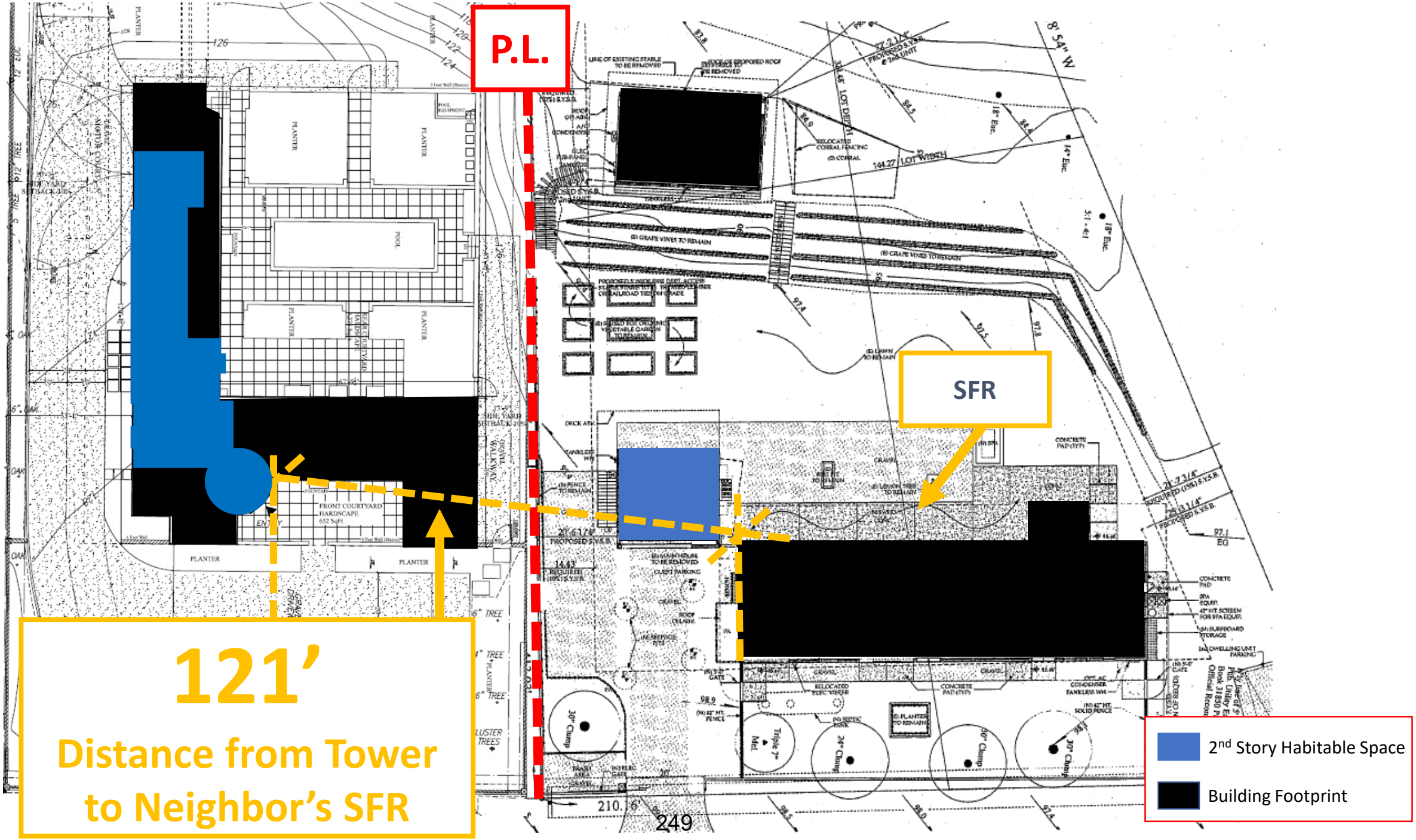
John Stockwell and Helene Henderson

We object to the bulk and massing of the project. It is very much out of character with the neighborhood and is a textbook example of "mansionization" of a neighborhood.

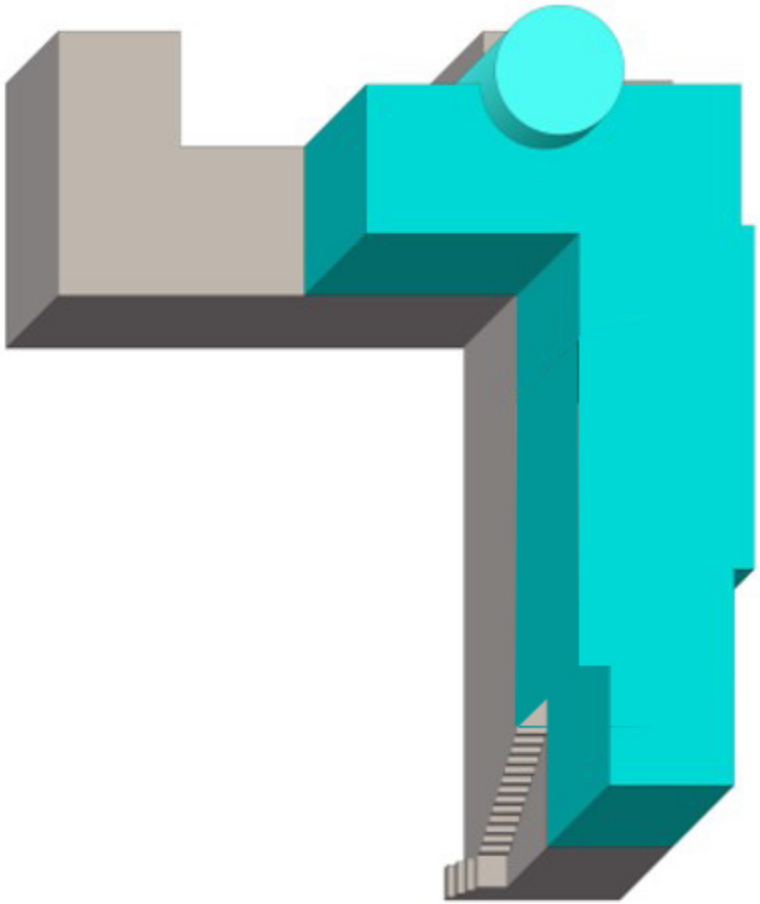
The turrets and viewing room look directly down onto our property. We would like the portion of the development over 18 feet to be reduced significantly - especially all the ornamentation that is over 18 feet.

