

CITY OF MALIBU

REBUILD

GUIDE



The City of Malibu is here to support you.

For questions, call 310-456-2489, ext. 400
or email at maliburecovers@malibucity.org. You can
also visit the Malibu Rebuild Center at 23805 Stuart
Ranch Road, Suite 240,
Monday thru Friday from 8AM to 4PM.

The City of Malibu created this guide to help you navigate the rebuild process and get you home as fast as possible.

At the State level, Governor Newsom has issued numerous [executive orders](#) aimed at cutting red tape, suspending onerous permitting requirements and fast-tracking review and permitting processes. At the local level, Malibu's permitting, design standards, and local rules are as unique as the land and coastline itself. As a result, the City Council through code amendments and policy changes, has enabled city staff, to the extent possible, to streamline and pursue processes that expedite review and permitting processes.

This guide and the City's planning staff will help you navigate all requirements and processes from beginning to end.

Key Partners in the Rebuild Process

The **Property Owner** will need to gather a strong team of building design professionals to guide the process. Refer to the Assemble Your Team section for more information about this.

The Malibu **Planning Division** oversees the Architectural Plan Submittal and review process and issues planning approval. Refer to the *Get Your Planning Approvals* section for more information. Contact: (310) 456-2489 | <https://www.malibucity.org/Planning>.

The Malibu **Building Safety Division** oversees the Building Plan Check review process and issues building permits. Refer to the *Get Your Building Permit* section. Contact: (310) 456-2489, ext. 310 | <https://www.malibucity.org/BuildingSafety>.

External Agencies may be required depending on your project. Support services from these agencies are available at the Rebuild Center:

- ❑ LA County Fire, Contact: (323) 881-2411 | <https://fire.lacounty.gov/>
- ❑ Caltrans, Contact: (213) 897-3631 | <https://dot.ca.gov/caltrans-near-me/district-7/district-7-projects/d7palisades-fire-recovery-as-built>

VERIFY THE BASICS FOR YOUR PROPERTY

First, confirm your property is within City limits using the [City GIS](#). Note that addresses with a Malibu zip code may fall outside the City's jurisdiction.

Next, prove what existed on your property before the fire by gathering documentation from every source possible and applicable, including:

- ❑ **Tax Assessor building records:** email MalibuRecovers@MalibuCity.org
- ❑ **Building permits:** available via OnBase at [MalibuCity.org/Records](https://www.malibucity.org/Records)
- ❑ **Hard copy plans and older files:** via public records request
- ❑ **Coastal Commission permits and approvals:** email Julie Reveles (Julie.Reveles@coastal.ca.gov) or Diana Gonzalez (Diana.Gonzalez@coastal.ca.gov). Include the APN, parcel street address, and owner's name.

DETERMINE FEE WAIVER ELIGIBILITY

City Council adopted a fee waiver program via city Resolution No. 25-29 for victims of the Broad, Franklin and Palisades Fires on Monday, July 14th, 2025 to further assist residents in their rebuilding process.

Pursuant to Section 2 of that resolution, the City Council directed the City Manager to waive Planning and building permit fees for projects rebuilding like-for-like or like-for-like plus 10% structures damaged or destroyed by the Broad, Franklin, and/or Palisades Fires where the property owner demonstrates that the property was used as the primary residence by the property owner.

As a result, City Council established criteria to determine eligibility for this program. That criteria can be found within this document's appendix section or online through the city's [Rebuild](#) website.

Please note there are deadlines to take advantage of this program. Those deadlines are as follows:

- **June 30, 2028 (4 PM): Fee waiver applications due**
- **June 30, 2028: Planning applications must be deemed complete**
- **December 30, 2030: All required building permits must be obtained**

Building permits pulled after December 30, 2030 will require full fee payment before issuance.

**Deadlines can be subject to council resolutions that extend initiatives, deadlines are current as of April 29, 2026.*

ASSEMBLE YOUR TEAM

Visit the Rebuild Center (Optional but Recommended)

The Malibu Rebuild Center, located at 23805 Stuart Ranch Road, Suite 240, offers free support for residents and business owners navigating the rebuild process. Walk-in Monday through Friday 8AM - 4PM or schedule a free in-person or virtual appointment by calling (310) 456-2489, ext. 400 or emailing MalibuRecovers@MalibuCity.org. While there, get:

TIP: Drop by the Rebuild Center with questions anytime.

- Consultation on rebuild options
- Guidance on Code questions
- Help answering related questions

Select Building Design Professionals

To get started, find an architect or designer, preferably one with experience in Malibu. Once you have a concept in mind—even just a sketch—bring on other design professionals as you go.

A geotechnical engineer is a must. If your home is on coastal terrain, a coastal engineer is essential, too. A strong project manager or expeditor can also go a long way in keeping everything on track but is not required.

Use these links to help assemble your team:

- California Architects Board’s [‘Consumer Guide to Hiring an Architect’](#)
- [Use the License Search tool](#)
- Contact the [Malibu Pacific Palisades Chamber of Commerce](#) for a list of building design professionals.

TIP: Ask neighbors, check references, and seek out success stories.

GET YOUR PLANNING CONSULTATIONS

Pre-submittal consultations are optional but highly recommended.

Before you get too far along with your team, schedule a free **Initial Consultation via the Rebuild Center**. Experts from departments like Fire, Geology, Coastal Engineering, Public Works, Biology, Environmental Health, and more are available to answer questions about everything from topography and zoning to building codes, wastewater, green building, home hardening, and primary view determination.

If you’re not sure where to start, Malibu also offers an optional and free **On-site Consultation with Planning and Building Safety Staff**. Schedule a consultation before you submit architectural plans to identify issues early and help the process go quickly and smoothly.

TIP: Schedule your consultation before you submit architectural plans.

GET YOUR PLANNING APPROVALS

What Planning Approval(s) Do I Need?

Determine which approval(s) you need. Remember that multiple approvals may be submitted concurrently!

Planning Verification (PV)

- A PV is required for legally permitted structures (**see Rebuild Policies for definition of “legally permitted”**) in substantially the same footprint, with an increase of up to 10% in height, square footage, and/or volume.
- Fee: \$200 | Public Notice: None required | Appealability: N/A | Timeline: 10 business days per review

TIP: Check with the Planning Division to see if your project qualifies for concurrent review.

Rebuild Development Permit (RDP)

- An RDP is required for additional site improvements that did not exist before but are necessary for the structural integrity of the building. This includes but is not limited to, relocation of a damaged structure, new structural elements such as a retaining wall or sea wall, and new septic systems. May be submitted concurrently with a PV.
- Fee: \$1,590 plus Department Review fees | Public Notice: None required | Appealability: N/A | Timeline: Varies |

Administrative Plan Review (APR)

- An APR is automatically triggered by discretionary requests that require a Site Plan Review (see below). It provides the mechanism for the Planning Division and other departments to conceptually review discretionary requests that exceed “by-right” development (see below for more information).
- APRs call for story poles (temporary poles installed to show proposed height) for projects that proposed development above 18 feet in height, but this may be waived at the discretion of the Community Development Director.
- Fee: \$1,590 plus Department Review fees | Public Notice: Notice of Decision, 10 days

Site Plan Review (SPR)

- An SPR is required for projects when proposed development is either above 18 feet, on land steeper than 3:1, encroaching into a required setbacks or other discretionary approvals pursuant to Section 17.62.060 of the Malibu Municipal Code. (See appendix for full list).
- Fee: \$3,499 (additional height) or \$2,981 (work on steep slopes or reduction in setback) plus additional APR fees | Public Notice: 21 days | Appealability: Community Development Director’s decision is appealable to the Planning Commission within 10 days after Notice of Decision is published| Timeline: 3-6 months | Additional layer of review: environmental resources, safety, and protected views
- SPRs are a “sub-case” of an APR and are processed concurrently. Upon receipt of a discretionary request, the City will automatically alter an application to an APR with an SPR “tied” to the case.

Accessory Dwelling Unit (ADU) and Junior ADU (JADU)

- The Governor has streamlined construction and occupancy of ADUs on properties destroyed by the fires.
- ADUs may be up to 1,000 sq ft beyond the allowed, additional 10% in square footage. JADUs may be up to 500 sq ft, but must be within the building envelope, and are included within the allowed 10%.
- Requires a separate permit that can be processed concurrently.
- Fee: \$1,590 plus Department Review fees | Public Notice: Notice of Decision, 10 days | Appealability: Community Development Director’s decision is appealable to the Planning Commission within 10 days after Notice of Decision is published

Coastal Development Permit (CDP)

- A CDP is required for projects where the proposed development is beyond the allowed 10% or in a substantially new location on the site. Information on the CDP process can be found on the city’s website or Chapter 13 of the city’s Local Implementation Plan (LIP).

Submitting for Your Planning Entitlement

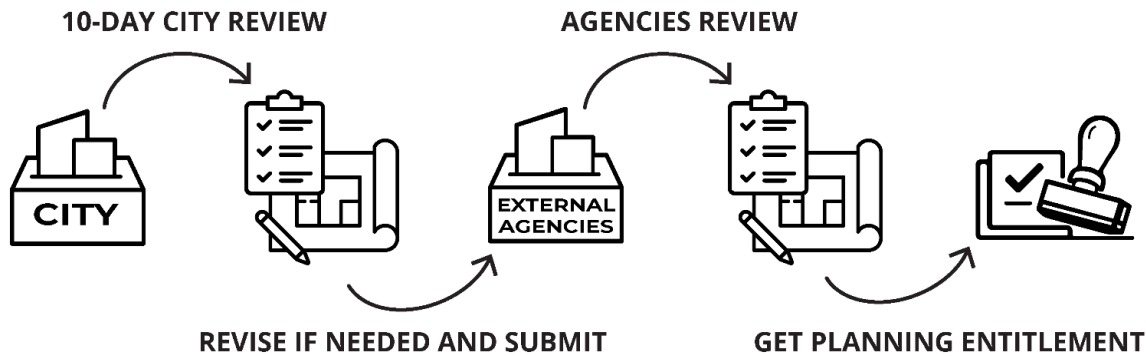
Submit your Architectural Plan Set through the Development Portal.

The Planning Division will review your submittal for conformance through the City's Municipal Code (since the Governor waived the Coastal Act, the city does not reference the Local Implementation Plan for conformance reviews). The Planning Division will route to other City Departments for review as appropriate.

Within 10 days of submitting, you will either receive approval to move forward, or a review letter with requested revisions and clarifications from all reviewing City Departments. Additional fees may apply, consider fee waiver program [link](#).

Some applications pending their scope of work will require approval from external agencies; **applicants are responsible for submitting their plans to external agencies** as appropriate, including LA County Fire, LA WaterWorks District 29, and Caltrans. The Malibu Rebuild Center will tell you which agencies should receive your submittal. Additional fees may apply. LA County Fire offers a waiver program [link](#).

TIP: Be sure your submittal clearly shows and labels existing and proposed building height, building footprint, and non-conforming conditions.



Call or stop by the Rebuild Center for any questions along the way. Once approved, you will be issued a planning entitlement. This clears you to move forward to submit for a building plan check review.

Get Your Building Permit

After obtaining Planning approval, schedule a **Building Plan Check Presubmittal Meeting via the Rebuild Center** with the Building Safety Division.

This is a required step before formally submitting to the Building Safety Division for the Building Plan Check review process. The Department will walk you and/or your building design professional team through the submittal process and what documents are applicable to your project.

This meeting can occur at any time and the sooner it is done the better to understand what documents will be required. The amount of documentation and coordination can be more involved for this process in contrast to the Planning Verification application process. Thus, the sooner you understand the submittal process, the documents required, and the work required to organize those documents, the faster your submittal process will be.

Building Plan Check

Each department and agency will review your plan check submittal independently and will send back, if necessary, a corrections list. Your design team should address them and resubmit through the Development Portal's **Expedited Rebuilds** tile. Expect reviews from:

- Building Safety — Reviews construction plans for compliance with building codes.
- Geology/Geotechnical — Reviews geologic and soils engineering reports and plans.
- Public Works — Reviews drainage, grading, erosion control plans (local SWPPP), stormwater and water quality compliance, FEMA flood zone regulations, and improvements within the public right-of-way.
- Environmental Health — Reviews functionality and capacity of wastewater systems to serve your building(s).
- Coastal Engineering — Reviews all Beachfront properties for adherence to technical requirements to protect the building from coastal elements. These reviews will also require a Wave Uprush Report.
- Los Angeles County Fire Department — Reviews for compliance with fire code and fuel modification requirements.
- Los Angeles County Waterworks District 29 — See County staff to identify submittal requirements specific to your project, including any required certificates or to obtain a Will Serve letter.

After Building Safety Division review, the Planning Division will ensure the project complies with all Conditions of Approval following review by external agencies and the City Biologist if necessary.

There may be scenarios where your project will be reviewed more than once but by the same agency. For example, projects that are located in mapped, landslide areas, the Environmental Health Department will review the project within the Planning review process for a conceptual review of the proposed fixture unit count.

Additionally, they will review the project again within the Building Plan Check process for structural review of an existing or proposed onsite wastewater treatment system. This allows any pertinent, reviewing agencies to alert applicants if their conceptual design will impact their structural designs.

Permits You May Need

Building permits will be issued at the Rebuild Center after plans are approved by all departments and applicable fees (i.e., any fees not waived) are paid. Most single-family homes will need:

- Building — covers the overall structure and construction
- Mechanical — HVAC, ventilation, and related systems
- Electrical — all electrical systems and wiring
- Plumbing — pipes, fixtures, and water systems
- Septic — onsite wastewater treatment and disposal

Depending on your project, you may also need:

- Spa / Pool — if adding or rebuilding a spa or pool
- Excavation — if your project involves significant grading or digging

Are you doing work in the right-of-way? You may need:

- City Encroachment Permit — required if performing any work or placing a bin in the right-of-way
- CalTrans Encroachment Permit — required for Pacific Coast Highway properties only

Inspections

Required inspections (grading, framing, etc.) vary by project. Find out what inspections your project requires by contacting your assigned Case Planner, by emailing mplanning@malibucity.org, or by calling (310) 456-2489, ext. 485.

Then, request your inspection through the **Expedited Rebuild** tile **through the city's Development Portal**.

Inspectors must be allowed access to the property between 8:00 a.m. and 5:00 p.m.

After inspections are complete, you will be issued a **Certificate of Occupancy** and be permitted to move into your home.

Appendices:

Attached to this document you'll find the following forms to further assist you in your rebuild.

- 1) [City Ordinance 524](#)
- 2) [LCP and Zoning Code Interpretation No. 15](#)
- 3) [Governor's Executive Order N-20-25](#)
- 4) [Best Management Practices \(BMPs\) for Construction Sites](#)
- 5) [Onsite Wastewater Treatment System Fire Damage Assessment](#)
- 6) [Foundation Reuse After a Wildfire](#)
- 7) [Foundation Feasibility Report For Fire Damaged Structures](#)
- 8) [Permit Requirements For Installing Temporary Housing](#)
- 9) [Site Grading Policy for Operation, Erosion Control, and Stormwater Management](#)
- 10) [Total Grading Yardage Verification Certificate](#)
- 11) [Site / Fine Grading Plan](#)
- 12) [Letter of Authorization to Obtain County Tax Assessor Building Records](#)
- 13) [Section 17.62.080 – Rebuild Development Permit](#)
- 14) Coastal Engineering Guidelines
- 15) List of Coastal Engineering Consultants Working in Malibu
- 16) [Caltrans Encroachment Permits for Fire Rebuilds](#)
- 17) [Caltrans Encroachment Permit – Questions and Answers](#)
- 18) [SoCalGas – Guide to Rebuilding Residential Properties](#)
- 19) [Fee Waiver Program \(Broad, Franklin, and Palisades Fire\)](#)

ORDINANCE NO. 524

AN ORDINANCE OF THE CITY OF MALIBU APPROVING LOCAL COASTAL PROGRAM AMENDMENT 25-001, AN AMENDMENT TO THE LOCAL COASTAL PROGRAM AND ZONING TEXT AMENDMENT NO. 25-001, AN AMENDMENT TO TITLE 17 (ZONING) OF THE MALIBU MUNICIPAL CODE UPDATING REGULATIONS TO FACILITATE THE REBUILDING OF STRUCTURES DAMAGED OR DESTROYED BY NATURAL DISASTERS, INCLUDING BUT NOT LIMITED TO, THE 2025 PALISADES FIRE, 2024 FRANKLIN FIRE, AND 2024 BROAD FIRE TO PROVIDE RELIEF FOR THOSE AFFECTED, AND FINDING THE AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

SECTION 1. Recitals.

- A. On November 6, 2024, the Broad Fire began and destroyed structures on at least 4 properties in Malibu leaving residents with an urgent need to rebuild.
- B. On December 9, 2024, the Franklin Fire destroyed structures on at least 38 properties in Malibu leaving residents with an urgent need to rebuild.
- C. On January 7, 2025, the Palisades Fire destroyed structures on over 700 properties in Malibu leaving residents with an urgent need to rebuild. The Governor of California has declared the event a State of Emergency and the President of the United States has declared the event a Federal Emergency.
- D. On January 27, 2025, the City Council adopted Resolution No. 25-06 to: 1) initiate a Local Coastal Program (LCP) amendment and zoning text amendment to consider changes to the Malibu LCP and Title 17 (Zoning) of the Malibu Municipal Code (MMC) to facilitate the rebuilding of structures damaged or destroyed by the 2025 Palisades Fire, 2024 Franklin Fire, and 2024 Broad Fire and provide relief for those affected by the fires; 2) Bypass the Zoning Ordinance Revisions and Code Enforcement Subcommittee and directed the Planning Commission to schedule a public hearing regarding the same.
- E. On January 30, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.
- F. On February 6, 2025, a Notice of Planning Commission Public Hearing was republished in a newspaper of general circulation within the City of Malibu as a courtesy.
- G. On February 13, 2025, Governor Newsom issued Executive Order N-20-25, which suspended requirements of the California Environmental Quality Act and California Coastal Act for Palisades Fire rebuilds and related issues.

H. On February 13, 2025, a Notice of Availability of Local Coastal Program Amendment (LCPA) Documents and a Notice of City Council Public Hearings for both the March 4, 2025 and March 10, 2025 meetings were published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

I. On February 20, 2025, the Planning Commission held a duly noticed public hearing on the proposed rebuild amendments on LCPA 25-001 and ZTA No.25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

J. On March 4, 2025, the City Council held a meeting which included a public workshop on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council completed the public workshop and adjourned the public hearing to March 5, 2025.

K. On March 5, 2025, the City Council held a duly noticed public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The meeting was adjourned to March 6, 2025.

L. On March 6, 2025, the City Council continued the public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council approved on first reading Ordinance No. 524, approving LCPA 25-001 and ZTA No. 25-001 as recommended by staff with the additional changes presented at the March 6, 2025 meeting. The City Council adopted Urgency Ordinance No. 524U for the Malibu Municipal Code amendments to go into effect immediately.

M. On March 10, 2025, the City Council continued the public hearing for the second reading to March 12, 2025.

N. On March 12, 2025, the City Council held a duly noticed public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council approved on second reading Ordinance No. 524, approving LCPA 25-001 and ZTA No. 25-001.

SECTION 2. Environmental Review.

Pursuant to Public Resources Code Section 21080.9, California Environmental Quality Act (CEQA) does not apply to activities and approvals by the City as necessary for the preparation and adoption of an LCP amendment. This application is for an amendment to the LCP, which must be certified by the California Coastal Commission (CCC) before it takes effect. LCP Local Implementation Plan (LIP) Section 1.3.1 states that the provisions of the LCP take precedence over any conflict between the LCP and the City's Zoning Ordinance. In order to prevent

inconsistency between the LCP and the City's Zoning Ordinance, if the LCPA is approved, the City must also approve the corollary amendment to the Zoning Ordinance. This amendment is necessary for the preparation and adoption of the LCPA and because they are entirely dependent on, related to, and duplicative of the exempt activity, they are subject to the same CEQA exemption.

Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Planning Commission determined that there is no possibility the amendment will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies. The amendments to the MMC that are not corollary to the LCP can be seen not to have a significant effect on the environment as they merely create permit and fine requirements and allow structures that existed previously to be rebuilt in the same location with substantially the same purpose and capacity as the structure that would be replaced, while also further protecting coastal resources and hazard protections.

SECTION 3. Local Coastal Program Findings.

Based on evidence contained within the record, including the agenda reports for and the hearings on February 20 and March 4, 2025, the City Council hereby finds that the proposed amendment meets the requirements of, and is in conformance with, the policies and requirements of Chapter 3 of the California Coastal Act.

A. The amendments to the LCP meet the requirements of, and are in conformance with the goals, objectives and purposes of the LCP. Updated development standards specific to rebuild projects that were destroyed in natural disaster and relief for those affected, ensure that development standards are in place to facilitate people getting their properties back to where they were before the natural disaster while also incorporating measures that will further enhance and protect coastal resources. Development standards were carefully crafted to meet the goals of the of the LCP.

B. As a part of the LIP, the updated development standards specific to rebuild projects that were destroyed in natural disaster and providing relief for those affected ensure that future development projects and land uses within specific zoning districts conform to applicable LCP policies, goals, and provisions, while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for rebuild structures to avoid coastal accessways, be sited the most landward feasible and the installation of structures that will protect the coastal resources from contamination greater than current.

