



Commission Agenda Report

To: Chair Mazza and Members of the Planning Commission

Prepared by: Joyce Parker-Bozylinski, Contract Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: October 8, 2020 Meeting date: October 19, 2020

Subject: Coastal Development Permit No. 20-046 – An application to implement a parking management plan through installation of regulatory signage with staggered overnight parking limitations on both sides of Pacific Coast Highway in the Corral Beach area

Location: Within the public right-of-way of Pacific Coast Highway between the west edge of West Malibu Road to the east edge of the property line of 26044 Pacific Coast Highway

Owner: California Department of Transportation (CALTRANS)

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 20-76 (Attachment 1) determining the project is exempt from the California Environmental Quality Act (CEQA) and approving Coastal Development Permit (CDP) No. 20-046 for the installation of regulatory signage to implement the parking restrictions of Ordinance No. 469 in the Corral Beach area along Pacific Coast Highway (PCH) so that no parking is allowed in the public-right-of-way on the landward side between 12:00 a.m. to 2:00 a.m. and on the seaward side between 2:00 a.m. and 4:00 a.m., located in the public right-of-way between the west edge of West Malibu Road to the east edge of the property line of 26044 PCH (Caltrans).

DISCUSSION: This agenda report is divided into the following sections:

- Project Overview and Background
- Surrounding Land Uses and Project Setting
- Project Description and Issues Discussion
- Local Coastal Program (LCP) Analysis
- CEQA Analysis

The analysis and findings discussed herein demonstrate that the project is consistent with the LCP.

Project Overview

On January 27, 2020, the City Council adopted Ordinance No. 460 which added Chapter 10.198 (Overnight Parking) to Title 10 (Vehicles and Traffic) of the Malibu Municipal Code (MMC). The ordinance included two areas where staggered overnight parking restrictions could be implemented with the issuance of a Coastal Development Permit (CDP) for sign posting. The areas addressed in Ordinance No. 460 included the Las Tunas Beach area and the Malibu Pier area.

On September 14, 2020, the City Council adopted Ordinance No. 469 to add Corral Beach and Zuma Beach areas as areas where staggered overnight parking restrictions could be implemented with the issuance of a CDP. The subject CDP addresses only the proposed signage for the Corral Beach area. A subsequent CDP to allow for the installation of parking signage along the Zuma Beach area will also be on the October 19, 2020 agenda.

A description of the Corral Beach area¹ and the proposed hours of the parking restrictions are as follows:

Corral Beach Area: PCH between the west edge of West Malibu Road to the east edge of the property line of 26044 PCH:

1. North (landward) side - No parking between 12:00 a.m. to 2:00 a.m.
2. South (seaward) side – No parking between 2:00 a.m. to 4:00 a.m.

The CDP is required in order to evaluate the project's effect on coastal resources, including access to the beach and other recreational and commercial visitor-serving amenities. Since the location of the proposed parking signs is in the appeal zone as shown on the Post-LCP Certification and Appeal Jurisdiction Map, this project will be appealable to the California Coastal Commission (CCC).

Approval of the subject application will not impact the CDPs for the Zuma Beach or Malibu Pier areas because Zuma Beach is located approximately 4.7 miles from the Corral Beach area and the Malibu Pier area is located 3.2 miles away. In between all three sites there is sufficient on-street parking along PCH. Anyone who wishes to avoid the Corral Beach parking restriction area can park along PCH east or west of the proposed project area without encountering any parking restrictions.