From Planning Commission Hearing, January 22nd, 2019, Item #4c

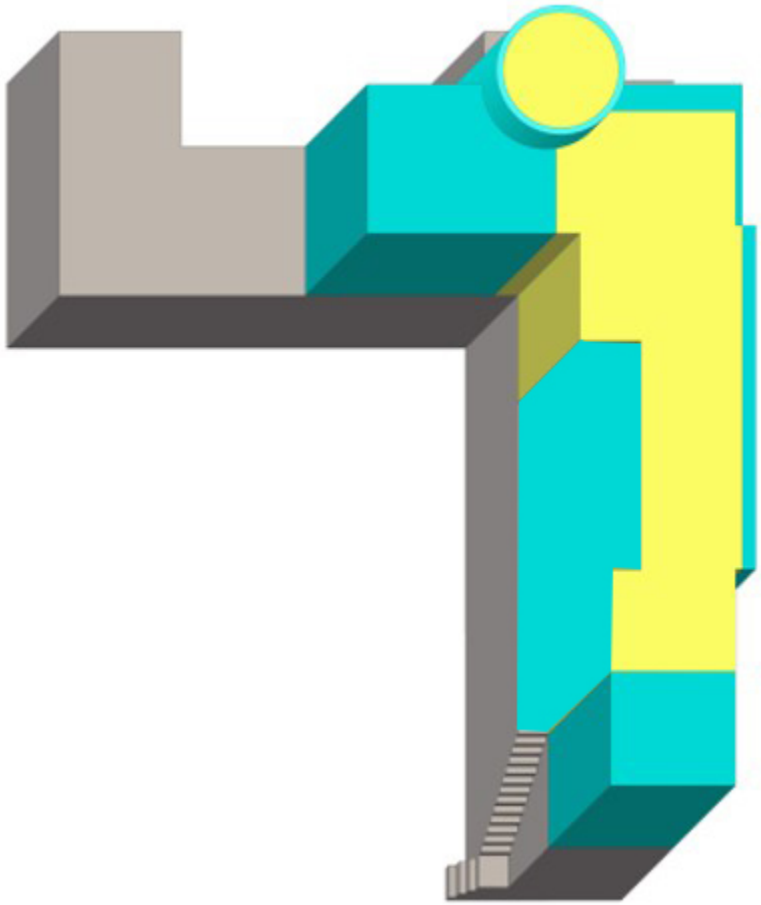

P.L.
Guest House
Studio on top of Garage
SFR
91’
Distance from Tower to Neighbor’s Studio
2nd Story Habitable Space
Building Footprint


P.L.
SFR
121’
Distance from Tower to Neighbor’s SFR
2nd Story Habitable Space
Building Footprint
PLANTER
POOL
FRONT COURTYARD HARDSCAPE
ENTRY
LOT WIDTH
LOT DEPTH
210.16’

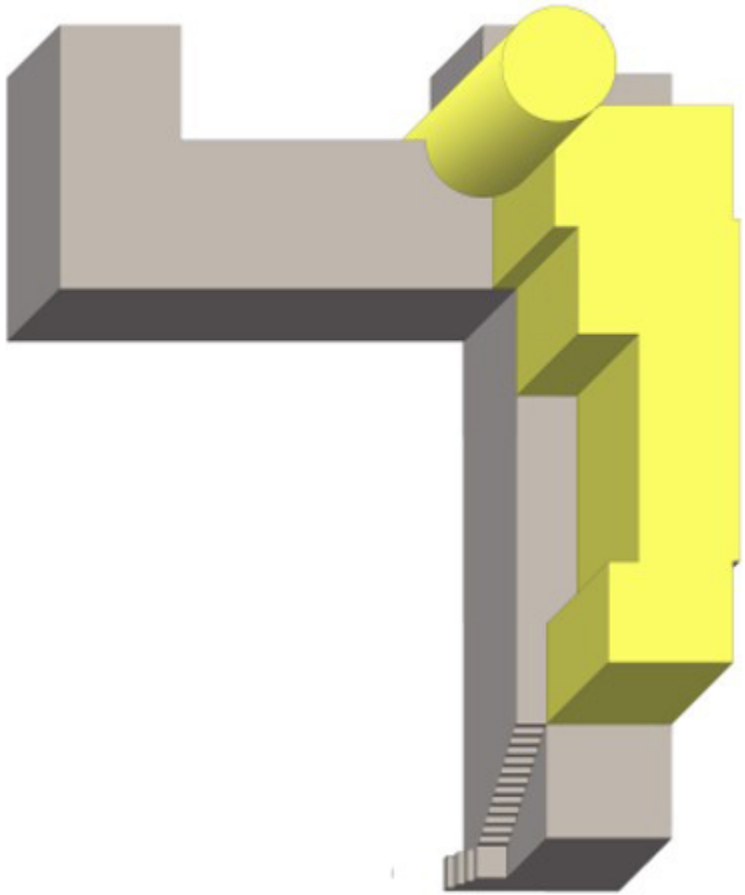
PROPOSED DESIGN LAYOUT



Original Proposed
1st floor = 4,641 sq. ft.
2nd floor = 3,073 sq. ft.



40% Reduction of 2nd Story
1,233 sq. ft.



Currently Proposed
1st floor = 4,556 sq. ft.
2nd floor = 1,840 sq. ft.

Maximum Allowed TDSF on 29043 Grayfox Street (Subject Property)

8,047 square feet

Previously Proposed TDSF for 29043 Grayfox Street (Subject Property)

7,590 square feet

Currently Proposed TDSF for 29043 Grayfox Street (Subject Property)

6,396 square feet

29043 Grayfox Street (Atwill Property)

1-st Floor	3,245.0 SF
Garage	966.0 SF
Loggia	345.0 SF
TOTAL 1-st FLOOR	**4,556.0 SF**
2-nd Floor	1,615.0 SF
(All to be Demolished)	
Allowable Impermeable	19,149 SF
Proposed Impermeable	**8,637 SF**
Maximum Allowable Square Footage	8,047 SF
Proposed Square Footage	**6,396.0 SF**

TDSF

6,396

29033 Grayfox Street (Stockwell Property)

Minor Modification No. 11-009
Demolition Permit No. 12-003
Categorical Exemption No. 12-075
29033 Grayfox Street/ APN: 4466-017-003

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application from Andrew Ferguson of Burdge & Associates, on behalf of property owners John Stockwell and Helena Henderson

Total Development Square Footage (TDSF)