SECTION 4. Zoning Text Amendment Findings.

Pursuant to Malibu Municipal Code Section 17.74.040, the City Council hereby makes the following findings:

A. The subject zoning text amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu's natural and cultural resources.

B. The City Council held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan, Malibu Municipal Code and the Malibu Local Coastal Program, and finds that the zoning text amendment is consistent and recommends approval.

SECTION 5. Local Coastal Program Amendment No. 25-001, Amendments to the Local Implementation Plan (LIP).

The City Council hereby amends the LIP as follows:

A. Amend Section 2.1 related to LIP definitions to include the following:

SECONDARY DEVELOPMENT PAD - a building pad, disturbed area, or development area that is not connected to a primary development pad other than by a driveway or walkway.

PRIMARY DEVELOPMENT PAD - the main building pad, disturbed area, or development area which supported the primary building in which the principal use of the lot was situated or conducted, as distinguished from a secondary building pad or development area that is not attached to the main building pad or development area, for purposes of properties that were damaged or destroyed by a natural disaster. For beachfront lots, decks that were attached to the primary building shall be included in the primary development pad if replaced with another deck in the same footprint.

B. Amend Section 3.6(M)(1) related to residential development standards for temporary homes, to read as follows:

1. No more than two temporary housing structures which together total no more than one thousand (1,000) square feet shall be permitted.

C. Amend LIP Section 13.4.6(A) and (B), and add Section 13.4.6(A)(4) related to coastal development permit exemptions, to read as follows:

A. The replacement of any structure, other than a public works facility, destroyed by a disaster provided that the replacement structure meets all the of the following criteria:

1. It is for the same use as the destroyed structure;
2. It does not exceed either the floor area, height, or bulk of the destroyed structure by more than ten (10) percent, and

3. It is sited in substantially the same location on the affected property as the destroyed structure.

As used in this section, "structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

4. Mechanized equipment or temporary shoring on the beach necessary to construct the replacement structure is allowed under this exemption for beachfront properties only if there are no feasible alternatives and construction activities do not enter the intertidal zone or extend beyond the previously existing primary development pad and appropriate Best Management Practices are used.

- B. An onsite wastewater treatment system (OWTS) that was damaged or destroyed by a natural disaster may be replaced and improved provided that the replacement OWTS is located within the existing primary development pad and is the minimum standard size necessary to meet the building code for the existing or replacement structure it serves. If the new OWTS exceeds the minimum standard size or is located outside the primary development pad, then a De Minimis Waiver or OWTS Coastal Development Permit shall be required as applicable by Sections 13.4.11 and 13.29 respectively. For OWTS replacements on or adjacent to a sandy beach or coastal bluff, the OWTS shall be sited in the most landward location feasible and may not extend further seaward than the existing and/or previously existing seawall, whichever is more landward.

D. Amend LIP Section 13.4.11(A) and (A)(1) and (2), and add subsections (3), (4), (5), and (6); Amend 13.4.11(B)(1),(2), (3), and (5); Amend 13.4.11(C)(2) and(3); and amend 13.4.11(D), related to general requirements for de minimis waiver, to read as follows:

13.4.11 General Requirements for De Minimis Waiver

- A. General Requirements for De Minimis Waiver.

The requirement for a coastal development permit may be waived through a De Minimis Coastal Development Permit Waiver issued by the planning director for the items listed below where the improvements are not otherwise exempt pursuant to Section 13.4, provided all the requirements of subsections B and C are met. The planning director's decision on whether to issue a de minimis waiver is not locally appealable; however if the development is within the appealable jurisdiction of the California Coastal Commission, the decision of the planning director is appealable to the Coastal Commission as described below in subsection (C).

1. Improvements to an onsite wastewater treatment system (OWTS) serving a structure that replaces one that was damaged or destroyed as a result of a natural disaster, where the improvements involve installing a new system or upgrading an

- existing system to an advanced system on the same lot and does not meet the exemption criteria of Section 13.4.6(B).
2. Minor improvements to existing driveways or access roads that are required by the fire department after a natural disaster, such as minor changes to the width or grade of driveways or access roads. This includes accessory structures, such as retaining walls, necessary to accommodate the driveway or access road improvement, including new cuts on slopes steeper than 3:1 but less than 1:1, subject to geotechnical feasibility review. Retaining walls shall not exceed six (6) feet in height. New retaining walls that replace an existing wall being removed as a result of the driveway widening are allowed to be replaced to the same height of previous wall and may increase in height by a maximum of three (3) additional feet but shall not have a total height in excess of nine (9) feet. Access improvements that do not meet the findings for a waiver may be processed as an administrative coastal development permit (ACDP) under Section 13.13.1(A) or as a regular coastal development permit.
 3. Replacement seawalls that exceed ten (10) percent in height. The replacement seawall shall be sited in the same footprint as the previous seawall and shall not expand further seaward nor shall it extend further into an existing public access easement, deed restriction or view corridor.
 4. Increases in the previous finished floor elevation for structures that replace one that was damaged or destroyed as result of a natural disaster, where the previous finished floor elevation must be raised to a higher elevation to meet Federal Emergency Management Agency (FEMA) flood zone requirements as determined by the City's floodplain administrator. Such increase shall not exceed the increase in elevation to the finished floor required to meet the minimum FEMA flood zone requirements. The height of the structure from the finished floor to the roof may remain the same as existed for the prior structure even if the prior structure was nonconforming in height. No additional height shall be allowed for the replacement structure if it has a nonconforming height. A conforming structure shall not be granted an additional height increase if it creates a nonconforming height.
 5. Replacement structures that would otherwise be exempt from the requirement to obtain a coastal development permit pursuant to Section 13.4.6(A) but are proposed to be sited not in substantially the same location where the damaged or destroyed structure was located so long as the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and safety; with safety being the primary consideration. This waiver may include retaining walls and grading necessary for the construction of the relocated structure, but cuts may not be made into slopes steeper than 1:1 and retaining walls shall not exceed six feet in height for any one wall, nor twelve (12) feet for any combination of walls (including required freeboard), and which shall be separated by at least three feet.
 6. Water tanks and other water storage devices necessary to construct, install, or use a replacement structure that was damaged or destroyed by a natural disaster and as required or recommended by applicable federal, state and local laws and regulations. New shoreline protection devices are not included under this waiver.

B. Findings for and Reporting of De Minimis Waivers.

All decisions on de minimis waivers shall be accompanied by written findings:

1. That the structures or improvements have no potential for adverse effects, either individually or cumulatively, on coastal resources or public access to the shoreline or along the coast.
2. That the structures or improvements are consistent with the certified Malibu Local Coastal Program, including the resource protection policies, as applicable.
3. If an OWTS is to be relocated on the lot, that the director, in consultation with the environmental health administrator, has determined the relocation is necessary to better protect coastal resources and if on a beachfront lot, is no further seaward than the existing OWTS or no further seaward than the previously existing seawall, whichever is further landward.
4. If driveway/road improvements are proposed, that: (a) they are in the same general alignment as the existing road; (b) they are not located in environmentally sensitive habitat area (ESHA); (c) they do not remove or encroach within the protected zone of native trees; and (d) they do not adversely impact visual resources.
5. For relocation pursuant to Section 13.4.11(A)(5), that the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and primarily safety.

C. Reporting De Minimis Waiver.

1. At the time the application is submitted for filing, the applicant must post, at a conspicuous place as close to the site as possible that is easily accessible by the public and approved by the city, notice, on a form approved by the city, that an application for a de minimis waiver has been submitted to the city. Such notice shall contain a general description of the nature of the proposed development.
2. The planning director shall issue a notice of determination on the application which shall be reported to the planning commission. The notice of determination shall be provided to all known interested parties, including the executive director of the coastal commission, at least ten (10) days prior to the waiver determination being reported to the planning commission. For development within the appealable jurisdiction of the California Commission, the planning director's decision may be appealed by an aggrieved person directly to the California Coastal Commission within ten (10) working days of issuance of the notice of determination only if the development is one of the four types of development listed in the definition of Appealable Coastal Development Permit.
3. If, after consideration of the waiver and any public objections to it, the planning commission requests that the waiver not be effective, then the applicant shall be advised that a Coastal development permit is required for the structures or improvements. Otherwise, the waiver is effective immediately after the planning commission meeting where the matter is heard.

D. Waiver Expiration.

A de minimis waiver shall expire and be of no further force and effect if the authorized structures or improvements are not commenced pursuant to a valid grading and/or building permit, as applicable, within five years of the effective date of the waiver. If expired, a coastal development permit or another waiver shall be required.

SECTION 6. Zoning Text Amendment No. 25-001, Amendments to the Malibu Municipal Code (MMC).

The City Council hereby amends Title 17 - Zoning in the MMC as follows:

A. Amend Section 17.02.060 related to definitions to include the following:

“Secondary development pad” means a building pad, disturbed area, or development area that is not connected to a primary development pad other than by a driveway or walkway.

"Primary development pad" means the main building pad, disturbed area, or development area which supported the primary building in which the principal use of the lot was situated or conducted, as distinguished from a secondary building pad or development area that is not attached to the main building pad or development area, for purposes of properties that were damaged or destroyed by a natural disaster. For beachfront lots, decks that were attached to the primary building shall be included in the primary development pad if replaced with another deck in the same footprint.

B. Amend Section 17.40.040(A)(18)(a) and (g) and add subsections (i), (j), and (k) to read as follows:

18. Temporary Housing. Temporary housing structures as used herein means mobilehomes, trailers, recreational vehicles or other structures which are self-contained units which include sanitary facilities, and facilities for normal daily routines including cooking and sleeping. Temporary housing structures do not include any structure placed upon a permanent foundation, nor do they include tents, yurts, or similar fabric or textile installations. Temporary housing structures used as a residence during reconstruction or in anticipation of reconstruction of a residence destroyed due to natural disaster shall be permitted with a temporary housing permit approved by the Planning Director and shall comply with the following conditions:

a. No more than two temporary housing structures which together total no more than 1,000 square feet shall be permitted.

g. Upon expiration of the temporary housing permit, the property owner shall obtain verification from the city that all temporary housing structures have been removed

from the property. Failure to obtain this verification shall result in a fine of \$1,000 per day until the verification is obtained.

- i. The temporary housing structures shall be occupied only by the property owner(s) or tenant(s) living on the property at the date of the natural disaster, or their families. Should this requirement be violated, the temporary housing structures must be immediately removed, the property will no longer be eligible to place temporary housing on the property for a period of 5 years, and the owner shall be subject to a fine of \$1,000 per day. Liens may also be imposed on the property by the City as a means of compliance.
- j. The siting of temporary housing shall be supported by a limited geotechnical report prepared by appropriately licensed professionals which evaluates the location of the proposed temporary housing with respect to geologic and flood hazards that the specific location(s) may be exposed to during the proposed four-year use of the location. Specifically, the threat of post-fire debris flows and floods as described by the United States Geological Survey and identified by the Watershed Emergency Response Team Assessments. A finding is required that the specific location of the temporary housing is safe for its intended use for the duration of use. The report must be submitted to the City for review and accepted by the Building Official.
- k. If the temporary housing is supported on anything other than wheels or a trailer which can be readily moved (i.e. a manufactured home), it shall comply with requirements for foundations as noted in Chapter 16, 18 and Appendix G – Flood proof Construction of the current California Building Code and requires a building permit from the City. Temporary housing supported on wheels shall be fastened to the ground.

C. Amend Section 17.44.090(A)(1), to read as follows:

- 1. The maximum square footage of an ADU shall be 1,000 square feet. The maximum square footage shall include interior and exterior walls, finished and unfinished basements, mezzanines, storage space, and any space with a height clearance (floor to ceiling height dimension) above six feet. The area of a garage (400 square feet maximum) provided as part of accessory dwelling unit and exterior decks or overhangs that are attached to the structure shall not be included in the 1,000 square foot limit.

D. Amend Section 17.45.150(B), to read as follows:

- B. Prohibition. All properties within a disaster area are temporarily prohibited from obtaining a new or updated primary view determination unless: (1) the request was submitted prior to the date the natural disaster began as declared or proclaimed by the City, State or Federal government, or as determined by the Planning Director if no declaration or proclamation has been made; or (2) the primary view determination would not impose any limitation on replacement landscaping or replacement structures.

E. Amend Section 17.53.090(C)(1)(a),(b), (c), (e), and (f) and add subsections (h), (i), and (j); and amend Section 17.53.090(C)(2), to read as follows:

- a. Palm trees and eucalyptus trees are prohibited.
 - b. All vegetation is prohibited between zero and five feet from a structure.
 - c. The following species are prohibited within 50 feet of structures: Pine (*Pinus* species), Cypress (*Cupressus* species), Cedar (*Cedrus* species), Ficus (*Ficus* species), and Tree of Heaven (*Ailanthus altissima*).
 - e. Existing eucalyptus trees are allowed between five feet and 50 feet of a structure if a qualified expert, as determined by the director, identifies the tree(s) as a monarch butterfly habitat.
 - f. The distances for trees and shrubs subject to (b) through (e) shall be measured from the dripline of the tree or shrub at its projected maturity to the outermost projection of the structure including eaves and overhangs. No tree canopy shall be within five feet of the outermost projection of the structure including eaves and overhangs at projected maturity. Smaller diameter tree branches less than two inches must be removed within five feet of the outermost projection of the structure including eaves and overhangs and within 10 feet above the roof.
 - h. Only efficiently-irrigated plants and trees as allowed by this chapter shall be allowed between five feet and 30 feet of a structure.
 - i. Irrigation shall be required and maintained on the site in all planting areas between five feet and 100 feet of a structure, except in geologic hazard areas in which irrigation may not be allowed. Any proposed irrigation shall be reviewed by the project geotechnical consultant and conform to existing surficial stability standards, not contribute to any geologic hazard, and not adversely affect offsite properties. The consultant shall include a statement regarding the impact of the proposed irrigation system in the required Section 111 statement. The city shall review analyses and findings provided by the project geotechnical consultant and determine whether irrigation is allowed or required in geologic hazard areas. All vegetation within 100 feet of a structure shall maintain sufficient moisture content and be supported by appropriately designed irrigation.
 - j. Plants listed in the City of Malibu 'Invasive Species List' are prohibited.
2. Mulch material proposed between zero and five feet from a structure must consist of nonflammable materials, such as gravel and decomposed granite. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Use of wood chips and shredded rubber is prohibited anywhere on the site. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between five feet and 30 feet from a structure. Non-continuous mulched areas shall be separated with non-flammable materials such as gravel, rocks, decomposed granite, or stone. The distance shall be measured from the outermost projection of the

structure including eaves and overhangs. The maximum application area of mulch located between five feet and 30 feet from a structure is 20 feet by 20 feet with a five-foot separation between application areas. Any mulch materials (excluding wood chips and shredded rubber), are allowed 30 feet or more from a structure with no limitation on application area. Organic mulch shall be maintained with at least a 3 inch depth but must not exceed 6 inches in depth.

F. Amend Section 17.60.020(C) and add subsection (C)(1), to read as follows:

C. Any structure, including any structure that was damaged or destroyed by a natural disaster, described in subsection A of this section, may be remodeled, or may be reconstructed in the general location and to the same height as it existed prior to damage or destruction, subject to obtaining planning verification. Structures that were damaged or destroyed by a natural disaster may be permitted, at the discretion of the planning director through approval of a planning verification, to increase the square footage, height or bulk permitted by this title by 10 percent of the existing or previously existing square footage, height or bulk of the structure. Increased height or bulk on non-beachfront properties shall not exceed 18 feet, unless a site plan review is obtained, and increased square footage shall not exceed the limits of Section 17.40.040(A)(13). The application for the reconstruction must be initiated with the city within six years of the date of damage or destruction, and a building permit must be diligently pursued and obtained within eight years from the date of damage or destruction and not become expired. A request for an extension of time past the six-year or eight-year periods may be granted by the planning commission where it finds, based on substantial evidence, that due to unusual circumstances, strict compliance with the six- or eight-year limit creates an undue hardship. Extensions for applications may not total more than three years for a maximum total of nine years from the date of the disaster. Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster. Any reconstruction shall extend the termination date described in Section 17.60.040 for the use operating within such a structure.

1. Replacement structures on beachfront lots are allowed to meet the minimum increases necessary to meet Federal Emergency Management Agency (FEMA) requirements but shall, to the maximum extent feasible, protect neighboring ocean views. Replacement structures shall seek increases in square footage laterally before they are allowed to increase vertically as viewed by neighboring properties. The height of the structure from the finished floor to the roof may remain the same as existed for the prior structure even if the prior structure was nonconforming in height. No additional height shall be allowed for the replacement structure if it has a nonconforming height. A conforming structure shall not be granted an additional height increase if it creates a nonconforming height.

G. Delete Section 17.60.020(F).

H. Amend Section 17.62.030(A), to read as follows:

- A. An administrative plan review shall be required for the following development projects, unless they fall under the provisions for a rebuild development permit as provided in Section 17.62.080. If the project meets the requirements of this title and is consistent with Chapter 17.40, the planning manager/ director shall issue a development permit.

I. Amend Section 17.62.040(A) and (A)(10); and add subsection (A)(13) and (C)(1), to read as follows:

- A. The planning manager/director may approve a site plan review after consultation with all appropriate city staff and specialists including the building official, city engineer, city biologist, city geologist, city archeologist and city coastal engineer; and where substantial evidence supports the findings set forth in subsection D of this section for new construction or reconstruction of structures authorizing the following:

10. Sea walls, bulkheads, or any other shoreline protective devices, except for those that meet the requirements for a De Minimis Waiver listed in LIP Section 13.4.11 or rebuild development permit listed in Section 17.62.080 as required;

13. Non-beachfront development over 18 feet in height on a replacement structure where the previously existing structure was damaged or destroyed by a natural disaster and the replacement structure is not sited substantially in the same location on the affected property as the damaged or destroyed structure, so long as the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and safety; with safety being the primary consideration.

C. Notice of Application Filing. Within 10 calendar days from the receipt date of a complete application, the planning manager/director shall notify in writing of the filing of the application to property owners and residents of all property within a 500 foot radius of the proposed project, but in no event fewer than the owners and occupants of 10 developed properties. Notwithstanding the foregoing, for property in the RR-10 and RR-20 zones the notice radius shall be 1,000 feet. The purpose of the notice is to inform the surrounding property owners and residents of the filing of the application and provide an opportunity for comment on the application prior to the planning manager/director's decision. The notice shall describe the request, provide a map showing the specific location of the property, describe the review process and timeframes, and indicate how to contact the case planner assigned to the application.

1. For development over 18 feet in height where the replacement structure is not proposed to be sited in substantially the same location on the affected property as the damaged or destroyed structure, a notice of application shall be provided to all properties within a 1,000 foot radius of the development.

J. Add Section 17.62.080. Rebuild development permit, to read as follows:

§ 17.62.080. Rebuild development permit.

- A. A rebuild development permit shall be required for the following development projects related to structures being replaced after being damaged or destroyed in a natural disaster. It shall be issued by planning manager/director upon demonstrating by a preponderance of the evidence that all requirements of the municipal code are met, as applicable.
 - 1. Mechanized equipment or temporary shoring on the beach necessary to construct beachfront properties so long as construction activities do not enter the intertidal zone and in no case shall extend beyond the previously existing primary development pad.
 - 2. An onsite wastewater treatment system (OWTS) that replaces or improves an OWTS serving a structure that that was damaged or destroyed by a natural disaster.
 - a. OWTS replacements on a sandy beach or coastal bluff shall be sited the most landward feasible as determined by appropriate city staff, shall not impact existing public accessways, and shall not extend seaward of the previously existing primary development pad.
 - b. OWTS replacements shall be located in the least environmentally impactful area.
 - 3. New seawalls, as determined necessary by the planning director or building official to protect coastal resources, that protect an OWTS serving a structure that was damaged or destroyed by a natural disaster. New seawalls shall be sited only at the boundary of OWTS that it protects. New seawalls shall not extend into any existing public access easements or public access deed restrictions, excluding any such easements or deed restrictions on the seaward side of the OWTS it protects, and shall not expand further into previously approved public view corridors or further into open space deed restrictions.
 - 4. Any new structure or improvement (including, but not limited to, foundation systems, utilities, driveways, water tanks, and other water storage devices) that is necessary or recommended to construct, install, or use the replacement structure described in subsection (A) in compliance with all applicable state and local laws and regulations.
 - 5. Minor improvements to existing driveways or access roads that are required by the fire department after a natural disaster, such as minor changes to the width or grade of driveways or access roads. Accessory structures, such as retaining walls, necessary to accommodate the driveway or access road improvement shall also be allowed, including new cuts on slopes steeper than 3:1 but shall not exceed 1:1 or steeper. Retaining walls shall not exceed six feet in height for any one wall, nor twelve (12) feet for any combination of walls (including required freeboard), and which shall be separated by at least three feet. Improvements shall not extend into a public access easement or public access deed restriction and shall not expand further into a previously approved public view corridor (except for on-grade driveways), or further into open space deed restrictions. Access improvements that

do not meet the requirements of this subsection may be processed as an administrative coastal development permit or as a regular coastal development permit as listed in the Malibu LIP.

