Malibu City Council
Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES)
Special Meeting Agenda

Monday, November 16, 2026

2:30 P.M.

City Hall – Multipurpose Room
23825 Stuart Ranch Road

Mayor Pro Tem Steve Uhring
Councilmember Marianne Riggins

Call to Order

Roll Call

Report on Posting of the Agenda – November 10, 2026

Approval of Agenda

Public Comment *This is the time for the public to comment on any items not appearing on this agenda. Each public speaker shall be allowed up to three (3) minutes for comments. The Subcommittee may not discuss or act on any matter not specifically identified on this agenda, pursuant to the Ralph M. Brown Act.*

Discussion Items

1. **Presentations**

   None.

2. **Old Business**

   None.

3. New Business

A. Scenic Resource Requirements for Coastal Development Permit Exempt Projects (Exterior Colors, Materials, and Non-Glare Glass)

Recommended Action: Review the proposed interpretation to the Zoning Code (Malibu Municipal Code [MMC] Title 17) to ensure that scenic resource protections in the General Plan and MMC are implemented for types of development exempt from a Coastal Development Permit (CDP) and provide guidance to staff.

Staff Contact: Community Development Director Bundy, 310-456-2489, ext. 229

Adjournment

I hereby certify under penalty of perjury, under the laws of the State of California, that the foregoing agenda was posted in accordance with the applicable legal requirements. Special meeting agendas may be amended up to 24 hours in advance of the meeting. Dated this 10th day of November 2026, at 5:45 p.m.

Alyssa Gonzalez

Alyssa Gonzalez, Executive Assistant

Zoning Ordinance Revisions & Code Enforcement Subcommittee Meeting 11-16-26

Item 3.A.

Zoning Ordinance Revisions and Code Enforcement Subcommittee Agenda Report

To: Councilmember Riggins and Mayor Pro Tem Uhring

Prepared by: Tyler Eaton, AICP, Assistant Community Development Director and Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director

Date prepared: November 5, 2026 **Meeting date:** November 16, 2026

Subject: Scenic Resource Requirements for Coastal Development Permit Exempt Projects (Exterior Colors, Materials and Non-Glare Glass)

RECOMMENDED ACTION: Review the proposed interpretation to the Zoning Code (Malibu Municipal Code [MMC] Title 17) to ensure that scenic resource protections in the General Plan and MMC are implemented for types of development exempt from a Coastal Development Permit (CDP) and provide guidance to staff.

DISCUSSION: The Local Coastal Program (LCP) requires new development in scenic areas visible from scenic roads or public viewing areas to use colors and exterior materials compatible with the surrounding landscape (LCP Land Use Plan [LUP] Policy 6.13). LCP Local Implementation Plan (LIP) Section 6.5(B)(5) sets three standards: 1) earth-tone colors, including shades of green, brown and gray, with no white or light shades and no bright tones; 2) no highly reflective materials, except solar energy panels or cells; and 3) non-glare glass for all windows. LIP Chapter 6 applies to CDP applications (LIP Section 6.2).

Projects in the same scenic locations, such as small additions, remodels, decks, trellises and accessory structures, can be exempt from a CDP under LIP Section 13.4 and are instead reviewed under the MMC through a development permit, such as an Administrative Plan Review (APR) (MMC Sections 17.62.020 and 17.62.030). When this occurs, the protection of scenic resources in the Coastal Zone is still required by

the General Plan Conservation and Land Use Elements and implemented through the MMC.

A development permit, such as an APR, is issued by the Community Development Director where a project meets the requirements of MMC Title 17 and MMC Chapter 17.40 (MMC Section 17.62.030(A)), and every approval must be found consistent with the General Plan (MMC Section 17.04.080). If a CDP-exempt project does not meet the scenic resource requirements as described in this interpretation, the APR may be conditioned to comply or be denied, since General Plan consistency cannot be found.

Application of Scenic Resource Requirements

For development that is CDP-exempt under LIP Section 13.4 and requires a development permit under MMC Chapter 17.62, such as an APR, the exterior elements of the project that are visible from a scenic road or public viewing area must adhere to the following standards, even if a CDP is not required. If a project fails to meet these standards, it cannot be considered consistent with the General Plan.