- Main Reside
- Attached ga
- Art studio a
- Covered are
- Detached s

q. ft.
q. ft.
q. ft.
ft.
q. ft.
q. ft. of TDSF

TDSF

7,197

c. wooden
d. a one-st

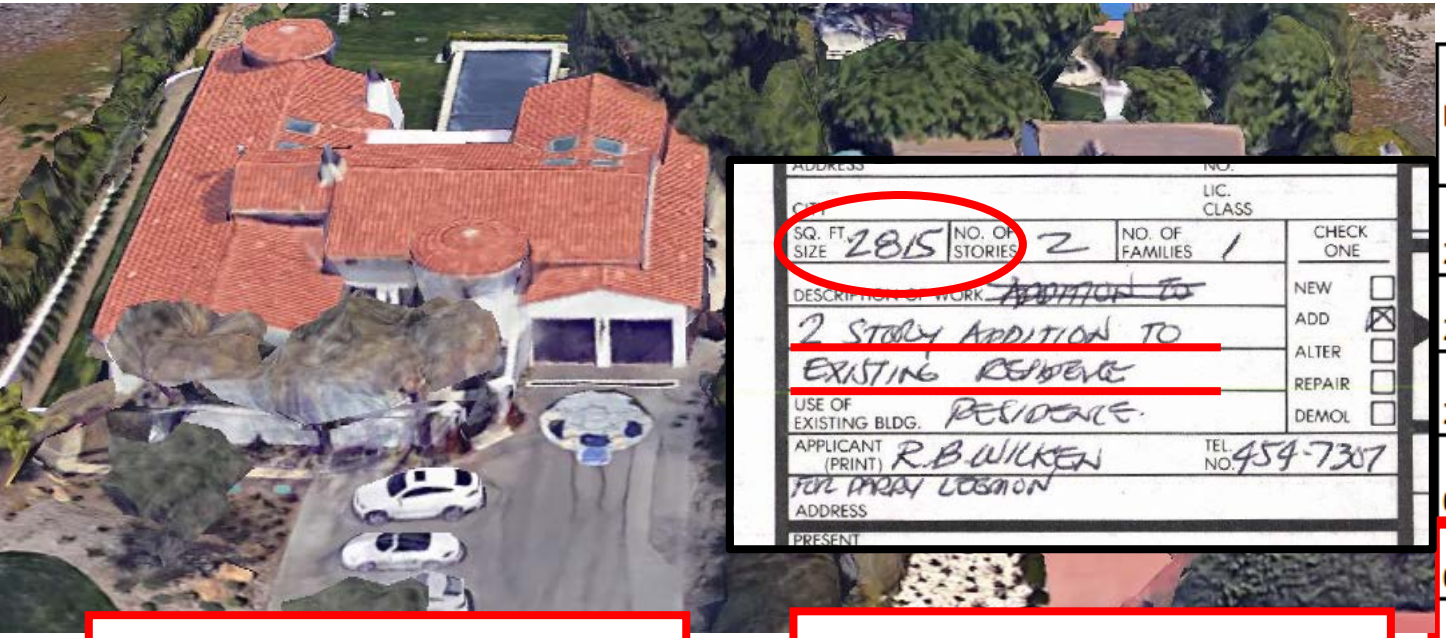
II. Construction

a. one-story, 16 foot tall, 3,400 square foot single-family residence;
b. attached, two-story, 24 foot tall, 1,348 square foot accessory structure consisting of a two-car garage on the first floor and an art studio above;
c. detached, one-story, 900 square foot second unit;
d. 1,549 square foot of covered areas that project more than six feet;
e. spa, outdoor barbeque area, firepit;
f. Hardscape;

Page 1 of 25

Surrounding Neighborhood - 500’ Radius for two-story residences

Property Address	Building Permits & GIS
29043 Grayfox	881
29033 Grayfox	674
29075 Grayfox	4,290
6900 Grasswood	2,187
6934 Grasswood	2,189
6938 Grasswood	2,815
6936 Fernhill	1,547
6851 Fernhill	1,160
28904 Boniface	1,171
28910 Boniface	1,297
28936 Boniface	605
28942 Boniface	2,695
28950 Boniface	2,434
Neighborhood Average	**1,842**



SQ. FT. SIZE 2815 | NO. OF STORIES 2 | NO. OF FAMILIES 1 | LIC. CLASS | CHECK ONE

DESCRIPTION OF WORK: ~~ADDITION TO~~ 2 STORY ADDITION TO EXISTING RESIDENCE

USE OF EXISTING BLDG. RESIDENCE

APPLICANT (PRINT) R.B. WILKEN TEL. NO. 454-7307

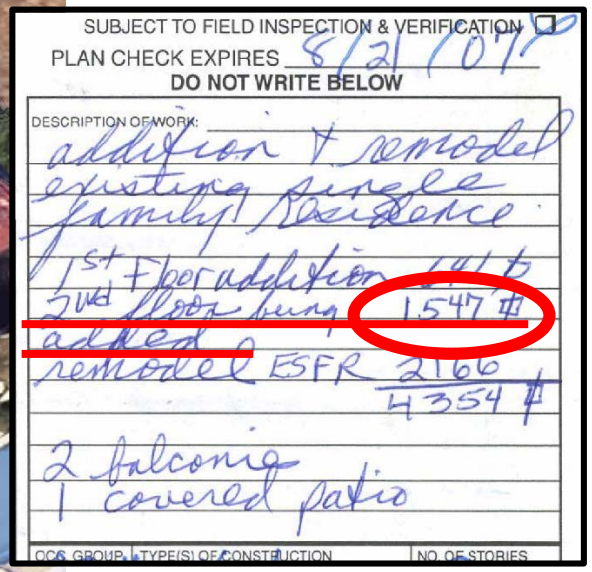
FOR PARTY LOCATION ADDRESS

PRESENT

NEW ☐ ADD ☒ ALTER ☐ REPAIR ☐ DEMOL ☐

6934 Grasswood Avenue

6938 Grasswood Avenue



SUBJECT TO FIELD INSPECTION & VERIFICATION ☐

PLAN CHECK EXPIRES 8/21/07

DO NOT WRITE BELOW

DESCRIPTION OF WORK: addition + remodel existing single family Residence. 1st + 2nd floor addition 1547 # added remodel ESFR 2166 4354 #

2 balconies 1 covered patio

CCS GROUP | TYPE(S) OF CONSTRUCTION | NO. OF STORIES

6936 Fernhill Drive

Property Address	Stockwell Area (sq. ft.)	GISNET Area (sq. ft.) by Schmitz & Associates, Inc.
29043 Grayfox	620	881
29033 Grayfox	674	674
29075 Grayfox	1,896	4,290
6900 Grasswood	1,145	2,187
6934 Grasswood	1,340	2,189
6938 Grasswood	1,520	2,815
6936 Fernhill	1,200	1,547
6851 Fernhill	820	1,160
28904 Boniface	1,026	1,171
28910 Boniface	1,400	1,297
28936 Boniface	1,214	605
28942 Boniface	1,340	2,695
28950 Boniface	1,950	2,434
AVERAGES	**1,242**	**1,842**

CONCLUSIONS

- Project complies with all MMC and LCP Development Standards.
- **3 out of 5** of the neighboring properties on Grayfox Street are 2-story and **13 out of 23** properties in the surrounding neighborhood are 2-story.
- The project's 2nd story has been **revised from 3,034 sq. ft. to 1,840 sq. ft.** after our research documented the neighborhood average is 1,842 sq. ft. for second story.
- The project's 2nd story is **reduced by 40%** (1,233 sq. ft.).
- Mr. Atwill **made multiple modifications** to the project and met with Mr. Stockwell **7 times** in 4 years.