- B. **Application Submittal.** An application shall be filed with the planning division and may be part of the planning verification application for replacement structures that were damaged or destroyed by a natural disaster. Applications shall be complete only after all required information is submitted; review by all appropriate city staff and specialists including review by the building official, city engineer, city biologist, city geologist, city archeologist, city coastal engineer and city environmental health specialist, as deemed necessary, is complete; and the application fee determined by resolution of the city council is paid.
- C. **Action.** The planning manager/director shall approve, deny, or approve with conditions a rebuild development permit within 15 calendar days from the date of a complete application. Complete application determinations shall be determined solely by the City. The City may include incomplete/or nonconforming plans as a basis for an incomplete application in addition to standard application requirements. No decision shall be subject to invalidation on the grounds that it is made after the deadline. The applicant shall be informed of the action by letter and/or approved plans. Action of the planning manager/director shall be final and not appealable.
- D. **Expiration.** An approved rebuild development permit shall expire three years from the date of final approval, unless a time extension has been granted, or work has commenced and substantial progress made (as determined by the building official) and the work is continuing under a valid building permit. If no building permit is required, the rebuild development permit approval shall expire after three years from the date of final planning approval if construction is not completed. If a rebuild development permit is included within a planning verification application pursuant to Section 17.60.020(C), then the rebuild development permit shall expire when the planning verification expires.
- E. **Extension.** The planning manager/director may grant up to four one-year extensions of the expiration of a rebuild development permit approval, if the planning manager/director finds, Based on substantial evidence, that due to unusual circumstances, strict compliance with the expiration date of the permit would create an undue hardship for the applicant.

SECTION 7. Effective Date.

The LCPA sections referenced in Section 5 of this Ordinance shall become effective upon certification by the California Coastal Commission. The ZTA sections referenced in Section 6 of this ordinance shall become effective 30 days following adoption by the City Council.

SECTION 8. Severability.

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality or the remaining portions of this Ordinance; it being hereby expressly declared and this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phases be declared invalid or unconstitutional.

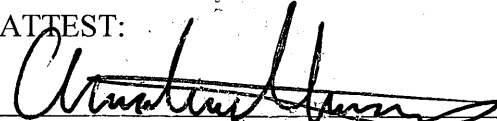
SECTION 9. Certification.

The City Clerk shall certify to the passage and adoption of this Ordinance.


PASSED, APPROVED, and ADOPTED this 12th day of March 2025.


MARIANNE RIGGINS, Mayor Pro-Tem

ATTEST:

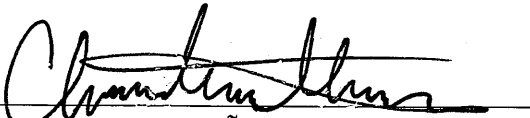

CHRISTINA MUNOZ, Deputy City Clerk
for KELSEY PETTIJOHN, City Clerk
(seal) 3/12/2025

APPROVED AS TO FORM:


KELLAN MARTZ, Assistant City Attorney
for TREVOR RUSIN, Interim City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 524 was passed and adopted at the Adjourned Regular City Council meeting of March 12, 2025, by the following vote:

AYES:	3	Councilmembers:	Conrad, Uhring, Riggins
NOES:	0		
ABSTAIN:	1	Councilmembers:	Silverstein
ABSENT:	1	Councilmembers:	Stewart


CHRISTINA MUÑOZ, Deputy City Clerk
for KELSEY PETTIJOHN, City Clerk
(seal)



LCP and Zoning Code Interpretation

(Interpretation of the provisions of the Malibu Local Coastal Program and local Zoning Ordinance as approved by the City Council)

LCP Number: 24

Dated: October 15, 2025

Zoning Code Number: 15

Amended: _____

Community Development Director: Yolanda Bundy

Planning Manager: Tyler Eaton, Assistant Community Development Director

Interpreting Body: City Council

MMC and LCP Sections: Various Sections within Title 17 of the MMC and the LCP

Title: Rebuild Policies

The City of Malibu has historically been subject to wildfires and other natural disasters that have destroyed property. The City has established a series of ordinances to guide the rebuild process following those disasters. In March of 2025, the City Council adopted Ordinance No. 524, the “Disaster Rebuild Ordinance”, which provided relief to those impacted by the 2025 Palisades Fire, 2024 Franklin Fire, and 2024 Broad Fire, but also set new regulations for the rebuilding of structures lost in past and future disasters. Generally, property owners are allowed to replace structures destroyed by a natural disaster with an additional 10 percent height, bulk, or floor area per the Malibu Local Coastal Program’s (LCP) Local Implementation Plan (LIP) Section 13.4.6. Additionally, Malibu Municipal Code (MMC) Section 17.60.020(C) allows for structures destroyed in a natural disaster to be replaced with an additional 10 percent height, bulk, or square footage. In implementing the regulations set forth in Ordinance No. 524 that provide relief from the regular development standards, questions have arisen regarding issues related to the ordinance and rebuilding after disasters. To provide additional clarity, the following interpretations are hereby adopted to provide consistent guidance and application of these provisions:

Issue No. 1: What is “like-for-like”? Property owners are allowed to replace their previous structures that were destroyed “like-for-like” plus 10 percent additional square footage, height, or bulk.

Current Policy: “Like-for-like” means a replacement structure that is compliant with LIP Section 13.4.6 (if applicable) and MMC Section 17.60.020(C) in that it is sited in substantially the same location and is within 110 percent the same height, bulk, or square footage of the previous structure. Bulk (volume) is the constraining factor. A replacement structure cannot exceed 110 percent the volume of the previous structure. The extra 10 percent bulk (volume) can be allocated to extra height or extra square footage so long as it does not exceed 110 percent the bulk (volume), square footage, or height of the previous structure. For example, adding 10 percent extra square footage may result in not being able to add extra height because the extra bulk was already expended on the extra square footage. Or vice versa, if the extra 10 percent bulk has already been expended on extra height, then the applicant may not get extra square footage. Previously existing bulk can be shifted around so long as the replacement structure is sited within substantially the same location as the previous structure,

and the shifting of bulk does not exceed 110 percent the height or square footage of the previous structure. For non-beachfront properties, if bulk is shifted to other parts of the structure and the bulk exceeds 18 feet in height and is outside the original building envelope, the shifted bulk will require a site plan review pursuant to MMC Section 17.62.040. The design of the structure may change. For example, a craftsman style design can be rebuilt as a modern design as long as the structure is within 110 percent the same height, bulk, and square footage of the previous structure.

Issue No. 2: What qualifies as a replacement structure being located in the same “general location” (MMC Section 17.60.020(C)) or “sited in substantially the same location” (LIP Section 13.4.6(A)). Both the MMC and LCP require that replacement structures be sited in the same general location as the previous structures.

Current Policy: Replacement structures must be sited within 50 percent of the previous structure’s footprint and envelope to be considered “substantially” in the same location. Relocations beyond 50 percent of the original footprint require a De Minimis Waiver pursuant to LIP Section 13.4.11 or a Coastal Development Permit (if the findings for a De Minimis Waiver are not met).

Issue No. 3: Calculating bulk. Bulk is defined in the LIP as “the total interior cubic volume as measured from the exterior surface of the structure.” The term is not defined in the MMC.

Current Policy: Property owners may rebuild their structures in line with the LIP definition of bulk; meaning the cubic volume (bulk) shall not exceed 110 percent the previous structure’s volume.

Issue No. 4: What is considered a “lawfully erected” structure under MMC Section 17.60.020? MMC Section 17.60.020(C) allows for lawfully erected structures that do not conform to the current design and development standards (or lot development criteria) in the City to be reconstructed if they were destroyed or damaged in a natural disaster.

Current Policy: Unless evidence demonstrates the contrary, a structure will be considered to be “lawfully erected” if: (1) it has a building permit or the required approvals from a government agency who had jurisdiction over the subject location when the structure was erected, or (2) the evidence demonstrates the structure existed prior to the date of the City’s incorporation-- except structures located on a beach, coastal bluff, within an environmentally sensitive habitat area, or other sensitive coastal resource area must be shown to have existed prior to the California Coastal Act. Evidence that may be used to demonstrate the above includes, but is not limited to, aerial and GIS imagery, photography, city records, Los Angeles County Assessor data, and California Coastal Commission records. For any structure destroyed or substantially damaged by the 2025 Palisades Fire only, “lawfully erected” shall also include any structure that physically existed immediately prior to the 2025 Palisades Fire, so long as (i) the structure was not part of an open code enforcement violation pertaining to the construction of the structure, (ii) the structure did not violate any applicable law that is beyond the authority of the City of Malibu to waive or excuse (e.g., a structure that was built entirely or partially on property belonging to someone other than the owner of the structure), and (iii) the structure has a building permit that allows the structure to exist in some form (e.g., a remodel or addition for which a building permit was not issued would not disqualify the whole structure that existed immediately prior to the fire from being considered “lawfully erected”, so long as there is building permit for the structure to exist in some form).

Issue No. 5: Basements and Subterranean Garages. MMC Section 17.40.040(A)(13)(c) discounts the first 1,000 square feet of basements towards a property’s total development square footage

(TDSF). Based on this language, some property owners are requesting that new basements do not count towards the 110 percent square footage allowed in a like-for-like rebuild.

Current Policy: The square footage for new basements and subterranean garages shall be included in the 110 percent square footage calculation. A replacement structure cannot exceed a 10 percent increase in size/square footage, which would occur if the square footage of new basements was not included in the calculation.

Issue No. 6: Water tanks and pools. Water tanks and pools that have a draft hydrant and which can be connected to by the Los Angeles County Fire Department may be necessary for rebuild structures to have adequate fire flow to fight fires. MMC Section 17.62.080(A)(4) allows for water tanks, pools and other water storage devices to be permitted as long as they are required or recommended by a government agency.

Current Policy: If water tanks and pools are required or recommended by a government agency, the development standards for new structures within the subject zoning district shall be required except that the square footage needed for water tanks shall not be counted towards a property's TDSF.

Issue No. 7: Combining square footage between multiple structures. Some property owners are seeking to combine square footage from multiple structures into one structure. For example, a property owner may have had a home with a detached gym but is now proposing to combine the detached gym's square footage with the home. LIP Section 13.4.6 states that a replacement structure is exempt from a CDP if the replacement structure (1) is for the same use, (2) does not exceed the floor area, height, or bulk of the destroyed structure by more than 10 percent, and (3) is sited in substantially the same location. This section implies that each structure shall be placed in the same general location and rebuilt to the same general size.

Current Policy: MMC Section 17.40.050(B) sets the zoning standards for required distance between buildings. Main buildings shall be at least 10 feet apart. Main building and accessory building shall be at least six feet apart. If structures that are proposed to be replaced are 10 feet or less in distance apart, they may be combined. However, as stated in LIP Section 13.4.6, the structures must maintain the same use. If an uninhabitable structure (such as a garage) is combined with a habitable structure, the square footage of the uninhabitable area must be maintained. This policy avoids unintended consequences that could be caused through the consolidation of dispersed structures into a larger home that could have impacts on views or other sensitive resources.

Issue No. 8: No net loss. California's "No Net Loss" law (SB 166) "*prohibits a city, county, or city and county from reducing, requiring, or permitting the reduction of the residential density to a lower residential density that is below the density that was utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the city, county, or city and county makes written findings supported by substantial evidence that the reduction is consistent with the adopted general plan, including the housing element, and that the remaining sites identified in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need. The city, county, or city and county may reduce the residential density for a parcel if it identifies sufficient sites, as prescribed, so that there is no net loss of residential unit capacity.*" Some property owners, during the rebuild process, are seeking to convert multifamily structures into single-family structures if allowed by the subject zoning district.

Current Policy: In order to maintain compliance with State Law, the City is requiring that property owners who are seeking to convert their multifamily structures to single-family structures replace those lost units in the form of Accessory Dwelling Units (ADUs). For example, a triplex (three units)

that is proposed to be replaced by a single-family residence shall also include two ADUs to ensure there is no net loss. However, where State law allows flexibility, staff may allow less density on a lot than previously existing.

Issue No. 9: 10 percent increases must comply with current zoning regulations. MMC Section 17.60.020(C) allows nonconforming structures to be replaced (up to 110 percent height, bulk, and square footage) and maintain their nonconforming aspects in relation to the applicable zoning regulations.

Current Policy: The 10 percent increases must comply with current zoning regulations. As stated in MMC Section 17.60.020(C), increases to height or bulk above 18 feet shall require a site plan review (SPR) on non-beachfront properties. Similarly, 10 percent increases into required yard setbacks shall only be allowed with a SPR as listed in MMC Section 17.62.040. However, de minimis encroachments into required setbacks may be allowed at the discretion of the Community Development Director / Planning Manager. This policy allows legally established structures that do not conform to the current codes to be rebuilt but prevents their nonconformities from expanding.

Issue No. 10: Is a wave action report required for a beachfront rebuild of a residence for a Planning Verification? MMC Section 17.40.040(A)(5)(b) states that new construction on beachfront lots must have their lowest finished floors elevations be determined by a comprehensive wave action report. In contrast, additions to an existing structure measure height based on an existing finished floor elevation.

Current Policy: The LIP definition of “New Development” explicitly excludes replacement structures (destroyed in a natural disaster) from being defined as new development and thus not subject to the rigorous review of new development requirements within the LCP. Because the LCP does not include replacement structures as “New Development”, the structures shall also not be considered “new construction” for planning (zoning) purposes.

For all replacement beachfront structures, the structure’s height above sea level shall be determined by the Federal Emergency Management Agency’s (FEMA) flood plain regulations as stated in MMC section 17.60.020(C)(1) with no additional sea level rise requirements imposed by the City. Onsite wastewater treatment systems and seawalls that are being built along with the replacement beachfront structure will be required to be designed by the applicant’s coastal engineer with no additional sea level rise requirements imposed by the City. The design must be provided in either a (i) coastal engineering or wave uprush report, or (ii) letter certified and stamped by the applicant’s coastal engineer, who must be a California licensed civil engineer experienced in the practice of coastal engineering.

Issue No. 11: Rooftop decks. Rooftop decks are referenced in LIP Section 3.6(E) as allowed, specifically for beachfront properties, and have been allowed historically in the City for non-beachfront properties. Rooftop decks are becoming more common and have been permitted on both beachfront and non-beachfront structures throughout the City’s history.

Current Policy: Rooftop decks are allowed for both beachfront and non-beachfront rebuilds. Structures that include rooftop decks shall be conditioned to prohibit furniture that exceeds the railing height and to ensure that any lighting on the deck complies with the City’s Dark Sky Ordinance. Rooftop deck railing height shall be included in the maximum height allowance for the replacement structure.

Issue No. 12: Survey requirement. Residents have expressed concerns about providing surveys in their Planning Verification applications. Staff have been able to accept other forms of evidence to verify compliance with LIP Section 13.4.6 (if applicable) and MMC Section 17.60.020(C) such as historical surveys, City approved plans, and Los Angeles County and California Coastal Commission records. However, there have been discrepancies in the available information. An example of a discrepancy is when the Los Angeles County Assessor information regarding lot area differs from what has been represented on historical plans.

Current Policy: Staff will require a survey in the Planning Verification phase to demonstrate compliance with the LIP Section 13.4.6 and MMC Section 17.60.020(C). The submitted survey in the Planning Verification phase can be used in Building Plan Check.

2025 PALISADES FIRE ONLY

The following issues are addressed only for structures destroyed in the 2025 Palisades Fire and do not apply to other structures that were destroyed in any other natural disaster as these projects are subject to special orders from the Governor.

Issue No. PF1: Projects that were deemed complete prior to the fire but never approved or permitted. There are some property owners who had projects in the system before the fire for additions and other improvements to their previously existing structures.

Current Policy: If a project was approved or the application was deemed complete before the 2025 Palisades Fire, and the structure was destroyed in the fire, the property owner is allowed to construct both the replacement structure and the deemed complete application as long as all required permits are obtained and as long as the deemed complete application does not require a variance. The owner may have to submit additional documentation for a project that has not yet received approval from the City. If the deemed complete application requires a site plan review, minor modification, or stringline modification, such approval must still be obtained. In these instances, the replacement structure and the deemed complete application will be considered the "like-for-like". However, If the deemed complete application is for new square footage for the structure that was destroyed in the fire, and the new square footage in the deemed complete application exceeds 10 percent of the square footage of the previous structure, the applicant/owner shall not be allowed to obtain more square footage than what is authorized in the deemed complete application. In other words, the applicant/owner shall not get an additional 10 percent square footage on top of the square footage allowed under the deemed complete application if the deemed complete application was for more than 10 percent the square footage of the previous structure. The applicant in such case may only build the structure proposed in the deemed complete plans.

Issue No. PF2: Seaward projections. Governor Gavin Newsome's Executive Order (N-20-25), states that replacement structures may not "expand farther seaward on the beach than the structure or facility" that existed immediately before the 2025 Palisades Fire.

Current Policy: A replacement structure is not allowed to expand farther seaward than the structure that existed before the fire but it may shift previously existing square footage more seaward so long as the area being shifted does not go farther seaward than the structure's "predominate seaward projection". MMC Section 17.40.040(A)(7)(c)(1)(b) defines a beachfront structure's "predominate seaward projection" as "that portion of a structure closest to the ocean, which has a width (i.e., the dimension which is on a plane parallel to the ocean front) at least 30% of the maximum width of the structure." If one floor is further seaward than another, and the floor that is further seaward meets the definition of "predominate seaward projection", then the floor that is further landward may extend out

to a point no further seaward than the “predominant seaward projection” of the structure but shall still be limited by the stringline rule as required in MMC Section 17.40.040(A)(7)(c). Both the deck and the dwelling are viewed as separate structures.

Issue No. PF3: Are building code required interior accesses on beachfront lots counted towards the 10 percent increase in square footage allowed? With the new FEMA regulations shifting beachfront properties to higher elevations, some property owners may have homes that extend significantly above PCH than before and thus require new interior access staircases to access the home from ground level (Pacific Coast Highway).

Current Policy: An interior access that is required by the building code and is necessitated by the new finished floor requirements based on the FEMA flood elevations will not be counted towards the 10 percent additional square footage allowed for rebuilds.

Issue No. PF4: Governor Gavin Newsom’s Executive Order (N-32-25) states that local jurisdictions within the boundaries of the 2025 Palisades Fire may prohibit or restrict the acceptance and processing of applications under Government Code Sections 65852.21 and 66411.7 for projects located in Very High Fire Hazard Severity Zones.

Current Policy: The City of Malibu will not accept or process applications under Government Code Sections 65852.21 and 66411.7 for any project within a Very High Fire Hazard Severity Zone within the boundaries of the Palisades areas.

Legislative Record: On October 15, 2025, the City Council reviewed every issue and adopted the corresponding policies.

