This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer’s Safer at Home Order (revised March 21, 2020). All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

HOW TO VIEW THE MEETING: No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at https://malibucity.org/video and https://malibucity.org/VirtualMeeting.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to planningcommission@malibucity.org before the meeting begins.

HOW TO PARTICIPATE DURING THE MEETING: Members of the public may also speak during the meeting through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Chair and then you must be present in the Zoom conference to be recognized.

Please visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

Malibu Planning Commission
Regular Meeting Agenda
(to be held during COVID-19 emergency)

Monday, May 4, 2020

6:30 P.M. – REGULAR PLANNING COMMISSION MEETING
Various Teleconference Locations
YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT MALIBUCITY.ORG/VIDEO

Call to Order - Chair
Roll Call - Recording Secretary
Approval of Agenda
Report on Posting of Agenda – April 23, 2020

1. Ceremonial/Presentations
   A. Update on Planning Department’s Operations During COVID-19 Emergency Declaration
   B. Staff Update on the Woolsey Fire Rebuild Process
2. **Written and Oral Communications from the Public**

   A. Communications from the public concerning matters which are not on the agenda but for which the Planning Commission has subject matter jurisdiction. The 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. **De Minimis Waiver No. 19-009 — An application to relocate the MicroSep Tec tank for a previously approved onsite wastewater treatment system**

   Location: 6755 Dume Drive, partially within the appealable coastal zone

   APN: 4468-008-015

   Owners: Robert and Sarah Wells

   Case Planner: Associate Planner Thompson, 456-2489, ext. 280

   Recommended Action: Receive Planning Director’s report on the revised De Minimis Waiver No. 19-009 to allow for the relocation of the MicroSep Tec Tank for a previously approved onsite wastewater treatment system (OWTS) to replace the existing OWTS for a Woolsey Fire affected parcel.

   2. **Administrative Coastal Development Permit Amendment No. 17-014 — An amendment to Administrative Coastal Development Permit No. 13-014 for the construction of a new two-story, single-family residence, detached accessory structures and associated development**

   Location: 28465 Via Acero Street, not within the appealable coastal zone

   APN: 4467-033-014

   Owner: Thilo Kuther

   Case Planner: Principal Planner Fernandez, 456-2489, ext. 482

   Recommended Action: Receive and file the Planning Director’s report on the approval of Administrative Coastal Development Permit Amendment No. 17-014.

4. **Continued Public Hearings**

   None.
5. **New Public Hearings**

A. **Administrative Plan Review No. 19-143, Variance No. 19-041, Variance No. 19-042, Site Plan Review 19-087, and Site Plan Review No. 19-088 – An application for a new four-car garage and driveway at an existing single-family residence**

   Location: 3556 Sweetwater Mesa Road
   APN: 4452-017-008
   Owner: Michael Thomson
   Case Planner: Assistant Planner Eng, 456-2489, ext. 372

   Recommended Action: Receive and File.

B. **Coastal Development Permit No. 15-069, Site Plan Review No. 15-057 and, Demolition Permit No. 20-004 – An application to for the demolition of an existing single-family residence, the construction of a new single-family residence, and exterior site improvements**

   Location: 29140 Cliffside Drive, within the appealable coastal zone
   APN: 4468-001-005
   Owner: Setara Limited
   Case Planner: Associate Planner Thompson, 456-2489, ext. 280

   Recommended Action: Adopt Planning Commission Resolution No. 20-34 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-069, Site Plan Review No. 15-057, and Demolition Permit No. 20-004 for the demolition of an existing 3,413-square foot single-family residence, construction of a new 24-foot tall, two-story, 6,927-square foot, single-family residence including an attached one-car garage, three-car carport, new onsite wastewater treatment system, landscaping, new driveway, retaining walls, water feature, pool and spa and associated equipment, pool decking, non-exempt grading; and including a site plan review for construction above 18 feet in height, not to exceed 24 feet in height for a flat roof located in the Rural Residential-One Acre zoning district at 29140 Cliffside Drive (Setara Limited).

C. **Coastal Development Permit No. 18-035, Variance No. 19-062, and Demolition Permit No. 19-003 – An application to demolish an existing single-family residence and associated development and construct a new single-family residence and associated development**

   Location: 23325 Malibu Colony Drive, within the appealable coastal zone
   APN: 4452-010-017
   Owner: Axel 23324, LLC
   Case Planner: Associate Planner Brooks, 456-2489, ext. 276

   Recommended Action: Adopt Planning Commission Resolution No. 20-18 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 18-035 for the demolition of a one-story single-family residence and associated development, totaling 2,963 square feet, and construction of a new 5,220 square foot, two-story single-family residence, swimming pool, decks, permeable driveway and other associated development, and replacement of the onsite wastewater treatment system; including Variance No. 19-062 for the reduction of the required 100-foot buffer from an Environmentally Sensitive Habitat Area (Malibu Lagoon) and Demolition Permit No. 19-003 for the demolition of the existing residence and associated development located in the Single-Family Medium Density zoning district within the Malibu Colony Overlay District at 23325 Malibu Colony Drive (Axel 23324, LLC).
6. **Old Business**

None.

7. **New Business**

None.

8. **Planning Commission Items**

None.

**Adjournment**

**Future Meetings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Meeting Description</th>
<th>Date</th>
<th>Time</th>
<th>Meeting Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday, May 18, 2020</td>
<td>6:00 p.m.</td>
<td>Regular Planning Commission Meeting</td>
<td>Monday, June 1, 2020</td>
<td>6:30 p.m.</td>
<td>Regular Planning Commission Meeting</td>
</tr>
<tr>
<td>Monday, June 15, 2020</td>
<td>6:30 p.m.</td>
<td>Regular Planning Commission Meeting</td>
<td></td>
<td></td>
<td>To Be Determined</td>
</tr>
</tbody>
</table>

**Guide to the Planning Commission Proceedings**

As a result of the Coronavirus (COVID-19) pandemic, the City is under a state of local emergency, as well as states of emergency that have been declared in the County of Los Angeles, state of California, and a federal emergency declared by the President of the United States. At the direction of the Governor, starting March 19, 2020, the entire state is subject to stay-at-home orders. These measures are imposed to reduce the risk of spreading COVID-19. To comply with these emergency measures, the Planning Commission meeting will be open and public but conducted via teleconference only. This way the public, the staff, and the Commission will not be physically in the same place.

**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. Members of the public wishing to speak during the meeting must participate through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Chair and then you must be present in the Zoom conference to be recognized. Please visit [https://malibucity.org/VirtualMeeting](https://malibucity.org/VirtualMeeting) and follow the directions for signing up to speak and downloading the Zoom application.

**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.

**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. In order to speak, individuals must visit [https://malibucity.org/VirtualMeeting](https://malibucity.org/VirtualMeeting) and follow the directions for signing up to speak and downloading the Zoom application.
**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 10:30 p.m. without a two-thirds vote of the Planning Commission.

Planning Commission meetings are aired live and replayed on City of Malibu Government Access Channel 3 and are available on demand on the City’s website at [https://www.malibucity.org/video](https://www.malibucity.org/video). Copies of the staff reports or other written documentation relating to each item of business described above are available upon request by emailing planningcommission@malibucity.org.

The City Hall phone 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, (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].

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 23rd day of April 2020 at 3:00 p.m.

Kathleen Stecko, Administrative Assistant