



Commission Agenda Report

To: Chair Jennings and Members of the Planning Commission

Prepared by: Jessica Thompson, Associate Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: March 26, 2020 Meeting date: April 6, 2020

Subject: De Minimis Waiver No. 19-010— An application for a new onsite wastewater treatment system (Continued from March 16,2020)

Location: 29851 Harvester Road, not within the appealable coastal zone

APN: 4469-010-025

Owner: Vue Ventures, Inc.

RECOMMENDED ACTION: Receive Planning Director’s report on De Minimis Waiver (DMW) No. 19-010 for a new onsite wastewater treatment system (OWTS) to replace the existing OWTS.

DISCUSSION: This agenda item is for informational and reporting purposes only. Pursuant to Malibu Local Coastal Program Local Implementation Plan (LIP) Section 13.4.11, the requirement for a Coastal Development Permit may be waived through a De Minimis Waiver issued by the Planning Director for the items described in “General Requirements for De Minimis Waiver,” below that are not located within the Appealable Jurisdiction of the California Coastal Commission (CCC), as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

On March 5, 2020, the Planning Director issued DMW No. 19-010. Pursuant to LIP Section 13.4.11(A), the Director’s decision on whether to issue a De Minimis Waiver is not locally appealable.

LIP Section 13.4.11(C) further states that the Planning Director shall report in writing to the Planning Commission any De Minimis Waiver that has been issued by the City.

If, after consideration of the De Minimis Waiver and any public objections to it, the Planning Commission requests that the waiver not be effective, then the applicant shall be advised that a CDP is required, if the applicant wishes to pursue the application.

LIP Sections 13.4.11(A) (General Requirements for De Minimis Waiver)

Where the improvements are not otherwise exempt pursuant to LIP Section 13.4, and the required findings of LIP Section 13.4.11(B) are met, the Planning Director may issue a DMW for: 1) improvements to an OWTS serving a structure that was damaged or destroyed as a result of a natural disaster where the improvements involve installing a new system or upgrading an existing system to an advanced system on the same lot; and 2) minor improvements to existing driveways or access roads that are required by the Los Angeles County Fire Department after a natural disaster, such as minor changes to the width or grade of driveways or access roads.

The project and required findings are more specifically described in the Planning Director's decision (DMW No. 19-010) attached hereto.

PUBLIC NOTICE: A Notice of De Minimis Waiver Application was posted on the subject property.

ATTACHMENT: DMW No. 19-010