In addition, the characteristics of the areas are different, and they draw different types of visitors. According to the Los Angeles County Department of Beaches and Harbors web page, the available activities at Corral Beach (Dan Blocker County Beach) include diving, fishing, surfing, and swimming. The beach is long and narrow and rocky at low tide. Access to the beach is down a bluff adjacent to PCH. There is a parking lot with restrooms, picnic

¹ Corral Beach was renamed Dan Blocker County Beach; however, since only the eastern portion of the beach is included in the CDP, the staff report will utilize Corral Beach area to describe the area subject to the CDP.

tables and a public viewing area with along the western portion Dan Blocker County Beach. The Zuma Beach area includes a wide sandy beach with 1.8 miles of beach frontage with 105 acres of property. There are eight parking lots with approximately 2,000 parking spaces. Food stands are located at each end of the beach and restrooms, showers, volley ball nets and a bus stop are available. The Malibu Pier area also includes a wider sandy beach (Surfrider) along other coastal resources such as the Malibu Pier, historic Adamson House, and the Malibu Lagoon State Park as well as many visitor-serving commercial businesses. Since the three areas do not serve the same populations and parking will continue to be available in all three areas, even with the implementation of the staggered parking restrictions, maximum public access opportunities and adequate parking to serve beach recreation uses would continue to be provided in all three areas.

Background

The City and County have been working to address issues related to overnight parking on PCH and local streets for several years. There has been a proliferation of vehicles parking long-term on PCH, many of which are oversize vehicles, including commercial vehicles and RVs. In many of the non-commercial vehicles, people are living or sleeping overnight for many days or weeks at a time. The long-term parking of vehicles on PCH adversely impacts the ability of public parking for beach visitors attempting to access coastal resources. Furthermore, long term storage or parking of vehicles in these public scenic areas blocks public views of the ocean. There is also evidence of the potential for significant adverse environmental impacts to sensitive ocean habitats and water quality from wastewater and trash dumping.

City staff was advised that the County of Los Angeles was pursuing a parking restriction CDP to address the long-term vehicle parking that was occurring in the Coastline Drive/Topanga Beach area. California Coastal Commission (CCC) staff recommended the City follow the outcome of the pending Coastal Commission appeal on that CDP before moving forward with its own strategy. The County and CCC staff worked for many months on a mutually agreeable approach that would not adversely affect access to coastal resources but would discourage long-term parking.

On October 17, 2019, the CCC denied an appeal of the project and approved the County's CDP to enact parking restrictions on PCH. The restrictions cover a 0.7-mile stretch of PCH adjacent to the City's eastern boundary. The restrictions prohibit parking on the landward side of PCH between 12:00 a.m. and 2:00 a.m. and prohibit parking on the seaward side of PCH between 2:00 a.m. and 4:00 a.m. daily.²

Following the County's successful implementation of PCH parking restrictions in this area, many of those who have been parked for long periods of time along Topanga Beach relocated to the City, particularly in the Las Tunas area. Since a City CDP would be appealable to the CCC, City staff consulted with CCC staff in advance, then the City chose

² The CCC staff report is available for review at: <https://documents.coastal.ca.gov/reports/2019/10/Th17a/Th17a-10-2019-report.pdf> .

to pursue the same approach as the County and install similar signage for the purposes of ensuring consistency. The Council adopted Ordinance No. 460 for the Las Tunas and Malibu Pier areas and directed staff to return with an ordinance to apply similar restrictions to the Corral Beach, Westward Beach and Zuma Beach areas.

On September 14, 2020, the City Council adopted Ordinance No. 469 to add Corral Beach and Zuma Beach areas as areas where staggered overnight parking restrictions could be implemented with the issuance of a CDP. Overnight parking is already restricted (12:00 a.m. to 5:00 a.m.) on both sides of Westward Beach Road.

On March 3, 2020, the Planning Commission approved a CDP to allow for sign installation to implement the overnight parking rules in the Las Tunas Beach area. The signs have been installed and impose staggered parking restrictions during certain hours. A hearing on the CDP for parking restriction signs around Malibu Pier is expected to be scheduled for a later date.

Although the restrictions would reduce the amount of available parking spaces by approximately half for a total of four hours per night, the supply of available parking for beach access would continue to exceed demand because the restricted hours are at a time of night when beach access parking demand is relatively low and nearby vertical accessways are closed. In addition, the intent of the staggered parking restriction is to increase parking turnover and discourage parking of private and commercial vehicles overnight and for extended periods. It has been observed that vehicles both private and commercial are being stored on City streets and the highway for extended periods of time and this results in limiting public access to coastal resources.

