

Amended¹ Malibu Planning Commission **Regular Meeting Agenda**

Monday, February 3, 2020

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 – January 24, 2020; Amended Agenda posted on January 29, 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. Approval of Minutes

Recommended Action: Approve the minutes for the January 6, 2020 Regular Planning Commission meeting.

Staff contact: Planning Director Blue, 456-2489, ext. 258

¹ See updated recommended action for Item No. 4.B.

2. [Administrative Coastal Development Permit No. 19-051 – An application to install a new onsite wastewater treatment system to replace the existing onsite wastewater treatment system serving an existing single-family residence and second unit](#)

Location: 32518 Pacific Coast Highway, within the appealable coastal zone
 APN: 4473-015-005
 Owner: TMP Holding
 Case Planner: Assistant Planner Kendall, 456-2489, ext. 301

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 19-051.

3. [Administrative Coastal Development Permit No. 19-081 – An application to install a new onsite wastewater treatment system to replace the existing onsite wastewater treatment system serving an existing single-family residence](#)

Location: 6316 Busch Drive, partially within the appealable coastal zone
 APN: 4467-029-005
 Owner: Hubschman Family Trust
 Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 19-081.

4. [De Minimis Waiver No. 19-012 — An application for a new onsite wastewater treatment system](#)

Location: 30010 Andromeda Lane, not within the appealable coastal zone
 APN: 4469-004-011
 Owner: 30010 Andromeda Lane, LLC
 Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 19-012 for a new onsite wastewater treatment system (OWTS) to replace the existing OWTS.

4. **Continued Public Hearings**

- A. [Local Coastal Program Amendment No. 18-002 and Zoning Text Amendment No. 18-004 - An Amendment to Title 17 \(Zoning\) of the Malibu Municipal Code and the Local Coastal Program to Update Accessory Dwelling Unit Regulations \(Continued from January 6, 2020\)](#)

Applicant: City of Malibu
 Location: Citywide
 Case Planner: Assistant Planner Kendall, 456-2489, ext. 301

Recommended Action: Continue this item to the February 18, 2020 Regular Planning Commission meeting.

B. [Coastal Development Permit No. 19-003 and Demolition Permit No. 19-024 – A follow-up application for soldier pile bluff stabilization, plus additional soldier pile installation and associated development \(Continued from November 4, 2019\)](#)

Location: 28820 Cliffside Drive, within the appealable coastal zone
 APN: 4466-009-032
 Owner: TES Trust
 Case Planner: Assistant Planner Kendall, 456-2489, ext. 301

Recommended Action: Adopt Planning Commission Resolution No. 20-19 determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 19-003 to approve the construction of 20 soldier piles tied together by a grade beam and demolition of a portion of the existing single-family residence, which took place under Emergency Coastal Development Permit (ECDP) No. 15-009, as well as to allow the construction of 14 additional soldier piles and a permanent wall at the demolished portion of the house, including Demolition Permit No. 19-024 to memorialize the demolition which took place under ECDP No. 15-009, located in the Rural Residential-One Acre zoning district at 28820 Cliffside Drive (TES Trust).

5. **New Public Hearings**

A. [Coastal Development Permit No. 19-083 – An application for construction of a 12,320-square foot Temporary Skate Park and associated development](#)

Location: 24250 Pacific Coast Highway, not within the appealable coastal zone
 APNs: 4458-018-906 and 4458-018-907
 Owner: City of Malibu
 Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Consider Addendum No. 2 to the Crummer Site Subdivision Final Environmental Impact Report and adopt Planning Commission Resolution No. 20-15 approving Coastal Development Permit No. 19-083 to allow for the installation of a 12,320-square foot above-ground temporary skate park, including construction of various skating equipment, fencing, and benches (elements) to be placed on a portion of a new 24,176-square foot asphalt lot, along with a drop-off/pick-up area including two ADA parking spaces, plus a dirt parking lot with 40 spaces and a cross-walk over Winter Mesa Drive and associated development, located on Lot 7 of the Crummer/Case property in the Planned Development and Public Open Space zoning districts located at 24250 Pacific Coast Highway (City of Malibu).

B. [Coastal Development Permit No. 17-071 and Site Plan Review No. 17-036 - An application for an interior and exterior remodel of, and addition to, an existing single-family residence](#)

Location: 33608 Pacific Coast Highway, within the appealable coastal zone
 APN: 4473-021-010
 Owner: Michael Price
 Case Planner: Associate Planner Cleavenger, 456-2489, ext. 301

Recommended Action: Adopt Planning Commission Resolution No. 20-11 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 17-071 to allow an interior and exterior remodel of, and 1,159 square feet of additions to, an existing 2,547 square foot, two-story, single-family residence, involving 15 percent demolition of exterior walls; including Site Plan Review No. 17-036 for construction up to 24 feet in height with flat roofs for the residence located in the Rural Residential-Two Acre zoning district at 33608 Pacific Coast Highway (Price).

C. [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 13-054 and Demolition Permit No. 19-048 – An application for a lot line adjustment and the construction of a new single-family residence](#)

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

Recommended Action: Adopt Planning Commission Resolution No. 20-16 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 13-054 to construct a new 5,056 square foot, single-story, single-family residence with a 920 square foot basement, landscaping, riparian habitat restoration, Lot Line Adjustment No. 18-001 to allow for a lot line adjustment between 3469 and 3441 Cross Creek Road, Variance (VAR) No. 19-022 to allow for unenclosed parking to replace enclosed parking, VAR No. 19-023 to allow for the proposed residence’s fuel modification to extend into the required Environmentally Sensitive Habitat Area buffer, Site Plan Review (SPR) No. 13-053 to allow for a 28 foot tall pitched roof, and SPR No. 13-054 to allow for construction on slopes steeper than 3:1 but flatter than 2.5:1 and Demolition Permit No. 19-048 to allow for the demolition of the existing accessory structure located in the Rural Residential-Five Acre zoning district at 3469 and 3441 Cross Creek Road (Malibu Realty, LLC).

6. **Old Business**

None.

7. **New Business**

None.

8. **Planning Commission Items**

None.

Adjournment

Future Planning Commission Meetings

Tuesday, February 18, 2020	6:30 pm	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, March 2, 2020	6:30 pm	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, March 16, 2020	6:30 pm	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, April 6, 2020	6:30 pm	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.

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 29th day of January 2020 at 6:30 p.m.


Kathleen Stecko, Administrative Assistant