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-20-25

WHEREAS on January 7, 2025, I proclaimed a State of Emergency to exist in Los Angeles and Ventura Counties due to fire and windstorm conditions that caused multiple fires, including the Palisades, Eaton, Hurst, Lidia, Sunset, Woodley, and Hughes Fires; and

WHEREAS these fires devastated communities across the Greater Los Angeles Area and collectively burned over 47,900 acres, destroying or damaging more than 16,250 structures, including homes, small businesses, and places of worship, with initial estimates placing this disaster among the most destructive in California history; and

WHEREAS since the fires began, I have issued several Executive Orders to provide relief to impacted communities, protect survivors and to expedite and aid recovery efforts, including orders streamlining permitting requirements to enable Los Angeles to build back quickly, and safer and more resilient than before; and

WHEREAS on January 12, 2025, I issued Executive Order N-4-25, which suspended the California Environmental Quality Act (CEQA) and permitting requirements under the California Coastal Act for projects to rebuild properties destroyed or substantially damaged by these fires, subject to certain conditions, in order to avoid procedural delay and costs for such rebuilding efforts; and

WHEREAS on January 16, 2025, I issued Executive Order N-9-25, which extended those suspensions to new accessory dwelling units on impacted properties and accelerated the occupancy of those units, and also suspended regulatory requirements to expedite the establishment of mobilehomes, manufactured homes, and recreational vehicles as temporary housing while rebuilding efforts on impacted properties proceed; and

WHEREAS Executive Order N-4-25 also directed various state agencies and departments to report back to me within 30 days on recommendations for further suspensions of state laws that may delay rebuilding efforts, and to engage affected local governments around recommended practices for expedited permitting and other approvals to support rapid rebuilding, to streamline and align review and approvals for rebuilding efforts as much as possible; and

WHEREAS state agencies and departments have completed their review under this directive and identified additional suspensions of state law related to construction and environmental permits that will facilitate rapid rebuilding efforts, and these suspensions, together with the suspensions in my prior orders, will facilitate implementation of the one-stop, streamlined permitting processes that local governments are launching for impacted property owners; and

WHEREAS additional clarity that local governmental approvals in the permitting process are determinative of eligibility for the Coastal Act and CEQA suspensions under my prior orders, along with further guidance to local governments around those approvals, will provide additional certainty to property owners that will further accelerate rebuilding efforts; and

WHEREAS the suspensions of the Coastal Act and CEQA in my prior orders, and as further clarified in this Order, provide the full scope of flexibility requested by the affected local governments to support rapid rebuilding efforts; and

WHEREAS although the regulatory suspensions regarding mobilehomes, manufactured homes, recreational vehicles, and mobilehome and special occupancy parks in Executive Order N-9-25 will significantly reduce barriers, the requirement to obtain a coastal development permit may interfere with expedited rehousing objectives; and

WHEREAS state law limitations on the duration of coastal development and building permits may impede local agency efforts to create a one-stop, streamlined permitting processes developed by agencies, and add time and expense to the rebuilding process; and

WHEREAS rebuilding can be further expedited by allowing homes that were recently approved for development under modern building safety standards, including fire protection standards, to rebuild to the approved specifications; and

WHEREAS state laws that impose affordability requirements when rebuilding on the site of a demolished structure, or constructing a new residence in the coastal zone, serve important goals to increase the supply of affordable housing, but may, in some circumstances, delay rebuilding if applied to homes that were substantially damaged or destroyed due to the emergency; and

WHEREAS property owners seeking to expedite rebuilding by using previously approved building plans may be unreasonably delayed in accessing those plans by regulation requiring local building departments to seek the consent of the professional who signed the original plans, particularly when those plans were submitted years before this emergency; and

WHEREAS state law requires local jurisdictions to periodically update their zoning ordinances to implement their housing element, including minimum density and development standards, but an extension of these deadlines will allow local staff in a jurisdiction affected by the emergency to focus fully on developing and implementing rebuilding efforts; and

WHEREAS under the provisions of Government Code sections 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of these fires and windstorm conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. Paragraph 2 of Executive Order N-9-25 is terminated.
2. Paragraph 2 of Executive Order N-4-25 is terminated and replaced with the following:

Paragraph 1 of Executive Order N-4-25, which suspends the California Environmental Quality Act (Division 13 of the Public Resources Code,

commencing with section 21000), and regulations adopted pursuant to that division, and any requirement to obtain a permit under the California Coastal Act (Division 20 of the Public Resources Code, commencing with section 30000), for projects to repair, restore, demolish, or replace property or facilities substantially damaged or destroyed as a result of this emergency, shall apply only to:

- a. Primary structures and facilities that are in substantially the same location as, and do not exceed 110% of the footprint and height of, the primary structures and facilities that existed immediately before this emergency.
 - b. Accessory structures that do not exceed 110% of the footprint and height of the accessory structures that existed immediately before this emergency, and that are in substantially the same location relative to the primary structure as the accessory structures that existed immediately before the emergency. For properties subject to Coastal Commission Categorical Exclusion Order E-79-8, accessory structures covered by this subparagraph include accessory structures that are in substantially the same location relative to a primary residence as the accessory structures that existed immediately before the emergency, regardless of the size or location of the primary residence.
 - c. New accessory dwelling units on a residential property on which a primary residence was substantially damaged or destroyed as a result of this emergency, but only to the extent that such accessory dwelling units are built at least 10 feet from a canyon bluff or 25 feet from a coastal bluff.
 - d. Supportive infrastructure, including, but not limited to, foundation systems, utilities, and driveways, that is necessary to construct, install, or use the structures and facilities described in subparagraphs (a)-(c).
3. Structures and facilities described in subparagraphs (a)-(d) of Paragraph 2 are subject to the suspensions in Paragraph 1 of Executive Order N-4-25 only to the extent that they do not encroach on a public access easement or public access deed restriction, excluding any such easements or deed restrictions on the seaward side of structures or facilities on the beach, and only to the extent they do not expand farther into a previously approved public view corridor, farther into an open space deed restriction, or farther seaward on the beach than the structure or facility that existed immediately before this emergency.
 4. Local agencies that issue development and building permits for development projects shall be the sole agencies that may determine whether a property or facility is eligible for the suspensions in Paragraph 1 of Executive Order N-4-25 and meets the requirements of Paragraphs 2 and 3 of this Order, and local agency planning or permit approval shall be determinative of eligibility. Such determination shall not be appealable to the California Coastal Commission or to any other state executive agency or department, and contrary provisions of the California Coastal Act (Division 20 of the Public Resources Code, commencing with section 30000) are suspended. Local agencies may develop guidance and procedures for implementing this Paragraph. In making the determinations described by this Paragraph, local agencies may consider, but are not limited to using, prior building permits, certificates of

occupancy, county accessor data, Coastal Commission records, photographic sources, such as Google Maps and Light Detection and Ranging (LiDAR), and any other reasonably available sources of information accessible to the local agency.

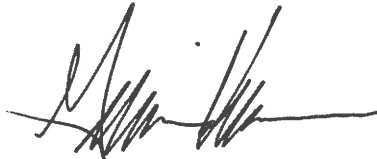
5. The provisions of the California Coastal Act requiring coastal development permits are suspended in Los Angeles County with regard to establishment, repair, or operation of a mobilehome park or special occupancy park, as well as replacement, installation, or repair of one or more mobilehomes, manufactured homes, or recreational vehicles located on privately-owned property when the lots are held out for rent or lease, or owner-occupied, or one or more mobilehomes, manufactured homes, or recreational vehicles located on privately-owned property when the lots are held out for rent or lease, or owner-occupied, as described in paragraph 5 of Executive Order N-9-25, for those persons displaced by this emergency and owners or operators of mobilehome or special occupancy parks providing housing for such displaced persons. This Paragraph shall apply only to the extent that any such development is not located within a public access easement or public access deed restriction, a previously approved public view corridor, or open space deed restriction. The suspensions in this Paragraph shall terminate three years from the date of this Order, after which time a local government agency may require the owner or operator of a mobilehome park or special occupancy park, or of a mobilehome, manufactured home, or recreational vehicle subject to the suspensions in this Paragraph, to obtain a coastal development permit, as applicable.
6. The expiration of any coastal development permit issued under the California Coastal Act is extended, and such permit shall continue to be valid without the need to apply for an extension, for an additional 3 years from the expiration date of such permit, with respect to projects involving properties or facilities that were substantially damaged or destroyed as a result of this emergency in Los Angeles County. To the extent any provision of the California Coastal Act, or any local ordinance authorized by the California Coastal Act, provides otherwise, it is suspended.
7. Any building permit issued for a project to repair, restore, demolish, or replace a structure or facility in Los Angeles County that was substantially damaged or destroyed as a result of this emergency shall be valid for three years from the date of issuance. To the extent it provides otherwise, Health and Safety Code section 18938.6 is suspended.
8. The reconstruction of residential dwellings that were originally designed and constructed to the 2019 California Building Standards Code and were subsequently destroyed as a result of this emergency in Los Angeles County may be permitted for reconstruction using the same design of the original dwelling that met the 2019 Codes without additional plan review at the discretion of the local enforcing agency. Any contrary provision of state law is suspended. Notwithstanding the foregoing, any applicable minimum elevation standards established in the 2022 California Building Standards Code and any subsequent updates (consistent with federal guidance on the implementation of the National Flood Insurance Program), and any applicable requirement to produce a required elevation certificate, shall continue to apply to dwellings subject to this Paragraph.

9. With respect to projects to repair, restore, demolish, or replace any residential dwelling units substantially damaged or destroyed as a result of this emergency:
 - a. Government Code section 65915, subdivision (c)(3)(B), and section 66300.5, subdivision (h)(2), are suspended in the City of Los Angeles to the extent those provisions would otherwise require a project to replace residential units subject to any form of rent or price control with units affordable to income-qualified households, provided that all of the rent- or price-controlled units are replaced in compliance with the jurisdiction's rent or price control ordinance consistent with section 65915, subdivision (c)(3)(C)(ii).
 - b. Government Code section 66300.5, subdivision (h)(3), is suspended in the City of Los Angeles to the extent it would otherwise require a project to replace residential dwelling units that are or were rented by lower or very low income households within the past five years, provided that any lower or very low income tenant residing in the units immediately before they were substantially damaged or destroyed is provided a right of first refusal consistent with the requirements in section 66300.6, subdivision (b)(4)(B).
10. For purposes of Government Code section 65590, projects to repair, restore, demolish, or replace any residential structure which contains less than three dwelling units substantially damaged or destroyed as a result of this emergency in any jurisdiction in Los Angeles County shall not be deemed "conversion or demolition of existing residential dwelling units" or construction of a "new housing development" if the repaired, restored, or replacement structure contains three or fewer dwelling units. To the extent any provision of section 65590 provides otherwise, it is suspended.
11. Health and Safety Code section 19851 is suspended in Los Angeles County for projects to rebuild, restore, demolish, or replace a structure substantially damaged or destroyed as result of this emergency, except that a County, or any city in the County, that duplicates a building plan maintained by the building department for a project subject to this paragraph shall require a person requesting the duplication of the plans to sign an affidavit containing the information in Health and Safety Code section 19851, subdivision (c)(2)-(3).
12. For the County of Los Angeles, the deadline to complete any rezonings required by Government Code section 65583, subdivision (c)(1)(A), section 65583.2, subdivision (c), and section 65583.4, subdivision (a), as pertaining to the County's sixth cycle housing element, shall be extended by 90 days.
13. With respect to efforts to repair, restore, demolish, or replace any properties or facilities substantially damaged or destroyed as a result of this emergency, Chapter 6 (commencing with section 1600) of Division 2 of the Fish and Game Code, and regulations adopted pursuant thereto, and Article 3 (commencing with section 2080) of Chapter 1.5 of Division 3 of the Fish and Game Code, and regulations adopted pursuant thereto, are suspended.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 13th day of February 2025.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH. D
Secretary of State



**MALIBU
REBUILDS**
MALIBUREBUILDS.ORG



Best Management Practices (BMPs) for Construction Sites

For more information, visit [MalibuRebuilds.org](https://www.MalibuRebuilds.org)

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Introduction

Construction sites can impact water quality if not properly managed. To protect our environment, **Best Management Practices (BMPs)** are used to reduce pollution and keep soil and debris from washing into storm drains, creeks, and the Pacific Ocean.

What Are BMPs?

BMPs are practical steps taken during construction to:

- Keep the site clean and organized,
- Prevent erosion and control sediment,
- Manage water that isn't from rain (like from washing equipment), and
- Handle waste and materials responsibly.

Key BMPs for Erosion and Sediment Control

Erosion happens when soil is worn away by wind or water. Sediment is the soil that gets carried off-site, often ending up in storm drains or waterways. To prevent this:

- **Preserve existing vegetation** whenever possible.
- Use **temporary seeding, mulching, or ground covers** like hydraulic mulch or geotextiles to protect bare soil.
- Install **perimeter controls** such as:
 - o Silt fences
 - o Straw wattles
 - o Burlap sandbag barriers

These help trap sediment and keep it from leaving the site.

Managing Non-Stormwater

Water from activities like equipment washing or concrete work must be kept from entering storm drains. BMPs include:

- Using designated washout areas
- Preventing unauthorized discharges
- Keeping water from leaving the site untreated

Waste and Material Handling

Construction generates waste that must be managed carefully:

- Clean up debris daily
- Use spill kits and have a spill prevention plan
- Store materials properly to prevent leaks or runoff

Seasonal Considerations

BMPs are important year-round, but especially during the **rainy season (October 1 – April 15)**. Stormwater can quickly carry loose soil and pollutants into storm drains.

Contractors and site managers should:

- Keep soil piles covered or surrounded by berms
- Store excavated soil away from streets, drains, and neighboring properties
- Ensure all BMPs meet **state and federal water quality regulations**

For more information, reach out to econsultant@malibucity.org.

Site Management

Best Management Practice - Housekeeping

Housekeeping refers to the plans, procedures, and activities designed to minimize or prevent pollution in stormwater runoff. Good housekeeping practices include:

- Storing materials under cover whenever possible,
- Handling materials in ways that reduce the risk of spills or leaks, and
- Properly managing and disposing of waste.

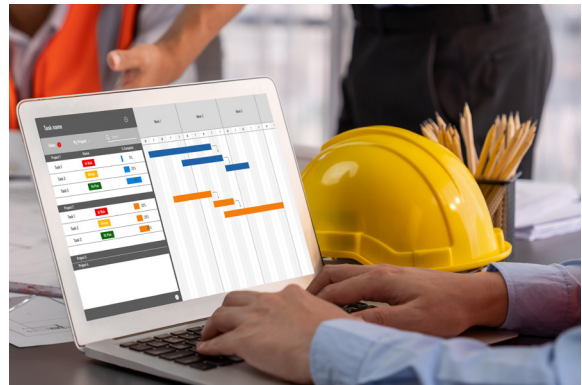
These measures help protect water quality and ensure compliance with environmental regulations.



Erosion Control

Scheduling

Scheduling involves developing a written plan that outlines the sequence of construction activities and associated best management practices (BMPs), while taking local climate conditions—such as rainfall and wind—into account. Effective scheduling helps reduce the area and duration that soil remains exposed and vulnerable to erosion.



Preservation of Existing Vegetation

The most effective way to prevent erosion is to minimize disturbing the land. Preserving existing vegetation helps achieve this by identifying and protecting desirable plant cover and existing trees, which provide natural erosion and sediment control benefits.

Ground Cover - Hydraulic Mulch

Hydraulic mulch is a mixture of fibrous materials and water, blended into a slurry and sprayed onto the surface of soil. It provides temporary protection against wind and water erosion.



Ground Cover - Soil Binders

Soil binders are soil-stabilizing chemicals—such as polymers—applied to exposed soil surfaces to provide temporary erosion control. They are available in liquid or powder form and are either sprayed onto or mixed into the soil.



Ground Cover - Geotextiles and Mats

Geotextiles and mats, also known as rolled erosion control products (RECPs), are made from natural, synthetic, or blended materials. They are applied to the soil surface to create an erosion-resistant layer. When used in combination with seeding, RECPs help retain moisture, improving conditions for seed germination.



Sediment Control

Silt Fence

Silt fences are woven geotextile barriers that are trenched into the ground, secured to support stakes, and sometimes backed by a strengthening mesh. They function by ponding sediment-laden runoff, allowing sediment to settle out behind the fence before the water continues downstream.



Non-Plastic* /Burlap Fiber Rolls or Straw Wattles

Fiber rolls (also known as straw wattles) are tubes of straw, coconut fiber, or other biodegradable materials, wrapped by netting. Some fiber rolls are weighted with gravel cores for added stability. They are typically installed along contours in a trench and staked into place. Fiber rolls serve multiple sediment control functions, including:

- Slowing runoff velocity,
- Reducing slope length,
- Ponding runoff to allow sediment to settle, and
- Releasing runoff as sheet flow.

Burlap fabric or other non-plastic materials should be used. *Effective June 8, 2017, plastic sandbags are banned in Malibu.



Non-Plastic* /Burlap Gravel Bag Berm

Gravel bag berms are formed by placing a series of gravel-filled bags along a level contour to intercept sheet flow. These berms pond runoff, allowing sediment to settle out, and then gradually release the water as sheet flow. Bags used for gravel should be burlap/non-plastic.

*Effective June 8, 2017, plastic sandbags are banned in Malibu.

Non-Plastic* /Burlap Sandbag Barrier

Sandbag barriers are formed by placing a series of sand-filled bags along a level contour to intercept or divert sheet flow. They can be used to pond runoff, allowing sediment to settle out before the water is slowly released. Bags used for sand should be burlap/non-plastic.



Stabilized Construction Entrance/Exit

A stabilized construction entrance/exit is a designated access point that has been reinforced to minimize the tracking of mud and dirt onto public roads. Stabilization can be achieved using a rumble strip or a layer of appropriately sized rock placed over a geotextile fabric.

Wind Erosion Control

Wind erosion and dust control measures include applying water or chemical dust suppressants to disturbed soils, or covering stockpiles and small areas with rolled erosion control products (RECPs) or mulch to prevent dust generation during windy conditions.

Wind Erosion Control

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Wind erosion and dust control measures include applying water or chemical dust suppressants to disturbed soils, or covering stockpiles and small areas with rolled erosion control products (RECPs) or mulch to prevent dust generation during windy conditions.

*Effective June 8, 2017, plastic sandbags are banned in Malibu.

Non-Stormwater Management

Water Conservation Practices

Water conservation practices involve using water in ways that prevent erosion and reduce the transport of pollutants offsite. Key practices include:

- Limiting water use,
- Repairing leaks promptly,
- Preventing water from contacting construction materials, and
- Containing and reusing water whenever possible.



Effective June 2015, the City modified its existing restrictions for outdoor water use, for more information refer to Malibu Municipal Code Chapter 9.20 (<https://ecode360.com/MA5043>) and For Landscape Water Conservation Requirements, contact the City's Planning Department (<https://www.malibucity.org/355/Planning>)



Dewatering Operations

Dewatering operations involve removing non-stormwater from a site to allow construction activities to proceed or to support vector control. These operations must be managed to prevent the discharge of pollutants. Best Management Practices (BMPs) for sediment control - such as filtration or settling - are used to trap or remove sediment before discharge to land or surface waters. Dewatering

activities must comply with all applicable local, regional, and state regulations, permits, or authorizations. For more information, contact econsultant@malibucity.org.

Discharges of **groundwater** from construction and project dewatering activities to surface waters within the North Santa Monica Bay Coastal Watershed, including the City of Malibu, are regulated under the **General NPDES Dewatering Permit No. CAG994004, Order No. R4-2023-0429**, or as amended. For details, contact econsultant@malibucity.org.

Low-volume discharges to land with minimal pollutant concentrations are considered a low threat to water quality and are subject to **General Waste Discharge Requirements (WDRs) Order No. 2003-0003-DWQ**. An example includes small-scale dewatering during excavations. For more information, contact econsultant@malibucity.org.

Material and Waste Management

Material Delivery and Storage

Material delivery and storage practices include:

- Minimizing the amount of material stored onsite,
- Storing materials in watertight containers or enclosed areas (e.g., sheds),
- Installing secondary containment (e.g., double-lined tanks), and
- Conducting regular inspections of stored materials.



Material Use

Material use is a procedural Best Management Practice (BMP) designed to control the quantity and handling of materials, chemicals, and hazardous substances stored onsite. This BMP helps minimize the potential for these substances to come into contact with stormwater run-on or runoff, particularly through non-stormwater discharges.

Stockpile Management

Stockpile management practices help prevent air and stormwater pollution from materials such as soil, sand, paving materials, and pressure-treated wood. These practices include properly placing stockpiles, using perimeter barriers, and covering stockpiles to minimize pollutant discharge.

Spill Prevention and Control

Spill prevention and control procedures are designed to prevent or reduce the discharge of pollutants from leaks and spills. These procedures focus on minimizing the potential for spills, stopping spills at the source, containing and cleaning up spills promptly, and properly disposing of all spill-related materials.



Solid Waste Management

Solid waste management helps prevent or reduce the discharge of pollutants by:

- Providing designated waste collection areas and containers,
- Arranging for regular waste collection, and
- Ensuring proper disposal of waste materials.

Hazardous Waste Management (if present)

Hazardous waste management involves the proper use, control, containment, and disposal of hazardous materials and waste. This Best Management Practice (BMP) is implemented in conjunction with OSHA Hazardous Waste and Materials Standards.



Contaminated Soil Management (if present)

Contaminated soil management involves identifying and controlling soils that are contaminated - or suspected of being contaminated - due to spills, illicit discharges, aerial deposition, or past land use. All contaminated soils must be managed in accordance with applicable federal, state, and local laws and regulations.



Concrete Waste Management

Concrete waste management addresses both hardened concrete waste and concrete slurry waste. Concrete washouts must be conducted in a designated, contained area, with proper disposal of all waste materials. Workers should be trained on correct washout procedures, and the washout area must be inspected regularly to ensure compliance and effectiveness.

Sanitary/Septic Waste Management

Sanitary and septic waste management is achieved by providing convenient, appropriately placed, and well-maintained facilities, along with arranging for regular servicing and proper disposal. Preferred placement for sanitation facilities is on a flat surface and away from, or upstream of, City storm drain inlets. Temporary sanitation facilities should also be equipped with secondary containment to prevent leaks or spills.



Liquid Waste Management (if present)

Liquid waste management involves the containment and proper handling of non-hazardous liquids. Disposal of liquid waste must comply with local and state laws and regulations. For more information contact City of Malibu staff at (310) 456-2489 ext. 400.

Additional BMP Resources

U.S. Environmental Protection Agency's National Menu of Best Management Practices (BMPs) for Stormwater-Construction

www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater-construction



California Department of Transportation's Construction Site best management Practices (BMPs) Manual

www.dot.ca.gov/-/media/dot-media/programs/construction/documents/environmental-compliance/construction-site-bmps_final-march-2024_a11y.pdf



California Stormwater Quality Association's 2025 Construction BMP Handbook (subscription required)

www.casqa.org/resources/bmp-handbooks/construction-bmp



For More Information

MalibuRecovers@MalibuCity.org

310-456-2489 ext. 400

MalibuRebuilds.org

Malibu Rebuild Center

23805 Stuart Ranch Road, Suite 240

Monday - Friday, 8:00 AM - 4:00 PM



**MALIBU
REBUILDS**

This guide provides general information only. For site-specific guidance, please consult with a California Licensed Professional Engineer (PE), California Licensed Registered Geologist (RG), Qualified Stormwater Pollution Prevention Plan Developer (QSD), or Qualified Stormwater Pollution Plan Practitioner (QSP).

ONSITE WASTEWATER TREATMENT SYSTEM FIRE DAMAGE ASSESSMENT

Each Onsite Wastewater Treatment System (OWTS) proposed to be utilized for sewage disposal following fire damage to a property, is required to be inspected by a City-registered OWTS Inspector and approved by the City prior to use. A list of City-registered OWTS Inspectors can be found at MalibuCity.org/Practitioners. Submit this form to the Environmental Health office.

