



City of Malibu

Conditional Use Permit Submittal Checklist

NOTE: To submit a new application with the City of Malibu Community Development Department, all required items as specified by City Staff on the Submittal Checklist, including application fees and those materials required by City Departments, must be provided at the time of submittal. **Incomplete application submittals WILL NOT be accepted.** See the [New Application Submittal Guide](#) for more information. Additional resources are available on the [Community Development Department website](#).

Staff Only - General Project Information

Address / Location: _____

CUP Fees:

- ☐ Formula Retail (Full Recovery Cost): \$9,678
☐ New / Transferred Liquor License: \$5,861
☐ Non-Formula Retail (Half Recovery Cost): \$9,678
☐ CUP Compliance & Reporting: \$4,219
☐ Existing Non-Conforming Use / No Change: \$4,907
☐ All Others: \$9,678

*CREDIT CARD: 3.9% (in-house transactions)
2.9% + \$0.30 (for online transactions)

Requires the following discretionary requests: _____

Project Description: _____

Additional Comments: _____

A **complete submittal** shall consist of the following City / County Department reviews, submittal documents, and fees:

Description	Req'd	Not Req'd	Initials	Submitted
Planning	✓	-		☐
City Biologist	☐	☐		☐
City Environmental Health Administrator	☐	☐		☐
City Public Works Department	☐	☐		☐
City Geotechnical Staff	☐	☐		☐
City Coastal Engineering	☐	☐		☐
Code Enforcement	☐	☐		☐
Los Angeles County Fire Department	☐	☐		☐
Los Angeles County Waterworks District 29	☐	☐		☐

Standard Requirements

Item #	Description	Required	Submitted
1	Submittal Checklist	✓	☐
2	Uniform Application	✓	☐
3	Proof of Ownership	✓	☐
4	Description of Proposed Business	✓	☐
5	Declaration Regarding Previously Issued Coastal Development Permits & Deed Restrictions	✓	☐
6	Written Statement(s) Justifying Conditional Use Permit Request	✓	☐
7	Certified Public Notice Property Owner / Occupant Mailing Data & Radius Map	✓	☐
8	Application Fees	✓	☐
9	Coastal Development Permit Exemption Checklist	✓	☐

Notes

Digital Submittal

- All documents should be saved as an Adobe PDF.
- Each document shall be saved as a separate PDF.
Plans shall be grouped and named by discipline (e.g., architectural, grading, civil, etc.).

Outdoor Lighting Submittal Requirements

Item #	Description	Required	Submitted
10	Outdoor Lighting Plan OR Letter Stating None Proposed	✓	☐
11	Outdoor Lighting Plan shall include:	☐	☐
	a. Site Plan depicting the location of existing (e) and proposed (n) outdoor light fixtures	-	☐
	b. Manufacturer Specifications/Fixture Exhibit including details regarding the lumen counts and Kelvin for each fixture	-	☐
	c. A photometric plan	-	☐

Beachfront Lots Submittal Requirements

Item #	Description	Required	Submitted
12	Public Beach Access Locations / Information	☐	☐

Project Plan Requirements

Item #	Description	Required	Submitted
13	Project Plans	☐	☐
	a. Cover Sheet	☐	☐
	b. Floor Plan	☐	☐
	c. Site Plan	☐	☐
	d. Parking and Pedestrian Circulation Plan	☐	☐
	e. Demolition Plan	☐	☐

Other Requirements

Item #	Description	Required Upon Submittal	Required Prior to Deeming Complete	Submitted
14	Will Serve Letter	☐	☐	☐
15	Written Statement Justifying the Issuance of a Letter of Public Convenience or Necessity	☐	☐	☐
16	Title Report	☐	☐	☐

Additional Documents

City Department Requirements

If a Department is marked as "Required" on page 1 of this form, please obtain fees and comments from each Department in the designated boxes below.

