Call to Order – Chair

Roll Call – Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – January 10, 2020

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

      None.

   B. New Items

      1. Extension of Coastal Development Permit No. 14-035 – A request to extend the Planning Commission’s approval of an application for the replacement of an existing onsite wastewater treatment system (OWTS) with a new OWTS and associated development

      Location: 25321 Malibu Road
      APN: 4459-014-002
      Owners: Alessandro and Irene Dazzan
      Case Planner: Assistant Planning Director Mollica, 456-2489, ext. 346
Recommended Action: Adopt Planning Commission Resolution No. 20-14, granting a one-year extension of Coastal Development Permit No. 14-035 to allow the abandonment of an existing onsite wastewater treatment system and dewatering well, and installation of a new onsite wastewater treatment system, and a new dewatering well in the Rural Residential-Two Acre zoning district located at 25321 Malibu Road (Dazzan).

4. **Continued Public Hearings**

A. **Coastal Development Permit Amendment No. 17-009 and Conditional Use Permit Amendment No. 17-010 – An application to amend Coastal Development Permit No. 05-107 (.20 FAR project) to make design changes to the La Paz Development Agreement Project with no increase in gross floor area and to amend the siting and operating hours for restaurants, including Addendum No. 2 to the Certified 2008 La Paz Development Agreement Project Final Environmental Impact Report (Continued from the 4:00 p.m. Special Planning Commission meeting)**

Location: 23465 Civic Center Way, not within the appealable coastal zone
APNs: 4458-022-023 and 4458-022-024
Owner: Malibu Development Company, LLC
Case Planner: Assistant Planning Director Mollica, 456-2489, ext. 346

Recommended Action: Consider Addendum No. 2 to the Certified La Paz Development Agreement Project Final Environmental Impact Report (2008 EIR) and adopt Planning Commission Resolution No. 20-17 making findings in support thereof and approving Coastal Development Permit Amendment No. 17-009 and Conditional Use Permit Amendment (CUPA) No. 17-010, amending Coastal Development Permit No. 05-107 to make changes to the approved development on Parcels A and B of the La Paz Development Agreement (.20 FAR) Project involving building layout, architecture and onsite circulation, and removal of Condition No. 41, with no increase in the approved 112,058 square feet of gross floor area for Parcels A and B, including an amendment to CUP No. 05-004 to allow the previously approved 10,000 square feet of restaurant uses to be located anywhere on Parcel A and to allow coffee/juice establishments to open at 6:00 a.m. and dining establishments serving breakfast to open at 7:00 a.m., located at 23465 Civic Center Way (formerly 3700 La Paz Lane), in the Community Commercial (CC) zoning district in the Town Center Overlay (Malibu Development Company, LLC).

5. **New Public Hearings**

A. **Coastal Development Permit No. 13-054, Lot Line Adjustment No. 18-001, Variance Nos. 19-022 and 19-023, Site Plan Review Nos. 13-053 and 13-54 – An application for a lot line adjustment and the construction of a new single-family residence**

Locations / APNs: 3469 Cross Creek Road / 4458-023-003
3441 Cross Creek Road / 4458-023-004
Owner: Malibu Realty, LLC
Case Planner: Assistant Planning Director Mollica, 456-2489, ext. 346

Recommended Action: Continue this item to the February 3, 2020 Regular Planning Commission meeting.
B. **Administrative Plan Review No. 19-141, Variance No. 19-032 – An application for new electrical equipment and cabinets at the rear of a building at an existing commercial shopping center**

Location: 23359 Pacific Coast Highway  
APN: 4452-011-043  
Applicant: Black and Veatch, on behalf of Electrify America  
Owner: Jamestown Premier Malibu Village LP  
Case Planner: Assistant Planner Eng, 456-2489, ext. 372

Recommended Action: Adopt Planning Commission Resolution No. 20-12 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 19-141 for construction of new electrical equipment and cabinets at the rear of an existing building, including Variance No. 19-032 for a reduction of the side yard setback at an existing commercial shopping center located in the Commercial Visitor-Serving-One zoning district at 23359 Pacific Coast Highway (Jamestown Premier Malibu Village LP).

C. **Administrative Plan Review No. 19-142 and Variance No. 19-033 – An application for new electric vehicle charging stations and associated equipment in the parking lot of an existing commercial shopping center**

Location: 3822 Cross Creek Road  
APN: 4452-011-042  
Applicant: Black and Veatch, on behalf of Electrify America  
Owner: Jamestown Premier Malibu Village LP  
Case Planner: Assistant Planner Eng, 456-2489, ext. 372

Recommended Action: Adopt Planning Commission Resolution No. 20-13 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 19-142 for construction of new electric vehicle charging stations and associated equipment in an existing parking lot, including Variance No. 19-033 to allow for a three-foot rear yard setback where a 63 foot rear yard setback is required at an existing commercial shopping center located in the Commercial Visitor-Serving-One zoning district at 3822 Cross Creek Road (Jamestown Premier Malibu LP).

6. **Old Business**

A. **Three-Month Report on Traffic and Circulation at Malibu Elementary School**

Location: 6955 Fernhill Drive (Malibu Elementary School)  
APN: 4466-012-900  
Owner: Santa Monica-Malibu Unified School District  
Case Planner: Associate Planner Brooks, 456-2489, ext. 276

Recommended Action: Receive and file.

7. **New Business**

None.
8. **Planning Commission Items**

None.

**Adjournment**

**Future Planning Commission Meetings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Type</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday, February 3, 2020</td>
<td>6:30 pm</td>
<td>Regular Planning Commission Meeting</td>
<td>City Hall Council Chambers</td>
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<tr>
<td>Tuesday, February 18, 2020</td>
<td>6:30 pm</td>
<td>Regular Planning Commission Meeting</td>
<td>City Hall Council Chambers</td>
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<tr>
<td>Monday, March 2, 2020</td>
<td>6:30 pm</td>
<td>Regular Planning Commission Meeting</td>
<td>City Hall Council Chambers</td>
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<tr>
<td>Monday, March 16, 2020</td>
<td>6:30 pm</td>
<td>Regular Planning Commission Meeting</td>
<td>City Hall Council Chambers</td>
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</tbody>
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**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.

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 Yolanda Bundy 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 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 10th day of January 2020 at 6:30 p.m.

Kathleen Stecko
Administrative Assistant