



22762 and 22752 Pacific Coast Highway
General Plan Land Use Map, Local Coastal
Program Land Use Map, Zoning Map
Amendments and Conditional use Permits

Administrative Draft Initial Study – Negative Declaration

prepared by
City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, California 90265
November 2021

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August 2021

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Initial Study

1. Project Title

22762 and 22752 Pacific Coast Highway General Plan Land Use Map, Zoning Map, and Local Coastal Program Land Use Map Amendments and Conditional Use Permits.

2. Lead Agency Name and Address

City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, California 90265-4861

3. Contact Person and Phone Number

Adrian Fernandez, Assistant Planning Director
(310) 456-2489, extension 482
afernandez@malibucity.org

4. Project Location

As shown in Figure 1, *Regional Location*, the Project Site is located in the southeastern portion of the City of Malibu (City) along Pacific Coast Highway (PCH), approximately 0.4 miles east of Malibu Pier.

As shown in Figure 2, *Project Vicinity*, the Project Site is comprised of two immediately adjacent beachfront parcels situated on the south side of PCH, between PCH and the Pacific Ocean, located at 22762 (known as Tide Pool) and 22752 PCH (known as Ryokan Hotel) (Project Site), assessor parcel numbers (APN) 4452-004-34 and 4452-004-35, respectively,

5. Project Sponsor's Name and Address

Applicant

Patrick Perry
Allens Matkins
515 S. Figueroa, 9th Floor
Los Angeles, Ca 90071

Owners

22752 PCH
North Broadway Ventures, LLC

22762 PCH
Wavebreak, LLC

City of Malibu

22762 and 22752 Pacific Coast Highway General Plan Land Use Map, Zoning Map, and Local Coastal Program Land Use Map Amendments and Conditional Use Permits

101 Ygnacio Valley Road, #320
Walnut Creek, California 94596

101 Ygnacio Valley Road, #320
Walnut Creek, California 94596

Figure 1 Regional Location



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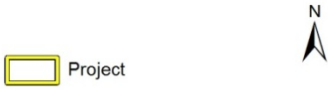


Fig 1 Regional Location

of the site's existing condition and Table 1, Characteristics of Existing Conditions, provides a summary of the approximate lot size, square footages of existing buildings and parking spaces available at the Project Site.

22762 PCH is approximately 0.30 acre and is developed with a 2,157 square foot, two-story building and attached 392 square foot one-story garage originally built in 1951, with an at grade parking lot containing 10 parking spaces. The property was previously occupied by the Tidepool Gallery, a former art house. The property was remodeled in 2015 pursuant to Coastal Development Permit No. 13-066, which included construction of a swimming pool, and is currently occupied by Malibu Tidepool Health Club.

The Tidepool Health Club amenities include a gym, swimming pool, and a kitchen to provide food/drink services to members. As discussed in detail in Sections 7 and 8 below, the health club use is a conforming use because it is a permitted use pursuant to the current land use designation and zoning.

22752 PCH is approximately 0.67 acre and is developed with 9,030 square feet of total floor area, comprised of a two-story building, and two one-story bungalows, originally built in 1950, with an at grade parking lot containing 15 parking spaces. The property has historically been used as a motel and was previously occupied by the Casa Malibu Inn providing 22 guest rooms. The property was remodeled in 2016 pursuant to Coastal Development Permit (CDP) No. 13-004, to maintain the motel use, and the guest rooms total was reduced to 16.

The property is currently occupied by Nobu Ryokan Motel (Ryokan Motel), providing 16 guest rooms. As discussed in detail in Sections 7 and 8 below, the existing development and motel use is legal nonconforming because it does not conform with the current land use designation and zoning, which does not allow for transient lodging accommodations (i.e., bed and breakfast inn, motel or hotel).

Table 1 Existing Conditions

Building	Lot Size	Building Height	Approximate Floor Area/FAR	Parking Spaces
22752 PCH (Ryokan)	0.67 acre (29,185 sq.ft.)		9,030 square feet/0.31	15
Existing 2-Story Bldg. (Bldg. 1)		23.5 feet		
Existing 1-Story Bungalows (Bldg. 2 and Bldg. 3)		13 feet, 11 inches		
22762 PCH (Tidepool)	0.30 acre (12,632 sq.ft.)		2,157 square feet/0.17	10
Existing 2-story Bldg.		21.5 feet	2,157	
Existing 1-Story Attached Garage		10 feet	392	
Deck + Swimming Pool (600 sq ft)		Ground level		

7. General Plan Designation and Zoning District

The Project Site is designated “Community Commercial” (CC) in the Malibu General Plan. The CC land use designation is intended to provide for resident-serving needs on land that is suitable for concentrated commercial activity. The CC land use designation plans for centers that offer a greater depth and range of consumer goods than those found in neighborhood centers, which typically contain an anchor tenant such as a supermarket. Allowed uses typically include financial institutions, restaurants, and health care facilities.

The General Plan land use designations in the area surrounding the Project Site are primarily commercial, with some residential, as shown in Figure 3, Existing General Plan Land Use Designations.

Consistent with the General Plan, the Malibu Municipal Code (MCC) Zoning Map designates the Project Site as CC, and also provides that the CC zoning district is intended to provide for the resident serving needs of the community on parcels of land more suitable for concentrated commercial activity. Permitted and/or conditionally permitted uses within the CC zoning district include health clubs and dance studios, medical clinics and offices, bakeries, beauty salons and bookstores, financial institutions, nurse schools and day care facilities, professional offices, public open space and recreation, small retail stores, and restaurants. The MMC defines a “health club” to include, but not be limited to “gymnasiums (except public), private clubs (athletic, health or recreational), with full-service facilities including, but not limited to, showers, lockers, pools and saunas.

The Zoning districts in the area surrounding the Project Site are primarily CC to the north and east and “Multi-Family Residential” (MF) to the west and east; there are areas of “Commercial Visitor Serving 1” (CV-1) to the west, northwest, east and northeast, and “Commercial Visitor Serving 2” (CV-2) to the west, as shown in Figure 4, Existing Zoning Districts.

Upon the City’s adoption of the General Plan and MMC and the designation of the property within the CC land use designation and zoning district, the pre-existing motel use at 22752 PCH became a legal non-conforming use. Transient lodging accommodations, i.e., motel, bed and breakfast inn and hotel uses, are not listed as a permitted or conditionally permitted use within the CC land use designation or zoning district, and are therefore not a permitted use. Recognizing that the City’s new land use regulations would result in the existing uses on some properties being rendered nonconforming, the MMC included an amortization provision (MMC Section 17.60.040). The amortization period for the property’s legal non-conforming status would have expired in 2013. In 2014, the City approved an extension of the amortization schedule (EAS No. 14-001) to allow the time to process an LCP amendment, a change of zoning designation, and a Conditional Use Permit (CUP) to permit a transient lodging accommodation use. In July 2019, the City granted an additional extension of the amortization period (EAS No. 19-001) to allow the time to process the LCP amendment, change of land use designation and zoning district from CC to CV and CV-2, respectively, obtain the other necessary entitlements to continue operating transient lodging accommodations, and to process an application for a CUP to establish the transient lodging accommodation use in the CV-2 zone. EAS No. 19-001 extended the amortization period to the shorter of five years or the time required to process the LCP amendment and zone change.

8. Malibu Local Coastal Program Zoning Designation

The Malibu Local Coastal Program (LCP), which consists of a Land Use Plan (LUP) and Local Implementation Plan (LIP), designates the Project Site as CC-2. Similar to the General Plan and MMC, the LCP provides that: the CC district is intended to provide for resident serving needs of the community, but on parcels of land more suitable for concentrated commercial activity. Transient lodging accommodations, i.e., motels, bed and breakfast inns and hotel uses, is not allowed.

The LCP Land Use designations surrounding the project site are primarily commercial with CC areas to the north and east, MF to the west and east, CV-1 west and north, and east and northeast, and CV-2 to the west, as shown in Figure 5, Existing Local Coastal Program Designations.

