



City of Malibu

Planning Verification for Disaster Rebuild Submittal Packet (In-Kind Replacement)

Dear Malibu Resident,

The Planning Verification application is designed to expedite in-kind replacement for a disaster rebuild. Please note the following information:

- Your submittal will need to include information regarding the destroyed or damaged structure(s), including details about the size and location of the home. Staff understands that there may not be a complete permit history of the property, however, additional supporting documentation such as aerial photographs, tax assessor records, previously issued coastal development permits, etc. may be submitted to best verify the damaged or destroyed structure(s).
- Please obtain certification of the property's onsite wastewater treatment system (septic system) to demonstrate its function. Additionally, should you intend to make changes to your bathrooms or the number of bedrooms, please consult with the Environmental Health Administrator prior to submittal. For questions, please contact the Environmental Health Division or visit them during <https://malibucity.org/309/Environmental-Health-Wastewater-Management>.
- Planning Verification Applications may be submitted any time during planning counter hours.
Counter Hours: Check the [Planning Department's website](#) for counter hours.

We're here to help! Questions about Planning Verification submittal requirements or conditions of approval? Please contact the Planning Department at PalisadesFire@malibucity.org or 310-456-2489 ext. 485. For additional information regarding recovery updates, please visit: MalibuCity.org/PalisadesFire.

Thank you,

The Planning Department

Staff Only – General Project Information

Date: _____ PV No.: _____

Extent of Damage: Destroyed Damaged Landscape Only

Address / Location: _____

Project Description:

Fee: PV: _____

*CREDIT CARD: 2.9% Transaction Fee will apply
2.9% + \$0.30 (for online transactions)

Code Enforcement Review

Review required / No fee Review required / Fee required: _____ hours = \$ _____

Code Enforcement Officer Signature: _____ Date: _____

SUBMITTAL REQUIREMENTS

- 1. Submittal Checklist (pages 1-4)
(This form completed, with owner or applicant signature)
- 2. Application Fee(s) (page 1)
- 3. Proof of Ownership
(Grant deed for parcel(s); title report if parcel is vacant)
- 4. Documentation to verify previously existing structure(s)
(Including but not limited to: previously issued coastal development permits, building permits, approved plans, tax assessor information, and aerial photographs)
- 5. Sets of Plans
(See project plan requirements)

GENERAL INFORMATION

Property Owner Name: _____

Property Owner Address: _____

Property Owner Phone No.: _____ Email: _____

Applicant Name: _____

Applicant Address: _____

Applicant Phone No. _____ Email: _____

INDEMNIFICATION CLAUSE

Sign Here!

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.

PROPERTY OWNER SIGNATURE

PROPERTY OWNER NAME (PRINT)

DATE

APPLICANT/CONTRACTOR ACKNOWLEDGEMENT

Sign Here!

I certify that I am presently the legal owner of the above-described property. Further, I acknowledge the filing of this application and certify that all of the information on the application is true and correct. I grant permission to the City to conduct site visits necessary to investigate the proposed project. (If the undersigned is different from the legal property owner, then a letter of authorization must accompany this form.) A licensed contractor is authorized to submit an over-the-counter application and obtain permits on behalf of the property owner. I acknowledge that the City strongly encourages me to immediately calendar the expiration date of this permit, that it is my responsibility to monitor its status and that the City has no ability to provide relief after a permit has expired.

PROPERTY OWNER SIGNATURE

PROPERTY OWNER NAME (PRINT)

DATE

APPLICANT/CONTACT SIGNATURE

APPLICANT/CONTACT NAME (PRINT)

DATE

PROJECT PLAN REQUIREMENTS

Item #	Description	Required	Submitted
5.	Project Plans	<input type="checkbox"/>	<input type="checkbox"/>
	a. Cover Sheet	<input type="checkbox"/>	<input type="checkbox"/>
	b. Site Plan	<input type="checkbox"/>	<input type="checkbox"/>
	c. Architectural Plans	<input type="checkbox"/>	<input type="checkbox"/>
	d. Demolition Plan	<input type="checkbox"/>	<input type="checkbox"/>