OCCUPY (CIRCLE ONE)

Existing Structure (not damaged) Rebuild Structure

SITE INFORMATION

Site Address _____ APN _____
Property Owner _____
Mailing Address _____
Email Address _____ Phone Number _____
No. of OWTS on the subject property _____

CITY-REGISTERED OWTS INSPECTOR

Name _____ License Number _____
Company _____

I certify that I have personally inspected the onsite wastewater treatment system at this address and that the information reported below is true, accurate and complete as of the time of the inspection. I am a City of Malibu-registered OWTS Inspector pursuant to Section 5.38.040, of the Malibu Municipal Code.

Condition of OWTS (circle one)

Passes Fails (detailed below) Requires repair (detailed below)

Signature of Practitioner _____ Date of Inspection _____

Comments (attach additional sheets if necessary)



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For recovery and rebuilding information: MalibuRebuilds.org

FOUNDATION REUSE AFTER A WILDFIRE

The standard procedure for removal of debris at a property with a severely damaged or destroyed structure is to completely remove and dispose of the foundation. Existing footings, slabs, and foundation systems in fire-destroyed buildings are typically compromised and are not permitted to be re-used.

Intense heat and fire can render a foundation unusable, or impractical for re-use for the following reasons:

1. A fire can generate enough heat to damage and weaken the concrete and steel reinforcement bars in footings, slabs, and footing stem walls. Even though concrete is non-flammable and offers fire protective qualities for preventing the spread of fire, it loses most, if not all of its structural strength characteristics when exposed to extreme heat. Performing compressive tests to confirm that the concrete has retained sufficient strength for reusing can be destructive and is not cost effective.
2. Foundation anchorage hardware (steel bolts and holdown anchors) is compromised during a fire and cannot be replaced or repaired without expense. Installing replacement anchors in an existing footing is labor intensive and requires special inspections during installation, which can add significant cost. Replacement anchors for holdown hardware must be re-engineered and are difficult and expensive to install in existing concrete footings. It requires special hardware and installation techniques involving high-strength epoxies, careful drilling, and continuous special inspection for new anchor placement.
3. Plumbing pipes and electrical conduit embedded in the concrete is usually destroyed or heavily damaged during a fire. Repairs and replacement of pipes and conduits in existing foundations involves the removal and replacement of portions of the concrete that encapsulates them, which further compromises the concrete. This process usually involves saw cutting and jackhammering out those portions of concrete containing pipes and conduits, removing and replacing the damaged pipes and conduit, and pouring the replacement concrete.



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FOUNDATION FEASIBILITY REPORT FOR FIRE DAMAGED STRUCTURES

GENERAL INFORMATION

Existing foundations in fire damaged buildings and structures require a feasibility review by the Community Development Department. This review only considers the durability and soundness of concrete foundations including slabs, footings, piles, and retaining walls based on the testing data described below.

Timber Piles may not be reused as a foundation system as per current County of Los Angeles Building Code, Section 1810.3.2.4.

The feasibility review is the first of two mandatory steps before potentially reusing the foundation. The second step is the plan review process. The foundation shall meet minimum code requirements (current Los Angeles County Code, current California Building Code, and all other referenced codes and standards) during the plan review stage. The California-licensed design professional of record must provide details, calculations, and a narrative of repairs necessary for proof that the foundation meets minimum current code requirements for the plan review process. The foundation shall also meet minimum requirements and recommendations by a California licensed geotechnical engineer provided in a soils report or an update letter.

The submittal of the feasibility report or the City's acceptance of the report does not guarantee that the foundation may be reused for the construction of a new building or structure. The acceptance of the report allows for building plans to be submitted for plan review. During the plan review process, the foundation may be deemed unacceptable for reuse. The owner(s) shall be aware of all the risks in the form of additional costs or the failure to reuse the existing foundation.

FEASIBILITY REPORT

This guideline presents the minimum required information to be provided on the feasibility report prepared by a California-licensed civil engineer, or structural engineer. All testing shall follow specific codes and standards. Failure to do so will result in corrections needed before approval.

1. **Visual Inspection:** All locations of surface crazing, concrete cracking, surface erosion, spalling and discoloration of concrete shall be identified, photographed, and included in the report. Provide a description regarding the damage of the concrete observed including steel reinforcement and anchor bolts.
2. **Non-Destructive Testing:** Schmidt Hammer test (ASTM C805-18) shall be performed on the foundation to assess the in-place uniformity of concrete, to delineate variations in concrete quality throughout a structure, and to estimate in-place strength. The testing shall be performed at various locations of the foundation including areas with little to no fire damage and areas with damage. Provide a sketch of the foundation or retaining wall showing the locations where tests



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have been taken from. The corresponding test results shall be clearly stated for each test. Based on the Schmidt Hammer testing results, destructive concrete testing per section 3 noted below shall be conducted to confirm concrete compressive strength. Note: Foundation elements with compressive strengths less than 2,500 psi are not allowed to be reused.

3. **Destructive Testing:** Core sample testing is required to confirm the concrete compressive strength for all fire damaged foundation systems Concrete core testing shall be in conformance with ASTM C42-20, ACI 214.4R-10, and other referenced codes and standards. (Note: Shotcrete testing method shall be per ASTM C1604/C1604M-05) The destructive testing shall be conducted by a certified testing laboratory and the testing results shall be documented in a formal report confirming the concrete strength results.
4. **Tensile Testing:** Any existing tension devices to be reused including holdowns, anchor bolts, and mudsill anchors shall have pull out tests performed in accordance with ASTM C900-23. All holdown anchors to be reused shall be load tested for a minimum load that matches the holdown manufacturer's listed tension design capacity. The minimum testing force for anchor bolts and mudsill anchors shall be 1,000 lbs tension force. The frequency of the testing shall be 25% of anchor bolts / mudsill anchors and shall be selected at random to be tested and certified. Failing bolts shall be identified and not used.
5. **Geotechnical:** The existing foundation and bearing material must be evaluated by a California licensed Geotechnical Engineer or licensed Civil Engineer practicing soils engineering. A discussion about the suitability of the foundation and the bearing material shall be provided in a soils report prepared for the property (a limited report or comprehensive report) in conformance with the Geotechnical Fire Rebuild Guidelines and current County of Los Angeles adopted Building Codes and ordinances, as adopted by the City of Malibu in the Malibu Municipal Code. Please note if any of the following conditions occur at the site, additional requirements, documentation, and justification may be required by the ESD Geology Department for the foundation reuse: uncertified fill, landslides, settlement, slippage, inadequate foundation setbacks and building clearance from descending and ascending slopes respectively, and any other known or potential geologic hazards.

In addition to the observations, testing data, and findings, the foundation feasibility report shall include an assessment from the California licensed Civil or Structural Engineer of record regarding the structural integrity and durability of the concrete. The report should include engineering justification for keeping the foundation and recommendations for any remedial work that will be required to address the observed defects and to provide compliance with the current County of Los Angeles Building codes adopted by the City in the Malibu Municipal Code. Building plans may be submitted for plan review after the feasibility report is found acceptable by the Community Development Department and approved by the Building Official. The feasibility report may be submitted and reviewed concurrently with the building plans.



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PALISADES FIRE PERMIT REQUIREMENTS FOR INSTALLING TEMPORARY HOUSING

MalibuCity.org/PalisadesFire

PROCESS SUMMARY

Follow the process and guidelines below to get into your temporary residence as quickly as possible.

1. Complete the Cleanup/Debris Removal Process.
2. Determine if your Onsite Wastewater Treatment System (OWTS) also known as a septic system – is functional. See requirements under “OWTS (Septic) Requirements” on page 4
3. Provide limited Geotechnical report prepared by appropriately licensed professionals which evaluates the location of the proposed temporary housing with respect to geologic and flood hazards that the specific location(s) may be exposed to during the proposed four-year use of the location.
4. Prepare your Temporary Housing documents for submittal, including:
 - Planning application for Temporary Housing.
 - Site Plan. See requirements under “Site Plan Requirements” below.
5. Submit your Temporary Housing Application to Planning.
6. Make an appointment with the Building Official to obtain clearance for your temporary housing application. If approved by both Planning and Building Safety, permits will be issued.
7. Receive your Temporary Housing Building Permit. The permit will be issued to either a Licensed Contractor, B License contractor, or Owner/Builder. Electrical permits to be issued to C-10 licensed contractors only.
8. Reinstate electrical, gas, and water service. See additional details under “Electrical Service Requirements” on page 5 “Natural Gas Service Requirements” on page 6 and “Water Service Requirements” on page 6.
9. Place or build your temporary home!

SITE PLAN REQUIREMENTS

On your site plan, please include:

- Location of temporary housing unit(s). See rules “Rules for Temporary Housing” on page 3.
- Description of proposed temporary housing unit.
- Location of the physical posting of the property address. See “Address Identification” on page 6.
- Location of OWTS.
- Location of water service meter.
- Location of electrical service, as determined by SCE.
- Location of gas service meter, if applicable.

RULES FOR TEMPORARY HOUSING

- Temporary housing structures are defined as mobile homes, trailers, recreational vehicles or other structures which are self-contained units which include sanitary facilities, and facilities for normal daily routines including cooking and sleeping.
- Temporary housing structures DO NOT include any structure placed upon a permanent foundation, nor do they include tents, yurts, or similar fabric or textile installations.
- Conditions of approval in the Planning Application attached includes the following:
 1. No more than two (2) temporary housing structures which together total no more than 1,000 square feet will be permitted.
 2. No additional grading will be allowed, beyond that permitted as part of the development plan.
 3. The temporary housing must be placed within the existing development area as defined by the City of Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP). The temporary housing must be placed on the development pad to be used for reconstruction.
 4. The temporary housing structure must include skirting.
 5. The temporary housing structure may not include any structural attachments.
 6. Additional conditions of approval state that owners must:
 - Provide the City with written authorization from the owner allowing the City to terminate all utilities upon expiration of the period for which the temporary housing structure is permitted to remain on the property.
 - Upon expiration of the temporary housing permit, the property owner shall obtain verification from the city that all temporary housing structures have been removed from the property. Failure to obtain this verification shall result in a fine of \$1,000 per day until the verification is obtained.
- The temporary housing structures shall be occupied only by the property owner(s) or tenant(s) living on the property at the date of the natural disaster, or their families. Should this requirement be violated, the temporary housing structures must be immediately removed, the property will no longer be eligible to place temporary housing on the property for a period of 5 years, and the owner shall be subject to a fine of \$1,000 per day. Liens may also be imposed on the property by the City as a means of compliance.
- Temporary housing structure permits expire after four (4) years from the date of planning approval but may be renewed in one-year increments, for a maximum of six (6) years, provided that a building permit for the reconstruction has been issued, and regular inspections are occurring.
- Temporary housing structure(s) must be removed from the lot prior to final approval (e.g., Certificate of Occupancy) by the Building Official for the reconstructed residence unless the temporary housing structure is permitted and converted into a permanent structure stored in compliance with the LCP (ask us how to do this!). An RV may remain on the lot and would no longer be considered a temporary housing structure if it is disconnected from utilities and legally stored in compliance with the LCP.
- If the temporary housing is supported on anything other than wheels or a trailer which can be readily moved (i.e. a manufactured home), it shall comply with requirements for foundations as noted in Chapter 16, 18 and Appendix G - Flood proof Construction of the current California Building Code and requires a building permit from the City. Temporary housing supported on wheels shall be fastened to the ground.

OWTS (SEPTIC) REQUIREMENTS

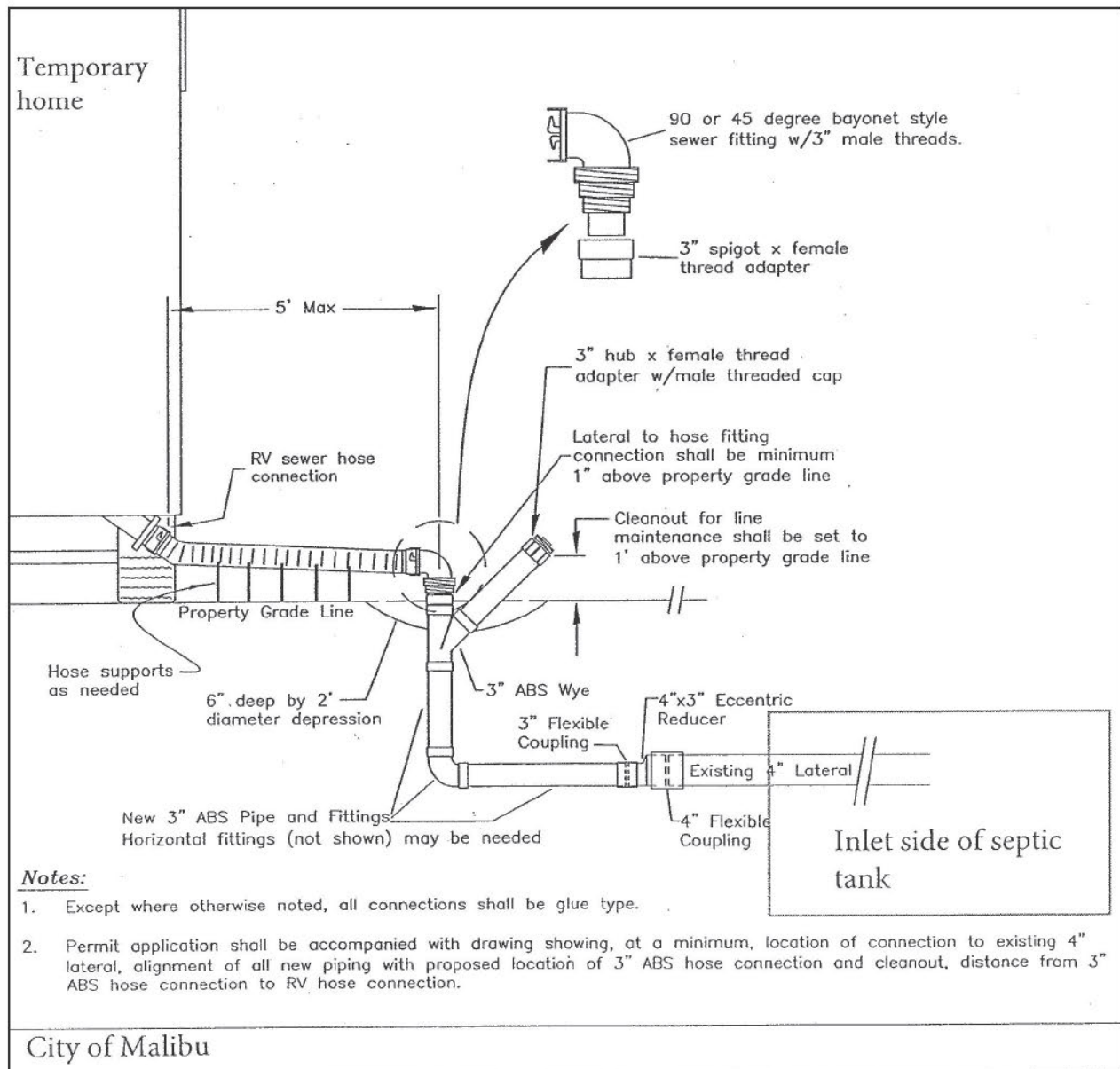
Before a Temporary Housing Permit may be issued, you must prove functionality of your existing OWTS.

To do so:

1. Obtain an inspection of the OWTS by a City Registered OWTS Practitioner.
2. Submit, or ask the OWTS Practitioner to submit on your behalf, the assessment form and site plan to Environmental Health staff for evaluation and approval.

Please note that any repairs/replacement to the OWTS must be made prior to utilization of the OWTS.

TEMPORARY SEWAGE DISPOSAL CONNECTION



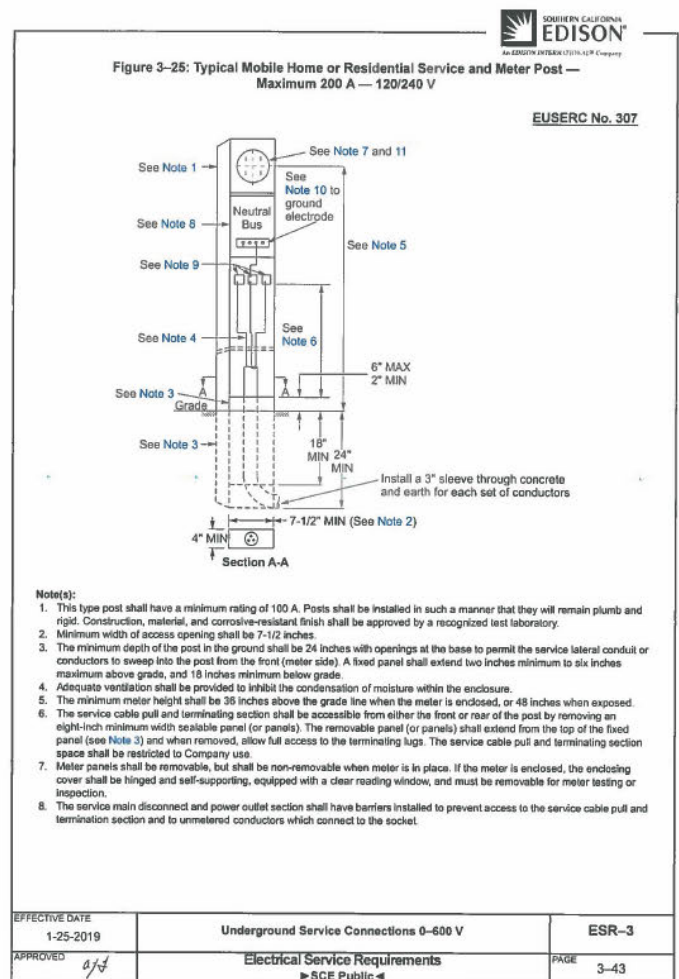
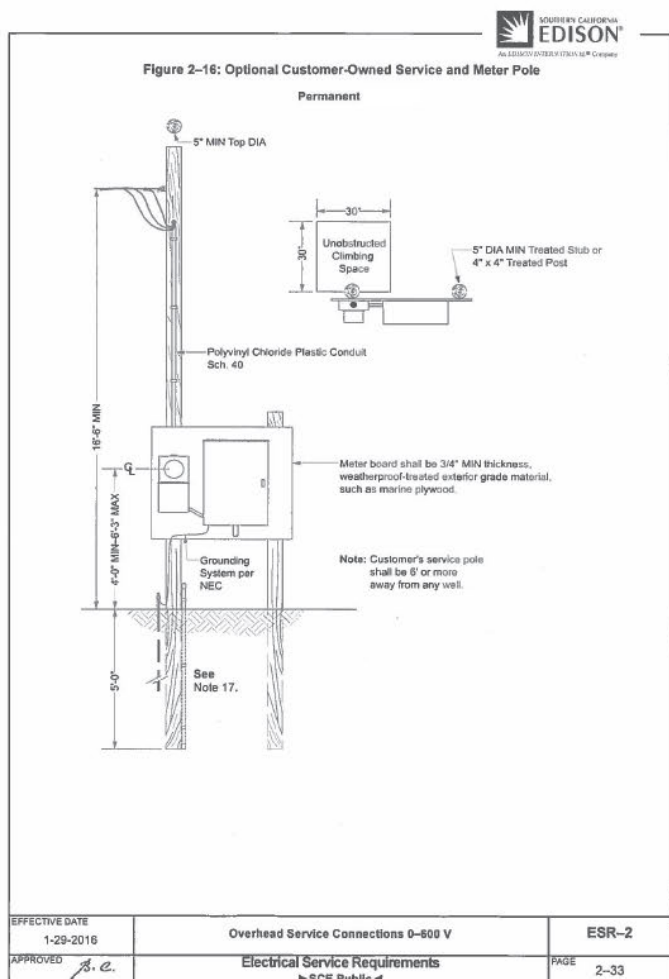
ELECTRICAL SERVICE REQUIREMENTS

To document how electrical service to the temporary housing unit(s) will be installed please include the following on your site plan:

- The distance from the meter service to the proposed temporary housing unit(s)
- The size and height of the electrical meter pedestal
- All requirements of the Malibu Electrical Code apply to the installation from the junction box to the meter location
- No temporary power poles will be allowed

To reestablish electrical service, please contact:

Southern California Edison
 Meter Service Information 800-655-4555 Option 3
 Malibu Business Office 800-611-1911



WATER SERVICE REQUIREMENTS

To document how water service to the temporary housing unit(s) will be installed please include the following on your site plan:

- Distance from the water service meter to the proposed temporary housing unit(s)
- Type and size of materials that will be used (ex. ¾" PVC pipe)
- Location and depth of the water line trench to be completed per Malibu Plumbing Code

To reestablish water service, please contact:

Los Angeles County Waterworks District 29
23533 Civic Center Way, Malibu, CA 90265 877- 637-3661

If your property uses private water wells, please contact:

Los Angeles County Public Health – Drinking Water Program
5050 Commerce Dr, Baldwin Park, CA 91706
626-430-5420 waterquality@ph.lacounty.gov

NATURAL GAS SERVICE REQUIREMENTS

To document how gas service to the temporary housing unit(s) will be installed, please include the following on your site plan:

- Distance from the gas service meter to the proposed temporary housing unit(s)
- Type and size of materials that will be used (ex. ¾" PVC pipe)
- Location and depth of the gas line trench to be completed per Malibu Plumbing Code

To reestablish gas service, please contact:

Southern California Gas
800-427-2200 or socalgas.com

ADDRESS IDENTIFICATION

The address identification is required to be legible and placed in a position that is visible from the street or road fronting the property. Numbers are required to be at least 4 inches high and a minimum of ½ inch wide. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public right of way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.