Figure 3 Existing General Plan Land Use Designations

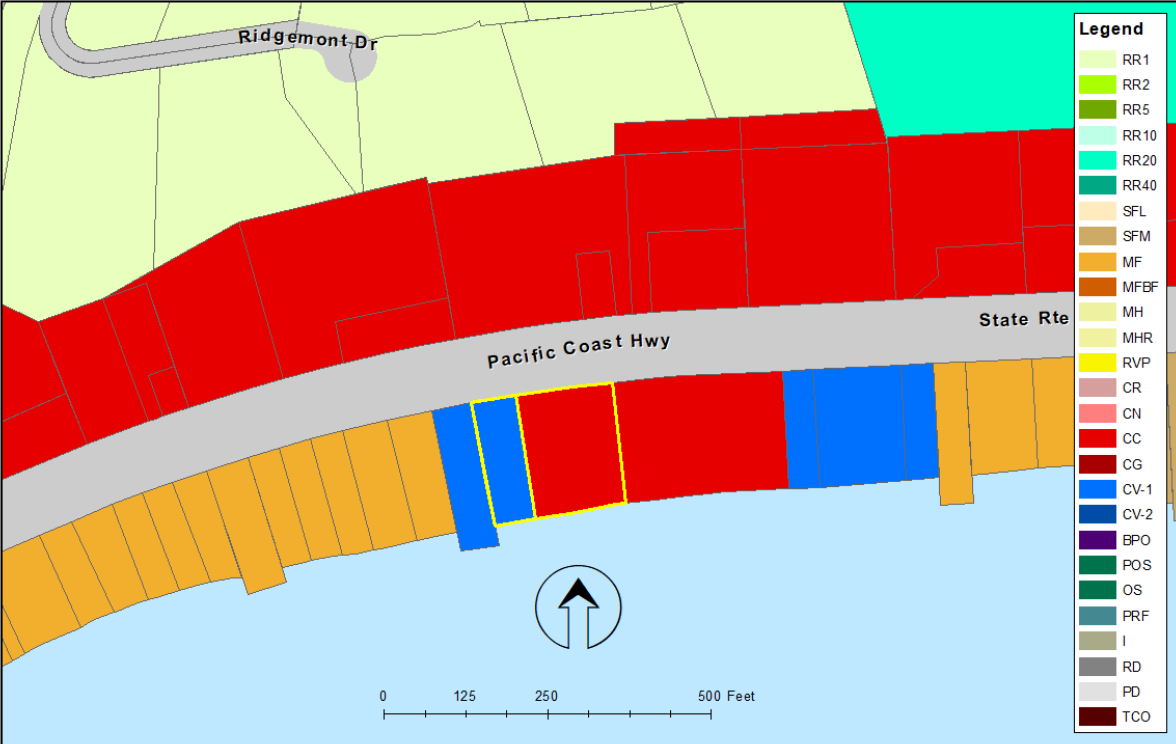


Figure 4 Existing MMC Zoning Districts

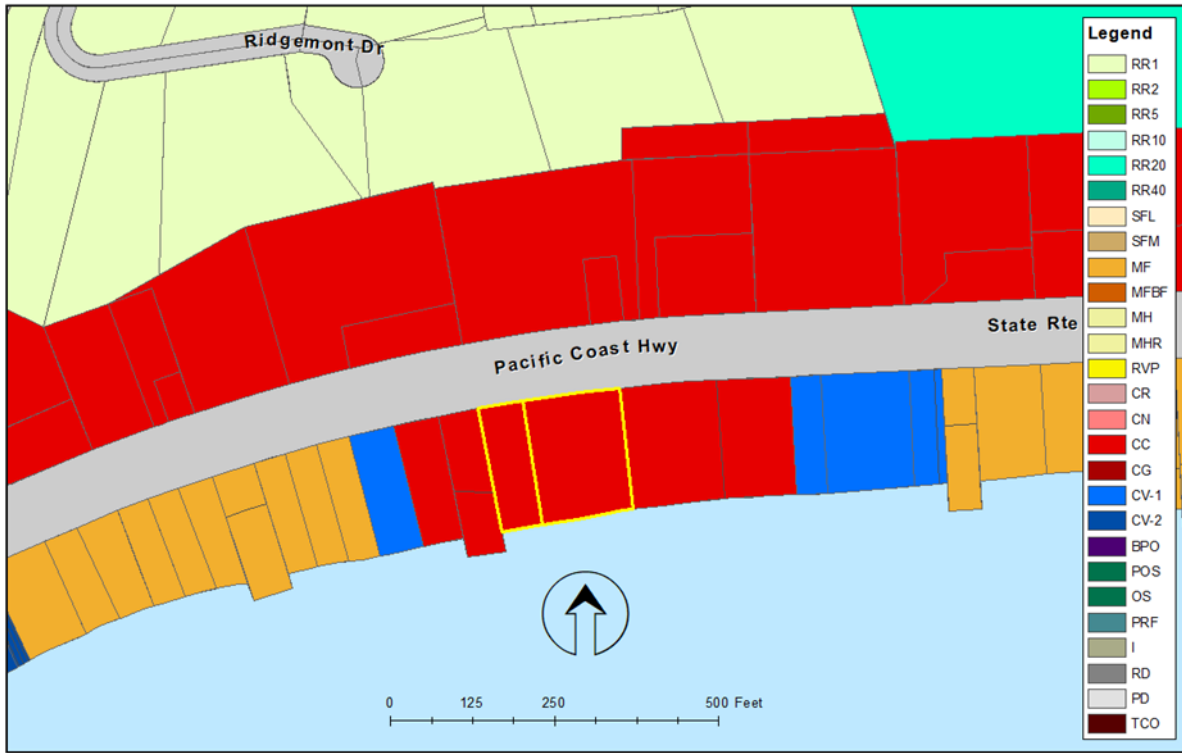
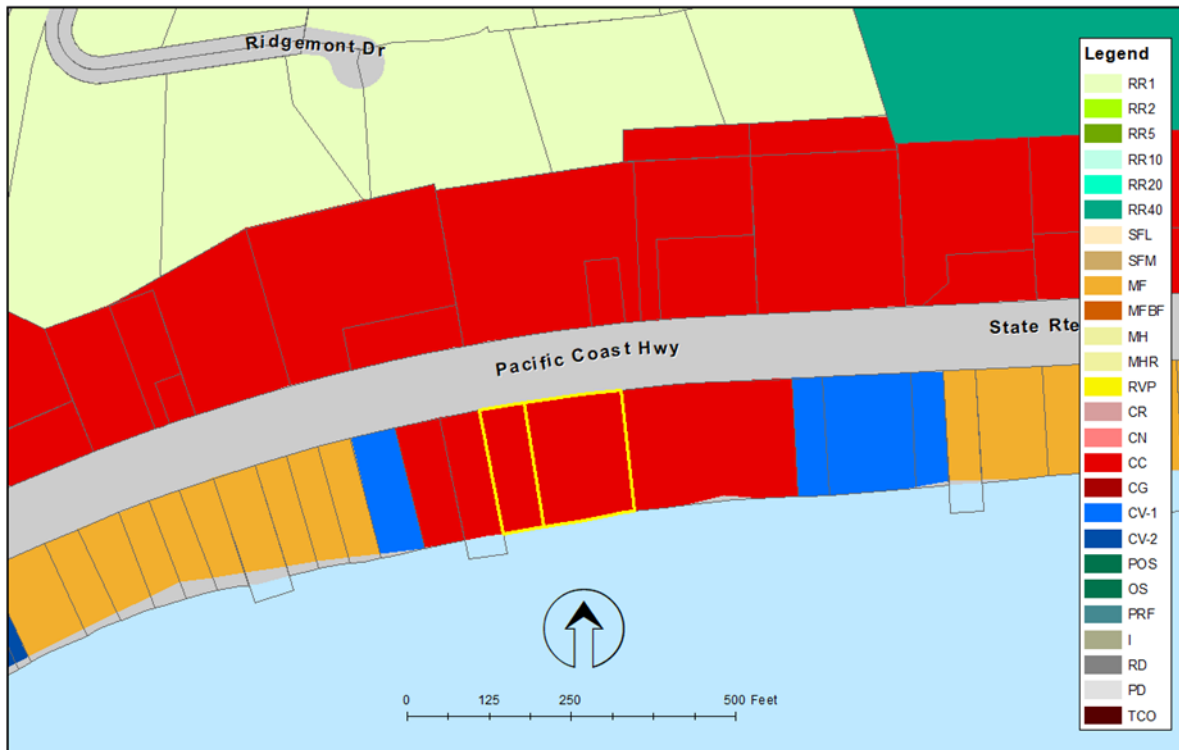


Figure 5 Existing Local Coastal Program Land Use Designation and Zoning District

9. Description of Project

The Proposed Project involves permitting the existing motel use at 22752 PCH (Ryokan Motel) and tying the development to operate in conjunction with the existing building at 22762 PCH (Malibu Tidepool Health Club), resulting in a combined facility, operated conjunctively as a bed and breakfast inn, that encompasses the two parcels, but functions as one project. The resulting combined development and uses would include transient lodging accommodations (17 guestrooms), with kitchen facilities adequate to provide meals to the guests of the facility only, and a small gym (approximately 300 sf) and swimming pool (600 sf) for guests of the facility only. Upon approval of the Proposed Project, the existing health club will cease operating and the facility will not offer any services to non-facility guests.

There are no proposed structural alterations or additions to either of the existing buildings' floor area. The Project Site currently has 25 total parking spaces, which is sufficient to provide one parking space per guestroom (17) and one parking space for the maximum per shift number of employees (8).

The proposed use meets the definition of a Bed and Breakfast Inn (Inn) as defined in the LCP and MMC. However, an Inn, like a motel, is not an allowed use in the CC zoning district, the current zoning for the Project Site. Transient lodging accommodations are not allowed in the CC zoning district.

A motel and Inn are an allowed type of use in the Commercial Visitor Serving (CV) land use designation, as provided for in the General Plan:

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The CV designation provides for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Floor-to-Area Ratio (FAR) shall range from a maximum of 0.15 to 0.25. CV designations are divided into two levels of density. Hotels are only permitted in CV-2 designations, the highest density designation. Visitor serving uses such as Motels and hotels shall be consistent with compatible accessory uses, shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City.

The MMC and LCP also specifically provide that a motel and an Inn are allowed as a conditionally permitted use in the CV-1 and CV-2 zoning districts. Permitting the uses to operate requires the approval of a CUP.

In order for the Project Site to be permitted for the proposed Inn use, a General Plan Land Use Map amendment (GPMA), a Zoning Map amendment (ZMA), and a Local Coastal Program Land Use Map amendment (LCPA) must be approved to redesignate the Project Site’s land use designation and zoning district from CC to CV and CV-1 or CV-2, respectively.