City Environmental Health Administrator Review

Initials:_____Date:_____

☐ Review Required / No Fee ☐ Review Required / Fee Required ☐ No Review Required

TOTAL:\$ _____

Fees

- ☐ Non-OWTS* Review – Simple: \$1,175 ☐ OWTS* Review – Complex: \$3,085
☐ OWTS* Review – Complex Commercial: \$8,000
☐ OWTS* Complex 3rd Party Review (710 Account): \$8,000 ☐ Operating Fee: \$ _____
*Onsite Wastewater Treatment System (OWTS)
☐ Review – Hourly: \$294/hr x _____ hrs = \$ _____ ☐ Document Imaging Fee: \$34

Comments:

Required Documents:

[Environmental Health Submittal Requirements](#)

City Biologist Review

☐ Review Required / No Fee ☐ Review Required / Fee Required ☐ No Review Required

Fees

☐ Fee:\$ _____

Comments:

Required Documents:

[Biological Report Submittal Guide & Other Landscaping Requirements](#)

City Public Works Department Review

☐ Review Required / No Fee ☐ Review Required / Fee Required ☐ No Review Required

Fees

- ☐ Public Works Review = \$ _____
☐ Traffic Review = \$ _____
☐ Land Division = \$ _____

Comments:

Required Documents:

[Public Works Project Plans and Report Requirements](#)

City Geotechnical Staff Review

☐ Review Required / No Fee

☐ Review Required / Fee Required

☐ No Review Required

TOTAL:\$ _____

Fees

☐ Fee: \$ _____

☐ Hourly Fee: \$294/hr x _____ hrs = \$ _____

☐ Document Imaging Fee: \$34

Comments:

Required Documents:

[Geology Report Submittal Requirements](#)

City Coastal Engineering Review (Beachfront Properties)

☐ Review Required / No Fee

☐ Review Required / Fee Required

☐ No Review Required

TOTAL:\$ _____

Fees

☐ Reports Required (electronically- stamped with a digital signature by a registered coastal / civil engineer, and a Digital Signature Page)

☐ Complex: \$3,753

☐ Standard: \$1,876

☐ Minor: \$870

☐ Time & Materials Fee: \$264/hr x _____ hrs = \$ _____

☐ Document Imaging Fee: \$34

Comments:

Required Documents:

[Coastal Engineering Report Submittal Requirements](#)

Code Enforcement Review

☐ Review Required / No Fee

☐ Review Required / Fee Required

☐ No Review Required

TOTAL:\$ _____

☐ Review Fee =\$175/hr

Code Enforcement Officer Signature: _____ Date _____

Comments:

STAFF USE ONLY

Complete Submittal Date: _____

By: _____

(Print Name, Title)

Note: A conformance review will begin after the time of submittal, and additional documentation may be requested.

Planning Division Submittal Document Guide

This Submittal Document Guide is to provide you with document requirements for documents typically required for a Conditional Use Permit application. This list is not comprehensive and does not contain document requirements for all City Departments. Contact individual City Departments for document requirements ([list of agency contacts](#)).

For a complete list of Planning Division forms, go to malibucity.org/planningforms.

Submittal Format

All documents should be saved as Adobe PDFs. Each document shall be saved as a separate PDF. Plans shall be grouped and named by discipline (e.g. architectural, grading, civil, etc.).

Documents Descriptions

1. [Submittal Checklist](#)
Provide in original format. No need to digitize.
2. [Uniform Application](#)
Provide in original format. No need to digitize. Will not be accepted without Property Owner's signature. [Form: Uniform Application](#)
3. **Proof of Ownership**
Grant deed for parcel(s); title report if parcel is vacant; and Operating Agreement for LLC or Trust Documents for Trusts to identify authorized representatives.
4. **Description of Proposed Business**
Must include:
 - Daily operations;
 - Hours of operation;
 - Liquor sales (if applicable);
 - Number of employees;
 - Music or entertainment;
 - Private events;
 - Reoccurring planned events.
5. [Declaration Regarding Previously Issued Coastal Development Permits & Deed Restrictions](#)
Include permits from California Coastal Commission and City of Malibu issued.
6. **Written Statement(s) Justifying Conditional Use Permit Request**
7. [Certified Public Notice Property Owner and Occupant Addresses and Radius Map](#)
 - A. [Microsoft Excel Workbook](#) - All properties, residential units, and commercial suites within the 500-foot mailing radius shall be provided in a Microsoft Excel spreadsheet. Each distinct address within the radius shall be listed twice, one reflecting the tenant's address and the other reflecting the property owner's address. The project applicant's mailing address should be added at the end of the list. Column headers must include:
 - Street Address 1;
 - Street Address 2 (Apartment Unit or Commercial Suite Number);
 - City;
 - State Abbreviation;
 - Five-digit ZIP Code; and

- Accessor's Parcel Number (APN).