Site Grading Policy for Operations, Erosion Control, and Stormwater Management

November 2021

Rough Grading Policy

All construction projects within the City of Malibu which involve landform alteration requiring a Grading Permit must obtain a “Rough Grading Approval” prior to the issuance of any construction permit not directly associated with the site grading. A Grading Permit may be issued when all required department and agency approvals have been obtained, and all structures for the project have been approved by Building Plan Check. All permit applications submitted into Building Plan Check shall be subject to the standard procedures for plan check expirations and extensions. The issuance of a Grading Permit and commencement of grading will not extend a plan check expiration date.

A “Rough Grading Certificate” will be issued when all requirements of the Site Grading Checklist have been completed. These requirements are included in the City’s Site Grading Policy packet. Not all elements of the “Rough Grading Checklist” may be applicable to every grading project. Staff will determine the requirements based on the scope of work and site-specific conditions.

When grading projects require the construction of site and/or basement retaining walls, or other similar earth supporting structures, building permits for the walls may also be issued provided all approvals have been obtained. All requisite reviews and approvals must first be obtained prior to permit issuance for the scope of work. When the retaining walls, or similar earth supporting structures, are a component of a building, a retaining wall permit may be issued for the structure. The permit shall be specific as to the scope of work authorized, and only such work will be inspected for approval.

This policy has been implemented to ensure the project site is graded in conformance with all department and agency approval requirements and to establish a geotechnically sound building site which is accessible, sustainable, and durable. The approved project site will be static, require minimal maintenance, and assure facilitation of surface drainage and erosion control year-round.

Prior to commencement of grading activities, a pre-grading site meeting must be conducted. All elements of the grading operations, erosion control, stormwater management plan and other concerns will be reviewed. Applicants shall have their project grading contractor and geologist onsite for the pre-grading meeting. It is also recommended that the project civil engineer attend.

Pre-Grading Site Meeting Required Prior to Grading Activities

Prior to the commencement of any grading activities, a pre-grading site meeting must be conducted. The project manager for the grading activities must schedule a meeting with a City Inspector through the online system at [MalibuCity.org/inspection](https://www.malibucity.org/inspection) at least two business days prior to the proposed meeting date.

The pre-grading site meeting must be attended by the project grading contractor and the geologist of record, and may be attended by any other interested or concerned party(s). Larger grading projects may require the attendance of the civil engineer. The intent of the pre-grading site meeting

is to familiarize all parties with the expectations of the City and to discuss any issues or concerns relative to the permitted grading operations and the maintenance of the site.

At the pre-grading site meeting the following topics will be covered:

- Site Evaluation
- Site Brushed and Debris Removed
- Erosion Control Devices Implemented & Materials Onsite
- Water Availability
- Sanitary Facilities
- Documentation Requirements
- Grading Procedures

Failure to provide sufficient information regarding the elements listed above may delay authorization to begin the permitted grading operations.

Grading in the Rainy Season

Each year during the rainy season (November 1 – March 31), Project Managers must have Best Management Practices (BMP) in place onsite. This includes ensuring all excavated soil is located on the site in a manner that minimizes the amount of sediment running onto the street, drainage facilities, or any adjacent properties. Soil piles must be bermed or covered with plastic or similar materials until the soil is either used or removed from the site.

The below table shows the minimum required site BMPs. If these BMPs are not implemented, City Building inspectors will not allow any further construction or grading until the completion of the rainy season; Code Enforcement will also be notified of noncompliance.

Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Non plastic Sandbag Barrier
	Stabilized Construction Site Entrance/Exit
Non-Stormwater 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

Permits will be issued upon demonstration of approval from the Building Official. Final approval of issued permits will not be given until compliance is verified by City of Malibu Building Safety staff.



City of Malibu

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Site Grading Checklist

Project Address _____

Grading Permit Number _____

Preliminary Grading Inspection

Approved

- Site Evaluation
- Site Brushed and Debris Removed
- Erosion Control Devices Implemented & Materials On Site
- Water Availability
- Sanitary Facilities

Rough Grading Checklist

Required Approved

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Key Way / Bottom Excavation Approval from Geologist/Geotechnical Engineer |
| <input type="checkbox"/> | <input type="checkbox"/> | Removal / Over-Excavation Bottom Approval from Geologist/Geotechnical Engineer |
| <input type="checkbox"/> | <input type="checkbox"/> | Erosion Control Devices in Place |
| <input type="checkbox"/> | <input type="checkbox"/> | Daily Field Observation Reports |
| <input type="checkbox"/> | <input type="checkbox"/> | Rough Grading Pad Elevation Certificate |
| <input type="checkbox"/> | <input type="checkbox"/> | Supervised Rough Grading Certificate |
| <input type="checkbox"/> | <input type="checkbox"/> | Final Compaction and Geologic Reports |
| <input type="checkbox"/> | <input type="checkbox"/> | Primary Drainage Devices Constructed |
| <input type="checkbox"/> | <input type="checkbox"/> | Subdrain Outlets |
| <input type="checkbox"/> | <input type="checkbox"/> | Site Conditions as per Plan |
| | | <input type="checkbox"/> As-Built Required |
| | | <input type="checkbox"/> Planning Division Approval (required for alterations) |
| <input type="checkbox"/> | <input type="checkbox"/> | Slope Conditions and Vegetation Installed |
| <input type="checkbox"/> | <input type="checkbox"/> | Inspection by Los Angeles Fire Dept for rough grading approval |

Final Inspection Checklist

Required Approved

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Final Supervised Grading Inspection Certificate |
| <input type="checkbox"/> | <input type="checkbox"/> | Final Grading Inspection and Approval |
| <input type="checkbox"/> | <input type="checkbox"/> | Final Drainage Approval |
| <input type="checkbox"/> | <input type="checkbox"/> | Final Agency / Departmental Approvals |
| <input type="checkbox"/> | <input type="checkbox"/> | Job in Substantial Compliance |
| <input type="checkbox"/> | <input type="checkbox"/> | Approval of As-Built Plans |
| <input type="checkbox"/> | <input type="checkbox"/> | Final Compaction and Geologic Reports Approved |
| <input type="checkbox"/> | <input type="checkbox"/> | Drainage and Stormwater Management Plan Observation Report |



Recycled Paper



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Rough Grade Pad Elevation Certification

Project Address: _____

Grading Permit Number: _____

I certify the graded pad elevations created during the rough grading operations are:

ELEVATION LOCATION

ELEVATION LOCATION

ELEVATION LOCATION

I also certify the pads and the rough grading is in conformance with the City of Malibu Environmental Sustainability Department approved plans.

Civil Engineering Firm or Licensed Land Surveying Company:

PRINT NAME

Civil Engineer's or Licensed Land Surveyor's Name:

PRINT NAME

Signature:

SIGN NAME DATE

License Stamp:





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Supervised Rough Grading Inspection Certificate

Project Address: _____ Grading Permit Number: _____
Owner: _____ Contractor: _____

Soils Engineer Verification

I verify that the earth fills placed on the referenced lot(s) were placed upon competent and properly prepared soil base material and compacted under my supervision and in compliance with the requirements of the Malibu Building Code and sound engineering practices. I further verify that where the report(s) of an Engineering Geologist, relative to this site, has recommended the installation of stabilization measures, such earthwork construction has been completed in accordance with the approved design. Fill slope surfaces have been compacted in accordance with my recommendations. Subdrains have been properly installed where required.

See Final As-Built Report dated _____ by _____
for compaction test data, recommended allowable soil bearing values, and other special recommendations.

Expansive soils: Yes No

Buttress fills: Yes No

Remarks: _____

Soils Engineering Firm (please print): _____

Soils Engineer (please print): _____ Registration No.: _____

Signature: _____ Date: _____

Civil (Field) Engineer

I verify that the rough grading of the site referenced above has been graded under my supervision and in conformance with the plans as approved by the City of Malibu. The grading verified as in conformance includes grading to approximate final elevations, staking of property lines, location and gradient of cut and fill slopes, cross sectional configurations, and the correct installation of all primary drainage devices and facilities required to stabilize the site. I further verify the required Storm Water Pollution Control devices appropriate for the site have been properly installed and maintained.

Complete one of the following:

- There have been no changes to the original plan and the site is in conformance with the approved plans
- As-Built Plans are required and have been prepared.

Plan Revision Date: _____ City of Malibu Approval Date: _____

Remarks: _____

Civil Engineering Firm (please print): _____

Engineer (please print): _____

Signature: _____ Date: _____

Grading Contractor

I verify that the Rough Grading of the referenced site has been completed under my supervision and in conformance with the plans approved by the City of Malibu. The scope of work verified as correct includes; grading to approximate final elevations, location and gradient of cut and fill slopes, location of drainage swales, terraces and berms, where indicated and required as per the approved grading plans.

- There have been no changes to the design of the grading project as approved by the City of Malibu

Remarks: _____

Grading Contracting Firm (please print): _____

Contractors Individuals Name (please print): _____ Lic. No.: _____

Signature: _____ Date: _____



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Final Supervised Grading Inspection Certificate

Project Address: _____

Grading Permit No.: _____

Project Owner: _____

I verify the satisfactory completion of the project grading is in accordance with the plans as approved by the City of Malibu. All required drainage devices have been installed, slope vegetation has been established and an appropriate irrigation system has been installed (where required). Adequate provisions have been instituted for the proper drainage of all surface waters away from each building and the building site is consistent with standard engineering practices. Where required, effective rodent control measures have been implemented.

Remarks: _____

Civil Engineering Firm (please print): _____

Civil Engineer (please print): _____
Registration No.: _____

Signature: _____ Date: _____

Engineer's Stamp:



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Drainage & Stormwater Management Plan Engineer's Observation Report

Project Address: _____

Owner Name: _____

Date of Observation: _____

Engineer of Record: _____

License / Registration No.: _____

Phone No.: _____

Observed Drainage/Stormwater Management Elements: _____

Location of Observed Elements: _____

Observed Deficiencies: _____

May be continued on reverse

Deficiencies require revisions to approved plans: Yes No

Deficiencies require follow-up inspection: Yes No

I declare the following statements are true to the best of my knowledge & belief:

1. I am the registered Engineer responsible for the observation of the drainage/stormwater elements.
2. All deficiencies that I documented have been corrected unless otherwise indicated above.
3. I am responsible for submission of the original of this report to the Environmental Sustainability Department, Grading Section.
4. I have provided this observation in accordance with the requirements of the City of Malibu

Stamp of Engineer

Signed _____ of _____, 20____, at _____, CA
day month city

X _____
Wet Signature of Registered Engineer



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TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: _____

PROJECT ADDRESS: _____

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.

	<i>Exempt</i>			<i>Non-Exempt</i>	<i>Remedial</i>	Total
	<i>R&R</i>	<i>Understructure</i>	<i>Safety</i>			
Cut						
Fill						
Total						
Import						
Export						

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.

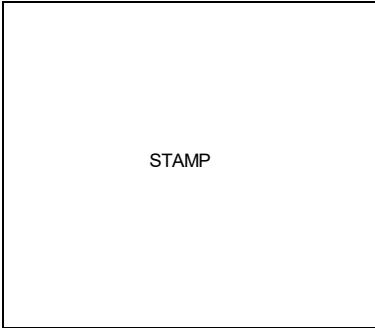
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.

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: _____
PRINT NAME

SIGN NAME

DATE: _____



GENERAL NOTES

1. GRADING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE COUNTY OF LOS ANGELES BUILDING CODE, APPENDIX J - GRADING.
2. ALL RECOMMENDATIONS MADE BY THE SOILS ENGINEER CONTAINED IN THE REPORTS REFERENCED HEREON AS APPROVED SHALL BE A PART OF THE GRADING PLAN.
3. ALL GRADED SURFACES SUBJECT TO EROSION SHALL BE PROTECTED AS APPROVED. PROTECTION SHALL BE PROVIDED AS FULL FUNCTION PRIOR TO APPROVAL OR ROUGH GRADING.
4. UNSUITABLE MATERIAL SHALL BE REMOVED AS REQUIRED BY THE SOILS ENGINEER FROM ALL AREAS TO RECEIVE COMPACTS FILL OR DRAINAGE STRUCTURES. ALL DELETERIOUS MATERIALS, I.E. LUMBER, LOGS, BRUSH OR ANY OTHER ORGANIC MATERIALS OR RUBBISH SHALL BE REMOVED FROM ALL AREAS TO RECEIVE COMPACTED FILL.
5. ALL AREAS TO RECEIVE COMPACTED FILL SHALL BE INSPECTED AND APPROVED BY THE SOILS ENGINEER AFTER REMOVAL OF UNSUITABLE MATERIAL TO THE PRESCRIBED DEPTH IN THE SOILS REPORT, AND PRIOR TO PLACEMENT OF SUBSURFACE DRAINAGE SYSTEMS OR PLACEMENT OF ANY FILL.
6. ALL SOIL OR BACK MATERIALS DEEMED UNSUITABLE FOR PLACEMENT OR COMPACTED FILL SHALL BE REMOVED FROM THE SITE. ANY MATERIAL SUCH AS CONCRETE OR IMPORTED MATERIALS SHALL BE APPROVED BY THE SOILS ENGINEER AND CITY PRIOR TO USE IN COMPACTED FILL. WHERE EXCAVATED MATERIAL IS BLOCKY IT WILL BE BROKEN INTO SUITABLE PARTICLE SIZES, NONE LARGER THAN SIX INCHES IN LARGEST DIMENSION, BEING USED AS FILL.
7. THE SOILS ENGINEER SHALL DIRECT THE REMOVAL OF ANY EXISTING UNDERGROUND STRUCTURES SUCH AS SEPTIC TANKS, IRRIGATION LINES, ETC. BACKFILL OF THESE STRUCTURES SHALL BE IN ACCORDANCE WITH THE APPROPRIATE CITY DEPARTMENT.
8. THE SOILS ENGINEER SHALL BE RESPONSIBLE FOR CORRECTIVE WORK TO ENSURE STABILITY WHERE UNSTABLE MATERIAL IS EXPOSED.
9. ANY INTERIM SOILS AND GEOLOGIC REPORTS SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL.
10. "AS BUILT" SOILS ENGINEER REPORTS, SUMMARIZING ALL WORK PERFORMED AND CONCLUDING THAT FILLS HAVE BEEN PLACED ACCORDING TO THE APPROVED SOILS ENGINEERING REPORT SHALL BE PROVIDED.

BEST MANAGEMENT PRACTICE NOTE:

1. STOCKPILED MATERIAL SHALL NOT BE PLACED WITHIN FIVE FEET OF ANY FENCE/PROPERTY LINE AND NOT MORE THAN 6 FEET IN HEIGHT ABOVE THE NATURAL GRADE.
2. DUST CONTROL SHALL BE USED AT ALL TIMES WITH NO DUST LEAVING THE CONSTRUCTION SITE.
3. EARTH MATERIALS SHALL NOT BE STOCKPILED ON PRIVATE ROAD WITHOUT PERMISSION FROM THE NEIGHBORS, HOME OWNERS ASSOCIATION OR EASEMENT OWNERS.
4. MUD TRACKING OR SOILS SPILLAGE BY CONSTRUCTION VEHICLES OR EQUIPMENT ONTO PRIVATE OR PUBLIC STREETS SHALL BE REMOVED BY THE END OF EACH WORK DAY.
5. NEIGHBORHOOD DRIVEWAYS SHOULD NOT BE BLOCKED BY CONSTRUCTION VEHICLES.
6. STORM DAMAGE PREVENTION MEASURES OR PREVENTIVE DEVICES REQUIRED BY THE EROSION CONTROL PLANS SHALL BE INSTALLED BY OCTOBER 1 OR AS GRADING PROGRESSES AND MAINTAINED UNTIL APRIL 15 OF THE SUCCEEDING YEAR.
7. THE TOTAL ESTIMATED DISTURBED AREA OF GRADING AND CONSTRUCTION IS _____ ACRES. PROJECTS THAT ARE 1.0 ACRE OR GREATER IN DISTURBED AREA WILL REQUIRE A STORM WATER POLLUTION PROTECTION PLAN (SWPPP) AND NOTICE OF INTENT (NOI) AS APPROVED BY THE STATE REGIONAL WATER QUALITY CONTROL BOARD. PROJECTS UNDER 1.0 ACRE WILL REQUIRE A STORM WATER POLLUTION CONTROL PLAN (SWPCP) AND APPROPRIATE BEST MANAGEMENT PRACTICE (BMP'S) AS APPROVED BY THE CITY OF MALIBU.

CONSTRUCTION NOTES:

1. THE PROJECT SHALL NOT GENERATE MORE THAN 10 ROUND TRIP TRUCKS A DAY CARRYING EARTH MATERIALS OR 60 TRUCK TRIPS PER CALENDAR WEEK.
2. NO GRADING ACTIVITY WILL BE ALLOWED ON WEEKENDS OR HOLIDAYS UNLESS APPROVED BY THE CITY OF MALIBU BUILDING SAFETY DIVISION.
3. 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.
4. NO GRADING ACTIVITY SHALL OCCUR IN ANY WETLAND, SHORE-LINE, STREAM, LAKE LINE, CHANNEL, OR FLOODPLAIN WITHOUT THE PROPER PERMITS AND PERMISSION FROM THE CITY OF VENTURA.
5. AN ENCROACHMENT PERMIT IS REQUIRED IF ANY CONSTRUCTION WORK OR STOCKPILING OF MATERIALS IS DONE WITHIN THE CITY RIGHT OF WAY.

CALL BEFORE YOU DIG - DIAL 1(800)642-2444 OR 811

VISIT DIGALERT.ORG, GO TO RESOURCES, AND CHOOSE CGA BEST PRACTICES FOR A GUIDE ON UNDERGROUND SAFETY AND DAMAGE PREVENTION.

LOCATION AND VICINITY MAP

ENGINEERED GRADING INSPECTION CERTIFICATE

JOB ADDRESS OR TRACT NO.: _____

OWNER: _____

ROUGH GRADING CERTIFICATION

SOIL REPORT PREPARED BY: _____

DATES: _____

PROJECT NUMBER: _____

(a) CITY SOILS ENGINEER

I CERTIFY THAT THE ROUGH GRADING WORK INCORPORATES ALL RECOMMENDATIONS CONTAINED IN THE REPORT OR REPORTS FOR WHICH I AM RESPONSIBLE AND ALL RECOMMENDATIONS THAT I HAVE MADE BASED ON FIELD INSPECTION OF THE WORK AND TESTING DURING GRADING. I FURTHER CERTIFY THAT WITH THE REPORTS OF AN ENGINEERING GEOLOGIST, RELATIVE TO THIS SITE, HAVE RECOMMENDED THE INSTALLATION OF BUTTRESSES FILLS OR OTHER SIMILAR STABILIZATION MEASURES. SUCH EARTHWORK CONSTRUCTION HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED DESIGN.

LOT NOS: _____

CIVIL ENGINEER: _____ REG. NO. _____

(SIGNATURE) DATE: _____

EARTHWORK ESTIMATES:

ESTIMATE OF EARTH MATERIALS TO BE EXCAVATED DURING ONSITE CONSTRUCTION: _____ CUBIC YARDS

ESTIMATE OF EARTH MATERIALS TO BE REMOVED FROM THE SITE: _____ CUBIC YARDS.

ESTIMATE OF EARTH MATERIALS TO BE IMPORTED TO THE SITE: _____ CUBIC YARDS.

DISPOSAL SITE GP # _____ SOURCE: GP# _____

THE AVERAGE SLOPE OF THE NATURAL GROUND SURFACE IN THE AREA OF GRADING IS _____ %

LAND DEVELOPMENT AND INSPECTION SERVICES MUST BE NOTIFIED IN (10) WORKING DAYS PRIOR TO ANY EXPORT/IMPORT FILL FROM/TO PROJECT SITE.