The Proposed Project involves redesignating the Project Site’s land use designation and zoning district from CC to CV and CV-2, respectively. Concurrently, the Proposed Project seeks a CUP to permit the conjunctive operation of the two buildings on the Project Site as an Inn use in the CV-2 zone. Since the proposed use of the Project Site as an Inn encompasses two parcels, the Property Owners will be required to record a lot tie covenant to hold the two parcels as one as a condition of approval for the CUP. No new development or changes to the existing buildings or parking are proposed.

The Proposed Project includes the following amendments and entitlements to allow for the Proposed Project on the Project Site (Table 2). With the approval of these amendments and entitlements, the existing and proposed land use would conform to the MMC and LCP.

- GPMA to change from the “Community Commercial” (CC) land use designation to “Commercial Visitor Serving” (CV) land use designation (Figure 6, Proposed General Plan Land Use Designations)
- ZMA to change from the “Community Commercial” (CC) zoning district to the “Commercial Visitor Serving” (CV-2) zoning district (Figure 7, Proposed Zoning Districts)
- LCPA to change from the “Community Commercial” (CC) land use designation and zoning district to the “Commercial Visitor Serving” (CV-2) land use designation and zoning district (Figure 8, Proposed Local Coastal Program Land Use Designation and Zoning District)
- CUP to permit a bed and breakfast inn at the Project Site and the sale of alcoholic beverages for on-site consumption at the Project Site by guests of the Inn only (alcohol service).
- Lot Tie (LT) to hold the two parcels as one for the conjunctive use of the properties as a bed and breakfast inn.

Table 2 Amendment and Entitlement Application Numbers

	22762 PCH	22752 PCH	Existing Designation	Proposed Designation
GPMA	GPA 16-001	GPA 16-002	CC	CV
LCPA	LCPA 16-001	LCPA 16-002	CC	CV-2

ZMA	ZMA 15-001	ZMA 15-002	CC	CV-2
CUP (Alcohol Service, and Bed and Breakfast inn)	CUP 16-007	CUP 16-007		
LT	LT 21-001	LT 21-001		