THANK YOU

SCHMITZ & ASSOCIATES INC.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 20-51

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU REFERRING TO THE CITY COUNCIL FOR ACTION THE APPLICATION FOR COASTAL DEVELOPMENT PERMIT NO. 17-043 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT AND THE CONSTRUCTION OF A NEW 5,085 SQUARE FOOT, TWO-STORY SINGLE-FAMILY RESIDENCE PLUS A 966 SQUARE FOOT ATTACHED GARAGE, A 345 SQUARE FOOT COVERED LOGGIA ON THE FIRST FLOOR, A 312 SQUARE FOOT TRELLISED LOGGIA ON THE SECOND FLOOR, SWIMMING POOL, PERIMETER WALLS, LANDSCAPING, HARDSCAPING AND GRADING, AND THE INSTALLATION OF A NEW ONSITE WASTEWATER TREATMENT SYSTEM, INCLUDING DEMOLITION PERMIT NO. 17-013 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT AND SITE PLAN REVIEW NO. 17-014 FOR CONSTRUCTION IN EXCESS OF 18 FEET IN HEIGHT UP TO 28 FEET FOR A PITCHED ROOF LOCATED IN THE RURAL RESIDENTIAL ONE-ACRE ZONING DISTRICT AT 29043 GRAYFOX STREET (ATWILL)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On March 30, 2017, an application for Administrative Coastal Development Permit (ACDP) No. 17-043 was submitted to the Planning Department by applicant, Schmitz and Associates, Inc., on behalf of the property owner, John and Tatiana Atwill. The application was routed to City Biologist, City geotechnical staff, City Public Works Department, and City Environmental Health Administrator, and the Los Angeles County Fire Department (LACFD) for review.

B. On April 6, 2018, Planning Department staff determined the application qualified to be processed administratively pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.13.1.

C. On June 13, 2018, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On June 20, 2018, Planning Department staff conducted a site visit to inspect the installed story poles representing the location, height and bulk of the proposed building.

E. On October 2, 2018, the Planning Director approved ACDP No. 17-043, inclusive of Site Plan Review (SPR) No. 17-014 and Demolition Permit (DP) No. 17-013. The ACDP was reported to the Planning Commission at its October 3, 2018, Adjourned Regular Planning Commission meeting. The Planning Commission voted for the item to be brought back for full public hearing and the application was converted into a full Coastal Development Permit (CDP).

F. On October 11, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

EXHIBIT D

G. On November 5, 2018, the Planning Commission continued the item to the December 3, 2018 Regular Planning Commission meeting.

H. On November 27, 2018, the December 3, 2018 regularly scheduled meeting of the Planning Commission was cancelled due to the Woolsey Fire.

I. On December 20, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

J. On January 10, 2019, the Planning Commission continued the item to the January 22, 2019 regular Planning Commission meeting.

K. On January 22, 2019, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. At the conclusion of the public hearing, the Commission voted 3-2 (Jennings and Uhring dissenting) to direct staff to return with an updated resolution denying the project as it could not make the required findings and the project would adversely affect neighborhood character.

L. On February 19, 2019, the Planning Commission reviewed and adopted Resolution No. 19-03 denying the project.

M. On February 28, 2019, an appeal of the project was timely filed by applicant Schmitz and Associates, Inc.

N. On September 19, 2019, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu for the September 23, 2019 Regular City Council meeting.

O. On September 19, 2019, a Notice of City Council Public Hearing was mailed to all property owners and occupants within a radius of 500 feet from the subject property and all interested parties for the October 14, 2019 Regular City Council meeting.

P. On September 23, 2019, the City Council continued the Public Hearing to the October 14, 2019 Regular City Council meeting.

Q. On September 26, 2019, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu to clarify the intended hearing date of October 14, 2019.

R. On October 14, 2019, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. During its deliberations the Council discussed whether the second floor was larger than other second floors in the area and upon the Council's consideration of a motion to deny the appeal and the project, the applicant offered to redesign. At that time, the Council remanded the application back to the Planning Commission based on the applicant's representation that portions of the project would be redesigned. The Council also suggested the applicant reach out to the concerned neighbor.

S. On February 23, 2020, the applicant submittal revised plans that included a reduction of the size of the second floor.

T. On July 7, 2020, story poles were reinstalled onsite. Staff visited the site and photo-documented the poles.

U. On July 9, 2020, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

V. On August 3, 2020, the Planning Commission held a duly noticed public hearing on the subject application, including the revised plans, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. At the conclusion of the meeting, the Planning Commission directed the applicant to reach out to the neighbor (John Stockwell) suggested by the City Council, and continued the item to the September 8, 2020 Regular Planning Commission meeting.

W. On August 11, 2020, Planning Department staff attended an online Zoom meeting between the applicant, the property owner and Mr. Stockwell to discuss concerns about the configuration of the second floor area. The concerned parties were unable to reach a consensus on the project design.

X. On September 8, 2020, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. Prior to the opening of the public hearing, Chair Mazza recused himself and left the meeting. Vice Chair Marx and Commissioners Jennings, Weil and Uhring participated in the hearing. At the conclusion of deliberations, Commissioner Weil moved to adopt a resolution approving the project, seconded by Commissioner Jennings. The motion resulted in a 2-2 tie and thus failed. Following additional deliberations Commissioner Uhring moved to adopt a resolution denying the project, seconded by Vice Chair Marx. That motion also resulted in a 2-2 tie and thus also failed. The Commissioners continued to deliberate but could not reach agreement on approval or denial of the project. As a result the Commission voted 4-0 to to memorialize its inability to make a decision on the project and to make the following recommendation.

SECTION 2. Planning Commission Recommendation.

After multiple hearings and significant evidence being presented, the Planning Commission was unable to reach a majority decision approving or denying the Project. As a result the Planning Commission hereby refers the matter to the City Council to set the matter for a public hearing and final decision.

SECTION 6. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 8th day of September 2020.