The storage of these vehicles reduces the availability of parking and the purpose of the proposed parking management program is to increase parking through the use of a mechanism that would require the turnover and increased availability of parking and would not serve to impede or restrict public access to beaches, trails, or parklands, consistent with the LCP's Land Use Policies. Furthermore, the storage of vehicles adjacent to public access or shorelines has an impact on public views. Public views from scenic roadways are protected by the City's LCP. Maximum public access opportunities and adequate parking to serve beach recreation uses would continue to be provided, consistent with Coastal Act Section 30210 and LCP Land Use Plan Policies 2.1, 2.9, 2.11, 2.17, 2.26, and 2.27.

In addition, it has been observed that oversized recreational vehicles that are parked for extended periods of time may discharge effluent onto City streets, storm drains and the ocean which creates a public safety issue and adversely impacts sensitive coastal habitat and water quality. This situation subverts the City's implementation of water quality protection programs in furtherance of California Water Resources Control Board requirements.

Surrounding Land Uses and Project Setting

The proposed parking restriction area would cover both sides of PCH, extending from West Malibu Road to the east property line of 26044 PCH. Exhibit A (Attachment 2) depicts this area. Other characteristics of the project area include existing public and private driveways and existing no parking areas.

Figure 1 – Project Area



The project area is approximately .65 miles or 3,450 feet in length. On the land side there are approximately 2,810 feet of available parking areas (100 spaces) and on the ocean side approximately 2805 (140 spaces). This would result in approximately 240 parking spaces being impacted by the overnight staggered parking restrictions.

The vicinity of the project area accommodates three public coastal recreational resources: Dan Blocker County Beach, Corral Canyon Park, and a Coastal Accessway (Latigo Shores).

The Dan Blocker County Beach consists of 15.2 acres of bluff and beach property and over one mile of ocean frontage. There is a 14 space parking lot with restrooms, two picnic tables and a public viewing area with ocean-facing benches.

Easy access to the 1,000-acre Corral Canyon Park and the 700-acre Cameron Nature Preserve at Puerco Canyon, is provided via the Sara Wan Trailhead at 25623 PCH adjacent to Malibu Seafood. The trailhead provides parking, picnic areas, restrooms, educational displays, sitting benches, and seasonal access to Dan Blocker County Beach. Parking in the parking lot adjacent to the trailhead is \$12. An MTA bus stop is located at the entrance to the park at PCH and the Corral Creek Bridge.

Table 1 provides hours of operation for the Dan Blocker County Beach and Corral Canyon Park.

Table 1- Nearby Coastal Resources		
Coastal Resource	Hours of Operation	Associated Parking Lot Hours
Dan Blocker County Beach	Sunrise to Sunset	Sunrise to Sunset
Corral Canyon Park	Sunrise to Sunset	Sunrise to Sunset

Table 2 summarizes the nearest open vertical public accessway that provides the public access to the beach, along with the hours of operation.

Table 2 - Nearby Public Accessways		
Public Access Point	Distance	Hours of Operation
Latigo Shore Coastal Access at 26508 Latigo Shore Drive	Approximately 3,700 feet up coast to the west	Sunrise to Sunset

The proposed parking restriction is not expected to impact access to any of the above mentioned resources because as shown in the tables above, the hours of operation are from sunrise to sunset.

It is also important to note that the project site is directly across from the Malibu Beach RV Park which contains 142 RV rental sites along with up to 35 tent sites. This facility could be utilized to park RV's if someone wanted to avoid the parking restriction area. The Malibu Beach RV Park is open 365 days a year.

Project Description

The proposed project would:

- 1) Prohibit parking on portions of the landward side of PCH between 12:00 a.m. and 2:00 a.m. and the seaward side of PCH between 2:00 a.m. and 4:00 a.m. daily in the Corral Beach area as shown in Attachment 2; and
- 2) Install a total of approximately 45 new signs. Approximately twenty-seven new signs will be installed along the seaward side of PCH. Twenty-two new sign poles will be needed and 5 existing sign poles signs will be utilized. Utility poles are generally only located on the landside of PCH in this area so there is limited opportunity to utilize utility poles.