Figure 6 Proposed General Plan Land Use Designations

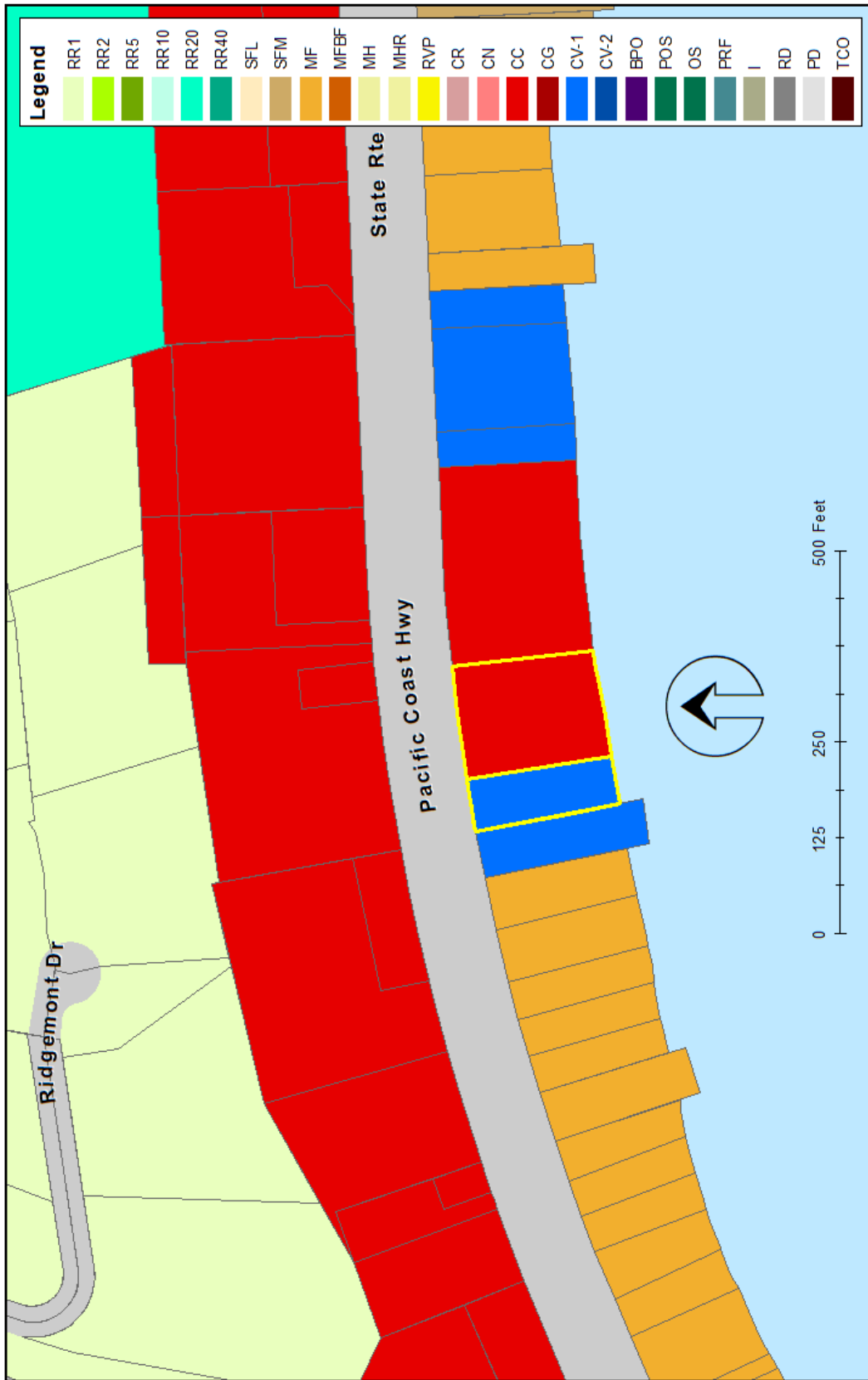


Figure 7 Proposed MMC Zoning Districts

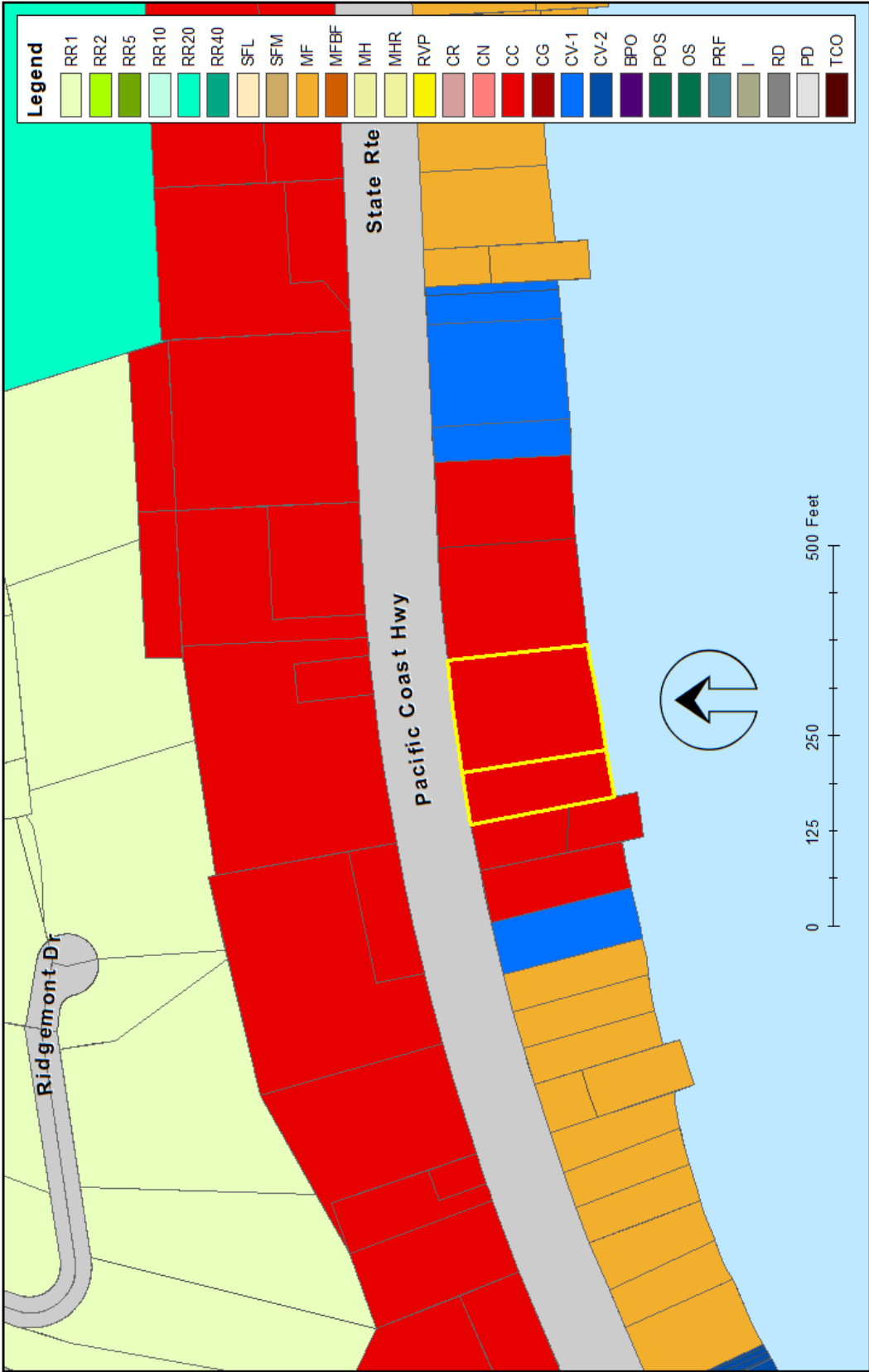
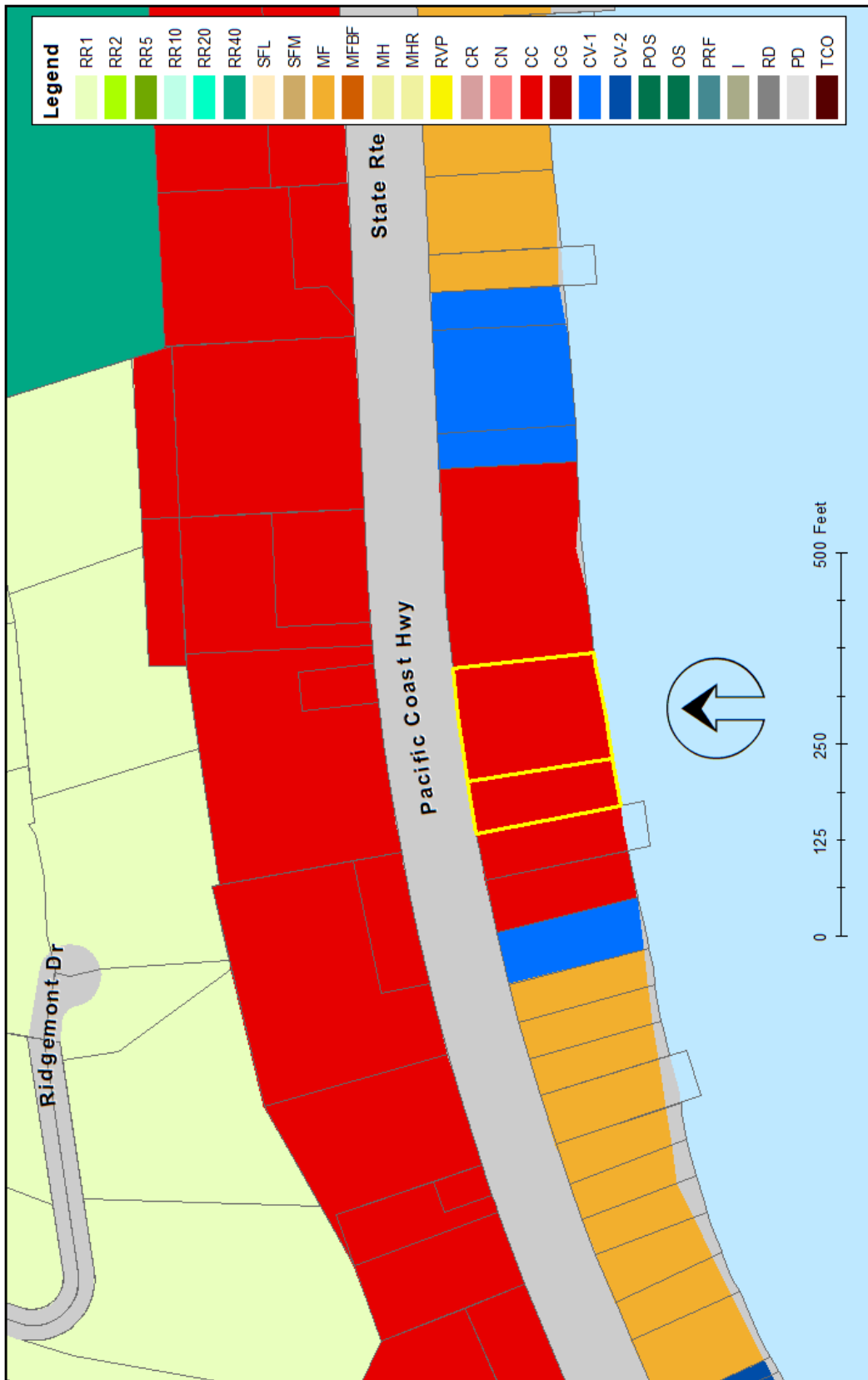


Figure 8 Proposed Local Coastal Program Land Use Designations and Zoning Districts



10. Required Project Approvals

The Proposed Project requires the following City of Malibu approvals:

- General Plan Map Amendment
- Local Coastal Program Amendment
- Zoning Map Amendment
- Conditional Use Permit
- Lot Tie

The California Coastal Commission (CCC) must also approve the Local Coastal Program Amendment subsequent to its approval by the City of Malibu. An amendment to the LCP does not become effective after City Council adoption until the amendment is submitted pursuant to the requirements of Section 13551 et seq. of the California Code of Regulations and certified by the CCC pursuant to Chapter 6, Article 2, of the California Coastal Act.

11. Surrounding Land Uses and Setting

The Project Site is located on the ocean side of PCH, along the beach, approximately one-third mile east of the Malibu Pier. Properties in the immediate vicinity are zoned CC. In the span between Malibu Beach and 22445 PCH (approximately 1 mile to east area) there are currently 20 properties zoned CV-1 and one property zoned CV-2. The only other area containing CV-2 parcels is a cluster of parcels located on the northeast corner of Malibu Canyon Road and PCH, including 2400 Civic Center Way and 24111 PCH.

The zoning and uses, including pending applications related to change in zoning and uses, in the immediate vicinity of the Project Site are as follows:

Address	Zoning District	Use	Year Built
WEST			
22766 PCH	CC	Multi-Family Residential	1962
22772 PCH	CC	Multi-Family Residential	1962
22800 PCH	CV-1	Retail/Multi-Family Residential	1954
22806 PCH	MF	Multi-Family Residential	1954
EAST			
22716 PCH	CC	Restaurant/Soho House	2012
22706 PCH	CV-1	Restaurant/Nobu	2012
22664	MF	Multi-Family Residential	1983
NORTH			
22809 PCH	CC	Commercial/Office	1985
22775 PCH	CC	Commercial/Office	1960
22761 PCH	CC (pending application for change to CV-2)	Commercial/Office (pending hotel application)	1980

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22751 PCH	CC	Restaurant (Malibu Country Kitchen)	1972
22741 PCH	CC (pending application for change to CV-2)	Commercial/Office (pending hotel application)	2006
22729 PCH	CC (pending application for change to CV-2)	Car Wash/Former Gas Station (pending hotel application)	1984

12. Other Public Agencies Whose Approval is Required

The City of Malibu is the lead agency with responsibility for approving the Proposed Project. The CCC will be required to review and approve the proposed LCPA request.

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Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is “Potentially Significant” or “Potentially Significant Unless Mitigation Incorporated” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

Determination

Based on this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Adrian Fernandez

Printed Name

November 17, 2021

Date

Assistant Planning Director

Title

Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. *Would the project have a substantial adverse effect on a scenic vista?*

According to the LUP, PCH is identified as a Scenic Highway. However, LUP Chapter 6, Section C.1.6.4 provides, "Scenic Areas do not include...existing commercial development...along Pacific Coast Highway east of Malibu Canyon Road." The Project Site is on PCH approximately two miles east of Malibu Canyon Road. The parcels are in a highly developed area adjacent to neighborhood and visitor serving commercial uses, and therefore, the Project Site is excluded from the Scenic Area designation.

The Project Site is most prominently visible from vehicles traveling along PCH, the eastern shoreline edge of Malibu Lagoon State Beach and the Malibu Pier (approximately 0.4 mile west of the Project Site), along the shoreline of Carbon Beach with access points at Zonker Harris Accessway (east edge of 22706 PCH) and the west edge of 22126 PCH, as well as other public viewing areas along the ridgelines of eastern Malibu hills and Tuna Canyon. Building height and mass of existing renovated

structures at the Project Site have not been significantly altered from previously approved building height and mass. Any new development shall comply with the commercial development standards consistent with the land use and zoning designation. As such, the existing visual character and aesthetics of the Project Site and vicinity would be primarily unchanged. Therefore, implementation of the Proposed Project would result in no impact to the existing scenic vista.

NO IMPACT

- b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The Project Site is located on and visible from PCH, which the Malibu General Plan identifies as a scenic Highway. Implementation of the Proposed Project would not alter the existing scenic resources at the Project Site since no new construction is proposed and there would be no alteration to views of or through the Project Site. Rather, the CV-2 land use and zoning designation ensures that visitor and neighborhood serving commercial activities would be promoted and implemented with respect to the existing rural character and natural environmental setting (City of Malibu, 1995). Therefore, implementation of the Proposed Project would result in no impact to the existing scenic resources.

NO IMPACT

- c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

Implementation of the Proposed Project would not alter the existing visual character or quality of the Project Site since it utilizes the existing buildings. Because the site is presently developed, there would be no substantial degradation of the existing visual character of the Project Site or its surroundings. The CV-2 land use and zoning designation ensures that visitor and neighborhood serving commercial activities would be implemented with respect to the existing rural character and natural environmental setting (City of Malibu, 1995), which is also developed with structures for visitor and neighborhood serving commercial activities. Therefore, implementation of the Proposed Project would result in no impact to visual character.