An additional column for "arbitrary number" may be included if the supplied radius map utilizes such numbers for the purpose of correlating the addressee to their map location.

- B. [Radius Map](#) (showing a 500 foot radius from the subject property, which intersects all—or a portion—of at least ten developed properties).

- C. [Certification Letter](#) (signed and dated by the preparer).

Note: The mailing data is valid for six months from the preparation date.

8. [Application Fees](#)

City accepts cash, checks, money orders, or credit cards. A service fee will be charged for credit card transactions. See the [City Fee Schedule](#) for comprehensive list of fees.

9. [Coastal Development Permit Exemption](#) (CDPE) Checklist

10. Outdoor Lighting Plan **OR** [Letter Stating None Proposed](#)

10.a. Outdoor Lighting Basics

For Existing Lighting (Applicable upon the effective date):

- Outdoor light fixtures that have the ability to be redirected, shall be directed downward so as to minimize sky glow, glare and light trespass onto adjacent properties;
- Outdoor light fixtures that have adjustable dimmers with color temperature that exceeds 3000 Kelvin shall be dimmed to comply with MMC Section 17.41.050(G) to minimize glare and light trespass onto adjacent properties;
- String lights may be allowed in occupied dining and entertainment areas only and must not exceed 3000 Kelvin. String lights shall not be used as landscape lights. This does not apply to seasonal lighting.

For New Lighting: (Basic Residential Requirements):

- Lighting shall be fully shielded and directed downward.
 - "Fully shielded" means a light fixture constructed and installed in such a manner that all light emitted, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane through the fixture's lowest light-emitting part;
 - The Dark Sky Ordinance includes a requirement to direct the light "downward" or towards the ground. This is done to concentrate the light in a fixed area, thereby improving the visibility within that area and reducing light pollution, light trespass and sky glow;
 - Additional definitions, such as light pollution, light trespass and sky glow can be found in Section 17.41.030 of the Dark Sky Ordinance.
- Lumen count shall not exceed 850 lumens;
- Security lighting shall be attached to buildings and controlled by motion sensors which extinguish no later than 10 minutes after activation;
- Color temperature shall not exceed 3000 Kelvin;
- Curfew: Unless controlled by motion sensors, outdoor Lighting shall be extinguished by 11:00 pm or when people are no longer present in exterior areas;
- Outdoor lighting shall only be used within 50 feet of a residentially habitable building or pool with the exception of security, driveway and walkway lighting.

10.b. Compliance Deadlines

Per MMC Section 17.41, the Dark Sky Ordinance became effective on October 15, 2018. Compliance periods for existing non-conforming lighting are established by zoning district. Notwithstanding the provisions in MMC Chapter 17.60 (Non-conforming Structures and Uses) and MMC Section 17.04.070, a property owner shall comply with the requirements of this chapter by the following compliance deadlines. Any non-compliant lighting still in place after the compliance deadline shall remain extinguished at all times.

- A. Gas Stations: Outdoor lighting at gas station properties shall comply by October 15, 2019 (1 Year from the effective date).
- B. Commercial and Recreations Zones: Outdoor lighting in commercial zones, including but not limited to CN, CC, CV, CG, RVP, and RD zoning districts shall comply by October 15, 2022.
- C. Residential and Institutional Zones: Outdoor lighting in all remaining zones, including but not limited to SF, MF, MFBF, RR, PD, MH, and I zoning districts shall comply by October 15, 2022.