CONSTRUCTION (IF APPLICABLE):

CITY TRANSPORTATION ENCROACHMENT PERMIT: _____ PERMIT NO. _____ DATE: _____

STATE ENCROACHMENT PERMIT: _____ PERMIT NO. _____ DATE: _____

PROJECT CONSULTANTS: (NAME, ADDRESS, & PHONE)

1. SOILS ENGINEER: _____
2. CIVIL ENGINEER: _____
3. GRADING CONTRACTOR: _____
4. PROPERTY OWNER: _____

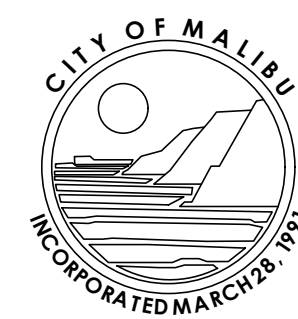
STATEMENT BY THE OWNER:
I, _____ AS OWNER/AGENT OF THE PROPERTY KNOWN AS _____ IN THE CITY OF MALIBU, CALIFORNIA AGREE TO THE FOLLOWING:
(ADDRESS / APN)

- A. I HAVE PREPARED THE PLAN, DATED _____ AND AGREE TO THE REQUIREMENTS SHOWN HEREIN.
- B. I WILL IMPLEMENT AND MAINTAIN THE STORM WATER POLLUTION CONTROL PLAN AND EROSION CONTROL PLAN THROUGHOUT THE DURATION OF THIS PROJECT.
- C. I WILL BE RESPONSIVE TO ANY COMPLAINTS I RECEIVE FROM MY NEIGHBORS AND PROMPTLY ADDRESS ANY NEGATIVE ISSUES WITH THEM TO MINIMIZE IMPACTS TO EVERYONE.
- D. THE RECOMMENDATIONS IN THE SOILS REPORT LISTED ON THIS PLAN WILL BE FOLLOWED AND MADE PART OF THESE PLANS.
- E. I WILL ALLOW INSPECTIONS AND ACCESS TO MY PROPERTY AT ALL TIMES WHEN THE BUILDING PERMIT IS ISSUED.
- F. ALL WORK WILL BE COMPLETED WITH 6 MONTHS.

SIGNATURE _____ DATE: _____
OWNER/AGENT



SITE / FINE GRADING PLAN



OWNER/DEVELOPER:				BUILDING AND SAFETY DIVISION CITY OF MALIBU			
REV. DESCRIPTION BY CK'D APP. DATE				SITE / FINE GRADING SHEET			
SOILS REPORT APPROVAL BY:				PREPARED BY:			
DRN. BY:	DES. BY:	CK'D. BY:		PERMIT NUMBER		SHEET	1 OF 3



City of Malibu

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

LETTER OF AUTHORIZATION TO OBTAIN COUNTY TAX ASSESSOR BUILDING RECORDS

_____ (print name) is authorized by me/us, as the owner(s) of the property located at _____, to request and obtain from the City of Malibu Planning Department a copy of County Tax Assessor building records for the subject property. This authorization will be valid until revoked by me/us in writing.

Dated: _____

_____ Property Owner Signature

_____ Property Owner Name

Dated: _____

_____ Property Owner Signature

_____ Property Owner Name

If the legal owner of the property is a corporation, company, partnership, or LLC, please provide a copy of a legal document attached with this authorization form showing that the individual(s) signing this document is/are a duly authorized partner, officer, or owner of said property, company, partnership, or LLC.

THIS FORM MUST BE NOTARIZED

STATE OF CALIFORNIA, COUNTY OF _____

I certify that the foregoing instrument was acknowledged before me this _____ day of _____, 20__ by _____. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the _____ day of _____, in the year 20__.

Signature of Notary Public
Notary for the State of California

My Commission Expires: _____

Title 17. Zoning

Chapter 17.62. DEVELOPMENT PERMITS

§ 17.62.080. Rebuild development permit.

- A. A rebuild development permit shall be required for the following development projects related to structures being replaced after being damaged or destroyed in a natural disaster. It shall be issued by planning manager/director upon demonstrating by a preponderance of the evidence that all requirements of the municipal code are met, as applicable.
1. Mechanized equipment or temporary shoring on the beach necessary to construct beachfront properties so long as construction activities do not enter the intertidal zone and in no case shall extend beyond the previously existing primary development pad.
 2. An on-site wastewater treatment system (OWTS) that replaces or improves an OWTS serving a structure that that was damaged or destroyed by a natural disaster.
 - a. OWTS replacements on a sandy beach or coastal bluff shall be sited the most landward feasible as determined by appropriate city staff, shall not impact existing public accessways, and shall not extend seaward of the previously existing primary development pad.
 - b. OWTS replacements shall be located in the least environmentally impactful area.
 3. New seawalls, as determined necessary by the planning director or building official to protect coastal resources, that protect an OWTS serving a structure that was damaged or destroyed by a natural disaster. New seawalls shall be sited only at the boundary of OWTS that it protects. New seawalls shall not extend into any existing public access easements or public access deed restrictions, excluding any such easements or deed restrictions on the seaward side of the OWTS it protects, and shall not expand further into previously approved public view corridors or further into open space deed restrictions.
 4. Any new structure or improvement (including, but not limited to, foundation systems, utilities, driveways, water tanks, and other water storage devices) that is necessary or recommended to construct, install, or use the replacement structure described in subsection **A** in compliance with all applicable state and local laws and regulations.
 5. Minor improvements to existing driveways or access roads that are required by the fire department after a natural disaster, such as minor changes to the width or grade of driveways or access roads. Accessory structures, such as retaining walls, necessary to accommodate the driveway or access road improvement shall also be allowed, including new cuts on slopes steeper than 3:1 but shall not exceed 1:1 or steeper. Retaining walls shall not exceed six feet in height for any one wall, nor 12 feet for any combination of walls (including required freeboard), and which shall be separated by at least three feet. Improvements shall not extend into a public access easement or public access deed restriction and shall not expand further into a previously approved public view corridor (except for on-grade driveways), or further into open space deed restrictions. Access improvements that do not meet the requirements of this

subsection may be processed as an administrative coastal development permit or as a regular coastal development permit as listed in the Malibu LIP.

- B. Application Submittal. An application shall be filed with the planning division and may be part of the planning verification application for replacement structures that were damaged or destroyed by a natural disaster. Applications shall be complete only after all required information is submitted; review by all appropriate city staff and specialists including review by the building official, city engineer, city biologist, city geologist, city archeologist, city coastal engineer and city environmental health specialist, as deemed necessary, is complete; and the application fee determined by resolution of the city council is paid.
- C. Action. The planning manager/director shall approve, deny, or approve with conditions a rebuild development permit within 15 calendar days from the date of a complete application. Complete application determinations shall be determined solely by the city. The city may include incomplete/or nonconforming plans as a basis for an incomplete application in addition to standard application requirements. No decision shall be subject to invalidation on the grounds that it is made after the deadline. The applicant shall be informed of the action by letter and/or approved plans. Action of the planning manager/director shall be final and not appealable.
- D. Expiration. An approved rebuild development permit shall expire three years from the date of final approval, unless a time extension has been granted, or work has commenced and substantial progress made (as determined by the building official) and the work is continuing under a valid building permit. If no building permit is required, the rebuild development permit approval shall expire after three years from the date of final planning approval if construction is not completed. If a rebuild development permit is included within a planning verification application pursuant to Section **17.60.020(C)**, then the rebuild development permit shall expire when the planning verification expires.
- E. Extension. The planning manager/director may grant up to four one-year extensions of the expiration of a rebuild development permit approval, if the planning manager/director finds, Based on substantial evidence, that due to unusual circumstances, strict compliance with the expiration date of the permit would create an undue hardship for the applicant.

(Ord. 524U, 3/6/2025, Ord. 524, 3/12/2025)

CITY OF MALIBU
FIRE REBUILD —COASTAL ENGINEERING GUIDELINES
(v2. April 23, 2026)

INTRODUCTION

The City of Malibu Community Development Department has prepared these guidelines to assist property owners in safely and expeditiously rebuilding their fire-damaged properties. This update presents minor clarifications to the prior version and presents a Technical Addendum for wave uprush reports to clarify technical standards for the consultants. This update DOES NOT represent a change in how fire rebuild policies or design standards are applied to beachfront fire rebuilds.

All design requirements are governed by the Malibu Municipal Code (MMC) (primarily sections 15.20, 15.40 and 15.42 for beachfront properties), the Local Area Management Plan (LAMP), Los Angeles County Code Sections 110 and 111, California Building Code, ASCE 24 and FEMA regulations. Malibu has adopted modifications to Zoning Code affecting beachfront rebuilds dated .

Summary of City Council adopted policies and Technical Addendum:

1. Subsequent to Version 1 (published 4-18-2026) of the Coastal Engineering Fire Rebuild Guidelines, City Council has adopted Zoning Fire Rebuild Policies and Codes that adapt Section 17.40.040 Residential Development Standards Section A.5.b which governs minimum required building Finished Floor Elevations (FFE) with respect to wave uprush, specifically for Palisades Fire rebuilds. The minimum design FFE required is governed solely by FEMA Design Flood Elevation (BFE +1), and while wave uprush may inform recommended design elevations, it does not determine the minimum required by the City.
2. An addendum table has been added to clarify the ranges of technical design parameters and recommended design considerations that were developed by the Los Angeles County Coastal Engineering Department in the 1970's, used by the many practicing coastal engineering consultants in preparing wave uprush studies. These standards still apply for fire rebuilds.

To summarize recommended design elevations:

- The minimum design FFE and limitations on allowable height of beachfront homes rebuilt under Planning Verification entitlement (PFPF) are governed by the adopted Malibu City Council [Rebuild Policies](#) of October 2025. Only FEMA flood regulations will apply to the primary structure, as required by federal law. Wave uprush studies may inform design recommendations for FFE but are not required for the primary structure.
- The design of Onsite Wastewater Systems (OWTS) and Shoreline Protection Devices (SPD) are governed by Malibu Municipal Code Chapter 15 (which requires coastal engineering reports), the LAMP and wave uprush elevations govern the design of these elements. Although a wave uprush report is required for this development, no additional sea level rise requirements will be imposed by the City. Instead positions and elevations of these understructure elements will be at the recommendation of the applicant's stamped coastal engineering report and reviewed by the City for conformance with the LAMP and the MMC. This is in line with the adopted Rebuild Policies linked above.

- Effectively the minimum design elevations for the primary structure (FFE) and the understructure (OWTS and SPD) are governed by 2 different standards. Where recommended and minimum design elevations conflict, the Community Development Department may consider modifications on a case-by-case basis.

COASTAL ENGINEERING REPORTS FOR BEACHFRONT PROPERTIES 4-21-26 (v2.)

For all beachfront property rebuilds, a Coastal Engineering report is required that conforms to the City of Malibu *Guidelines for the Preparation of Coastal Engineering Reports* and applicable sections of the Codes listed above. In addition, the following limitations and restrictions apply for beachfront fire rebuilds:

- If the property has an existing seawall that is NOT damaged, and is proposed to be re-used as is, the seawall must be demonstrated to be adequate to serve the structures it is intended to protect through for a specified time frame as determined through an assessment conducted by a structural and coastal engineer.
- If the property has an existing shoreline protection device that is damaged and proposed to be repaired and reused, a Coastal Engineering or Structural Evaluation of the existing ~~seawall~~ shoreline protection device must be performed in accordance with the City of Malibu's guidelines, Foundation Feasibility report for Fire Damage Structures or other applicable standards. The repair or modification must bring the structure into conformance with current code.
- All projects must conform to FEMA Floodplain requirements as codified in the Malibu Municipal Code, including Appendix G of the California Building Code – Flood Resistant Construction.
- No timber piles are allowed to be used or reused for any structure.
- Foundations for seawalls in FEMA VE Zones shall not be structurally connected to structural support for the house.

Applicable Code Sections

While the Governor's Order suspends Fire Rebuilds from the City's Local Coastal Program, this suspension of the Coastal Act does not allow for to the Building Code or the Malibu Municipal Code to be waived, specifically the following sections related to both buildings and onsite wastewater treatment systems on the beachfront:

1. 15.40.110 Shoreline Protection Devices, <https://ecode360.com/44336047> and
2. 15.42.030 Siting criteria, <https://ecode360.com/44336095> (has setback Table **15.42.030(E)**)
3. 15.42.140 OWTS. <https://ecode360.com/44336287>
4. 15.20.150 Coastal high Hazard Areas (Zone VE). <https://ecode360.com/44335784>
5. California Building Code (2022 or latest adopted edition) Appendix G Flood Resistant Construction.

Coastal Engineering Report Requirements(See links under References below).

- City of Malibu codes and guidelines for beachfront parcels—and OWTS standards require a coastal engineering report (wave uprush study) to determine that the proposed structures meet the building code and MMC.
- The coastal engineering report must be prepared by a California licensed civil engineer specializing in coastal engineering. Engineers qualified to prepare these reports are governed by Professional Engineers Act (*Business and Professions Code §§ 6700 – 6799*) and the accompanying *Board Rules and Regulations Relating to the Practices of Professional Engineering and Professional Land Surveying (California Code of Regulations, Title 16, Division 5 §§ 400-476)*.
- Reports must conform to the adopted Guidelines for Preparation of Coastal Engineering Reports (2014).

- It is recommended that potential impacts due to Sea Level Rise be evaluated in the wave uprush analyses, but sea level rise is not required to be included by the City. For reference, the current California Coastal Commission Guidelines recommend the use of Intermediate to High Sea level rise, where feasible, but indicate Intermediate is acceptable to evaluate sea level rise impacts.
- For Fire Rebuilds, it is recommended but not required that both Intermediate and Intermediate to High Sea Level Rise scenarios should be evaluated for a 100-year period from the time a project is anticipated to be complete, based on Table F-11-- Sea Level Scenarios for Santa Monica in the CCC 2024 Guidance. However, less than the 100-year period may be allowable depending on the findings in the coastal engineering report as determined by the Malibu City Council Rebuild Policies.
- Intermediate sea level rise has been accepted for use in design provided there are feasible future adaptations to the structure or on the property to mitigate greater sea level rise, should it occur.
- All reports should include recommendations for inspection and monitoring of the Shoreline Protection Device.

The Building Code and the policy and guidelines that address implementation of the code are about life safety and protection of property. In the event that there is a section of the code that requires interpretation, all final decisions rest with the Building Official.

Governors Executive Orders

The guidelines are intended to address the Governor's Executive Orders and include the Council Rebuild Policies (while also ensuring adherence adopted Building Codes which is not waived by the Governor or the Council) to allow affected property owners to quickly rebuild their fire-damaged structures. The Executive Order regarding construction of ADUs may be limited by other codes and regulations.

Code and Policy References

City of Malibu, *GUIDELINES FOR THE PREPARATION OF COASTAL ENGINEERING REPORTS AND PROCEDURES FOR REPORT SUBMITTAL*

<https://www.malibucity.org/DocumentCenter/View/5600/Coastal-Engineering-Guidelines?bidId=>

Malibu Municipal Code <https://ecode360.com/44342329>

Regulations, Policies & Guidelines for Rebuilding, <https://maliburebuilds.org/regulations-policies-guidelines-for-rebuilding/>

TECHNICAL ADDENDUM – Coastal Engineering Technical Parameters

The purpose in providing this addendum is to clarify design parameters and provide technical background for coastal engineering reports prepared by consultants, and minimum standards against which the reports will be reviewed. The technical parameters used by practicing coastal engineers in the County of Los Angeles, and the City of Malibu, were developed in the 1980s by the County (principally John Hale, PE) and published in July 1983 as the Beachfront Construction Policy for the Malibu Regional Office of Los Angeles County Engineer-Facilities. That policy specified the technical parameters used in coastal engineering reports required under the section Bulkhead Design and Construction, performed in accordance with the Shoreline Protection Manual (SPM) prepared by United States Army Corps of Engineers Coastal Engineering Research Center (USACE-CERC, 1984).

While the SPM has been updated and republished as the Coastal Engineering Manual (CEM) in April 2002, the methodologies for evaluating wave uprush are the same. The development of the technical parameters were documented in peer-reviewed papers (referenced below) published between 1974 and 1983. Subsequent documentation of the effects the coastal storms experienced in 1983 and 1988 also inform the recommended technical parameters. Other technical design parameters may be analyzed, and in the future these standards may be re-evaluated and updated in a comprehensive manner, however these parameters have proven successful for the last 50 years.

In addition to these parameters, standard practice is now to include sea level rise based on NOAA’s *Global and Regional Sea Level Rise Scenario’s for the United States* (February 2023) as adopted by the State of California Ocean Protection Council in the *Sea Level Rise Guidance, 2024 Science and Policy Update* (November 2024). Although these standards typically require full review of sea level rise scenarios, the coastal engineering guidelines have been crafted to meet the policies adopted by the Malibu City Council and the Executive Orders of the Governor of California to expedite fire rebuilds.

Coastal Engineering Design Technical Parameters for Fire Rebuilds⁽¹⁾

Design Parameter	Recommended Values	Comments
Elevations	All elevations shall be presented in NAVD88.	Required by Malibu Municipal Code.
Design Wave Heights and periods	H’o= 9.3 to 11.7 foot wave, 10s period H’o= 2.3 to 3.3 foot wave, 18s period	LA County standards
Design Tide	<ul style="list-style-type: none"> 6 ft MLLW minimum 	Can be adjusted in conjunction with storm surge and sea level rise to achieve reasonable Design Still Water Level.
Storm Surge	<ul style="list-style-type: none"> 0 to 1 ft 	Can be adjusted in conjunction with tide and sea level rise to achieve reasonable Design Still Water Level. Generally speaking, storm surge is not significant.
Design beach profile⁽²⁾	<ul style="list-style-type: none"> LA County Beach profiles Fugro Survey 2001, 2005 (reoccupied AL County profiles) FEMA 2012 Transects (as applicable) 	Order of preference, consider documentation and proximity of data.
Maximum scour depth	4 to 10 feet depending on beach and storm conditions	Consider beach composition and presence of cobble layers

Sea Level Rise⁽³⁾	Evaluate at 40 and 100 yrs, conditions, and potential impacts	Should reference Santa Monica as representative. If using Santa Barbara, provide rationale.
Rock Revetment Design	<ul style="list-style-type: none"> Rock Revetment SPD analysis and design should use a minimum friction value of "r" = 0.50 to 0.55 per Table 7-2 of the SPM. Rock Revetment Face shall not have a steeper slope than 1-1/2 Horizontal to 1 Vertical (1.5 H : 1.0 V). 	Reference Army Corps of Engineers Shore Protection Manual, Table 7-2.

Notes:

⁽¹⁾Adopted from the standards developed by Los Angeles County Coastal Engineering Division as defined in the Beachfront Construction Policy adopted July 1983. Because the coastal fire rebuilds are primarily along the eastern 4.5 miles of Malibu, the variation in wave conditions is not expected to be significant. Additionally, consultants should consider weighted or factored probabilities when selecting parameters.

⁽²⁾ **Beach Profile Information:** The City is in the process of gathering all the beach profile data to make available to all coastal engineering consultants. Documented survey data that can be referenced to current survey data is preferable over more recent but poorly documented or secondary data. Over the years various agencies have obtained this information in both hard copy and digital format, and the City has only been provided a limited data set or none at all.

- Older LA County Beach Profiles are available in existing coastal engineering reports on file in OnBase.
- In 2001 and 2005 , under contract to USACE, Fugro Survey reoccupied LA County beach stations and profiles were resurveyed. This information is not readily available at this time, and the City is in the process of trying to obtain these surveys in simple digital format.
- 2012 FEMA Transects are infrequent and do not cover all beach conditions or typical profiles. They are not readily available or in a format that is easily geo-referenced.
- Offshore LiDAR data is available for 2012 and later but requires data processing and geo-referencing.
- Where beach profile data is limited or not available, coastal engineers may use the method of predicting erosion and foreshore slope movement based documented by John Hale, FASCE, LA County Coastal Engineering Section in *Coastal Sediments, Los Angeles County* (Coastal Sediments, ASCE, 1977), pp. 461-474. This method is based on use of Historical Mean High Tide Line (MHTL) data from surveys, maps, and photographs to determine past Historical Beach Foreshore Slope locations in the statistical determination of the Design Beach Profile.

⁽³⁾**Sea Level Rise and adaptive strategies:** Recommended design elevations based on sea level rise less than 100 years must be accompanied by adaptive recommendations, and conditions that trigger implementation. Recommendations should be incorporated into the Shoreline Protection Monitoring program.

Technical References

Armstrong, George, and Reinhard Flick (1989). *Storm Damage Assessment for the January 1988 Storm Along the Southern California Shoreline* in Shore and Beach, October 1989, pp. 18-34.

Hale, John S. (1974). *Wave Statistics for Surfzone Structures* in Proceedings of the International Symposium on Ocean Wave Measurement and Analysis, Vol1, September 9-11, 1974, pp. 454-466, ASCE.

Hale, John S. (1975). *Modeling the Ocean Shoreline* in Shore and Beach, Journal of the American Shore and Beach Preservation Association, Vol. 43, No.2, pp. 35-41.

Hale, John S. (1977). *Coastal Sediments, Los Angeles County* in Coastal Sediments '77, pp. 460-475, ASCE.

Hale, John S. (June 1983). *Coastal and Ocean Management* in Coastal Zone '83 (vol. III), Proceedings of the Third Symposium on Coastal and Ocean Management, pp. 2387-2400, ASCE.

National Research Council. 1984. *California Coastal Erosion and Storm Damage During the Winter of 1982-83: A Reconnaissance Report*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/19391>.

