Supplemental Commission Agenda Report

To: Chair Jennings and Members of the Planning Commission
Prepared by: Adrian Fernandez, Principal Planner
Reviewed: Bonnie Blue, Planning Director
Date prepared: February 26, 2020  Meeting date: March 2, 2020
Subject: 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 (Continued from February 18, 2020)

Location: 33608 Pacific Coast Highway, within the appealable coastal zone
APN: 4473-021-010
Owner: Michael Price

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 20-11 determining the project is categorically exempt from the California Environmental Quality Act, and denying Coastal Development Permit No. 17-071 for an interior and exterior remodel and addition to a two-story 2,547 square foot single-family residence in the Rural Residential Two-Acre zoning district located at 33608 Pacific Coast Highway (Price).

DISCUSSION: At the February 18, 2020 Planning Commission meeting, the Commission directed staff to prepare a resolution denying the project and memorializing its findings and decision. The resolution is attached.

ATTACHMENT: Planning Commission Resolution No. 20-11
CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 20-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MALIBU, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT
FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND
DENYING 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)

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

SECTION 1. Recitals.

A. On June 21, 2017, an application for Coastal Development Permit (CDP) No. 17-071 and Site Plan Review (SPR) No. 17-036 was submitted to the Planning Department by the applicant, Burdge and Associates Architects, Inc., on behalf of the property owner, Michael Price. The application was routed to the City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, and Los Angeles County Fire Department (LACFD) for review.

B. On October 22, 2019, Planning Department staff conducted a site visit to document the story poles.

C. On January 9, 2020, a Notice of Coastal Development Permit (CDP) Application was posted on the subject property.

D. On January 9, 2020, the CDP application was deemed complete for processing.

E. On January 9, 2020, a Notice of Planning Commission 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.

F. On February 3, 2020, the Planning Commission continued the item to the February 18, 2020 regular Planning Commission meeting.

G. On February 18, 2020, 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. At the conclusion of the public hearing, the Commission voted 3-2 (Jennings and Marx dissenting) to direct staff to return with a resolution on the Consent Calendar denying the application and memorializing its findings and decision.

H. On March 2, 2020, the Planning Commission considered the subject resolution.
SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. Pursuant to CEQA Guidelines Section 15270, CEQA does not apply to projects which a public agency rejects or disapproves.

SECTION 3. Coastal Development Permit Findings for Denial.

Based on evidence in the record for the subject project presented at the February 18, 2020, Planning Commission meeting, the Planning Commission hereby makes the following findings denying the application:

1. The project fails to comply with the LCP. Specifically, the architectural plans do not comply with the two-thirds rule (Local Implementation Plan (LIP) Section 3.6(K)(2).

2. All of the required findings to grant the site plan review cannot be made. Specifically, the project will adversely affect neighborhood character due to the amount of building square footage proposed which is significantly greater than that shown in the Los Angeles County Assessors website for surrounding properties.

SECTION 6. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 2nd day of March 2020.

JEFFREY JENNINGS, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals) a decision made by 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 filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, ext. 245.

COASTAL COMMISSION APPEAL – An aggrieved person may appeal the Planning Commission’s approval to the Coastal Commission within 10 working days of the issuance of the City’s Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling (805) 585-1800. Such an appeal must be filed with the Coastal Commission, not the City.
I CERTIFY THAT THE FOREGOING RESOLUTION NO. 20-11 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting held on the 2\textsuperscript{nd} day of March 2020 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

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KATHLEEN STECKO, Recording Secretary