❖ **Digital** set dimensioned to $\frac{1}{4}" = 1'$ or $\frac{1}{2}" = 1'$ scale

5. Project Plans

5.A. Cover Sheet

Must include:

- Project address, Assessor's Parcel Number (APN), Malibu Municipal Code (MMC) Zoning Designation, General Plan Land Use Designation, property owner name, applicant name, North arrow, scale of drawing (e.g. $\frac{1}{2}" = 1'$);
- Gross and Net lot area (see separate handout for description);
- Required and proposed setbacks;
- Proposed and existing Total Development Square Footage (TDSF);
- Proposed and existing unenclosed covered areas (e.g., terraces, balconies and loggias that project more than 6 feet from the building face);
- Proposed and existing impermeable coverage;
- Detailed project description (include any green or sustainable features); and
- Two-thirds calculation (refer to MMC Section 17.40.040(A)(13)(b))

5.B. Site Plan

Must include:

- Project address, APN, property owner name, North arrow, scale of drawing (e.g. $\frac{1}{2}" = 1'$)
- All proposed structures, including fences and walls;
- Required setbacks and lot dimensions;
- ESHA and ESHA buffer boundary(ies) (as applicable);
- Location of OWTS; existing and proposed (as applicable);
- Location of ground mounted equipment;
- Fire Department accessways, including driveway, turnaround and a five foot clearance around the structure(s);
- Sustainable building elements (e.g., solar panels, wind turbines, rain capturing devices, etc.);
- Easements and any offers to dedicate; and
- Bluff-top lots, include required bluff setbacks.

5.C. Architectural Plans

Floor Plans(s), Dimensioned Elevations and Sections – the existing and finished grade lines shall be shown; Roof Plan overlaid on topography – with roof slope indicated and equipment depicted; scale: $\frac{1}{2}" = 1'$ is preferred, provided it is legible

Fine grading and drainage plan (if applicable) showing the final grade elevation(s) adjacent to proposed structure(s) and the location and type of conveyance(s) to an approved drainage device.

5.D. Demolition Plan

Clearly show and label the existing (E) and proposed new (N) exterior walls, doors and large windows. Highlight those sections to be removed and/or replaced, both visually and in a table noting the existing and proposed linear feet of all exterior walls, doors and large windows. Account for removal/replacement of anticipated framing members necessary for the project due to structural requirements, shear walls, age and/or weathering. Scale: 1/2" = 1' acceptable provided it is legible.

OUTDOOR LIGHTING SUBMITTAL ITEMS

Pursuant to the Dark Sky Ordinance, outdoor lighting in all zoning districts shall be in compliance with MMC Chapter 17.41.

Should a property owner wish to update the property’s outdoor lighting in conjunction with the fire rebuild, the following items should be submitted.

Item #	Description	Required	Submitted
6.	Outdoor Lighting Plan OR letter stating none proposed	✓	<input type="checkbox"/>
7.	Outdoor Lighting Plan shall include:		<input type="checkbox"/>
	a. Site Plan depicting the location of existing (e) and proposed (n) outdoor light fixtures	-	<input type="checkbox"/>
	b. Manufacturer Specifications/Fixture Exhibit including details regarding the lumen counts and Kelvin for each fixture	-	<input type="checkbox"/>
	c. A photometric plan	-	<input type="checkbox"/>

❖ **Digital** set dimensioned to 1/4" = 1' or 1/2" = 1' scale

GRADING SUBMITTAL ITEMS

Please be advised:

For residents who require any grading as a scope of the rebuild, please be advised the following plans will be required at the Building Plan Check stage:

Item #	Description	Required	Submitted
6.	Grading Plan OR letter stating none proposed	<input type="checkbox"/>	<input type="checkbox"/>
7.	Plan needed for:		
	a. Reestablish pre-existing grade surface	<input type="checkbox"/>	<input type="checkbox"/>
	b. Fine grading	<input type="checkbox"/>	<input type="checkbox"/>
	c. Removal and re-compaction	<input type="checkbox"/>	<input type="checkbox"/>