State of California Sea Level Rise Guidance, 2024 Science and Policy Update

<https://documents.coastal.ca.gov/assets/slr/guidance/2024/2024AdoptedSLRPolicyGuidanceUpdate.pdf>

Coastal Engineering Consultants currently working in Malibu (as of July 1, 2025)

<p>David C. Weiss, Structural Engineer & Associates 20812 Ventura Boulevard, Suite 200 Woodland Hills, CA 91364 (O) 818.227.8040 x115 (F) 818.227.8041 Dave@dcwse.com Janelle@dcwse.com</p>	<p>Reg K. Browne PE President / Principal Engineer Pacific Engineering Group Consulting Engineers Coastal - Civil - Structural – Mining 3625 E. Thousand Oaks Blvd. Suite 254 Westlake Village, CA 91362 P: (805) 278-9283 Email: Surfsgodreg@aol.com</p>
<p>ENGEО Walt Crampton, PE Joe Tootle, PE ENGEО/Terra Costa Engineering (925) 766-8341 3890 Murphy Canyon Road, Suite 200, San Diego CA 92123 (925) 766-8341 Walt Crampton cell: 619-540-9257 Wcrampton@engeo.com jtootle@engeo.com</p>	<p>Janelle Lau, P.E. Moana Engineering 23823 Malibu Road, #50-361 Malibu, CA 90265 P: 805.394.8227 Email: janelle@moanaengineering.com</p>
<p>Dave Skelly GeoSoils, Inc., a division of NEC Group, Inc. 1817 Aston Avenue, Suite 104 Carlsbad, CA 92008 (760) 438-3155 x431 (760) 494-0135 direct (760) 931-0915 fax dskelly@geosoils.com</p>	<p>Thomas Fischetti Hamid Noble Consultants, Inc. (NCI) 2201 Dupont Drive, Suite 830 Irvine, CA 92612 (949) 752-1530 Fax (949) 752-8381 Email: hbazgirkhoob@nobleconsultants.com</p>
<p>Moffatt & Nichol Weixia Jin, PhD, PE, BC.CE Moffatt & Nichol 555 Anton Boulevard, Suite 400 Costa Mesa, CA 92626, D +1 (657) 261-2651 O +1 (657) 261-2699 M +1 (949) 836-7338 wjin@moffattnichol.com</p>	<p>RRM Design Group Michael Hamilton MCHamilton@rrmdesign.com Alan Lewis, PhD, PE, CFM alewis@rrmdesign.com Ventura and Santa Barbara Project Engineer Civil Engineering Direct: (805) 883-5207 Mobile: (805) 807-5593 rrmdesign.com Careers Linkedin</p>

CALTRANS ENCROACHMENT PERMITS FOR FIRE REBUILDS

A Caltrans Encroachment Permit will be required for properties along Pacific Coast Highway prior to issuance of Building permits from the City of Malibu. Note: You may submit your plans for review with the City while obtaining Caltrans Encroachment Permit approvals.

An encroachment permit must be obtained for all proposed activities related to the placement of encroachments within, under, or over the State highway rights of way. An example of work requiring an encroachment permit is placement of a construction debris and/or recycling bin.

PERMITS

All work performed within State highway right-of-way must conform to California Department of Transportation (CalTrans) construction standards including the Encroachment Permits Manual, Standard Specifications, Standard Plans, Project Development Procedures Manual, Highway Design Manual and Special Provisions. The applicant must comply with the "Encroachment Permit General Provisions" (TR-0045), and the Stormwater Special Provisions (TR-0400) available at:



[DOT.CA.gov/-/Media/DOT-Media/Programs/Traffic-Operations/Documents/Encroachment-Permits/Appendix-K-ADA-a11y.pdf](https://dot.ca.gov/-/Media/DOT-Media/Programs/Traffic-Operations/Documents/Encroachment-Permits/Appendix-K-ADA-a11y.pdf)

- Apply Online CEPS.DOT.CA.gov
- Applications and Forms DOT.CA.gov/Programs/Traffic-Operations/ep/Applications
- Encroachment Permit Application Guide Booklet DOT.CA.gov/Programs/Traffic-Operations/ep/Guidelines

Local Office Contact Information

District 7
100 South Main Street, Suite 100
Los Angeles, CA 90012
(213) 897-3631
(213) 897-0420 FAX
D7.Permits@dot.ca.gov



MALIBU REBUILDS

For recovery and rebuilding information: MalibuRebuilds.org

CALTRANS ENCROACHMENT PERMIT QUESTIONS & ANSWERS

POINTS OF CONTACT



Caltrans Permit Office
Phone: 213-897-3631
Website: <https://https://dot.ca.gov/programs/traffic-operations/ep>



FREQUENTLY ASKED QUESTIONS

Caltrans Encroachment Permit

Q: Do I need a Caltrans Encroachment Permit?

A: Yes, An encroachment permit must be obtained for all proposed activities related to the placement of encroachments within, under, or over the State highway rights of way. Some examples of work requiring an encroachment permit are utilities, excavations, vegetation planting or trimming, surveys, mailboxes, driveways, temporary traffic control or any construction activities.

Q: How/where do I apply for an Encroachment Permit and what are the fees to process my application?

A: The Applicants must complete a current "Standard Encroachment Permit Application" (form TR-0100), attach supporting documentation such as: plans, location map, environmental documentation, letter of authorization, surety bonds, liability insurance, any applicable fees, etc. and submit them to the appropriate District Encroachment Permits Office having jurisdictional authority over the proposed encroachment site.

Application website: Public Portal CEPS <https://ceps.dot.ca.gov/>

District Encroachment Permits Offices' Contact Information: D7.Permits@dot.ca.gov (213) 897-2937

Fees vary depending on the type of encroachment and the number of staff hours needed to review and inspect it. Typically, a deposit is required when the application package is submitted. The hourly rate is \$173 as of March 1, 2025. The hourly rate is adjusted each calendar year to ensure Caltrans complies with all applicable laws and regulations.

Q: How long will it take to process my Encroachment Permit application?

Section 671.5 (a) of the California Streets and Highways Code requires that the Department either approves or denies an Encroachment Permit Application submittal within 60 calendar days, upon determination that the submittal is complete. This section grants the Department the authority in what constitutes a completed Encroachment Permit Application submittal. It also stipulates that an Encroachment Permit Application submittal is complete when all statutory requirements including but not limited to Storm Water, Americans with Disabilities Act (ADA), California Environmental Quality Act (CEQA) have been complied with. The term statutory requirement includes both federal and California statutes.

The actual time needed to review and approve your application will depend on the completeness of your submittal, scope, and complexity of the proposed work.

AS-BUILT MAPS

Q: If I need an "as-built" map of my property, how can I obtain one?

A: Caltrans has developed a specific webpage to provide this information.

Visit <https://dot.ca.gov/caltrans-near-me/district-7/district-7-projects/d7-palisades-fire-recovery-as-builts>

Then, click on the link entitled Palisades Fire As-Builts. Use the online map to determine your exact location, and then use the "List As-Builts" button on the far left of the screen to find the specific PDF of your property.



STORM DRAINS AND WATER TREATMENT

Q: I need a storm drain repaired. Who should I contact?

A: It depends on the drain's owner:

Caltrans Right of Way: rightofway@dot.ca.gov

Caltrans Land Surveys: landsurveys@dot.ca.gov

LA County: <https://dpw.lacounty.gov>

Malibu City: mpublicworks@malibucity.org

Note: A permit is required regardless of ownership.

Q: If an Onsite Water Treatment System or other feature encroach into Caltrans right-of-way, can they continue to do so?

A: No. They must be moved in order not to encroach within Caltrans right-of-way.

CALTRANS RESOURCE LINKS FOR HOMEOWNERS ENCROACHMENT PERMITS

Webpage: <https://dot.ca.gov/programs/traffic-operations/ep>

Email: d7.permits@dot.ca.gov

Ready to rebuild?

Request to Reconnect Your Natural Gas Service for Customers Impacted by January 2025 Southern California Wildfires

SoCalGas stands with our customers and supports efforts by federal, state, and local governments to build back communities so residents who lost their homes, their schools, their places of worship, and their businesses can rebuild their lives. Customers who are rebuilding can choose to have their home reconnected to the natural gas system.

To get started, follow the steps below:

Plan

Customers or licensed contractors should request restoration of natural gas service before construction begins, during the planning stages of the project. To begin the process, please fill out the online form at socalgas.com/Rebuild, under "Ready to Rebuild?" After submitting the form online, an email confirmation will be sent to the email address provided on the form. A SoCalGas Planning Representative will contact you within five business days.

For homes being rebuilt, the Residential Energy Efficient Fire Rebuild Program provides financial incentives for single-family and multifamily homes prior to the start of construction. For more information, visit socalgas.com/Rebuild.

Build

SoCalGas representatives will perform several site visits throughout the process and will advise customers as to where their natural gas meters must be placed.

Restore

Once a property is ready for restoration, a SoCalGas Planning Representative will discuss specific project needs and schedule your service for reconnection. Only SoCalGas personnel or agents authorized by SoCalGas may reconnect your natural gas service.

Save

Apply for SoCalGas increased and exclusive rebates. To learn more, visit socalgas.com/Rebates.

Additional support

Customer Assistance Programs* could help you save money and make your home more energy efficient. Learn more at: socalgas.com/Assistance.

GoGreen Financing** is now available to homeowners and small business owners impacted by the January 2025 Southern California wildfires. Eligible participants may qualify for financing on a variety of energy-efficient equipment such as windows, insulation, Heating, Ventilation, and Air Conditioning (HVAC), appliances, cool roofs, and more. Please note financing is not available for home construction. For more information, visit gogreenfinancing.com.

Ready to dig? Stay safe! Dial 8-1-1

Before starting any digging or excavation work, follow California law requirements by calling 811 Underground Service Alert (USA) to have utility lines safely marked. 811 is a free service available to everyone.

Whether you are planning to build a major development or landscaping your yard, be sure to submit a location request online or call 811 at least two business days before digging, not including the date of notification. Representatives will coordinate with us and other utility owners in the area to mark the locations of buried utility-owned lines. For more information, visit socalgas.com/811.



Learn more at: socalgas.com/Rebuild

Did you know?

Home Energy Efficiency Rebate Program* and Multifamily Energy Efficiency Rebate Program*

SoCalGas customers impacted by the January 2025 Southern California wildfires may be eligible for increased rebates of up to 50 percent on the purchase of new energy-efficient natural gas appliances. Customers may also qualify for exclusive rebates on ENERGY STAR® certified smart thermostats, attic insulation, and wall insulation.

Exclusive rebates for smart thermostats, attic insulation, and wall insulation do not qualify for the increased rebate offer. Rebates cannot be stacked or combined with any other incentives offered through the program. Rebate amounts are subject to change and may be modified without prior notice.

How to qualify for increased rebates:

1. Customers must agree to the Terms and Conditions on their rebate application.
2. Qualifying natural gas appliances must be installed in an eligible zip code, as defined below.
3. Equipment must be purchased and installed between **January 7, 2025, and December 31, 2026.**
4. Customers must confirm that their home was impacted by a January 2025 wildfire in Southern California and is located in an eligible ZIP code. Learn more on eligibility at socalgas.com/Rebuild.

Residential Energy Efficient Fire Rebuild Program*

The Program provides financial incentives for single-family and multifamily homes that are built to exceed the State of California Title 24 Energy Efficiency Standards and are equipped with qualifying natural gas equipment. **This program is only eligible to customers who have not yet started the construction process.**

Property owners in zip codes affected by the January 2025 Southern California wildfires who are eligible for increased incentives and interested in participating in the program should take the following steps:

1. Visit socalgas.com/Rebuild to download a copy of the application.
2. Consult with your builder or energy analyst to review the program requirements.
3. Work with your builder who will contact a SoCalGas Account Representative to begin the application process. For more information, email scgprocessing@socalgas.com or call 1-866-563-2637.

Contact Us

For Natural Gas Emergencies

If you suspect a natural gas leak, evacuate the area immediately and call SoCalGas from a safe location, 1-800-427-2200. Or, call **911** promptly from a safe location if there is damage resulting in a natural gas leak that may endanger life, cause bodily harm, cause property damage, and/or if you are unable to contact SoCalGas for any reason.

For Customer Service

General Inquiries: 1-800-427-2200

Hearing Impaired, TDD/TTY: 1-800-252-0259

Monday – Friday 7 a.m. – 8 p.m.

Saturday: 7 a.m. – 6 p.m.

(Closed Sundays & holidays)

Note: Our customer service line is open 24 hours a day, 7 days a week for natural gas emergencies or safety issues.

* These programs are funded by California utility customers and administered by Southern California Gas Company (SoCalGas®) under the auspices of the California Public Utilities Commission. Program funds, including any funds utilized for rebates or incentives, will be allocated on a first-come, first-served basis until such funds are no longer available. These programs may be modified or terminated without prior notice. The selection, purchase and ownership of goods and/or services are the sole responsibility of the customer. Customers who choose to participate in any program are not obligated to purchase any additional goods or services offered by a manufacturer, vendor, service provider, or any other third party participating in such program. SoCalGas makes no warranty, whether expressed or implied, including warranty of merchantability or fitness for any particular purpose, use or application of selected goods and/or services selected by a customer. SoCalGas does not endorse, qualify, or guarantee the work of any third party. Eligibility requirements apply; see each program's conditions for details.

** This program is funded by California utility customers and administered by California Alternative Energy & Advanced Transportation Financing Authority under the auspices of the California Public Utilities Commission. Eligibility requirements apply; see each program's conditions for details.



Fee Waiver Program

Broad, Franklin, and Palisades Fire

Introduction

The City Council hereby directs the City Manager to waive Planning and building permit fees for projects rebuilding like-for-like or like-for-like plus 10% structures damaged or destroyed by the Broad, Franklin, and/or Palisades Fires where the property owner demonstrates to the satisfaction of the City Manager that the property was used as the primary residence by the property owner subject to the following requirements and limitations (Adopted by the City Council on July 14, 2025, Resolution No. 25-29)

Contact

For more information or to begin the pre-screening process, visit the Malibu Rebuild Center at 23805 Stuart Ranch Road, Suite 240, Malibu, or contact MalibuRecovers@malibucity.org, or call (310) 456-2489, extension 400.

Eligibility

1. The waived fees will only be applicable to owners and/or heirs of properties being rebuilt as like-for-like or like-for-like plus 10% which were used as a primary residence by such owners and/or heirs in the Broad Fire area as of November 6, 2024; the Franklin Fire area as of December 9, 2024; and/or the Palisades Fire area as of January 7, 2025.
2. Fire Damage fee waivers shall apply to multi-parcel structures for eligibility purposes and are not limited solely to the residential parcel.
3. Single-family or duplex structures are eligible for fire damage fee waivers. No commercial rebuilds are eligible for this fee waiver program.
4. Fee waivers are applicable to City-issued permits for planning approvals, building permits, and temporary housing. Only City fees are eligible to be waived.

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23805 Stuart Ranch Road, Suite 240

MalibuRebuilds.org
MalibuRecovers@MalibuCity.org
(310) 456-2489 ext. 400



5. Fee waivers are limited to damaged or destroyed structures (only like-for-like or like-for-like plus 10%), replacement or upgrade of onsite wastewater treatment systems, seawalls or other permitted infrastructure as required by the City, temporary water tanks or other suppression mechanism, damaged or destroyed accessory structures, hardscaping, and landscaping.
6. City Manager is defined for purposes of this Resolution as the City Manager or his or her designee.

Application Requirements

1. The owner-occupied applicant must be the legal property owner or owner of a controlling interest in an entity (such as an LLC or similar entity) that holds title to the affected property as of the date of the applicable wildfire.
2. Upon request, the applicant must provide documentation establishing ownership, or controlling interest in the entity that owns the property, in the form of a Grant Deed, Operating Agreement, Trust Deed, or other documentation in a form acceptable to the City Manager.
3. The applicant shall, under penalty of perjury, certify that they are the owner of the subject property and occupied the property as their primary residence at the time of the applicable wildfire.
4. Property owners requesting a waiver of fees must demonstrate primary residency at the property destroyed by the Broad, Franklin, or Palisades Fires through documentation such as active voter registration, a valid driver's license, or other government-issued identification showing the property address, as deemed acceptable by the City Manager. Applicants must also provide proof of identification (if not provided as set forth above) and submit an affidavit on a form provided by the City.
5. The applicant shall execute and record a notarized affidavit with the Los Angeles County Recorder's Office, under penalty of perjury, affirming controlling ownership of the subject property, that they occupied the subject property at the time of the wildfire as their primary residence, and acknowledging provisions set forth in the adopted Resolution.
6. If a property owner is determined to be ineligible for the fire damage fee waiver at any point and repays all previously waived fees, the City shall issue written confirmation of repayment as determined by the City at its sole discretion. If an affidavit was recorded, it

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shall be the sole responsibility of the property owner to prepare a release, notice of satisfaction, or other similar instrument in a form acceptable to the City. The City shall review the owner's prepared document and, if all requirements are met as determined by the City, the City will execute the document. The property owner shall bear sole responsibility for all recording costs and for ensuring that the executed document is properly recorded with the Los Angeles County Recorder's Office. The property owner shall provide a copy of the filed release document to the City upon acceptance by the Recorder's Office.

Requirements for Properties Owned by a Limited Liability Company or Corporation

1. Affidavit Requirement

Both the managing member and member of the LLC applying for the fee waiver must execute and record a notarized affidavit under penalty of perjury affirming:

- a. Ownership of controlling interest in property at the time of the applicable fire.
- b. That the applicant/member occupied the property as their primary residence at the time of the wildfire.
- c. No shares or membership interests in the LLC will be sold, transferred, or reassigned during the course of the rebuild of the residence.
- d. If such a transfer occurs before completion and final inspection of the rebuilt residence, the LLC will be obligated to reimburse the City of Malibu for all previously waived fees.
- e. Proof of identification and proof of primary residence as described in Application Requirements shall be an exhibit to the affidavit.

2. Recordation

- a. The affidavit shall be recorded as a covenant against the property with the Los Angeles County Recorder's Office prior to applying for the fee waiver program.
- b. The covenant will run with the land and be binding on all successors in interest.

3. Second Affidavit Requirement

The managing member and member of the LLC or corporation applying for the fee waiver must execute and record a notarized affidavit under penalty of perjury affirming at the time a Certificate of Occupancy is requested:

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- a. No shares or membership interest in the LLC have been sold, transferred or reassigned since the date of the applicable fire.

Owner-Occupied Duplexes

1. The duplex must have been owner-occupied by both parties at the time of the wildfire.
2. Each owner must attest, under penalty of perjury, that they each owned and occupied their respective unit as their primary residence at the time of the fire.
3. Both owners must jointly record an affidavit against the property with the Los Angeles County Recorder's Office affirming these conditions and acknowledging provisions set forth in the adopted Resolution including that any fees that have been waived will have to be refunded before a Certificate of Occupancy will be issued if either of the owners sell their interest in the property.
4. The fee waiver may only be granted if both parties meet these requirements in full.

Reimbursement Enforcement

1. If the property is sold prior to the issuance of a Certificate of Occupancy, waived fees are to be reimbursed by new owners if the property is sold within 90 days of the sale.
2. If the property is sold and waived fees have not been reimbursed to the City, the development process will be halted until waived fees have been reimbursed to the City.
3. A Certificate of Occupancy will not be issued until all waived fees required to be reimbursed have been paid to the City.
4. Additional fee waivers are not permitted for a property sold after the Certificate of Occupancy was issued.
5. The City reserves the right to place a lien on the property for recovery of waived fees if the conditions of the affidavit are violated or the terms and attestations in the affidavit are found to be false.

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Restrictions

1. There are no income limits or restrictions as part of this fee waiver program.
2. All fees associated with post-approval revisions to the project's Planning approval or building permit issuance will be charged in accordance with the City's Adopted Fee Schedule and such costs are not eligible for fee waivers.

Program Details

1. The fee waiver is applied at the time applications are submitted.
2. Fees paid by the applicant prior to applying and qualifying for this fee waiver program are eligible for reimbursement, as determined by the City Manager.

Deadlines

1. Applications for the Fire Damage fee waiver program are due on or before 4 PM on June 30, 2028. The applications must be fully and accurately completed by the applicant and submitted in-person or by email.
2. Required planning applications for the project are deemed complete by June 30, 2028.
3. All required building permits are obtained by December 30, 2030 (fees will have to be paid for any building permit pulled after December 30, 2030 before it will be issued).

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How to Apply

Step 1: Pre-qualify

To pre-qualify for the Fee Waiver Program, please email the following information / documents to MalibuRecovers@malibucity.org or visit the Malibu Rebuild Center:

- Name (as it appears on Grant Deed, Operating Agreement, or Trust documents)
- Address of Destroyed/Damaged Property
- ID: Copy of Government-Issued ID
- Proof of Primary Residence: Government-issued ID with subject address or voter registration

Step 2: Notification

Based on the information provided, City staff will notify you if you qualify for the program. If you qualify, City staff will prepare the Fee Waiver Program affidavit on behalf of the property owner(s).

Step 3: Notarize Affidavit

Once the affidavit has been prepared by City staff, staff will notify the property owner(s) to pick up the affidavit to be notarized by a third-party notary. This is not a service provided by City Staff. Once the affidavit is notarized, the property owner(s) should return the affidavit to City staff so it may be recorded.

Step 4: Recordation

As a courtesy to property owner(s), the City of Malibu City Clerk's Office will submit the affidavits for recording to assist property owners. Service/recording fees may be requested at this time. Once the affidavit is recorded, City staff will provide a copy to the property owners for their records.

Refunds

Once you qualify for the Fee Waiver Program and the required documents are recorded, City staff will begin to prepare your refund request. A refund check will be issued by mail within four weeks of qualifying for the program. If you have questions regarding the status of your refund request after four weeks, you may email MalibuRecovers@malibucity.org.

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