CHRIS MARX, Planning Commission Vice Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeals shall be emailed to psalazar@malibucity.org and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal online, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 20-51 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting held on the 8th day of September 2020 by the following vote:

AYES:	4	Commissioners:	Jennings, Uhring, Weil, Marx
NOES:	0		
ABSTAIN:	0		
ABSENT:	1	Commissioner:	Mazza

KATHLEEN STECKO, Recording Secretary

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 19-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT DOES NOT APPLY TO THE PROJECT, AND DENYING COASTAL DEVELOPMENT PERMIT NO. 17-043 TO CONSTRUCT A NEW 7,715 SQUARE FOOT, TWO-STORY SINGLE-FAMILY RESIDENCE WITH A 966 SQUARE FOOT ATTACHED GARAGE, A 345 SQUARE FOOT LOGGIA ON THE FIRST FLOOR, A 333 SQUARE FOOT LOGGIA ON THE SECOND FLOOR, SWIMMING POOL, POOL EQUIPMENT, PERIMETER WALLS, LANDSCAPING, HARDSCAPING AND GRADING, AND THE INSTALLATION OF A NEW ONSITE WASTEWATER TREATMENT SYSTEM, INCLUDING DEMOLITION PERMIT NO. 17-013 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT AND SITE PLAN REVIEW NO. 17-014 FOR CONSTRUCTION IN EXCESS OF 18 FEET IN HEIGHT UP TO 28 FEET, LOCATED IN THE RURAL RESIDENTIAL-ONE ACRE ZONING DISTRICT 29043 GRAYFOX STREET (ATWILL)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On March 30, 2017, an application for Administrative Coastal Development Permit (ACDP) No. 17-043 was submitted to the Planning Department by applicant, Schmitz and Associates, Inc., on behalf of the property owner, John and Tatiana Atwill. The application was routed to City Biologist, City geotechnical staff, City Public Works Department, and City Environmental Health Administrator, and the Los Angeles County Fire Department (LACFD) for review.

B. On April 6, 2018, Planning Department staff determined the application qualified to be processed administratively pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.13.1.

C. On June 13, 2018, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On June 20, 2018, Planning Department staff conducted a site visit to inspect the installed story poles representing the location, height and bulk of the proposed building.

E. On October 2, 2018, the Planning Director approved ACDP No. 17-043, inclusive of Site Plan Review (SPR) No. 17-014 and Demolition Permit (DP) No. 17-013. The ACDP was reported to the Planning Commission at its October 3, 2018, Adjourned Regular Planning Commission meeting. The Planning Commission voted for the item to be brought back for full public hearing and the application was converted into a regular Coastal Development Permit (CDP).

F. On October 11, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

EXHIBIT E

G. On November 5, 2018, the Planning Commission continued the item to the December 3, 2018 Regular Planning Commission meeting.

H. On November 27, 2018, the December 3, 2018 regularly scheduled meeting of the Planning Commission was cancelled due to the Woolsey Fire.

I. On December 20, 2018, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

J. On January 10, 2019, the Planning Commission continued the item to the January 22, 2019 Regular Planning Commission meeting.

K. On January 22, 2019, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. At the conclusion of the public hearing the Commission directed staff to return with an updated resolution denying the project as it could not make the required findings and the project would adversely affect neighborhood character.

L. On February 19, 2019, the Planning Commission reviewed and adopted Resolution 19-03.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. Pursuant to CEQA Guidelines Section 15270, CEQA does not apply to projects which a public agency rejects or disapproves.

SECTION 3. Coastal Development Permit Findings for Denial.

Based on substantial evidence contained within the record and pursuant to Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Sections 13.7(B) and 13.9, the Planning Commission adopts the findings of fact below and denies CDP No. 17-043, SPR No. 17-014, and DP No. 17-013 to construct a new two-story, single-family residence with an attached garage, swimming pool, associated development, and new onsite wastewater treatment system, including SPR No. 17-014 for construction in excess of 18 feet in height up to 28 feet for a pitched roof, and DP No. 17-013 for the demolition of the existing single-family residence and associated development, located in the Rural Residential-One Acre (RR-1) zoning district at 29043 Grayfox Street.

The project, as proposed, has been determined not to be consistent with all applicable LCP and Malibu Municipal Code (MMC), codes, standards, goals, and policies. The size, bulk and mass of the proposed two-story, single-family residence adversely affects neighborhood character contrary to the requirements of LIP Section 13.27.5 for construction in excess of 18 feet in height. The required findings for denial of the CDP and site plan review request for construction in excess of 18 feet in height are made herein.

A. General Coastal Development Permit (LIP Chapter 13.9)

Finding (A) cannot be made. The project exceeds the 18 foot height limit of LIP Section 3.6(E) without a site plan review, and therefore does not conform to the LCP. As designed, the proposed project does not meet all applicable residential development standards and policies of the LCP.

B. Site Plan Review Findings to Allow for Construction in Excess of 18 feet in Height (LIP Section 13.27.5(A))

Finding (2) cannot be made. A site plan review for height above 18 feet may only be granted when a project does not adversely affect neighborhood character. Based on careful review of the materials and all the information in the record, the location and character of the project, including the size, bulk and height of the proposed residence is significantly larger than, and not compatible with, the existing development in the vicinity, and would adversely affect the rural residential neighborhood character. The project is not consistent with the LCP.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby denies CDP No. 17-043, SPR No. 17-014, and DP No. 17-013.

SECTION 5. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 19th day of February 2019.

STEVE UHRING, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, ext. 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 19-03 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting held on the 19th day of February 2019 by the following vote:

AYES:	5	Commissioners:	Hill, Marx, Mazza, Jennings, Uhring
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		

KATHLEEN STECKO, Recording Secretary

AP 19-002

Received
02/28/19
Planning Dept.

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

COASTAL DEVELOPMENT PERMIT APPEAL SUBMITTAL

Actions Subject to Local Appeal: Pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals), a decision or any portion of the decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person, and any decision of the Planning Commission may be appealed to the City Council by an aggrieved person.

Deadline and Fees: Pursuant to LIP Section 13.20.1, an appeal shall be filed with the City Clerk within 10 days following the date of action for which the appeal is made, as indicated in the decision. If the tenth day falls on a weekend or a City-recognized holiday, the deadline shall extend to the close of business at City Hall on the first business day (whether whole or partial) following the weekend or a City-recognized holiday. Appeals shall be accompanied by the filing fee of $500 as specified by the City Council.

To perfect an appeal, the form must be completed, together with all the necessary attachments, and must be timely received by the City Clerk either in person or by mail addressed to City of Malibu, Attn: City Clerk, 23525 Stuart Ranch Road, Malibu, CA 90265. For more information, contact Patricia Salazar, Senior Administrative Analyst, at (310) 456-2489, extension 245.