11. Outdoor Lighting Plan Requirements:

- Site Plan depicting the location of existing and proposed outdoor light fixtures.
 - Include the following information on the Plan: project address, APN, MMC zoning designation, General Plan land use designation, property owner name, North arrow, scale of drawing (e.g. $\frac{1}{8}'' = 1'$);
- Manufacturer Specifications/Fixture Exhibit
 - Include details regarding the lumen counts and Kelvin for each fixture;
- A photometric plan.

12. Public Beach Access Locations / Information (Beachfront lots only)

On a separate page, provide the location of the nearest public beach access point, what type of access exists and whether the access is open to public.

13. Project Plans

For size and quantity, see [Submittal Format](#) section on page 1.

13.a. Cover Sheet

Must include:

- Project address, Assessor's Parcel Number (APN), Malibu Municipal Code (MMC) Zoning Designation, General Plan Land Use Designation, property owner name, applicant name, North arrow, scale of drawing (e.g. $\frac{1}{8}'' = 1'$); beachfront lots must note applicable NGVD29 or NAVD88 vertical datum;
- Gross and Net lot area (see separate handout for description);
- Required and proposed setbacks;
- Proposed and existing Total Development Square Footage (TDSF);
- Proposed and existing unenclosed covered areas (e.g., terraces, balconies and loggias that project more than 6 feet from the building face);
- Proposed and existing impermeable coverage;
- Detailed project description (include any green or sustainable features);
- Two-thirds calculation (refer to MMC Section 17.40.040(A)(13)(b)); and
- List of discretionary requests.

13.b. Floor Plan

Must include:

- North arrow;
- Scale of drawing;
- Interior dimensions;
- Existing and proposed service areas in square footage for restaurants;
- Existing and proposed seat count (maximum occupancy);

- Americans with Disability Act (ADA) access and accommodations;
- Proposed interior and exterior changes.

13.c. Site Plan

Must include:

- Project address, APN, property owner name, North arrow, scale of drawing (e.g. $\frac{1}{8}" = 1'$);
- All proposed structures, including fences and walls; show existing structures if addition;
- Required setbacks and lot dimensions;
- ESHA and ESHA buffer boundary(ies) (as applicable);
- Location of OWTS; existing and proposed (as applicable);
- Location of ground mounted equipment;
- Fire Dept accessways, including driveway, turnaround and a five foot clearance around the structure(s);
- Sustainable building elements (e.g., solar panels, wind turbines, rain capturing devices, etc.);
- Easements and any offers to dedicate;
- Bluff-top lots, include required bluff setbacks;
- Beachfront and creek-side projects, include the FEMA floodplains and Base Flood Elevation; and
- Beachfront lots, include elevation at street centerline, mean high tide line and deck and building stringlines, and note the vertical datum (preference is NAVD88).

13.d. Parking and Pedestrian Circulation Plan

A traffic study may be required to prove that sufficient parking is provided if an over-concentration of restaurants or other high intensity businesses already exist within shopping plaza.

13.e. Demolition Plan

Clearly show and label the existing (E) and proposed new (N) exterior walls, doors and large windows. Highlight those sections to be removed and/or replaced, both visually and in a table noting the existing and proposed linear feet of all exterior walls, doors and large windows. Account for removal/replacement of anticipated framing members necessary for the project due to structural requirements, shear walls, age and/or weathering. Scale: $\frac{1}{8}" = 1'$ acceptable provided it is legible.

*See [Remodel Policy](#) for details.

14. Will Serve Letter

A Will Serve Letter is required for all new construction, including additions and swimming pools. Obtain this letter from Los Angeles County Waterworks District No. 29, 23533 Civic Center Way, Malibu, (310) 317-1388; counter hours: Mon-Thurs 8-11 a.m. and Fri 8:30-11 a.m.

15. Written Statement Justifying the Issuance of a Letter of Public Convenience or Necessity

If the project includes liquor sales, the State Alcoholic Beverage Control Department may request a Letter of Public Convenience or Necessity (PCN). Please confirm with State ABC Dept. if one is required.

16. Title Report

Title Report for the vacant parcel that includes information pertaining to a [Certificate of Compliance](#) (COC), validating the parcel as a legal parcel. If the parcel has not previously received a COC, please apply for a COC through the Planning Division which may require a CDP application.