NO IMPACT

- d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The Proposed Project would not create a new source of substantial light or glare since the proposed uses are already operating on the Project Site, the proposed uses are allowed pursuant the CV-2 land use and zoning designations, and no new structures or other source of light or glare are proposed. Any renovations to existing buildings would be required to be consistent with the lighting standards set forth in the MMC and the LIP (City of Malibu, 2002) upon a finding that day or nighttime views in the area would not be adversely affected. Therefore, implementation of the Proposed Project would result in no impact to daytime or nighttime views due to light or glare.

NO IMPACT

2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

-
- a. *Would the project convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*
- b. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*
- c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*
- d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*
-

- e. *Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

The Proposed Project would not result in the conversion of farm or forest land to nonagricultural or forestry uses. There is no land designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance within the City of Malibu. In addition, there are no lands under a Williamson Act contract, forest land (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) located on or near the project site. Therefore, the proposed project would not have any impacts to agriculture and forestry resources.

NO IMPACT

3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Project Site is located in the South Coast Air Basin (Basin), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). As the local air quality management agency, the SCAQMD is required to monitor air pollutant levels to ensure that state and federal air quality standards are met and, if they are not met, to develop strategies to meet the standards.

The SCAQMD recommends the use of the following quantitative thresholds to determine the significance of temporary construction-related pollutant emissions and project operations:

- 75 pounds per day reactive organic gases (ROG) for construction; 55 pounds per day for operation
- 100 pounds per day nitric oxide (NOx) for construction; 55 pounds per day for operation
- 550 pounds per day carbon monoxide (CO)
- 150 pounds per day sulfur oxides (SOx)
- 150 pounds per day PM10
- 55 pounds per day PM2.5

There is no construction proposed as part of the Proposed Project. There would be no impact.

a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

The primary purpose of an AQMP is to bring the area into compliance with federal and state air quality standards. The current plan is the 2016 AQMP. The AQMP is based on SCAG land use assumptions, which in turn are based on city and county general plan and zoning designations.

Projects that are consistent with the underlying General Plan and Zoning designations are generally considered to be consistent with the AQMP. The Proposed Project involves a land use designation zoning change within the Commercial category. The proposed change involves converting a CC designation to a CV designation. The change in designation captures and rectifies an inconsistency between the existing legal non-conforming, uses that currently exist on the property with the current designation. The zoning and land use designation amendments would not result in any increase in population or intensification of use and, therefore, would not contribute to any exceedance of any population growth forecasts. Consequently, implementation of the Proposed Project would not conflict or obstruct implementation of the SCAQMD AQMP. There would be no impact.

NO IMPACT

- b. *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*
- c. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?*
- d. *Would the project expose sensitive receptors to substantial pollutant concentrations?*

The Project Site is currently developed with commercial land uses. The Proposed Project involves changing the current commercial land use and zoning designation to be consistent with the existing legal non-conforming and conforming commercial land uses operating on the Project Site. Implementation of the Project would allow the continuance of the existing land uses currently on the Project Site. The Project would not involve any substantial construction activities or operation of any diesel construction equipment.

The Proposed Project would allow the continued operation of the existing neighborhood and visitor serving commercial land uses currently operating on the Project Site. Therefore, operational emissions associated with the project would not increase emissions beyond those generated by the current land use. Implementation of the Proposed Project would not result in any increased operational emissions.

The Proposed Project would not violate any air quality standards and would not result in a cumulatively considerable increase in any criteria pollutants. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

- e. *Would the project create objectionable odors affecting a substantial number of people?*

Odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes, as well as sewage treatment facilities and landfills. Neighborhood and visitor serving commercial land uses (such as the existing facility offering transient lodging accommodations to the public with an ancillary health club, kitchen for onsite food/drink services and a swimming pool) typically do not create objectionable odors. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?*

The Project Site and surrounding area are developed. The Project Site is currently occupied by a neighborhood and visitor serving commercial use with relatively little landscape vegetation. As a result, the Project Site maintains little to no native vegetation. The Project Site provides no habitat for vertebrate species typically found in commercial areas in Southern California due to the developed character of the site and surrounding area. On-site trees may provide nesting sites for some common bird species. However, no candidate, sensitive, or special status species are known or suspected to be located on the site or in the immediate vicinity. The Project Site is adjacent to the beach and Pacific Ocean. There is no development proposed on the beach. Therefore, implementation of the Proposed Project would result in no adverse impact.

NO IMPACT

- b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

The Project Site and surrounding properties in the area are developed with commercial and multi-family development. The Proposed Project site does not contain any riparian areas or natural communities. The Project Site is adjacent to the beach and Pacific Ocean. There is no development proposed on the beach. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

- c. *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The Project Site and surrounding properties in the area are developed with commercial and multi-family development. The Project Site is not located in an Environmentally Sensitive Habitat Area (ESHA) according to the Malibu LCP LUP, no wetlands are present at the Project Site. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

- d. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

The Project Site and surrounding properties in the area are developed with commercial and multi-family development. Limited ornamental and aesthetic vegetation are located on the Project Site, and in the immediate vicinity. The existing vegetation does not serve as a habitat for migratory birds or other species. Moreover, the Project would not involve new construction and would continue the currently existing and historic use of the Project Site. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

22762 and 22752 Pacific Coast Highway General Plan Land Use Map, Zoning Map, and Local Coastal Program Land Use Map Amendments and Conditional Use Permits

- e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applies to the Project Site. Chapter 4 of the Malibu LCP LIP identifies areas of the City that support ESHA and sets specific development standards for ESHAs. The Project Site is not mapped as an ESHA site in the Malibu LIP. Therefore, the implementation of the Proposed Project would have no impact on ESHA.

NO IMPACT

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*
- b. *Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?*
- c. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?*
- d. *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

The Proposed Project is an amendment to existing zoning and land use designations from CC to CV and CV-2, and would not involve new construction that would alter the existing on-site buildings, nor introduce new ground disturbance. As such, the Proposed Project would not affect historical or archaeological resources or disturb human remains. The Project Site has been developed and used for commercial and visitor serving uses since the 1950's and there is no evidence of unique paleontological or geologic features present at the Project Site. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

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6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

d. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The proposed project is a change in the land use designation and does not involve demolition or construction of the existing buildings. The existing buildings and their current operation are not being affected.

Construction Energy Demand

No use of resources and no project construction is proposed.

Operational Energy Demand

Operation of the project would contribute to area energy demand by consuming electricity, natural gas, and transportation fuels. Natural gas and electricity would be used for heating and cooling systems, lighting, appliances, water use, and overall operation of the project. Gasoline and diesel fuel consumption would be attributed to the trips generated by visitors, employees, and deliveries. Since the operational characteristics of the existing building and uses are not changed or impacted by the proposed project, there are no anticipated operational energy consumption changes for the proposed project

NO IMPACT

b. *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

The City of Malibu has not adopted any local energy conservation or climate action plans. However, the General Plan Conservation Element contains Conservation Goal 3, *Energy Conserved*, with the objective of increasing the use of innovative, energy efficient techniques and systems within the City. Goal 3 includes the following policies related to energy efficiency:

Policy 3.1.1. The City shall educate the community regarding the importance of and techniques for energy conservation.

Policy 3.1.2. The City shall encourage state-of-the-art energy efficiency standards for all new construction design.

Policy 3.1.3. The City shall protect solar access.

Policy 3.1.4. The City shall encourage uses of solar and other nonpolluting, renewable energy sources.

The energy efficiency policies contained in the Conservation Element are geared towards City government action, such as City outreach to local businesses and residents to encourage sustainable practices and the adoption of local guidance and policies to reduce energy consumption. Therefore, the Conservation Element policies related to energy conservation are limited in their application to the proposed project. The operational characteristics of the existing building and uses are not changed or impacted by the proposed project, therefore, no impact would occur.

NO IMPACT

7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is made unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a.1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*
- a.2. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*
- a.3. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*
- a.4. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?*

Any development in Southern California has the potential of exposing people and/or structures to potentially substantial adverse effects involving the rupture of known earthquake faults, strong seismic ground shaking, other seismic-related ground failure (including liquefaction), or landslides.

The Proposed Project is an amendment to existing zoning and land use designations from CC to CV and CV-2 that would not involve new construction or increase exposure to geologic hazards. As such, implementation of the Proposed Project would not alter any of the aforementioned conditions. The Project Site has been developed and used for commercial and commercial neighborhood and visitor serving uses since the 1950s, and the density and intensity of the use is consistent with the development in the surrounding area. There are no specifications pertaining to geologic processes, conditions, and building standards that differ between zoning and land use designations under CC, CV or CV-2.

The City of Malibu General Plan Figures S-2 (Local Onshore Fault Map) and S-3 (Offshore Fault Map) identify several regional and local earthquake faults located in the general vicinity of the City. There are no known, or mapped, active faults that pass through the Project Site. The Project Site does not fall within a currently designated California Department of Conservation, Division of Mines and Geology (CDMG) Alquist-Priolo Earthquake Zone. As noted in the Malibu General Plan, Safety and Health Element, “there are numerous faults surrounding and traversing the Malibu Area” (City of Malibu, 1995). The Malibu Coast Fault runs in an east-west orientation parallel to much of the Malibu coastline and the Project Site. Likewise, the Las Flores Canyon Thrust Fault and the Dark Canyon fault run east-west within the Santa Monica Mountains while the Santa Monica Fault runs parallel to the shoreline near the shelf edge offshore (California Department of Conservation, 2001).

