

Planning Considerations and Constraints
Malibu Parks Public Access Enhancement Plan Overlay District
April 14, 2008

Interagency Coordination

Preparation of the proposed Overlay District and future implementation of the proposed Malibu Parks Public Access Enhancement Plan requires coordination between a number of agencies owning and/or maintaining lands which are included in the Plan area, and agencies that have similar vested interests to fulfill the goals and objectives of the Plan. Coordinated planning efforts among agencies with responsibility for developing trails and recreation areas, and the public who uses and enjoys these resources, is an important element to implementing the goal of enhancing public access and recreational opportunities. To date, personnel from the Conservancy, MRCA, National Park Service, State Parks and the public access program of the Coastal Commission have coordinated via field analysis and information sharing to identify recreational demand, a number of program and facility improvements to meet that demand, and to build the database of existing and potential trail and land acquisition sites, all of which are essential to achieve implementation of the Overlay District and to ensure the long term success in preserving and enhancing public access and recreation.

Resource Protection

Environmentally Sensitive Habitat Areas

The Plan area is located along the Malibu coastline in the Santa Monica Mountains area and the parklands subject to the proposed Overlay District consist primarily of open, undeveloped coastal land and, as such, provide significant open space links between the coast and large, undisturbed habitat areas in the Santa Monica Mountains. In addition, much of the ecological significance of the subject parks is the presence of riparian corridors within the parklands that connect large inland watersheds with the coast. Though all the park properties have experienced some disturbance that remains today, the lands remain relatively undisturbed and collectively consist of vegetated coastal bluff terrain, oak woodland, steep canyons containing riparian oak-sycamore bottoms, and coastal sage scrub and chaparral ascending the canyon walls.

Policy 3.1 of the Malibu LCP defines ESHA, in part, as "*Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments are Environmentally Sensitive Habitat Areas (ESHAs) and are generally shown on the LUP ESHA Map. The ESHAs in the City of Malibu are riparian areas, streams, native woodlands, native grasslands/savannas, chaparral, coastal sage scrub, dunes, bluffs, and wetlands*". The Malibu LCP also contains an ESHA map that represents those areas subject to protection under the applicable sensitive resource protection policies of the LCP. The LCP ESHA map includes the majority of City parklands and other open space areas under public ownership, and areas with slopes greater than 40%. These areas are protected and/or considered un-developable and thus habitat values in these areas are expected to have been, and will continue to be, preserved. As such, the majority of parklands addressed in the Overlay are designated ESHA in addition to various areas located along trail corridors subject to the proposed Plan. Therefore, where applicable, the policies and

implementation standards of the Overlay District are intended to be consistent with the uses and type of development in designated ESHA areas.

The Malibu LCP requires that ESHA be protected against significant disruption of habitat values, that only resource dependent uses be allowed in ESHA, and specifically identifies accessways and trails as resource dependent uses. The LCP defines specific criteria for allowable development areas in ESHA, requires ESHA impacts to be minimized to the maximum extent feasible through siting and design, requires that alternative analyses be conducted and mitigation measure implemented where impacts to ESHA may occur. ESHA protection policies also address regulations relating to potential toxic substance uses including herbicides and insecticides, and natural and mechanical wildfire burn area regeneration processes. The LCP further contains policies applicable to specific types of ESHA and associated application requirements including streams, native trees, and wetlands. Additional policies of the LCP provide regulations for new development to ensure potential impacts to ESHA are minimized including limitations and timing restrictions on grading activities, fencing, lighting and vegetation removal (including fuel modification), requirements for revegetation and restoration of disturbed areas, and specific application and review requirements applicable to new development projects with the potential to impact ESHA.

To supplement the ESHA resource protection measures of the Malibu LCP, the ESHA protection policies and implementation measures of the Overlay District would specifically apply to proposed trail and park facility improvements to ensure impacts to ESHA are avoided, minimized, and appropriately mitigated where impacts can not be avoided.

