

**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 April 10, 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](mailto: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 18, 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](https://malibucity.org/video)**

Call to Order - Chair

Roll Call - Recording Secretary

Approval of Agenda

Report on Posting of Agenda – May 11, 2020

**1. Ceremonial/Presentations**

A. 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 inquires

**3. Consent Calendar**

- A. Previously Discussed Items

None.

- B. New Items

1. [Administrative Coastal Development Permit Amendment No. 19-009 – An application to upgrade an existing onsite wastewater treatment system serving an existing beachfront multi-family development](#)

Location: 22630 Pacific Coast Highway, within the appealable coastal zone

APN: 4452-003-100

Owner: MALPAC Homeowners Association

Case Planner: Associate Planner Brooks, 456-2489, ext. 276

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit Amendment No. 19-009.

**4. Continued Public Hearings**

- A. [Coastal Development Permit No. 17-118, Variance Nos. 20-004 and 20-005, and Demolition Permit No. 20-005 – An application for an upgraded wastewater treatment system and recycled water plant \(continued from April 20, 2020\)](#)

Location: 28128 Pacific Coast Highway, within the appealable coastal zone

APNs: 4466-001-004 and 4466-001-005

Owner: Paradise Cove Land Company, LLC

Case Planner: Contract Planner Rudolph, 456-2489, ext. 238

Recommended Action: Adopt Planning Commission Resolution No. 20-36 adopting Initial Study No. 20-001 and Mitigated Negative Declaration No. 20-001 and approving Coastal Development Permit No. 17-118 for construction of a wastewater treatment plant consisting of a recycled water plant, a building housing sludge and disinfection equipment, an electrical alcove, retaining walls, and installation of a 1,400-foot long pipeline; including Variance (VAR) No. 20-004 for a greater than 50 percent reduction of the front yard setback for construction of the upgraded wastewater treatment plant, VAR No. 20-005 for construction within an Environmentally Sensitive Habitat Area, and Demolition Permit No. 20-005 for the demolition of two existing onsite wastewater treatment systems located in the Mobile Home Residential and Commercial Visitor Serving-One Zoning Districts at 28128 Pacific Coast Highway (Paradise Cove Land Company, LLC).

## 5. New Public Hearings

- A. [Coastal Development Permit No. 15-032, Site Plan Review No. 15-028, and Demolition Permit No. 15-010 – An application for the demolition of an existing one-story, single-family residence and associated development and construction of a new one-story single-family residence and associated development](#)

Location: 6837 Zumirez Drive, within the appealable coastal zone  
APN: 4466-003-007  
Owner: The James Perse Revocable Trust  
Case Planner: Contract Planner Rudolph, 456-2489, ext. 238

Recommended Action: Adopt Planning Commission Resolution No. 20-24 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-032 for the construction of a new 6,912 square foot, one-story single-family residence that includes a 2,354 square foot basement, plus a 720 square foot detached garage, swimming pool, spa, hardscape, landscaping, grading, drainage, fencing, gates, retaining walls, and installation of a new onsite wastewater treatment system (OWTS); including Site Plan Review No. 15-028 for construction in excess of 18 feet up to 24 feet for a flat roof for the residence, and Demolition Permit No. 15-010 for the demolition of an existing single-family residence with an attached garage, guest house, hardscape, walls, and OWTS, located in the Rural Residential-One Acre zoning district at 6837 Zumirez Drive (The James Perse Revocable Trust).

- B. [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: Adopt Planning Commission Resolution No. 20-39 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 19-143 to construct a new 900 square foot, four-car garage constructed on piles with a wood wraparound deck and concrete driveway, including Variance (VAR) No. 19-041 for construction on slopes greater than 2-½:1, VAR No. 19-042 for a 40.5 percent reduction of the side yard setback, Site Plan Review (SPR) No. 19-087 for a 27 percent reduction of the front yard setback, and SPR No. 19-088 to allow for a 27.25-foot tall pitched roof and 24-foot tall flat roof, and finding that VAR No. 20-011 for the two-thirds rule does not apply; at an existing single-family residence located in the Rural Residential-One Acre zoning district at 3556 Sweetwater Mesa Road (Thomson).