Implementation of the Proposed Project would not alter the existing seismic or geologic conditions present at the Project Site, nor would it expose people or structures to potential substantial adverse effects due to seismic-related ground failure or landslides. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

- b. *Would the project result in substantial soil erosion or the loss of topsoil?*
- c. *Would the project be located on a geologic unit or soil that is made unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?*
- d. *Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*
- e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The Proposed Project does not entail the physical movement or grading of soil that would result in soil erosion; geologic instability that would lead to landslides, subsidence or liquefaction; create substantial risks to life or property; or the inability to adequately support septic tanks or wastewater disposal systems as there are no specifications pertaining to the formation of such potential changes due to the differences in permitted uses and activities between zoning and land use designations CC, CV or CV-2.

Implementation of the Proposed Project would not alter the existing geologic conditions present at the Project Site, nor would it expose people or structures to potential substantial adverse effects due to seismic-related ground failure or landslides. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

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8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Climate change is the observed increase in the average temperature of the earth’s atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. Climate change is the result of numerous, cumulative sources of greenhouse gases (GHG) that contribute to the “greenhouse effect,” a natural occurrence that helps regulate the temperature of the planet. The majority of radiation from the sun hits the earth’s surface and warms it. The surface in turn radiates heat back towards the atmosphere, known as infrared radiation. Gases and clouds in the atmosphere trap and prevent some of this heat from escaping into space and re-radiate it in all directions. This process is essential to support life on Earth because it warms the planet by approximately 60° Fahrenheit. Emissions from human activities since the beginning of the industrial revolution (approximately 250 years ago) are adding to the natural greenhouse effect by increasing the gases in the atmosphere that trap heat and contribute to an average increase in Earth’s temperature.

GHGs occur naturally and from human activities. Human activities that produce GHGs include fossil fuel burning (coal, oil, and natural gas for heating and electricity, gasoline and diesel for transportation); methane generated by landfill wastes and raising livestock; deforestation activities; and some agricultural practices. GHGs produced by human activities include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF₆). Since 1750, estimated concentrations of CO₂, CH₄, and N₂O in the atmosphere have increased over by 36 percent, 148 percent, and 18 percent respectively, primarily due to human activity. Emissions of GHGs affect the atmosphere directly by changing its chemical composition. Changes to the land surface indirectly affect the atmosphere by changing the way in the Earth absorbs gases from the atmosphere. Potential impacts in California of global warming may include loss of snowpack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (California Energy Commission [CEC] 2009).

The CEQA Guidelines provide regulatory direction for the analysis and mitigation of GHG emissions appearing in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. The 2008 SCAQMD threshold considers emissions of over 10,000 metric tons of carbon dioxide equivalent (CO₂e) per year from industrial development projects to be significant (SCAQMD, 2009).

However, the SCAQMD's threshold applies only to stationary sources and is expressly intended to apply only when the SCAQMD is the CEQA lead agency. Although not formally adopted, the SCAQMD has a recommended Tier 3 screening level quantitative threshold of 3,000 metric tons for all land use types CO₂e /year (SCAQMD, 2010).

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*

The Project Site is currently developed with commercial and visitor serving uses. The Proposed Project involves zoning and land use changes to make the existing land use legal and conforming to City of Malibu zoning and land use designations. Implementation of the Proposed Project would not involve any construction activity or operation of any diesel construction equipment. Therefore, implementation of the Proposed Project would not result in substantial temporary GHG emissions.

The Proposed Project would allow the continued operation of the existing visitor serving commercial land use currently existing on the Project Site. Any future change would be evaluated by the City. Operation of the proposed bed and breakfast inn would not increase vehicle trips to and from the Project Site compared to existing conditions, nor would it increase energy or water consumption or solid waste generation. Therefore, GHG emissions associated with operation of the Proposed Project would be similar or less than what are currently generated on-site.

Based on the above, implementation of the Proposed Project would not generate GHG emissions and there would be no impact.

NO IMPACT

- b. *Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

As discussed above, the project would change the City of Malibu' zoning and land use designations from CC to CV and CV-2 for the Project Site to remedy the conflict between the historical and existing uses on the Project Site with the current zoning and land use designation. No changes to the existing operations are proposed. Implementation of the Proposed Project would not introduce any new land uses to the Project Site or increase the intensity of on-site development. As such, continued operation of the existing neighborhood and visitor serving commercial use on the Project Site would not result in any conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

No hazardous materials, other than cleaning supplies common to kitchen, bed and breakfast inn, motel, and health club facility would be used in the operation of the Proposed Project. The Project Site is not located within 0.25 mile of a school. Therefore, implementation of the Proposed Project would result in no impact with respect to the release of hazardous materials.

NO IMPACT

- d. *Would the project be located on a site included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The Department of Toxic Substances Control (DTSC) - Envirostor online database and the State Water Resources Control Board - Geotracker online database were reviewed for potential hazardous material sites and contamination at the Project Site. No listed hazardous material sites/facilities or active clean ups were identified, and no listed Federal Superfund sites were identified on the Project Site (DTSC 2018, SWRCB 2018). The Proposed Project would involve the continued operation of the historical and existing visitor and neighborhood serving commercial use at the Project Site. Hazardous materials stored or used on-site would be limited to cleaning supplies common to kitchen, motel, and health club uses.

NO IMPACT

22762 and 22752 Pacific Coast Highway General Plan Land Use Map, Zoning Map, and Local Coastal Program Land Use Map Amendments and Conditional Use Permits

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*
- f. *For a project near a private airstrip, would it result in a safety hazard for people residing or working in the project area?*

The Project Site is not located within two miles of a public airport and is not within an airport land use plan. Therefore, the Proposed Project would have no impact related to airport safety.

NO IMPACT

- g. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The proposed project would not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The design of access points would be reviewed and approved by the Los Angeles County Fire Department (LACFD) to ensure that emergency access meets City standards. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

- h. *Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The City of Malibu is served by the LACFD, as well as the California Department of Forestry if needed. In the event of major fires, the LACFD has “mutual aid agreements” with cities and counties throughout the state and so that additional personnel and firefighting equipment can augment the LACFD. Implementation of the Proposed Project would not alter wildfire conditions present at the Project Site, nor would it expose people or structures to potential substantial risk of loss, injury or death as a result of wildfire events compared to existing conditions. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

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10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Result in substantial erosion or siltation;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project violate any water quality standards or waste discharge requirements?*
- b. *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering or the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?*
- c. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?*
- d. *Would the project substantially alter the existing drainage pattern of the site or area, including the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?*
- e. *Would the project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- f. *Would the project otherwise substantially degrade water quality?*
- g. *Would the project place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map?*
- h. *Would the project place structures in a 100-year flood hazard area that would impede or redirect flood flows?*
- i. *Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including that occurring as a result of the failure of a levee or dam?*
- j. *Would the project result in inundation by seiche, tsunami, or mudflow?*

The project site is entirely developed, and the proposed project would not increase impermeable surface on the site. The Proposed Project is an amendment to existing zoning and land use designations from CC to CV and CV-2. As such, implementation of the Proposed Project would not alter any of the aforementioned conditions since the site has been developed and used for commercial and visitor serving transient lodging accommodations since the 1950s, and is consistent with the development and uses in the vicinity. Because the Proposed Project involves no change in/to the existing uses or ground disturbing construction activity, there would be no changes to hydrologic/hydraulic processes or water quality. Therefore, the proposed project would not be anticipated to increase existing stormwater flows off the site or otherwise affect water quality.

The Project Site does not overlie groundwater supplies and is not in the vicinity of open streams or rivers, or levees or dams that may pose a risk to people or structures in the event of failure. The Project Site is located adjacent to the beach. The Proposed Project would not contribute to excess stormwater discharge or substantially alter the existing drainage pattern of the Project Site since the site is currently developed and no new development is proposed. The Proposed Project would have no new impacts on hydrology, water quality, or sea level rise. Therefore, implementation of the Proposed Project would result in no impact with respect to these issues.

NO IMPACT

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11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with an applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. Would the project physically divide an established community?

The Proposed Project would not involve a road or other facility that would physically disrupt or divide an established community. There would be no changes or divisions to existing property lines or parcels as a result of the Proposed Project. A lot tie is proposed since the proposed use and Proposed Project encompass two parcels. The historical and existing land uses on the Project Site would remain consistent with commercial and visitor-serving transient lodging accommodation uses that have existed on the Project Site since the 1950s, and remains consistent with the development and uses in the vicinity of the Project Site. Therefore, the Proposed Project would result in no impact related to physically divide an established community.

NO IMPACT

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Land Use Regulations – Permitted Uses

The Project Site is currently designated CC in the General Plan, MMC, and the LCP. The CC land use designation accommodates resident serving commercial needs of the community on parcels of land suitable for concentrated commercial activity. Transient lodging accommodations, i.e., motel, bed and breakfast inn and hotel uses are not listed as a permitted or conditionally permitted use in the CC zone; therefore, they are prohibited.

22762 and 22752 Pacific Coast Highway General Plan Land Use Map, Zoning Map, and Local Coastal Program Land Use Map Amendments and Conditional Use Permits

22752 PCH was originally developed in 1950 for use as a motel, prior to the City's incorporation and adoption of the General Plan, MMC and LUP. The motel use on the subject property has been in continuous operation since the 1950s. However, upon adoption of the General Plan and MMC, the motel use at 22752 PCH became a legal non-conforming use because the property was designated as CC which does not allow transient lodging accommodations.

