CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 18-55

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU GRANTING A ONE-YEAR EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 14-035 TO EXTEND THE PLANNING COMMISSION’S APPROVAL OF AN APPLICATION TO ALLOW THE ABANDONMENT OF AN EXISTING ONSITE WASTEWATER TREATMENT SYSTEM AND DEWATERING WELL, AND INSTALLATION OF A NEW ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM, AND A NEW DEWATERING WELL LOCATED IN THE RURAL RESIDENTIAL-TWO ACRE ZONING DISTRICT AT 25321 MALIBU ROAD (DAZZAN)

The Planning Commission of the City Of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On February 2, 2012, an application for Administrative Coastal Development Permit No. 12-006 was submitted to the Planning Department by the applicant, Kevin Poffenbarger, on behalf of the property owners, Joseph Arenson and Steve Adelson. The application was routed to the City Geologist, City Environmental Health Administrator, City Biologist, and the City Public Works Department for review.

B. On May 27, 2014, the applicant amended the application to include a new dewatering well, and the application was changed to Coastal Development Permit (CDP) No. 14-035.

C. On August 17, 2015, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record, and adopted Resolution No. 15-77, approving Coastal Development Permit No. 14-035.

D. In May, 2016, Alessandro and Irene Dazzan acquired the subject property.

E. July 17, 2018, an extension request was submitted to the Planning Department by applicant Lester Tobias, Tobias Architecture.

F. On August 23, 2018, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500 foot radius of the subject property.

G. On September 17, 2018, the Planning Commission held a duly noticed public hearing on the subject time extension request, reviewed and considered the staff report, reviewed and considered written correspondence, public testimony, and other information in the record.
SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission previously determined the project to be categorically exempt pursuant to CEQA Guidelines Section 15303(d) - New Construction or Conversion of Small Structures. As such, Categorical Exemption No. 15-075 was filed for CDP No. 14-035.

SECTION 3. Findings of Fact.

Pursuant to Local Coastal Program Local Implementation Plan Section 13.21, the Planning Commission, having considered the staff report, all written correspondence and oral testimony presented at the public hearing, hereby finds that the applicant has demonstrated due cause for the necessity of a time extension of the approval of the coastal development permit and associated requests.


   A. The approvals set forth in Planning Commission Resolution No. 15-77 are hereby extended for an additional one-year term. The approval is now set to expire on August 17, 2019.

   B. No other changes to the conditions contained in Planning Commission Resolution No. 15-77 are made and all other findings, terms and/or conditions contained in Planning Commission Resolution No. 15-77 shall remain in full force and effect.

SECTION 5. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 17th day of September, 2018.

CHRIS MARX, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org/planningforms, in person at City Hall, or by calling (310) 456-2489, extension 245.
I CERTIFY THAT THE FOREGOING RESOLUTION NO. 18-55 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 17th day of September, 2018, by the following vote:

AYES: 5 Commissioners: Jennings, Mazza, Pierson, Uhring, Marx
NOES: 0
ABSTAIN: 0
ABSENT: 0

KATHLEEN STECKO, Recording Secretary