- C. [Coastal Development Permit No. 14-029, Variance Nos. 19-053 and 20-001, Minor Modification No. 19-015, and Site Plan Review Nos. 19-108 and 20-002 – An application for the construction of a new two-story, single-family residence with an attached garage, basement, and new advanced onsite wastewater treatment system, and grading on a vacant parcel](#)

Location: 24689 Pacific Coast Highway, not within the appealable coastal zone  
APN: 4469-041-004  
Owner: MLR Malibu, LLC  
Case Planner: Assistant Planner Eng, 456-2489, ext. 372

Recommended Action: Receive and file.

- D. [Coastal Development Permit Amendment No. 19-001, Site Plan Review No. 19-093 and Minor Modification No. 20-007 – An application to amend Coastal Development Permit No. 14-004 to allow adjustments to the interior layout, impermeable coverage, and landscape plans, and exterior massing to the approved single-family residence and associated development](#)

Location: 33728 Pacific Coast Highway, within the appealable coastal zone

APN: 4473-021-004

Owner: EZ-ASP65-Residence, LLC

Case Planner: Associate Planner Kendall, 456-2489, ext. 301

Recommended Action: Adopt Planning Commission Resolution No. 20-38 determining the project is categorically exempt from the California Environmental Quality Act, approving Coastal Development Permit Amendment No. 19-001 amending Coastal Development Permit No. 14-004 to allow adjustments to the previously approved interior layout of the single-family residence, total impermeable coverage, and exterior massing; including Site Plan Review No. 19-093 for construction up to 24 feet, and Minor Modification No. 20-007 for construction within the reduced front yard setback located in the Rural Residential-Two Acre zoning district at 33728 Pacific Coast Highway (EZ-ASP65-Residence, LLC).

- E. [Coastal Development Permit No. 13-040, Conditional Use Permit No. 13-015, Variance Nos. 13-042, 13-043, 15-035 and 15-036, Minor Modification No. 13-011 and Demolition Permit No. 20-011 - An application for the replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank to meet current domestic and fire protection standards and associated development](#)

Location: 5723 Busch Drive, not within the appealable jurisdiction of the coastal zone

APN: 4469-028-006

Owner: Serra Canyon Co, LTD

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

Recommended Action: Adopt Planning Commission Resolution No. 20-23 determining the project is consistent with the Lower Busch Tank Negative Declaration previously adopted by the Los Angeles County Board of Supervisors under the California Environmental Quality Act and its addendum, and approving Coastal Development Permit No. 13-040 for the replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank to meet current domestic and fire protection standards, generator, hardscape, gates and fencing, Conditional Use Permit No. 13-015 for a water tank on a rural residential parcel, Variance (VAR) No. 13-042 for the height of the water tank to exceed the maximum height up to 26 feet, VAR No. 13-043 for non-view permeable, eight in height fencing within the front yard setback, VAR No. 15-035 for the installation of an 7-foot, 8-inch in height back-up generator within the required rear yard setback from the required 15 feet to the proposed 5 feet, 3 inches, VAR No. 15-036 for impermeable coverage to exceed the maximum permitted for up to 9,219 square feet, Minor Modification (MM) No. 13-011 for the water tank to provide a 50 percent reduction of the required front yard setback from the required 20 feet to the proposed 10 feet, and Demolition Permit No. 20-011 for the full demolition of the existing water tank, onsite wastewater treatment system and other associated development located in the Rural Residential-Two Acre Zone District at 5723 Busch Drive (Serra Canyon Co, LTD).

## 6. **Old Business**

None.

**7. New Business**

None.

**8. Planning Commission Items**

None.

**Adjournment**

**Future Meetings**

Monday, June 1, 2020	6:30 p.m.	Regular Planning Commission Meeting	To Be Determined
Monday, June 15, 2020	6:30 p.m.	Regular Planning Commission Meeting	To Be Determined
Monday, July 6, 2020		CANCELLED	

**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> 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> 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>. 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](mailto: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 11<sup>th</sup> day of May 2020 at 10:00 a.m.*



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Kathleen Stecko, Administrative Assistant