On the landside of PCH, approximately 18 new signs will be installed. Two existing sign poles will be utilized and the other 16 new signs will be placed on new sign poles or existing utility poles. Public Works staff will work Southern California Edison and other utilities to determine where signs can be posted on the existing utility poles and use existing poles where feasible.

To avoid potential confusion and the perception that both sides of PCH are restricted during the same two-hour period of the night, the CDP has been conditioned to require the parking restriction signs to indicate that during the period of restricted parking along one side of PCH, parking is available on the other side of PCH. This additional information on the parking restriction signage would serve to avoid any potential adverse impacts to public access by informing visitors and residents that parking along both the landward side and seaward side of PCH is not restricted during the same time period, and that during the period of one restriction there is available parking along the other side of PCH. It will be clear that public parking is available within the general area at all hours.

In selecting the boundaries for the area, staff considered the location and number of available parking spaces as well as available places to turn around to access parking on both the landward and seaward side of PCH since a raised center median is located along PCH. Available turn around areas would include Corral Canyon Road and Puerco Canyon Road.

The following vehicles would be exempt from the parking restrictions: 1) a vehicle owned and operated by a utility, 2) a vehicle owned and operated by a government agency, and 3) a vehicle that has been issued an authorized emergency vehicle permit by the commissioner of the California Highway Patrol.

The CDP also includes a condition requiring implementation of a comprehensive outreach program to try to assist homeless individuals living in cars and RVs on PCH in the area prior to the implementation of the parking restrictions. This would include information about the upcoming parking restrictions as well as information about the homeless services offered in the area including housing resources.

Issues Discussion

There are several concerns with implementing the proposed parking restrictions - adversely affecting those experiencing homelessness, conflicts with the public access directives of the Coastal Act and Malibu LCP, public safety, and pushing the problem elsewhere. All are discussed below.

Homelessness in the City

When the County processed the CDP for similar parking restrictions in the County between Coastline Drive and Topanga Canyon Boulevard, the CDP was appealed to the CCC by a member of the public. CCC staff found there was no substantial issue and recommended the CCC deny the appeal. While the Commission agreed with staff and denied the appeal, one of the main concerns expressed by members of the Commission was possible impacts to homeless individuals who might be living in the cars and RVs along PCH. The County described the homeless programs they have in place and indicated they were working on establishing Safe Parking Program. Safe Parking Programs provide individuals a safe place to park each night with restroom access, a security guard, and social service

resources. Safe Parking lots are typically run by non-profit organizations that provide the services and security.

One of the concerns the Council discussed during its consideration of Ordinance 460 was also potential impacts to the homeless population since some homeless individuals may live in RVs and other vehicles parked on PCH. At the January 13, 2020 hearing, the Council directed staff to explore options for addressing any potential impacts to the homeless. Options could include an exploration of a Safe Parking Program and a site for a temporary emergency shelter. On May 11th, the Council considered a resolution to initiate staff work on a zone text amendment (ZTA) that would allow safe parking programs with a temporary use permit. Due to the number of letters and comments received on the proposed ZTA initiation, the Council decided to postpone the item until in-person meetings resume. Currently, the Council is holding virtual meetings due to the COVID-19 pandemic.

It is interesting to note that during the pandemic when emergency parking restrictions were put in place to prohibit parking on PCH in order to support the Governor's safer at home orders, few of the overnight parkers seemed to be individuals experiencing homelessness and rather were campers and others visiting the area recreationally. After the emergency parking restrictions were lifted and since the No Parking signs have been installed in the Las Tunas area, the number of overnight and long-term vehicles, particularly RVs, has dramatically declined.

The City, along with many community partners and faith-based organizations, has been proactively working to assist homeless individuals in the City for many years. The information below provides a brief overview of the efforts Malibu is undertaking to address the issues surrounding homelessness in Malibu, particularly relating to parking and shelter. Together with the conditions of approval, the project will not adversely affect those in Malibu experiencing homelessness.