The following three standards would be applied for all CDP-exempt development when visible from a scenic road or public viewing area:

1. Colors. Exterior colors shall be limited to colors compatible with the surrounding environment (earth tones), including shades of green, brown and gray, with no white or light shades and no bright tones.

2. Reflective Materials. Highly reflective materials shall be prohibited, except for solar energy panels or cells.

3. Non-Glare Glass. All windows, and other visible exterior glazing such as glass doors and railings, shall be non-glare glass.

When determining application of this interpretation, staff would make the determination in the same manner as for a CDP, using the definitions in LIP Section 2.1 and LUP Policies 6.2 through 6.4 for scenic areas.

The standards apply to new, replaced or refinished exterior surfaces within the scope of the project; including any remodel of an existing (or construction of a new) structure, even if found to be exempt from a CDP.

The standards would not apply to the following types of development:

1. Development not visible from a scenic road or public viewing area;
2. Solar energy systems (Government Code Section 65850.5); or

In situation where existing development was previously authorized by a CDP, and the prior CDP has conditions that govern colors or materials, the interpretation clarifies that

those conditions continue to apply, regardless of whether or not the development is exempt from a CDP. However, where a prior CDP requires future improvements obtain a CDP (LIP Sections 6.6 and 13.4.1(B)(6)), the project is not exempt and would be subject to a CDP amendment or new CDP.

The following example explains how this interpretation would be applied to typical improvements made to an existing residence: A 300 square foot deck is proposed with glass railings and replacement siding on a new residence. The project site is visible from Kanan Dume Road, a designated scenic road in the LIP; however, due to the extent of development, it is exempt from a CDP and would be processed as an APR. Under this interpretation, the siding would be required to be an earth tone rather than white and the railings would be non-glare glass.

Implementation of the interpretation would occur as follows:

1. At project application submittal. CDP-exempt project plans will be required to include information indicating color and material for each exterior component proposed (e.g., paint, siding, roofing materials, deck railing, window glazing, etc.).

2. When an approval is granted. A condition of approval shall be included in all permits issued for CDP-exempt projects, as applicable. The following condition is template language that can be adjusted by the Community Development Director.

   "The project is visible from scenic roads or public viewing areas and, therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape and the following: a) Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Community Development Director and clearly indicated on the building plans. b) The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible. c) All windows shall be comprised of non-glare glass."

3. After a project is approved and prior to final inspection. Compliance with the condition shall be confirmed prior to issuance of a building or grading permit (MMC Section 17.04.030) and occupancy inspection (MMC Section 17.04.040). Later changes to colors or materials would be reviewed under Zoning Code Policy 2 (Substantial Conformance).

General Plan and MMC References

Authority for implementing the City's scenic resource protection requirements is provided in the General Plan and MMC, as summarized below.

1. General Plan consistency. Scenic resources are defined and described in Conservation (Con) Element Section 3.2.10, which considers various components in the coastal zone such as natural features, water, vistas, ridgelines, scenic highways and viewsheds and describes that scenic resources "provide visual enhancement and pleasure and are worthy of preservation for aesthetic, historical, topographical, cultural, or biological reasons." The section affirms that the City is in the Coastal Zone and "is thereby subject to Coastal Act provisions relating to scenic and visual resources...[wherein] such resources are to be protected and that new development must be sited in such a manner as to preserve these resources."

   The Land Use (LU) and Con Elements include policies, objectives and implementing measures to protect and preserve scenic resources from new development. As described, the City shall "protect the natural environment by regulating design" (LU Policy 1.1.1), shall preserve the City's rural residential character (LU Policy 1.1.4), shall require site planning "which blends development with the natural topography" (LU Policy 1.1.5), shall protect public views from scenic roadways, along the shoreline, and to scenic coastal areas including public parklands (LU Implementation Measure 28), shall preserve and protect scenic resources (Conservation Objective 1.4), and shall protect ocean and mountain viewsheds and Pacific Coast Highway as a significant viewshed (Con Policies 1.4.2 and 1.4.3).

   Because the General Plan acknowledges the Coastal Zone and scenic resource protections contained therein, the interpretation adopts the standards in LIP Section 6.5(B)(5) to ensure CDP-exempt development is consistent with the General Plan and MMC scenic resource protections. This establishes clear expectations for all projects within a scenic area regardless of CDP exempt status.

