

SANTA MONICA MOUNTAINS CONSERVANCY

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February 25, 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.

Observation of photographs of the applicant's story poles show that from both this proposed public access facility and public road view corridor that the project most certainly would block eastward views of Colony Point and the Third Point at Malibu Surfrider Beach. View corridors along Malibu Road are far and few between. To the Conservancy's knowledge, there has been no viewshed impact analysis done. A house extended the proposed distance out into the ocean could result in an unavoidable significant adverse visual impact from these two public view areas. We urge that such a study be prepared and be made available to public review prior to any project decision.

There is broad disagreement between the City staff report prepared on November 21, 2012 and project opponents regarding where the most landward surveyed mean high tide line is located. It is our understanding that a CDP application must include figures that show key survey information such as where the most landward surveyed mean high tide line is located on the property. How can any assertions about code consistency be made without such plotted benchmarks to measure from? In this same vein of thought, we are concerned that the proposed lateral public access easement will always be underwater. That OTD should also be shown with a metes and bounds legal description for public review. Has the City analyzed, and is it required to consider, sea level rise and its impacts on the value of public mitigation measures such as lateral beach access easements? We urge the City to request that the State Lands Commission take a fresh look at the survey for the most landward mean high tide line.

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The City staff report states that lot could not be built on without a variance to allow for construction on slopes greater than 2.5:1. Under any circumstances the pronounced seaward projection of the proposed house would have a deleterious impact on two public views. We urge the City to use this request for a variance to substantially pull back the seaward projection of the main body of the house by at least 20-25 feet as a compromise to maintain the subject public views.

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