Staff Use Only

Extent of Damage: _____

Approved for Planning Verification: _____ **Date:** _____
Planning Staff

Documentation used to verify previously existing structure(s):

Approved Plans – Dated: _____ Assessor's Records – Dated: _____

Certificate of Occupancy – Dated: _____ CCC issued CDP – Dated: _____

OWTS Plans – Dated: _____ Building Permits – Dated: _____

Aerial Photographs – Dated: _____ Additional Photographs – Dated: _____

Additional Documentation: _____

NOT Approved for Planning Verification: _____ **Date:** _____
Planning Staff

Reason not approved or additional information required:

PLANNING CONDITIONS/NEXT STEPS:

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Planning Verification – Conditions of Approval

Standard Conditions

1. Prior to signoff for the foundation, a foundation survey shall be prepared by a licensed civil engineer or architect that states the finished building pad elevation, and location on the site. 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.
2. 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.

Biology Condition

3. If the applicant intends to replant the same landscaping (in place/in-kind) lost in the fire, please provide a planting plan that identifies what was on site previously. This will be the same plan required by the Fire Department for Fuel Modification prior to their approval for Building Permit Issuance. If the applicant intends to implement a new landscape design, then a minor Administrative Plan Review (APR) is required to be filed. If the new landscape design would be less than 2,500 square feet, only a detailed planting plan is required. If the new landscape design would change or expand greater than 2,500 square feet then a complete landscape documentation package, pursuant to MMC Chapter 17.53 would be required as a part of an APR.

Cultural Resources

4. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.
5. 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.

Environmental Health Conditions

6. **Building Plans:** All project plans shall be submitted for Environmental Health review and approval. The location of the onsite wastewater treatment system(s) (OWTS) must be depicted on the site/grading plan. All rooms and plumbing drainage fixture units must be clearly labeled on the floor plans. Bedroom equivalents and plumbing fixture units must reflect the permitted record on file with the City. Please contact Environmental Health staff

for assistance in determining the permitted amount of bedrooms and fixture units.

7. **Certified Fixture Unit Worksheet:** A fixture unit worksheet showing all existing and proposed bedroom equivalents and drainage fixture units for each structure must be completed and certified by an Architect, Civil Engineer, Environmental Health Specialist, City Registered OWTS Practitioner, or an "A", "C-42", "C-36" Contractor License.
8. **Onsite Wastewater Treatment System (OWTS) Assessment:** An inspection of the OWTS must be conducted by a City Registered OWTS Practitioner to verify functionality of the OWTS. The inspection report and fire damage assessment form must be submitted to the Environmental Health office for evaluation. Any repairs/replacement must be made prior to utilization of the OWTS.
9. **OWTS Plot Plan:** Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer 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" x 17" sheet leaving a 5" 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).
10. **Environmental Health Review Fee:** A fee in accordance with the adopted fee schedule at the time of approval shall be paid to the City of Malibu for Environmental Health review of the proposed project.
11. Additional items may be required pending site conditions.

Geotechnical Conditions

12. **Foundation Certification:** If the applicant proposes to utilize the existing foundation system to support the fire rebuild, then the applicant needs to retain a structural engineer to certify the foundation system. Documentation of the engineer's certification must be submitted to the Building Official for review and approval, and a copy shall be submitted to City Geotechnical Staff upon the review of the plans at the public counter (prior to permit issuance).
13. **Geotechnical report:** If new foundations are proposed for the rebuild, one hard copy and a PDF copy of the report on a CD must be submitted to City Geotechnical staff for review. The report must include, at a minimum:
 - a. Subsurface exploration and laboratory soils testing
 - b. Recommendations for foundation type and design parameters
 - c. Retaining wall design parameters (as applicable)
 - d. Grading recommendations – site preparation, including removal and re-compaction
 - e. Drainage recommendations
 - f. Current seismic design parameters
 - g. Geotechnical hazard review/disclosure: (landslides, liquefaction, earthquake-induced landslide hazard zone, Alquist-Priolo Earthquake Fault Zone)
 - h. Other recommendations deemed necessary by the consultant

14. **Geotechnical Review Fee:** A fee in accordance with the adopted fee schedule at the time of approval shall be paid to the City of Malibu upon submittal of the Geotechnical report.
15. **Building plan check review:** City Geotechnical staff will review the final set of building plans (approved by the Building Safety Division) that have addressed/implemented all geotechnical conditions on the plans, including stamps and signatures from the project geotechnical consultant.

