

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



March 18, 2013

Planning Commission
City of Malibu
23825 Stuart Ranch Road
Malibu, California 90012

CDP Application No. 09-057 Variance No. 10-022
24024 Malibu Road

Dear Chairperson Mazza and Planning Commissioners:

The Santa Monica Mountains Conservancy offers the following comments on the subject 4,437-square-foot house proposed along the Malibu Road scenic corridor and within thirty feet of a State Coastal Conservancy parcel with a planned beach access staircase and view platform/landings. Important public views occur at several elevations from street level, to the middle level viewing platform, to the beach itself.

Our staff has met with applicant, visited the site, and has carefully reviewed a comprehensive viewshed analysis that was recently prepared by the applicant. The applicant's viewshed analysis confirms that the proposed house would block all views of Colony Point and the Third Point at Malibu Surfrider Beach from the proposed public access facility and public view corridor along Malibu Road. Views of the Santa Monica Mountains would also be eliminated by the second story above street level. Only a couple of public view corridors exist along Malibu Road. A house that extends the proposed distance out into the ocean would result in unavoidable significant adverse visual impacts from both the Malibu Road corridor and from the proposed beach access way.

To reduce these visual impacts below a level of significance, at a minimum, the following two substantial sections of the house need to be eliminated:

- 1) Seventeen feet of the middle (street level) house level and its extended balcony must be entirely removed to maintain an adequate view of the coastline to the southeast.
- 2) Five feet of the lower house level and five feet of its extended (ocean side) balcony must be entirely removed to maintain an adequate view of the coastline to the southeast. The vertical pier that currently supports the street level (ocean side) balcony must also be eliminated.

City of Malibu Planning Commission
24024 Malibu Road
March 18, 2013
Page 2

Malibu LUP Policy 6.5 specifically states that for parcels on the ocean side of Malibu Road that new development shall be sited and designed to preserve public blue water ocean views by limiting structures to one story in height if necessary. The project as proposed exhibits no design attempts to minimize view impacts. The Conservancy's suggested house modifications must be incorporated into the design to be consistent with this policy. Substantial living area and all required parking spots are provided by these modifications.

There appears to be a substantive variation in the most landward surveyed mean high tide lines for the proposed project, the Coastal Conservancy property, and the adjacent 24052 Malibu Road property. The surveyed lines for the two private properties appear to be further out into the ocean. We hope that this inconsistency is addressed by the Commission and City staff.

In all cases we urge the Commission to require a lateral access easement that absolutely abuts the most seaward extent of any approved house. That OTD, or preferably direct dedication, should also be shown with a metes and bounds legal description for public review.

In summary the Conservancy's minimum suggested modifications also help the City establish a requirement to implement LUP Policy 4.23 and LIP Section 10.4 to make project adjustments that reflect even the most modest predicted sea level rise from climate change. The proposed project ignores such predictions.

Please direct any questions to Paul Edelman of our staff at 310-589-3200 ext. 128 and send all future correspondence to his attention at the above letterhead address.

Sincerely,

IRMA MUÑOZ
Chairperson