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 July 14, 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.

Amended1 Malibu Planning Commission
Regular Meeting Agenda
(to be held during COVID-19 emergency)

Monday, July 20, 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


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1 See revised County of Los Angeles Public Health Officer’s Safer at Home Order date of July 14, 2020; and
See title of Item No. 3.B.3. corrected to reflect project is related to a single-family residence rather than the previously listed multi-family structure.
1. **Ceremonial/Presentations**

None.

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

1. **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 (Continued from May 18, 2020)**

   Location: 5723 Busch Drive, not within the appealable 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 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 and other associated development located in the Rural Residential–Two Acre zoning district at 5723 Busch Drive (Serra Canyon Co., LTD).
B. New Items

1. **Approval of Minutes**

Recommended Action: Approve the minutes for the April 6, 2020 Adjourned Regular Planning Commission meeting and the April 20, 2020 and May 4, 2020 Regular Planning Commission meetings.

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

2. **Administrative Coastal Development Permit Woolsey Fire No. 20-022 – An application to allow for a 3,882-square foot single-family residence, 274-square foot covered patio, new roof deck (not to exceed 18 feet height), conversion of a 898-square foot accessory structure to a second residential unit with a 400-square foot attached garage, 486-square foot pool accessory structure for a total development square footage of 5,940-square feet; exterior site improvements including, new open-air trellis, new pool and spa, 7,940 square feet of impermeable coverage, 8,950-square feet of new landscape, and 340 cubic yards of non-exempt grading for a Woolsey Fire affected parcel**

Location: 6755 Dume Drive, partially within the appealable coastal zone
APN: 4468-008-015
Owner: Robert and Sarah Wells Trust
Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Receive and file the Planning Director’s report on the approval of Administrative Coastal Development Permit Woolsey Fire No. 20-022.

3. **Administrative Coastal Development Permit No. 20-016 – 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: 20616 Seaboard Road, partially within the appealable coastal zone
APN: 4450-018-022
Owner: Ilya Lagutenko
Case Planner: Planning Technician Coronel, 456-2489, ext. 373

Recommended Action: Receive and file the Planning Director’s report on the approval of Administrative Coastal Development Permit No. 20-016.

4. **De Minimis Waiver No. 19-014 - An application for a new onsite wastewater treatment system**

Location: 6711 Wandermere Road, not within the appealable coastal zone
APN: 4468-012-006
Owners: Valerie and Edward Nalbantian
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 19-014 for a new onsite wastewater treatment system.
4. **Continued Public Hearings**

None.

5. **New Public Hearings**

A. **Conditional Use Permit No. 20-002 – An application to allow the onsite sale and consumption of beer and wine (ABC License Type 41) to patrons of a bona fide eating place (The Real Coconut)**

Location: 23401 Civic Center Way, Unit 1A, not within the appealable coastal zone
APN: 4458-022-030
Owner: The Park at Cross Creek, LLC
Tenant: The Real Coconut/TRC Restaurant – Malibu LLC
Case Planner: Contract Planner Rudolph, 456-2489, ext. 238

Recommended Action: Adopt Planning Commission Resolution No. 20-48 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 20-002 to allow a California Department of Alcoholic Beverage Control License Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) to allow the onsite service of beer and wine, and authorizing the Planning Director to submit a letter of public convenience or necessity for the use located in the Commercial Visitor Serving-One zoning district and the Civic Center Northeast Specific Plan area at 23401 Civic Center Way (The Park at Cross Creek, LLC).

B. **Coastal Development Permit No. 19-007, Variance No. 20-010, Minor Modification No. 20-009, Stringline Modification Review No. 20-005, and Demolition Permit No. 19-010 – An application for the demolition of an existing single-family residence and associated development and construction of a new beachfront single-family residence and associated development**

Location: 31340 Broad Beach Road, within the appealable coastal zone
APN: 4470-016-011
Owner: 31340 Broad Beach Rd LLC
Case Planner: Contract Planner Rudolph, 456-2489, ext. 238

Recommended Action: Adopt Planning Commission Resolution No. 20-49 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 19-007 for construction of a new 5,245 square-foot beachfront single-family residence, plus a 742 square-foot attached garage and 1,547 square feet of covered areas, new landscaping, hardscape, grading, retaining walls and onsite wastewater treatment system, including Variance No. 20-010 for construction of a six-foot high solid, site wall seaward of the building stringline and within Area I of the Trancas Beach Overlay District, Minor Modification No. 20-009 for a 50 percent reduction of the front yard setback, Stringline Modification Review No. 20-005 for the single-family residence to extend 3.5 feet beyond the building stringline, and Demolition Permit No. 19-010 to demolish the existing residence and carport, located in the Single-Family Medium zoning district and Trancas Beach Overlay District at 31340 Broad Beach Road (31340 Broad Beach Road LLC).
C. **Coastal Development Permit No. 14-052, Variance No. 19-006, and Demolition Permit No. 19-006 - An application for an interior and exterior remodel, including additions to the first and second floor, and associated development**

Location: 20048 Pacific Coast Highway, within the appealable coastal zone  
APN: 4450-002-047  
Owner: Joseph A. Watters and Virginia Watters Revocable Intro Vivos Trust  
Case Planner: Assistant Planner Murillo, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 20-52 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-052 to allow an interior and exterior remodel including the after-the-fact approval of unpermitted additions to the first and second floor, a new proposed second floor addition and deck extension, and associated development including Variance No. 19-006 for the after-the-fact approval of the unpermitted additions located within the required east side yard setback and Demolition Permit No. 19-006 for the demolition of exterior walls and an unpermitted first-floor deck built seaward of the existing deck stringline located in the Single-Family Medium (SFM) zoning district at 20048 Pacific Coast Highway (Joseph A. Watters and Virginia Watters Revocable Intro Vivos Trust).

D. **Coastal Development Permit No. 17-088, Site Plan Review No. 19-030, Demolition Permit No. 19-023, and Code Violation No. 20-014 – An application for demolition of an existing residence and the construction of a new single-family residence and accessory development**

Location: 6968 Dume Drive, not within the appealable coastal zone  
APN: 4466-015-015  
Owner: Highlands Investment Group LLC  
Case Planner: Assistant Planner Murillo, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 20-53 determining the project is categorically exempt from the California Environmental Quality Act, approving Coastal Development Permit No. 17-088 to allow for the demolition of an existing single-family residence and the construction of a new 7,472 square foot two-story single-family residence that includes a basement and attached garage, two trellised patios, swimming pool, spa, site fencing and gates, new onsite wastewater treatment system, grading, landscaping, hardscaping, and associated development, including Site Plan Review No. 19-030 to allow for construction of a pitched roof 28-feet in height and Demolition Permit No. 19-023 for the demolition of the existing single-family residence located in the Rural Residential-One Acre zoning district at 6968 Dume Drive (Highlands Investment Group LLC).

6. **Old Business**

None.

7. **New Business**

None.
8. Planning Commission Items

None.

Adjournment

Future Meetings

Wednesday, July 29, 2020 6:30 p.m. Special Planning Commission Meeting To Be Determined
Monday, August 3, 2020 6:30 p.m. Regular Planning Commission Meeting To Be Determined
Monday, August 17, 2020 6:30 p.m. Regular Planning Commission Meeting To Be Determined
Tuesday, September 8, 2020 6:30 p.m. Regular Planning Commission Meeting To Be Determined

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 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.

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.

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 16th day of July 2020 at 5:00 p.m.

Kathleen Stecko, Administrative Assistant