The General Plan Land Use Map amendment would change the land use designation from CC to CV. The proposed Zoning Map and LCP amendment would change the land use and zoning designations from CC to CV-2. The CV land use designation accommodates visitor and neighborhood serving, including transient lodging accommodation uses such as hotels, motels and bed and breakfast inns, and restaurants, while ensuring respect to the rural character and natural environmental setting of the Project Site. Only the CV-2 zoning designation permits hotels. Applying the CV-2 land use and zoning designations to the Proposed Project would allow for the opportunity to obtain a CUP for the continued use of the visitor serving transient lodging accommodations and proposed ancillary uses (kitchen, swimming pool and health club).

Table 3, Permitted Uses, lists the land use changes that would occur as part of the Proposed Project.

Table 3 LCP Permitted Uses

Use	CC	CV-2
Agricultural/Animal-Related		
Equestrian riding and training facilities and activities including boarding of horses and domestic animals, tournaments, shows and contests (including accessory uses such as club house with food and beverage service, pro shop, tack shop, riding rings, boarding/training/show facilities, barns, parking lots, sports courts, and living accommodations for members, their guests, participants, employees and persons required for the operation and maintenance of such facilities)	CUP	•
Retail		
Convenience stores	•	CUP
Visitor-oriented goods such as recreational equipment and clothing, souvenirs, local arts/crafts, and similar uses	•	P
Dining, Drinking, and Entertainment		
Amphitheatre	•	P
Movie theaters	•	CUP
Refreshment stands, ice cream stands, and other fixed location outdoor food vending stands	•	CUP
Automotive Related Uses		
Vehicle washing/detailing	CUP ¹	
Recreation and Leisure		
Hotels	•	CUP
Motels, bed and breakfast Inns	•	CUP
Recreation facilities (neighborhood - for use by surrounding residents and operated by a non-profit corporation or neighborhood association for non-commercial purposes)	CUP	•
Public, Quasi-Public, or Non-Profit Uses		
Wastewater storage and hauling	•	CUP ²
Construction/Light Industrial Uses		
Construction services (neighborhood-serving)	CUP	•
Self-storage	CUP	•

In addition to a coastal development permit, the following permits are required:

P Permitted Use

CUP Conditional Use Permit

• Not Permitted (Prohibited)

¹ By hand only

² This use is conditionally permitted in the Civic Center Wastewater Treatment Facility Institutional Overlay District and only when associated with the existing wastewater treatment facility or with the Civic Center Wastewater Treatment Facility.

Source: Adapted from Table B Permitted Uses, City of Malibu LCP Local Implementation Plan, 2002

Agricultural/Animal-Related

Equestrian riding and training facilities, and related activities require a CUP under CC zones, but would be prohibited under CV-2. Implementation of the Proposed Project would result in no impact since there are no equestrian uses present or proposed at the Project Site. The site is located adjacent to a major highway (PCH), and is located above the beach which could trigger water quality

issues. The Project Site characteristics and location are not conducive to an equestrian facility. It is not anticipated that an equestrian use would be viable at the Project Site. The Project Site is located in a highly commercial developed area, adjacent to restaurants and residential uses. It is not anticipated that an equestrian use would be desirable at this location or that the conditional use permit findings regarding compatibility with the existing and proposed uses in the area could be made.

Retail

Convenience stores and visitor-oriented retail stores are not permitted in the CC zone. They would be allowed within the CV-2 zone. A convenience store would require a CUP, and would undergo the City's project review process to assess project-specific impacts and compatibility, while the visitor-oriented retail store would be a permitted use. Visitor-oriented retail activities are a visitor serving use, intended to serve transient visitors, similar to a bed and breakfast inn. The Project Site is conducive to a CV-2 designation as it is located along a major highway (PCH) that serves the City, and is in an area developed with existing visitor-serving uses, including restaurants and motels. It is anticipated that a convenience store or a visitor-oriented retail store would be desirable at the Project Site and that the conditional use permit findings regarding compatibility with the existing and proposed uses in the area could be made.

Dining, Drinking, and Entertainment

Three uses classified as Dining, Drinking, and Entertainment land uses, currently not permitted under the CC zoning designation, would be permitted under CV-2 zoning designation: amphitheaters, movie theaters, and fixed location outdoor food vending stands. The Project Site is conducive to a CV-2 designation as it is located along a major highway (PCH) that serves the City, and is in an area developed with existing visitor-serving uses, including restaurants and motels. Movie theaters and food vending stands would require a CUP and would be required to undergo the City's project review process to assess project-specific impacts. The City could make a determination at that time as to whether or not the Project Site is conducive to the use and what conditions may be required to operate the use in a way that is compatible with the surrounding area. Amphitheaters would be permitted in CV-2 zones. An amphitheater is an open air seating venue area used for gathering and entertainment. The size of an amphitheater would be limited in size by the site constraints and required parking. The use would be consistent with the character and natural environmental setting of the Project Site and vicinity. It is anticipated that an amphitheater, movie theater, or a fixed location outdoor food vending stand would be desirable at the Project Site and that the conditional use permit findings regarding compatibility with the existing and proposed uses in the area could be made.

Recreation and Leisure – Hotels, Motels, and Bed and Breakfast Inns

Hotels, motels, and bed and breakfast inns are not permitted under the CC zoning designation. The existing motel has been in operation since the early 1950's and constitutes a legal nonconforming use. The CV-2 and CV-1 LCP land use designations allow motels and bed and breakfast inns as a conditionally permitted use because the CV zones are intended to provide visitor serving needs. CV-2 is the only land use and zoning designation that conditionally permits hotels.

The Project Site contains a motel, that has been in operation since the early 1950s, which would continue to be in use, and the existing health club with pool and kitchen would also continue to be

in use. The two uses would be combined into one use, and function as one, thus changing the use to a bed and breakfast inn as defined by the MMC and LCP.

The proposed CV-2 designation creates an entitlement path so that a conditional use permit can be requested. The CV-2 designation will allow visitor serving commercial activities to be provided at the Project Site and ensures that the existing visitor serving uses would continue to be maintained. The Project does not involve physical changes, but rather would allow the continuation of the long-standing visitor serving use at the Project Site. Therefore, the Proposed Project would result in no impact.

Recreation and Leisure – Recreational Facilities

Recreational facilities for neighborhood and non-commercial uses are permitted under the CC designation. This specific use would not be permitted under CV-2, which allows visitor serving uses. Uses for the Proposed Project entail the continued operation of transient lodging accommodations with a kitchen (a bed and breakfast inn as defined by the MMC and LCP), with ancillary health club and swimming pool, which is consistent with the intended visitor serving purposes of the CV-2 zone. No impact would occur.

Public, Quasi-Public, or Non-Profit Uses

Wastewater storage and hauling uses would be permitted under CV-2 whereas, under CC, those uses are not allowed. However, these land uses are limited to the Civic Center Wastewater Treatment Facility Institutional Overlay District (24000 Civic Center Way / APNs 4458-028-006 and 4458-028-020; (City of Malibu, 2016)). Other public/quasi-public uses for the CV districts are required to provide 50 percent visitor-serving square footage. The Project Site is outside of the aforementioned overlay district. Therefore, the Proposed Project would result in no impact.

Construction/Light Industrial Uses

The Proposed Project entails the operation of a bed and breakfast inn with a health club, swimming pool and kitchen, which would be consistent with the intended visitor serving purposes of the CV-2 zone. Therefore, the Proposed Project would result in no impact.

Parking Regulations

The provision of parking spaces is contingent upon specific land uses and adherence to the parking standards as outlined in MMC §17.48.030. The Proposed Project entails the operation of a bed and breakfast inn, which is consistent with the intended visitor serving purposes of the CV-2 zone. Because the Proposed Project is not increasing the number of guest rooms or visitors, there is no additional demand for parking no change to the existing parking is proposed. The applicable parking requirements for a bed and breakfast inn are the same as for a motel, as they are a similar use pursuant to the MMC and LCP use category “Motels, bed and breakfast inns.”

Development Standards

The allowed floor area ratio (FAR) for CC and CV parcels is 0.15. The CC zone allows the FAR to be increased to a maximum of 0.20 with approval by the City Council, where public benefits and amenities are provided as part of the project. The CV designation allows the FAR to be increased to a maximum of 0.25 with approval by the City Council, where public benefits and amenities are provided as part of the project. The rezoning would increase the maximum allowable FAR by 0.05.

22762 and 22752 Pacific Coast Highway General Plan Land Use Map, Zoning Map, and Local Coastal Program Land Use Map Amendments and Conditional Use Permits

The existing FAR at the Project Site is 0.25, which does not exceed the maximum allowable for the CV Zone.

The commercial development standards applicable to commercial development on a CC or CV-2 parcel are the same. The rezoning would not change the commercial development standards, including building height, yards and setbacks. The Proposed Project is seeking to harmonize existing nonconforming uses with proper land use and zoning designations in order to maintain and ensure that the continued future uses provide for visitor serving needs.

NO IMPACT

- c. *Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?*

The Project Site is not located within a designated ESHA as shown on the Malibu LCP ESHA resources map and does not fall within any habitat conservation or natural community conservation plan. As such, there would be no impact to applicable conservation plans.