2. MMC Zoning standards. The MMC regulates reflective exterior materials. Every residence must have exterior siding of brick, wood, stucco, metal, concrete or other similar material, "except that reflective, glossy, polished and/or roll-formed type metal siding is prohibited" (MMC Section 17.40.040(A)(2)), and this standard applies to any development permit that authorizes new development or modifications to an existing structure (MMC Section 17.40.020). The MMC also defines "glare" to include light entering the eye "indirectly from reflective surfaces" (MMC Section 17.41.030).

   The MMC already extends scenic-area protections to development without regard to CDP status. The Dark Sky Ordinance, adopted "to implement the goals of the general plan" and to preserve "the scenic value of this desirable visual resource" (MMC Section 17.41.020), restricts lighting on "any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road, or public viewing area" (MMC Section 17.41.050(B)), which is the same geographic test used in LIP Section 6.2, and adopts the LIP definition of "public viewing area" (MMC Section 17.41.030). The MMC also codifies the LIP color and non-glare glass

standard for the Malibu Coast Estate Planned Development District (MMC Section 17.39.040(A)(7)).

3. General Plan consistency for permit issuance. No existing building may be "altered or enlarged" in conflict with the General Plan (MMC Section 17.02.040(A)(1)), every approved application must be found consistent with the General Plan (MMC Section 17.04.080), and a development permit, such as an APR, may be approved, denied, or approved with conditions (MMC Section 17.62.030(C)).

ZORACES Request

ZORACES is requested to provide staff guidance on the following:

1. Feedback on the proposed interpretation.

2. If it is acceptable for the Planning Commission to be the entity that considers the interpretation for adoption, or if the interpretation should be elevated to the City Council for consideration and adoption.

Next Steps

Based on the input received by the Subcommittee, the Planning Division would finalize the draft interpretation to be presented to the Planning Commission (or City Council) for adoption.

Attachment: Draft Zoning Code Interpretation 16

DRAFT Zoning Code Interpretation

(Interpretation of the provisions of the Malibu Municipal Code as approved by the Planning Commission of the City of Malibu)

Number: 16 **Dated**: XXXXXXX XX, 2026

Amended: _____

Community Development Director: Yolanda Bundy
Planning Manager: Tyler Eaton, Assistant Community Development Director
Interpreting Body: Planning Commission

MMC Sections: MMC §§17.02.040, 17.04.080, 17.40.040(A)(2), and 17.62.030
General Plan Elements: Land Use and Conservation Elements
Additional Reference: Local Coastal Program LIP Chapters 6 and 13, and LUP Policy 6.13

Title: Scenic Resource Requirements for Coastal Development Permit Exempt Projects (Exterior Colors, Materials and Non-Glare Glass)

The Local Coastal Program (LCP) requires new development in scenic areas visible from scenic roads or public viewing areas to use colors and exterior materials compatible with the surrounding landscape (LCP Land Use Plan [LUP] Policy 6.13). LCP Local Implementation Plan (LIP) Section 6.5(B)(5) sets three standards: 1) earth-tone colors, including shades of green, brown and gray, with no white or light shades and no bright tones; 2) no highly reflective materials, except solar energy panels or cells; and 3) non-glare glass for all windows. LIP Chapter 6 applies to Coastal Development Permit (CDP) applications (LIP Section 6.2).

Projects in the same scenic locations, such as small additions, remodels, decks, trellises and accessory structures, can be exempt from a CDP under LIP Section 13.4 and are instead reviewed under the Malibu Municipal Code (MMC) through a development permit, such as an Administrative Plan Review (APR) (MMC Sections 17.62.020 and 17.62.030). When this occurs, the protection of scenic resources in the Coastal Zone is still required by the General Plan Conservation and Land Use Elements and implemented through the MMC, although those land use policies do not explicitly require the types of colors set forth in the LCP. This has led to confusion as to what colors may be acceptable when development is exempt from a CDP but still within a scenic area.

The goal of this interpretation is to establish a clear, uniform requirement on all development projects within a scenic area, regardless of whether the development is exempt from a CDP, development must adhere to the color, brightness, glare and

reflectiveness requirements of the LCP to ensure maximum protection of scenic resources.

