RECOMMENDED ACTION: Conduct second reading, unless waived, and adopt Ordinance No. 456 amending the Malibu Municipal Code Title 17 to amend Chapter 17.68 (Temporary Use Permits) to address temporary use permits for temporary offsite parking for the Farmers Market and determining Zoning Text Amendment No. 19-65 to be exempt from the California Environmental Quality Act (citywide).

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2019-2020.

DISCUSSION: On November 25, 2019, the Council introduced on first reading Ordinance No. 456.

ATTACHMENT: Ordinance No. 456
ORDINANCE NO. 456

AN ORDINANCE OF THE CITY OF MALIBU AMENDING THE MALIBU MUNICIPAL CODE TITLE 17 TO AMEND CHAPTER 17.68 (TEMPORARY USE PERMITS) TO ADDRESS TEMPORARY USE PERMITS FOR TEMPORARY OFFSITE PARKING FOR THE FARMERS MARKET AND DETERMINING ZONING TEXT AMENDMENT NO. 19-65 TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CITYWIDE)

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Recitals.

A. On September 23, 2019, in compliance with Malibu Municipal Code (MMC) Section 17.74.020, the City Council adopted Council Resolution No. 19-44 initiating Zoning Text Amendment (ZTA) No. 19-003 to consider changes to the MMC pertaining to temporary use permits for temporarily displaced farmers market surface parking.

B. On October 21, 2019, the Planning Commission held a duly noticed public hearing, and adopted Planning Commission Resolution No. 19-65, recommending the City Council adopt the proposed amendment.

C. On October 31, 2019, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu indicating that the City Council would hold a public hearing on November 25, 2019, to consider the proposed amendment.

D. On November 25, 2019, the City Council held a duly noticed public hearing on the subject amendments, considered the recommendation by the Planning Commission, reviewed and considered written reports, public testimony, and related information.

SECTION 2. Environmental Review.

The City Council has analyzed the project proposal described herein. The California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council determined that there is no possibility the amendment will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies.
SECTION 3. Zone Text Amendment Findings.

The City Council hereby makes the following findings:

A. The subject zoning text amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment is consistent with LU Objective 4.4—Successful Businesses Appropriate to Malibu and in particular LU Policy 4.4.1 which encourages the establishment and continued operation of small neighborhood and community serving businesses. The proposed amendment will ensure that the local Farmers Market remains successful with adequate parking to accommodate the patrons on the market.

B. The City Council held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan, Malibu Municipal Code and the Malibu Local Coastal Program, and finds that the zoning text amendment is consistent and recommends approval.

SECTION 4. Zone Text Amendment No. 19-65

Section 17.68.040 of the Malibu Municipal Code is added to read as follows:

L. Off-site surface parking on a vacant commercially zoned lot for the Farmers Market within 350 feet of the Farmers Market to replace required parking displaced by construction. The dates for this use shall not count against the maximum 60 calendar days within one calendar year for which a site can be used for temporary uses. This provision shall expire the earlier of the issuance of a Certificate of Occupancy for Santa Monica College or on January 1, 2022.

SECTION 5. Certification.

The City Clerk shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this _____ day of ___________2019.

______________________________
KAREN FARRER, Mayor

ATTEST:

______________________________
HEATHER GLASER, City Clerk
(seal)
Date: _______________________

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY’S OFFICE

CHRISTI HOGIN, City Attorney