

**Malibu Planning Commission**  
**Regular Meeting Agenda**

**Monday, March 4, 2019**

**6:30 p.m.**

**City Hall – Council Chambers**  
**23825 Stuart Ranch Road**

Call to Order – Chair

Roll Call – Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – February 22, 2019

**1. Ceremonials / Presentations**

A. Staff Update on the Woolsey Fire Rebuild Process

**2. Written and Oral Communication from the Public**

A. Communications from the Public concerning matters which are not on the agenda but for which the Planning Commission has subject jurisdiction. The Planning Commission may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.

B. Planning Commission and staff comments and inquiries

**3. Consent Calendar**

A. Previously Discussed Items

1. [Appeal Nos. 18-006, 18-004 and 18-007, Wireless Communications Facility Nos. 18-001, 18-002 and 18-003, Site Plan Review Nos. 18-014, 18-029, and 18-015 – Appeals of three separate applications each for the installation of two new panel antennas and support equipment attached to an existing wood utility pole \(Continued from February 4, 2019\)](#)

Locations: 30402.5 Pacific Coast Highway, within the appealable coastal zone;  
25147.5 Pacific Coast Highway, not within the appealable coastal zone; and  
25627.5 Pacific Coast Highway, within the appealable coastal zone

Nearest APNs: 4469-027-901; 4458-032-013; and 4459-009-901

Applicant/

Appellant: XD Industries on behalf of Verizon

Owner: California Department of Transportation (Caltrans) Public Right-of-Way  
Case Planner: Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action:

- 1) Adopt Planning Commission Resolution No. 19-08, granting Appeal No. 18-006, determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Wireless Communications Facility (WCF) No. 18-001 for the installation of two new panel antennas and support equipment attached to an existing wood utility pole, including Site Plan Review (SPR) No. 18-014 to place a wireless communications facility within the public right-of-way located at 30402.5 Pacific Coast Highway (Verizon);
- 2) Adopt Planning Commission Resolution No. 19-09, granting Appeal No. 18-004, determining the project is categorically exempt from CEQA, and approving WCF No. 18-002 for the installation of two new panel antennas and support equipment attached to an existing wood utility pole, including SPR No. 18-029 to place a wireless communications facility within the public right-of-way located at 25147.5 Pacific Coast Highway (Verizon); and
- 3) Adopt Planning Commission Resolution No. 19-10, granting Appeal No. 18-007, determining the project is categorically exempt from CEQA, and approving WCF No. 18-003 for the installation of two new panel antennas and support equipment attached to an existing wood utility pole, including SPR No. 18-015 to place a wireless communications facility within the public right-of-way located at 25627.5 Pacific Coast Highway (Verizon).

B. New Items

None.

4. Continued Public Hearings

- A. [Coastal Development Permit No. 17-092, Conditional Use Permit No. 17-012, Joint Use Parking Agreement No. 17-001, and Lot Tie No. 17-001 – An application to permit the continued operation of an existing, legal nonconforming hotel use, construct accessory hotel facilities, remove ‘guest only’ condition for existing restaurant and expand the use, relocate required onsite parking offsite to and tie the lot with 22853 Pacific Coast Highway \(Continued from January 22, 2019\)](#)

Location: 22878 Pacific Coast Highway, within the appealable coastal zone  
APNs: 4452-005-029, -030, and -031  
Owner: Mani MBI (DE), LLC  
Tenant: Malibu Beach Inn  
Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 19-16 determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 17-092, an application for the Malibu Beach Inn to construct a new swimming pool and pool deck with dining service in the location of

required parking, remodel and convert approximately 268 square feet of office and storage room into bathroom facilities and equipment room, reconfigure the onsite wastewater treatment system, Conditional Use Permit No. 17-012 to permit the continued operation of the legal nonconforming hotel and restaurant use, as well as allow for the expansion of the hotel restaurant to allow dining service for hotel guests only on the proposed 4,204 square foot pool deck; Joint Use Parking Agreement No. 17-001 to allow a portion of the property's required onsite parking to be located offsite at 22853 Pacific Coast Highway (PCH) (Hertz Rental Car); and Lot Tie No. 17-001 to hold 22878 PCH and 22853 PCH as one lot located in the Community Visitor-Serving-Two zoning district at 22878 PCH (Mani MBI (DE), LLC).

- B. [Coastal Development Permit No. 17-091, Extension of Amortization No. 17-001, Joint Use Parking Agreement No. 17-001, and Lot Tie No. 17-001 – An application to allow for offsite parking on a site currently occupied by a legal nonconforming car rental business, to accommodate required parking for the offsite hotel/restaurant use at 22878 Pacific Coast Highway \(Continued from January 22, 2019\)](#)

Location: 22853 Pacific Coast Highway, within the appealable coastal zone  
APN: 4452-005-031  
Owner: MB North Lot (DE), LLC  
Tenant: Hertz Rental Car  
Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 19-17 determining the project is exempt from the California Environmental Quality Act, and approving Extension of Amortization Schedule No. 17-001 to allow time for the applicant to process the necessary applications to authorize the legal nonconforming car rental use or to replace it with a permitted use; and Coastal Development Permit No. 17-091 which includes Joint Use Parking Agreement No. 17-001 to allow the Malibu Beach Inn to locate required parking on the Hertz site; and Lot Tie No. 17-001 to hold 22878 Pacific Coast Highway (PCH) and 22853 PCH as one lot, located in the Community Commercial zoning district at 22853 PCH (MB North Lot (DE), LLC).