Part I. Project Information

1. What is the file number of the Coastal Development Permit you are appealing?
   CDP17-043

2. On what date was the decision made which you are appealing?
   February 19th, 2019

3. Who made the decision you are appealing?

   ☐ Planning Director ■ Planning Commission

4. What is the address of the project site at issue?
   29043 Grayfox Street, Malibu, CA 90265

Part II. Appeal Summary

1. Indicate your interest in the decision by checking the appropriate box.

   ■ I am the Applicant for the project

   ☐ I am the neighbor

   ☐ Other (describe)_____

Recycled Paper

EXHIBIT F

2. If you are not the applicant, please indicant the applicant's name:

_____

3. Indicate the nature of your appeal.

   a) Are you appealing the ☐ approval or ■ the denial of the application or ☐ a condition of approval?

   b) Each approval is accompanied by a list of specific conditions. If you are appealing one or more of the conditions of approval, list the condition number and state the grounds for your appeal. (Attach extra sheets if necessary.)

   (see attached)

4. Check the appropriate box(es) to indicate which of the following reasons forms the basis of your appeal:

   ☑ The findings or conditions are not supported by the evidence, or the decision is not supported by the findings: or

   ☑ There was a lack of fair or impartial hearing: or

   ☑ The decision was contrary to law.

   You must next provide a specific statement in support of each of the bases for appeal that you have checked above. Appeals that are stated in generalities, legal or otherwise, are not adequate. (Attach extra sheets if necessary.)

   (see attached)

   Each coastal development permitting decision made by the Planning Director or the Planning Commission is accompanied by written findings. The written findings set forth the basis for the decision. If you have checked the first box in this section as a ground for your appeal, you must indicate the specific finding(s) you disagree with and give specific reasons why you believe the finding(s) is/are not supported by the evidence or why the decision is not supported by the findings. Appeals stated in generalities, legal or otherwise, are not adequate. (Attach extra sheets if necessary.)

   (see attached)

Recycled Paper

Part III. Appeal Checklist

ALL of the following must be timely filed to perfect an appeal.

1. ☐ Completed Appeal Checklist (This form with appellant's signature)

2. ☐ Appeal Fee $500

   The appeal fee must be submitted in the form of a check or money order made payable to the City of Malibu. Cash will not be accepted.

3. ☐ Certified Public Notice Property Owner and Occupant Addresses and Radius Map

   Public Notice of an appeal must conform to the manner in which the original notice was given.

   - The addresses of the property owners and occupants within the mailing radius shall be provided on a compact disc in a Microsoft Excel spreadsheet. The spreadsheet shall have the following column headers in row one: 1) name, 2) address, 3) city, state & zip code, and 4) parcel (for APN). The owners should be listed first followed by the occupants. The project applicant's mailing address should be added at the end of the list.
   - An additional column for "arbitrary number" may be included if the supplied radius map utilizes such numbers for the purpose of correlating the addressee to their map location.
   - Printouts of the excel spreadsheet and radius map, certified by the preparer as being accurate, must be provided.
   - The radius map (8½" x 11") shall show a 500 foot radius* from the subject property and must show a minimum of 10 developed properties. A digital copy of the map shall be submitted on the same cd as the mailing addresses.

   *Properties zoned RR-10, RR-20, or RR-40 require a 1,000-foot radius notification.
   **Note that updated mailing labels may be requested by the project planner prior to deeming the application complete.

Recycled Paper

Part IV. Signature and Appellant Information

I hereby certify that the appeal submittal contains all of the above items. I understand that if any of the items are missing or otherwise deficient, the appeal is ineffective and the filing fee may be returned. IN ORDER TO PERFECT AN APPEAL, ALL APPEAL SUBMITTALS MUST BE COMPLETE BY THE DEADLINE. NO EXTENSIONS WILL BE ALLOWED FOR APPELLANTS WHO ONLY PARTIALLY COMPLY WITH THESE REQUIREMENTS AS OF THE DEADLINE. IF AN APPEAL IS NOT PERFECTED BY THE DEADLINE, THE DECISION BECOMES FINAL.

Chris Deleau / Schmitz + Assoc, Inc.
PRINT APPELLANT'S NAME

310-709-8103
TELEPHONE NUMBER

APPELLANT'S SIGNATURE

2-28-19
DATE

Appellant's mailing address: 28118 Agoura rd Ste 103 Agoura Hills, CA 91301

Appellant's email address: Chrisdeleau1127@gmail.com.

OFFICE USE ONLY

Action Appealed: PC Reso. 19-03 2/19/19 Denial of CDP 17-043

Appeal Period: 02-20-19 through 03-01-19

Date Appeal Form and required documents submitted: 02-28-19 Received by: Kathleen Stecko

Appeal Completion Date: 02-28-19 by: Kathleen Stecko, Senior Office Assistant
(Name, Title)

Received
02/28/19
Planning Dept.

February 27, 2019

City of Malibu
Planning Department
Attn: Bonnie Blue, AICP, Planning Director &
Raneika Brooks, Associate Planner
23825 Stuart Ranch Rd.
Malibu, CA 90265

RE: Appeal of Planning Commission Resolution of Denial No. 19-03; A Resolution Denying Coastal Development Permit (CDP) No. 17-043

Dear Mayor Mullen and Honorable City Council Members:

Our office represents John and Tatiana Atwill, the owners of the property that is the subject of this appeal. We offer the following comments and arguments in support of our client's appeal.

On January 22, 2019 the Planning Commission heard our CDP Application and resolved to deny the application on the basis that the project would have an "Adverse" impact upon neighborhood character. The Commission's denial of our project occurred prior to the Council's decision on the Selfridge project and prior to the Council's subsequent "policy" clarification; wherein, the Council publicly acknowledged that the City's practice ***should be to apply existing law (TDSF)*** and existing practice to evaluate the size, bulk, height and massing of the "second story" component of site plan review (not to evaluate "mansionization" or overall "TDSF/size" concerns).

The Commission's denial was based upon the premise that the house was "just too big." This is not a legitimate basis for denial of our client's application, as has been reiterated in several of our recent appeals. In this respect, the Commission's actions were not consistent with law or the Council's recent direction on such matters. Moreover, the City's Planning Manager had previously made findings, supported by substantial evidence in the record, that most of the neighborhood was two story and that the house ***was consistent*** with the size, bulk, massing and height of surrounding residences. These are facts, facts that support approval of our project.