Water Quality

Water quality has become an increasingly important environmental issue in Southern California, particularly in coastal areas where public recreation is often concentrated. The Plan area is located in an Area of Special Biological Significance as designated by California Ocean Plan (State Water Resources Control Board). Protection of this sensitive coastal area is dependent, in part, on maintaining and restoring water quality throughout Malibu watersheds. The primary waterways located within the Plan area also provide important habitat for wetland and riparian plant and animal species. Therefore, all proposed uses and improvements of the Plan must be implemented in ways to maintain and restore, whenever feasible, coastal waters through means such as: controlling runoff, preventing interference with surface water flows and alteration of natural streams, and by maintaining natural vegetation buffer areas. This planning consideration is of particular importance where Plan components include new development adjacent to riparian areas and/or where vegetation removal is proposed.

Protection and enhancement of water quality is mandated by the Malibu LCP which contains numerous policies requiring careful siting and design considerations, and construction- and post-construction phase best management practices (BMPs) for new development designed to prevent and minimize impacts to water quality. Such BMPs include limiting increases in impervious surfaces, land disturbance, surface erosion, and vegetation removal, and minimizing stormwater discharge and requiring that stormwater be treated prior to discharge from a project site. The LCP also requires development of drainage, erosion control, and BMP plans for new development and long-term maintenance of such plans to ensure they function to protect water quality as intended.

Because the proposed Overlay District contemplates public improvements that will require some grading, vegetation removal and minor surface construction for trail, campsite and park support facilities, the

Overlay includes water quality policies that reflect the water quality protection provisions of the LCP as specifically applicable to the proposed trail and park improvements.

Visual Resources

The striking topography, unique coastline features, and varying habitat and vegetation communities of Malibu and the Santa Monica Mountains area maintain a unique visual and natural quality in the Malibu coastal area. The Plan area, in its entirety, represents a significant scenic area in that it provides views from within the parklands and trail system to and along the ocean and coastline and the surrounding mountain terrain. Additionally, the park's open space and natural coastal landscape provide highly scenic views from Pacific Coast Highway and other public streets in the Plan area. Therefore, in locating and designing the proposed Plan improvements, potential impacts on public views within the park areas and those views to the parklands from public viewing points must be considered and addressed.

The Malibu LCP provides for the protection of scenic and visual resources, including views of the beach and ocean, views of mountains, canyons, prominent ridgelines and natural habitat areas, and views along scenic roads, trails and within public parklands. The LCP requires that new development be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads and public viewing areas. Where it is not feasible to locate development such that it is not visible from scenic areas, new development must minimize visual impacts through siting and design measures including 1) siting development in the least visible portion of the site, 2) breaking up the mass of new structures, 3) designing structures to blend into the natural hillside setting, 4) restricting maximum building size, 5) reducing maximum height standards, 6) clustering development, 7) minimizing grading, 8) incorporating landscape elements, 9) berming, and 10) minimizing grading, access roads and retaining walls. The LCP further requires that fences, walls, and landscaping maintain views of scenic areas from scenic roads, parks, beaches, and other public viewing areas. While implementation of the proposed Overlay would permit very little structural development that would have the potential to impact public views, the Overlay includes visual resource protection policies that mirror many of the protection measures of the LCP as they relate to park and trail improvements including siting development in the least visible portion of the site, designing improvements to blend with the natural setting, minimizing development area and associated grading for campsites, support facilities and trails, clustering development, incorporating landscape screening elements, and requiring landscape screening of new facilities.

The Plan area, in its entirety, represents a significant scenic area in that it provides views within the parklands and trail system to and along the ocean and coastline and the surrounding mountain terrain. Additionally, the open space and natural coastal landscape of parklands provide highly scenic views from Pacific Coast Highway and other public viewing areas in the Plan area. Therefore, in locating and designing the proposed Plan improvements, potential impacts on public views within the park areas and those views to the parklands from public viewing points must be considered and addressed.

Archaeological Resources

As evident by the numerous and diverse archaeological sites identified and recovered in the Malibu and Santa Monica Mountains, the area is known to be one of the most significant areas of concentrated archaeological deposits in Southern California. Improvements to undeveloped areas, or additions that expand existing development into undeveloped areas, have the potential to impact cultural resources in sensitive archaeological areas. Of particular concern are those areas that contain watercourses or other

water bodies that tend to be areas of high sensitivity for archaeological resource. Given its proximity to the ocean, its generally undeveloped and natural character, and the presence of a number of water courses within the Plan area, the proposed Overlay District must consider potential impacts to archaeological resources that could result from implementing future public improvements. This is particularly true for those future improvements requiring grading. The Malibu LCP includes policies requiring that new development be located and designed to protect and preserve archaeological, historical and paleontological resources by avoiding and minimizing impacts to such resources and implementing appropriate mitigation where sensitive resources exist.