Los Angeles County Fire Department

16. The project shall receive a Final Fuel Modification Plan, which has been approved by the Los Angeles County Fire Department, prior to the issuance of final building permits.

Public Works Conditions

Subsequent to the Planning Verification approval from the Planning Department, the Public Works Department will review the plans for the replacement structure. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions, if applicable, to demonstrate conformance with the Malibu Local Coastal Program (LCP) and the Malibu Municipal Code (MMC).

Street Improvements

17. If the property is located along Winding Way or Murphy Way (formerly DeButts Terrace), the applicant may require approval from Los Angeles County Waterworks District No. 29 for any excavation in the paved right-of-way. Place a prominent note on the first sheet of plans to this effect.
18. If this project proposes to construct improvements within the City's right-of-way, a Public Works Encroachment Permit will be required. 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 work within the City's right-of-way. For projects on Dume Drive, Grayfox Street, Fernhill Drive and Wildlife Road, the City received a Safe Routes to School Grant for improving pedestrian safety. Any proposed street improvements along these streets shall consider the potential impact on the existing conditions, such as, but not limited to, decomposed granite and woodties.
19. If this project proposes to construct a new driveway within the City's right-of-way, a Public Works Encroachment Permit will be required. 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-inches 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
20. If this project proposes to construct a new driveway within Caltrans' right-of-way, a Caltrans Encroachment Permit will be required. Prior to Public Works Department approval of the grading or building permit, the applicant shall obtain encroachment permits from Caltrans for the proposed driveway.

Grading and Drainage

21. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that (LIP Section 17.3.1):
- Is located within or adjacent to ESHA, or
 - Includes grading on slopes greater than 4:1
 - Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4:1 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
22. 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 the City's LIP Section 8.3. A note shall be placed on the project that addresses this condition.
23. A grading and drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project.
- a. Public Works Department General Notes and the following:
 - The project shall not generate more than 10 round trip trucks a day carrying earth materials or 60 truck trips per calendar week.
 - Heavy equipment noise and truck deliveries shall not begin until after 7:00 a.m. no work beyond 4:30 p.m., unless approved by the City.
 - 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 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.
 - d. 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.
 - e. If the property contains trees that are to be protected, they shall be highlighted on the grading plan.
 - f. 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.
 - g. 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.

Stormwater

If this project is located in an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan and proposes to modify the existing drainage system, this condition will be applicable. Drainage systems in the ASBS 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 Best Management Practices (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.

24.A Local Storm Water Pollution Prevention Plan (LSWPPP) 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 is not limited to:

Erosion Controls Scheduling	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.

Miscellaneous

25. If applicable, 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.

26. 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.

FEMA

27. If the proposed improvements and/or replacement structure are located within the Special Flood Hazard Area (SFHA) as determined by the Public Works Department, the improvements shall meet MMC Chapter 15.20, Floodplain Management. An Elevation Certificate based on construction drawings is required for any building located within the SFHA. A survey map shall be attached to this certificate showing the location of the proposed building in relation to the property lines and to the street center line. The survey map shall delineate the boundary of the SFHA zone(s) based on the FIRM flood maps in effect and provide the information for the benchmark utilized, the vertical datum, and any datum conversion. A post construction Elevation Certificate will be required to certify building elevations, when the construction is complete, and shall be provided to the Public Works Department prior to final approval of the construction.

Water Quality/ Water Service

28. 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.

Prior to Occupancy

29. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Department has determined that the project complies with this planning verification. 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.

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

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned applicant(s) and property owner(s) acknowledge and agree to abide by all terms and conditions of **Planning Verification Number** _____ for the property located at _____.

Date

Signature of Applicant

Print Applicant's Name

Date

Signature of Property Owner/Manager

Property Owner/ Manager's Name