Appeal Item 1. Neighborhood Character Finding

- **A. The Planning Commission Applied an Improper Standard, Inconsistent with Current Codes, Policies, Past Practices and the General Plan, in Determining that there was an Adverse Impact to Neighborhood Character.**

  Section 3.6K of the Malibu Local Implementation Plan (LIP) provides a formula for determining the appropriate allowable "Total Development Square Footage" (TDSF) for a Property. This formula is based upon the size of the applicant's Lot area. The larger the lot, the larger the allowable total development square footage. Our Client's lot is one of the largest lots in the neighborhood, totaling 1.54 acres (67,220 sq. ft. sq. ft.). It follows that their investment-backed expectations would be materially greater than that of their neighbors with smaller lots and that the ultimate size of the home built thereon would be greater. The TDSF formula was adopted as part of the City's Zoning Ordinance in 1994 and was later codified in 2002 when the Coastal

Commission adopted the City's Local Coastal Program, the LIP component of which implements the policies of the Program **(as well as the General Plan).** Since 1994, the City has applied this formula on EVERY project that has come before the Commission and Council *until recently*.

Certain members of the Planning Commission as of late have applied a new formula that would, in effect, replace and supersede Section 3.6K of the LIP and its MMC counterpart 17.40.040(A)(13) and completely undermine the investment backed expectations of all property owners in the City. The Commission's new "test" or "Formula" requires the applicant and the City to utilize the "Neighborhood Standards" provision of the Code codified at 17.40.040(A)(16) and LIP Section 3.6(L), ***IN REVERSE***, to deny a project that is larger than the average of all surrounding developed lots within 500' of the applicant's property. The "Neighborhood Standards" provision, by its own terms and plain language, *only applies to application requests for "Increases" in Total Development Square footage*, Height and Development Area as well as decreased yard setbacks. This section is intended to provide applicants with *relief* from unique hardships and to provide parity in treatment for applicants with difficult lots and hardships, similar to a variance. Nothing in this section states or implies that it is intended to be applied to "*restrict*" or otherwise frustrate the development rights afforded to applicants.

Application of the Commission's new "test" is without basis in code and is completely inconsistent with the plain language and intent of Section 3.6K in that it creates a completely new "formula" to replace the formula provided in Section 3.6K of the LIP. This new test provides a ceiling or new maximum TDSF that does not consider the size of the applicant's lot relative to its neighbors lots as is provided for in section 3.6K.

The City's past practice in evaluating whether a proposed Site Plan Review application may adversely affect neighborhood character is as follows: 1. Evaluate the *nature of the Site Plan Review*. E.g., SPR for height increase over 18', yard setback reduction, etc.; 2. The next step is to assess whether the scope of development proposed for Site Plan Review (e.g., height increase in the instant case) might adversely impact neighborhood character. In making the "adverse impact" assessment, the City has historically looked at the size, bulk and massing of the area over 18' in height, including its proximity to neighbor's viewing areas, and compared that "portion" of the structure (over 18' in height) to nearby surrounding residences to determine if *that portion of the project* might have an adverse impact on neighborhood character. This is logical since the "neighborhood character" finding applies only to site plan reviews and the purpose of the site plan review is to assess whether *that aspect of the project* [requiring the SPR] is consistent with the neighborhood.

For our Client's application the Commission did not consider the bulk, massing or visibility of the proposed residence as viewed from the street or adjacent residences in accordance with established practice and policy; rather, the Commission opted instead to simply "average" the total development square footage of all developed lots within 500' of the appellants property. In so doing, the Commission determined that the proposed residence, being larger than the average of these surrounding homes, ipso facto, had an adverse impact upon neighborhood character. This finding was made arbitrarily and capriciously, without basis in law or policy and runs contrary to all past actions of the City Planning Commission and Council. In applying this new test, the Commission has violated our client's Equal Protection rights and treated them disparately without legal justification. As noted, the Commission did not follow the City's past practice of assessing the impact of the Site Plan review aspect of the

project, instead, the Commission has opted simply to cap the maximum allowable square footage of our client's proposed residence based upon the average size of all homes in the neighborhood. This approach is, again, completely arbitrary and patently inconsistent with the current code, adopted Council policies and past practice.

B. Application of the "Modified Neighborhood Standards Approach" to Our Client's Application Violates the City's Local Coastal Program, the Municipal Code, and Violates Our Client's Right to Due Process of Law and Equal Protection Under the Law

This new "test" was applied to our client's application without passing new legislation in the form of a Local Coastal Program Amendment (LCPA) or Zone Text Amendment (ZTA). Accordingly, its application to our client's project violates our client's due process rights. Prior to its application, the City must process an LCPA/ ZTA to provide the requisite notice and opportunity to be heard required by the MMC, LCP, California Coastal Act, and the Constitution, to all land owners in the City. Additionally, the City Council has recently discussed this "Test" and the Council and City Attorney have acknowledged publicly that application of such a test would likely require legislative review and action before it could be applied to development applications. The Commission's decision runs completely afoul of this and fails to heed the Council and the City attorney's warnings that the new "test" would likely require a Zone Text Amendment and Local Coastal Program Amendment, which the Council has now initiated (pending). Additionally, it is the City Council's sole prerogative, as the legislative body for the City, to adopt new law or policy. As the Council has not adopted this either as law or policy, the Commission's adoption and use of this "test", "Policy" or what have you, is beyond their authority as a quasi-judicial body. Their sole function and power is to evaluate the facts of an existing application under the existing law and policies adopted *by the Council*. Their actions to deny our client's project, based upon this new *neighborhood standards "test"* is contrary to current law and policy. This is the very first project that the City has denied on the basis that the home is not consistent with the "Neighborhood Standards" provisions of the code.

Conclusion: There is Substantial Evidence in the Record that the Project Will Not have an Adverse Impact Upon Neighborhood Character

SPR No. 17-014 has been requested to allow portions of the proposed home to exceed 18' in height up to a maximum of 28' in height with a pitched roof. The property is in a developed residential neighborhood (infill) and surrounding development consists of one and two-story single-family residences, with accessory development. The great majority of the existing homes surrounding the project on Grayfox are two stories and taller than 18' in height. Additionally, most of the residences along Grayfox St., are sited very close to the street with legal non-conforming front yard setbacks.

The applicant's project however, has been properly set back 65' from the street to minimize the perceived size and bulk of the home and decrease visibility. The residence is designed in an "L" shaped formation with most of the massing of the residence trending from South to North, thereby further minimizing the visibility of a large portion of the residence when viewed from Grayfox St. which trends East to West.

The Planning Commission's decision to deny the project was based entirely on the residence's TDSF being materially larger than the neighborhood average. This is a misapplication of law and does not "substantial evidence" in the record.

In conclusion, the project as designed is consistent with all development standards in the LCP and the MMC and based upon site visits and story pole inspections conducted by staff, evaluation of the project plans, and substantial evidence in the record, the Council should find that the project is consistent with and will not have an adverse impact upon neighborhood character.

Thank you for your consideration of our appeal request. Please do not hesitate to contact us with any questions that you might have.