## 5. **New Public Hearings**

- A. [Coastal Development Permit No. 14-079, Variance Nos. 14-058 and 17-025, Site Plan Review No. 14-056, Minor Modification No. 14-017, and Lot Merger No. 14-001 – An application to combine two adjacent lots into one and construct a new single-family residence, detached art studio, and associated development](#)

Location: 27136 Sea Vista Drive, within the appealable coastal zone  
APNs: 4460-009-006 and 4460-009-007  
Owner: Santa Barbara Land Co, LLC  
Case Planner: Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action: Continue this item to the March 18, 2019 Regular Planning Commission meeting.

- B. [Coastal Development Permit No. 17-047, Variance No. 19-005, and Site Plan Review No. 19-012 – An application for an interior and exterior remodel and addition of an existing single-family residence, a new guest house, and the installation of a new onsite wastewater treatment system](#)

Location: 29857 Baden Place, not within the appealable coastal zone  
 APN: 4469-040-006  
 Owner: Jinxy Trust  
 Case Planner: Assistant Planner Thompson, 456-2489 ext. 280

Recommended Action: Adopt Planning Commission Resolution No. 19-29 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 17-047 to allow for an interior and exterior remodel of an existing single-family residence, an 897 square foot first floor addition, 1,303 square foot second-story addition that includes the covered balcony, the construction of a 348 square foot guest house, spa, decking and the installation of an onsite wastewater treatment system; including Variance No. 19-005 for construction on steep slopes that were the result of past grading and Site Plan Review No. 19-012 to allow for construction in excess of 18 feet in height, up to 28 feet, for the additions to the single-family residence located in the Rural Residential-Two Acre zoning district at 29857 Baden Place (Jinxy Trust).

**6. Old Business**

None.

**7. New Business**

None.

**8. Planning Commission Items**

None.

**Adjournment**

**Future Planning Commission Meetings**

Monday, March 18, 2019	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, April 1, 2019	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, April 15, 2019	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers

**Guide to Planning Commission Proceedings**

**The Oral Communication** portion of the agenda is for members of the public to present items which are not listed on the agenda, but are under the subject matter jurisdiction of the Planning Commission. No action may be taken under, except to direct staff, unless the Commission, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Commission and staff will follow up at an appropriate time on those items needing response. Each speaker is limited to three (3) minutes. Time may be surrendered by deferring one (1) minute to another speaker, not to exceed a total of eight (8) minutes. The speaker wishing to defer time must be present when the item is heard. In order to be recognized and present an item, each speaker must complete and submit to

the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Chair (forms are available outside the Council Chambers). Speakers are taken in the order slips are submitted.

**Items in Consent Calendar Section A** have already been considered by the Commission at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

**Items in Consent Calendar Section B** have not been discussed previously by the Commission. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Commissioners may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Commission following the action on the Consent Calendar. The Commission first will take up the items for which public speaker requests have been submitted. Public speakers shall follow the rules as set forth under Oral Communication.

**For Public Hearings** involving zoning matters, the appellant and applicant will be given 15 minutes each to present their position to the Planning Commission, including rebuttal time. All other testimony shall follow the rules as set forth under Oral Communication.

**Old Business** items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

**Items in New Business** are items which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

**Planning Commission Items** are items which individual members of the Planning Commission may bring up for action, to propose future agenda items, or to suggest future staff assignments. No new items will be taken-up after 11:00 p.m. Not later than 10:45 p.m. at each meeting, the Commission shall determine the disposition of its remaining agenda items. If the Commission determines that remaining agenda items must be continued to a subsequent regular meeting, the Commission shall immediately take action to schedule such meeting. Each meeting of the Planning Commission shall adjourn or be continued to a time and date certain, not later than midnight of the night that meeting began.

*Planning Commission meetings are aired live and replayed on City of Malibu Government Access Channel 3 and on the City's website at [www.malibucity.org](http://www.malibucity.org).*

*Copies of the staff reports or other written documentation relating to each item of business described above are on file in the Planning Department, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, California, and are available for public inspection during regular office hours which are 7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m., Friday. Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Planning Department at 23825 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5(b)(2)). Copies of staff reports and written materials may be purchased for \$0.10 per page. Pursuant to state law, this agenda was posted at least 72 hours prior to the meeting.*

*The City Hall telephone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Environmental Sustainability Director Craig George at (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II]. Requests for use of audio or video equipment during a*

*Commission meeting should be directed to Alex Montano at (310) 456-2489 ext. 227 or [amontano@malibucity.org](mailto:amontano@malibucity.org) before 12:00 p.m. on the day of the meeting.*

*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. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 22<sup>nd</sup> day of February 2019.*

  
Kathleen Stecko, Senior Office Assistant