Application and Implementation

For development that is CDP-exempt under LIP Section 13.4 and requires a development permit under MMC Chapter 17.62, such as an APR, the exterior elements of the project that are visible from a scenic road or public viewing area shall meet the following standards wherever LIP Section 6.5(B)(5) would apply if a CDP were required. A project that does not meet these standards cannot be found consistent with the General Plan.

Standards

1. Colors. Exterior colors shall be limited to colors compatible with the surrounding environment (earth tones), including shades of green, brown and gray, with no white or light shades and no bright tones.

2. Reflective Materials. Highly reflective materials shall be prohibited, except for solar energy panels or cells.

3. Non-Glare Glass. All windows, and other visible exterior glazing such as glass doors and railings, shall be non-glare glass.

Condition of Approval

A condition shall be included in all permits issued for CDP-exempt projects, as applicable. The following condition is template language that can be adjusted by the Community Development Director.

> *"The project is visible from scenic roads or public viewing areas and, therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape and the following: a) Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Community Development Director and clearly indicated on the building plans. b) The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible. c) All windows shall be comprised of non-glare glass."*

Location

Staff shall determine whether a project site is subject to this interpretation in the same manner as for a CDP, using the definitions in LIP Section 2.1 and LUP Policies 6.2 through 6.4.

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Scope

The standards apply to new, replaced or refinished exterior surfaces within the scope of the project. Any remodel of an existing (or construction of a new) structure, even if found to be exempt from a CDP, must adhere to the requirements in the "Standards" listed above (1-3).

Exclusions

This interpretation does not apply to the following: 1) development not visible from a scenic road or public viewing area as defined in the LCP; and 2) solar energy systems (Government Code §65850.5).

Example

A 300 square foot deck is proposed with glass railings and replacement siding on a new residence. The project site is visible from Kanan Dume Road, a designated scenic road in the LIP; however, due to the extent of development, it is exempt from a CDP and would be processed as an APR. Under this interpretation, the deck materials would be required to be an earth tone rather than white, and the railings would be non-glare glass.

General Plan and MMC References

1. General Plan consistency. Scenic resources are defined and described in Conservation (Con) Element Section 3.2.10, which considers various components in the coastal zone such as natural features, water, vistas, ridgelines, scenic highways, and viewsheds and describes that scenic resources "provide visual enhancement and pleasure and are worthy of preservation for aesthetic, historical, topographical, cultural, or biological reasons." The section affirms that the City is in the Coastal Zone and "is thereby subject to Coastal Act provisions relating to scenic and visual resources...[wherein] such resources are to be protected and that new development must be sited in such a manner as to preserve these resources."

   The Land Use (LU) and Con Elements include policies, objectives, and implementing measures to protect and preserve scenic resources from new development. As described, the City shall "protect the natural environment by regulating design" (LU Policy 1.1.1), shall preserve the City's rural residential character (LU Policy 1.1.4), shall require site planning "which blends development with the natural topography" (LU Policy 1.1.5), shall protect public views from scenic roadways, along the shoreline, and to scenic coastal areas including public parklands (LU Implementation Measure 28), shall preserve and protect scenic resources (Conservation Objective 1.4), and shall protect ocean and mountain viewsheds and Pacific Coast Highway as a significant viewshed (Con Policies 1.4.2 and 1.4.3).

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Because the General Plan acknowledges the Coastal Zone and scenic resource protections contained therein, the interpretation adopts the standards in LIP Section 6.5(B)(5) to ensure CDP-exempt development is consistent with the General Plan and MMC scenic resource protections. This establishes clear expectations for all projects within a scenic area regardless of CDP exempt status.

2. MMC Zoning standards. The MMC regulates reflective exterior materials. Every residence must have exterior siding of brick, wood, stucco, metal, concrete or other similar material, "except that reflective, glossy, polished and/or roll-formed type metal siding is prohibited" (MMC Section 17.40.040(A)(2)), and this standard applies to any development permit that authorizes new development or modifications to an existing structure (MMC Section 17.40.020). The MMC also defines "glare" to include light entering the eye "indirectly from reflective surfaces" (MMC Section 17.41.030).

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3. General Plan consistency for permit issuance. No existing building may be "altered or enlarged" in conflict with the General Plan (MMC Section 17.02.040(A)(1)), every approved application must be found consistent with the General Plan (MMC Section 17.04.080), and a development permit, such as an APR, may be approved, denied, or approved with conditions (MMC Section 17.62.030(C)).

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