NO IMPACT

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12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The Project Site is developed with structures and impermeable surfaces (hardscape such as pavement and parking areas), except for the beach portions of the properties. There are no mineral extraction activities occurring at the Project Site. The Proposed Project would not entail construction of structures or facilities for the purposes of extraction or exploration of mineral resources. The Project Site is not located in a locally important mineral resource recovery site as delineated in the Malibu General Plan, or the LCP. Therefore, the Proposed Project would result in no impact or loss of a mineral resource recovery site as designated in existing City planning documents.

NO IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- b. *Would the project result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?*
- c. *Would the project result in a substantial permanent increase in ambient noise levels above levels existing without the project?*
- d. *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*
- e. *For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
- f. *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise?*

The Proposed Project would not alter the existing noise conditions at the Project Site, nor would it increase the exposure of people or structures to ground-borne vibration or noise, a substantial

permanent increase in ambient noise levels, or substantial temporary increase in ambient noise levels because the site is already developed for commercial and visitor serving uses and would continue similar operations. Furthermore, the Project Site is not located within two miles of a public airport or subject to an airport land use plan. Therefore, the Proposed Project would result in no impact related to noise.

NO IMPACT

14 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. *Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The Southern California Association of Governments (SCAG) produces forecasts of regional population, which form the basis for growth projection in SCAG’s 2016 Regional Transportation Plan /Sustainable Communities Strategies (RTP-SCS). SCAG’s growth forecast for the City of Malibu projects a population of 14,100 in 2040; an increase of 1,400 from the 2012 estimated population of 12,700 (Southern California Association of Governments, 2016). As discussed in the Malibu General Plan (Section 1.3.1), the buildout figures for residential and commercial development represent maximum theoretical buildout, which is based on vacant acreage (City of Malibu, 1995).

The proposed land use and zoning designation amendments would not allow for new residential development. The Proposed Project is intended to allow for the continued operation of a transient lodging accommodations. The existing, legal non-conforming motel would be reclassified as a bed and breakfast inn, consistent with the MMC and LCP definition, with an associated health club, kitchen and swimming pool. Because these buildings, and related jobs, currently exist, it is not anticipated that a significant increase in population would occur. Therefore, the Proposed Project would not induce substantial population growth either directly or indirectly and would result in no impact.

NO IMPACT

- b. *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*
- c. *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

The proposed project would not involve the demolition of any residential structures or displace housing units or people as a result. As such, the Proposed Project would not necessitate the

construction of replacement housing. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

15 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

1 Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2 Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4 Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5 Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a.1. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

The Project Site is within the service area of LACFD. The nearest fire station to the project site is Station No. 70 located at 3970 Carbon Canyon Road, in the City of Malibu, approximately 1.2 miles (driving distance) east of the project site with access via PCH. The Proposed Project maintains the existing uses on the Project Site, and involves amendments to existing zoning and land use designations from CC to CV and CV-2 to allow the existing uses to be combined to provide a unified use as a bed and breakfast inn. The Proposed Project would not increase demand for fire protection service or require the construction of new or expanded fire protection facilities and therefore, would result in no impact.

NO IMPACT

a.2. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental*

impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Los Angeles County Sheriff's Department (LACSD) provides police protection service for the City of Malibu, including the Project Site. The nearest LACSD station is the Malibu/Lost Hills Sheriff's Station located at 27050 Agoura Road in the City of Agoura, approximately 11.1 miles north of the Project Site. The Station serves the cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, and Westlake Village, as well as the surrounding communities of Chatsworth Lake Manor, Malibu Lake, Topanga, and West Hills (LACSD 2016). Because the proposed project is an amendment to existing zoning and land use designations from CC to CV and CV-2, the Proposed Project would not increase demand for police protection service and would not adversely affect the Station's resources and operations or create the need for new or expanded facilities. Therefore, the Proposed Project would result in no impact.

NO IMPACT

- a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*
- a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*
- a.5. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?*

The Proposed Project is an amendment to existing zoning and land use designations from CC to CV and CV-2. As such, the Proposed Project would not alter any of the aforementioned governmental or school facilities, parks, or public facilities. The Proposed Project would not generate additional need for the maintenance of public facilities (including roads and other governmental services), as the Project Site contains privately-owned facilities. Therefore, the Proposed Project would result in no impact.

NO IMPACT

16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*
- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The Proposed Project is an amendment to existing zoning and land use designations from CC to CV and CV-2. The Project Site would continue to be used for neighborhood and visitor serving commercial activities and transient lodging accommodations. The Proposed Project would not generate new residents who would increase the need for additional parkland or recreational facilities, and as such, new or expanded recreational facilities would not be required. Therefore, the Proposed Project would result in no impact.

NO IMPACT

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17 Transportation/Traffic

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?*
- b. *Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*
- c. *Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*
- d. *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*
- e. *Would the project result in inadequate emergency access?*
- f. *Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?*

The Proposed Project is an amendment to existing zoning and land use designations from CC to CV and CV-2. The Project Site has been developed and used for commercial uses, and neighborhood and visitor-serving transient lodging accommodations since the 1950s. The motel has been in continuous operations since the 1950s, operating in a compatible manner with surrounding uses. The Proposed Project would not increase the intensity of development at the Site. The Proposed Project does not entail the alteration or construction of any additional roads, nor would it create any hazards or barriers to pedestrians or bicyclists. Therefore, implementation of the Proposed Project would result in no impact.

NO IMPACT

18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 2024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, “tribal cultural resources.” AB 52 establishes that “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB

52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

- a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 2024.1?*

The Proposed Project is an amendment to existing zoning and land use designations from CC to CV and CV-2. The Project Site has been developed and used for commercial uses, and neighborhood and visitor-serving transient lodging accommodations since the 1950s. The Proposed Project would not increase the intensity of development and does not entail new development nor subterranean work with the potential to cause substantial adverse impacts to historic or tribal cultural resources. The OWTS will be installed at 22762 PCH pursuant to a previously approved CDP. The potential for resources was previously evaluated, and project was conditioned to address the discovery of potential resources. Therefore, the Proposed Project would result in no impact.

NO IMPACT

19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- a. *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*
- b. *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*
- c. *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

- d. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*
- e. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*
- f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*
- g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?*

The Proposed Project is an amendment to existing zoning and land use designations from CC to CV and CV-2. Power, gas, and communication systems already service the Project Site. Implementation of the Proposed Project would not affect any of the aforementioned utilities and service systems since it would not increase land use intensity beyond current conditions. The Project Site has been developed and used for commercial uses, and neighborhood and visitor-serving transient lodging accommodations since the 1950s. The Proposed Project would not increase the intensity of development at the Project Site. The continued use of the Project Site as a bed and breakfast inn is consistent with and similar to historical visitor-serving uses on the Project Site and in the vicinity. Therefore, the Proposed Project would result in no impact.

20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
f. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

The project site is in a commercial area of the City of Malibu and is not within a state responsibility area (SRA). The nearest SRA is approximately 0.5 miles from the project site. Undeveloped hillside areas are located north the project site between the project site and developed residential areas. According to CalFIRE, the project site is located in Very High Fire Hazard Severity Zone (VHFHSZ) for wildland fires (CalFIRE 2020).

As discussed in Section 15, *Public Services*, the LACFD would provide fire prevention, fire protection, and emergency response for the proposed project. The LACFD would review the bed and breakfast inn to regulate the maximum occupancy and ensure that required fire protection safety features, including building sprinklers and emergency access, are implemented. In addition, the proposed

project would comply with applicable policies and ordinances for fire prevention, protection, and safety as required by the LACFD, which include provision of fire alarms and detection systems, and automatic fire sprinklers. The bed and breakfast inn use would also be required to clearly post evacuation routes and access points within the buildings to direct guests on emergency evacuations in the event of a fire. Emergency access to the site would be maintained from PCH. No construction is proposed. The project would not impede traffic on PCH. Therefore, there are no impacts related to emergency response plans and emergency evacuation plans during project operation.

NO IMPACT

- b. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

- d. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The majority of land within the City of Malibu, including the project site, is classified as being in a VHFHSZ (CalFIRE 2020). The project site is located in a commercial area of the City and is located along PCH on the north side, and the ocean on the south side. Operation of the bed and breakfast inn would not involve activities known to cause or exacerbate wildfires.

NO IMPACT

- c. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The project site is in an urbanized area and is classified as a VHFHSZ. The project site is located approximately 0.5 mile from the nearest state responsibility area (CalFIRE 2020). The project site is developed and consists of existing commercial buildings and associated infrastructure. The project would be served by existing roads and utilities and would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk. Therefore, the project would not require additional roads, fuel breaks, emergency water sources, power lines or other utilities that would exacerbate fire risk and cause temporary or ongoing impacts to the environment.

NO IMPACT

21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Does the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a. *Does the project have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*
- b. *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*
- c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

As discussed in items 4, Biological Resources, and 5, Cultural Resources, the Proposed Project would not adversely affect biological or cultural resources. The Proposed Project would not increase the intensity of historical and existing onsite development. Therefore, it would not contribute to any cumulative effects associated with known, probable, and reasonably foreseeable projects in Malibu

and adjacent communities. The Proposed Project entails an amendment to existing zoning and land use designations from CC to CV and CV-2 at a Project Site that has been developed and used for commercial uses, and neighborhood and visitor-serving transient lodging accommodations since the 1950s. As discussed throughout this Initial Study, the Proposed Project would not result in impacts related to such issues as air quality, hazards, noise, or transportation; therefore, it would not adversely affect human beings.

NO IMPACT

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