Best Regards,

Christopher M. Deleau, JD, AICP
Special Projects Manager **I Schmitz & Associates, Inc.**
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*****Please note our NEW Address as of Dec. 23, 2016******
28118 Agoura Rd., Ste. 103
Agoura Hills, CA 91301

Kathleen Stecko

Received
2/28/19
Planning Dept.

From: Chris Deleau <cdeleau@schmitzandassociates.net>
Sent: Thursday, February 28, 2019 2:13 PM
To: Kathleen Stecko; Patricia Salazar
Cc: Bonnie Blue; Raneika Brooks; Arfakhashad Munaim
Subject: 29043 Grayfox Appeal: Additional Material to be included in Administrative Record on Appeal

Importance: High

Kathleen, thank you for taking the time to take in our client's appeal this morning.

We would like to include, as part of our CDP Appeal for the above-referenced property, the below news article acknowledging the arbitrary and unlawful manner in which the Commission acted on our client's application and many others like it. We ask that this article be included in the Administrative Record for our appeal. Many thanks.

http://www.malibutimes.com/news/article_287dbc44-3a61-11e9-94bd-d76096cd7edf.html#utm_source=malibutimes.com&utm_campaign=%2Fnewsletters%2Fheadlines%2F%3F-dc%3D1551367813&utm_medium=email&utm_content=headline

Planning Commission Under Fire Over Arbitrary Permit Denials

New rules limiting house size will aim to put development standards back under the purview of city council.

By Emily Sawicki / Managing Editor

Feb 27, 2019 Updated 54 min ago

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As early as this summer, new limitations could spell out exactly how big is too big for a new home built in Malibu—with the hope of putting an end to years of frustration over seemingly arbitrary, and often costly, planning commission permit denials.

Under new rules, the maximum allowable square feet for a new home would be 8,500; that size would only be allowed for homes in neighborhoods where the average home size was 8,500 square feet or larger. The maximum size for the majority of homes in Malibu would be kept to 75% of that or less, with allowances decreasing for smaller lot sizes. Currently, the maximum square footage for homes is determined based on lot size, with larger homes allowed on larger lots. The ratio of lot size to maximum square footage would remain the same.

This new maximum would only apply to new permits; projects with complete applications already "in the pipeline" would be grandfathered in to the old maximums.

The change represents a firm cap on the size of new houses, in an attempt to curb "mansionization" in Malibu neighborhoods—but it is far from a new statute.

For years, the Malibu Planning Commission has been arbitrarily denying permits on houses they deem to be too large to fit with the surrounding neighborhood, which has cost Malibu property owners money and Malibu city staffers valuable time, according to Planning Director Bonnie Blue.

"The planning commission has continued to debate extensively how to approach the neighborhood character finding. This is a required finding that the project does not adversely affect neighborhood character and it must be made in order to grant a site plan review (SPR) or minor modification," Blue explained toward the top of the Monday, Feb. 25, city council hearing. "Several projects with SPRs and minor mods have been denied because the planning commission has found the project with a maximum TDSF [total development square footage] to adversely affect neighborhood character. The difficulty here is that when applicants find out from the planning commission that their house may be too large to get an approval, this is very late in the planning review process. Many property owners will have been working on their projects for years, only to find out they need a redesign to get an approval."

According to longtime planning commissioner John Mazza, the issue was a "crisis" that the planning commission should be consulted on to fix—but other voices, on council and among stakeholders, argued that the commission was doing more harm than good.

Council Member Mikke Pierson, himself a former planning commissioner, was in support of the new limits. "We need clear definition," Pierson said. "I also agree; it's absolutely unfair to go through the process and have no idea how it'll end."

"You can't go and enforce a law that hasn't been passed yet," Council Member Skylar Peak said, adding, "I very much hear from many people in the community that they're frustrated with that."

Mayor Pro Tem Karen Farrer had even stronger words for the commission—expressing frustration that the change may not be enough to stop planning commissioners from imposing their own personal standards.

"If we don't have a commitment from the planning commission to respect the code, then no matter what the codes are, we're going to have a problem. So that's what we need, in my opinion," Farrer said later in the meeting. "We need to have a commitment from the planning commission that projects with no variances will not be held up for a year—that they will go forward.

"We cannot arbitrarily decide a house is too big when it conforms in every way," she later added.

Local Realtor Paul Grisanti put it another way: "John [Mazza] said we have a dysfunctional planning commission, and I think that if you watch any of the planning commission meetings you can see why there's a dysfunction there. It's time for some new blood on the planning commission."

Council voted, 4-1, in favor of the new standards. Farrer represented the sole dissenting vote.

Editor's note: A previous version of this story provided an incorrect description of proposed new maximum TDSF—the story has been updated to clarify that 8,500 square feet is the new absolute maximum square footage for residential development. Language in the story has also been updated to clarify what "in the pipeline" means.

Christopher M. Deleau, JD, AICP
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City Of Malibu
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Phone (310) 456-2489
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PLANNING DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu City Council will hold a public hearing on **MONDAY, January 25, 2021, at 6:30 p.m.,** on the project identified below via teleconference only in order to reduce the risk of spreading COVID-19, pursuant to the Governor's Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer's Safer at Home Order.

COASTAL DEVELOPMENT PERMIT NO. 17-043, SITE PLAN REVIEW NO. 17-014, AND DEMOLITION PERMIT NO. 17-013 - An application for the demolition of an existing single-family residence and associated development, construction of a new single-family residence, swimming pool, installation of a new onsite wastewater treatment system, grading, hardscaping, and landscaping, to allow for construction above 18 feet, not to exceed 28 feet in height for a pitched roof. This application was previously appealed to the City Council and remanded back to the Planning Commission for reconsideration of a revised project design, however, at the September 8, 2020 Planning Commission meeting, the Planning Commission was unable to reach a decision and therefore this item must be heard by the City Council.

LOCATION / APN / ZONING:	**29043 Grayfox Street** / 4466-017-002 / Rural Residential-One Acre (RR-1)
APPLICANT / APPELLANT:	Schmitz and Associates, Inc.
OWNERS:	John and Tatiana Atwill
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15301(l) and 15303(a) & (e)
APPLICATION FILED:	March 30, 2017
APPEAL FILED:	February 28, 2019
CASE PLANNER:	Raneika Brooks, Associate Planner, rbrooks@malibucity.org (310) 456-2489, ext. 276

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center www.malibucity.org/agendacenter. Related documents are available for review by contacting the Case Planner during regular business hours. You will have an opportunity to testify at the public hearing; written comments, which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing.

Please visit www.malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

RICHARD MOLLICA, Acting Planning Director Date: December 31, 2020

EXHIBIT G