The proposed Overlay contemplates development of public improvements, some of which would involve grading in undeveloped areas that could potentially impact sensitive cultural resources. As such, the Overlay District requires that development of new park facilities be designed to protect historic, cultural, archaeological and paleontological resources, and that mitigation be implemented where impacts may occur.

Hazards

The Plan area is located along the Malibu/Santa Monica Mountains coastline, an area that is subject to an unusually high amount of hazards associated with natural processes. Geologic hazards common to the Malibu/Santa Monica Mountains coastline include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. While the proposed Plan involves very little development of new, habitable, or flammable structures (only self-contained public restrooms are proposed), planning for the proposed uses, programs, and public facility improvements must ensure that all development and uses provide for geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard.

The Malibu LCP includes policies that require new development to be designed and constructed to minimize potential impacts associated with hazards inherent of the Malibu area and Santa Monica Mountains including geology, flood and fire. The LCP calls for siting, design and construction of development to avoid and minimize risks associated with geologic, flood and fire hazard, and requires geologic investigations where new development may be subject to geologic hazards. The LCP provides for hillside management for slope development to minimize slope instability, requirements for drainage and erosion control and timely revegetation of disturbed areas, and implementation of mitigation measures for development in areas subject to flooding. To minimize risks associated with wildfire hazard, the LCP requires siting and design to avoid hazardous areas and that fuel modification plans be prepared for all new development proposals. Finally, the LCP requires that adequate emergency access and water supply for new development comply with fire management programs. While the LCP provides a variety of applicable policies that address potential hazards in Malibu and the Santa Monica Mountains, the proposed park facility improvements require special treatment with specific development standards as reflected in the proposed Overlay District policies and implementation measures given the public use of these facilities.

Land Use and Neighborhood Compatibility

The Conservancy and MRCA seek to cooperate with all interested parties in carrying out their goals to preserve, protect, restore, and enhance lands of Southern California and to form an interconnected system

of parks, open space, trails, and wildlife habitats that are easily accessible to the general public. This includes cooperation with neighborhoods that are located adjacent to, and might be affected by, parklands programs and development. To that end, the Conservancy and MRCA have considered a number of program alternatives and improvement elements to ensure that the proposed uses and improvements contemplated by the Overlay District are compatible with surrounding residential neighborhoods.

With the exception of developing trail linkages and those Plan improvements that would be located within County and NPS lands, the Overlay District improvements focus exclusively on publicly owned lands in the City which are designated and zoned as public open space (OS) by the Malibu LCP.

The Local Coastal Program states:

The OS designation provides for publicly owned land which is dedicated to recreation or preservation of the City's natural resources, including public beaches, park lands and preserves. Allowable uses include passive recreation, research and education, nature observation, and recreational and support facilities.

In addition, Table 2, Permitted Uses of the Local Coastal Program Implementation Plan indicates that the following uses are permitted uses in the OS Zone:

- *equestrian and hiking trails*
- *wildlife preserves*
- *camping*
- *parks, beaches and playgrounds*
- *public beach accessways*
- *recreation facilities (including swimming pools, sandboxes, slides, swings lawn bowling, volley ball courts, tennis courts and similar uses)*
- *educational (non-profit) activities are primary permitted uses in the OS Zone.*

The subject park properties were designated and zoned OS during the City's Local Coastal Program review and certification process which provided for consistency between the properties' ownership and use as publicly owned land. The established OS land use and zoning designation clearly reflect the properties' current land uses, collectively consisting of recreation, research and education, nature observation, and a range of support facilities. Where passive recreation and nature observation opportunities are readily available but support facilities limited at Escondido and Corral Canyon Parks, Ramirez Canyon Park alternatively, given its previous use as an estate compound, provides for active recreational activities including specialized public outreach and education programs supported by existing facilities.

The proposed Overlay District includes measures to develop trail and park improvements dedicated to public access, recreation, education, and the preservation of natural resources, including hiking trails, camping, recreational support facilities, and special public outreach and education programs, to be permitted for specific park properties. The public improvements and programs are designed and intended to maximize public access, recreational and education opportunities within the Plan area consistent with the intent of the OS land use designation and the uses specifically allowed in the OS Zone.