- *Measure H*

In March 2017, Los Angeles County voters approved Measure H, a quarter percent sales tax increase, to provide an estimated \$355 million per year for ten years to fund services, rental subsidies and housing for people experiencing homelessness. Funds are used to award grants to non-profit agencies and cities based on their point-in-time homeless. The City of Malibu receives outreach services from St. Joseph's Center in Venice, which receives annual Measure H grants to provide services to the westside area. Measure H also provides opportunities for cities to apply for grants for planning and implementation of strategies. The City of Malibu has received two Measure H grants: One in 2017 for development of a Strategic Plan for Homelessness and another in 2019 to fund a Housing Navigator to assist the City's outreach team.

- *The People Concern Outreach Team*

In 2016, the Malibu Task Force on Homelessness secured the first professional homeless outreach team as a pilot project. The Task Force contracted with The People Concern, a non-profit based in Santa Monica. Two full-time outreach workers from The People Concern have been serving Malibu since September 2016. The team locates, engages and builds relationships with homeless individuals in order to connect them with a fully integrated system of care. This system includes mental and medical health care, substance abuse services, permanent supportive housing and, in some cases, reunification with family and loved ones.

In 2019, the City received a Measure H Planning Implementation grant to hire a full-time housing navigator to assist the outreach team. Housing navigators assist clients in developing a plan to address their barriers to housing, increase their income, and maintain and sustain permanent housing. Housing navigators also spend time building relationships with landlords and educating them regarding the housing voucher program, which is crucial to increasing available housing opportunities for those experiencing homelessness.

The People Concern also operates multiple housing programs throughout the Los Angeles County that homeless individuals in Malibu can access including three (homeless service center, shelter and transitional housing) in Santa Monica. They also work collaboratively with case managers and housing navigators to match program participants with permanent supportive housing.

- *Strategic Plan for Homelessness*

In 2017, the City was awarded a \$50,000 grant through Measure H to develop a Strategic Plan for Homelessness. The goal of the plan is to improve the effective use of existing resources, identify new strategies and resources, and align with the County's Homeless Initiative. The draft plan was adopted by the City Council in July 2018 and included seven goals including reducing the number of people experiencing homelessness in Malibu by providing access to temporary and permanent housing solutions within Los Angeles County.

- *Homeless Connect Days*

Homeless Connect Day events, organized by the County of Los Angeles in cooperation with the City of Malibu, are held at the former County courthouse in the Malibu Civic Center to provide services and resources to those in need via volunteer and non-profit organizations. The events, generally held twice each year, serve nearly 100 homeless individuals by providing showers, haircuts, clean clothing items, and assistance in obtaining identification cards, dental services, vaccinations, legal services, connections to housing, and health insurance.

- *Winter Shelters*

Individuals who are experiencing homelessness in Malibu can access a Winter Shelter by going to the “Pick-Up” location at 23555 Civic Center Way. From there, they will be transported to the West Los Angeles Armory, which is a co-ed shelter with 160 beds that serves this area.

Consistency with the California Coastal Act and the Malibu Local Coastal Program

The Coastal Act and the LCP contain policies to maximize public access to coastal resources. The proposed project is designed to balance the protection of coastal access with resource protection and is consistent with the Coastal Act and LCP policies as follows:

- *California Act Section 30211 states:*

“Development shall not interfere with the public’s right of access to the sea were acquired through use or legislative authorization, including but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.”

The project is consistent with this policy because it increases coastal access and parking availability by increasing parking turnover. Vehicles will be required to move at least daily. Therefore, beach visitors will find more parking available within the project site. Furthermore, the project ensures that there will always be an opportunity for street parking within the project area. Along both sides of PCH, unrestricted parking will be available for 22 hours every day. Parking on the landward side of PCH will only be restricted for two hours (midnight to 2:00 a.m.) and parking on the seaward side of PCH will only be restricted for two hours (2:00 am to 4:00 am). The timing of the parking restriction is staggered to ensure that there will always be the opportunity for street parking within the project area. The two-hour parking restrictions will encourage parking turnover, thus providing more parking for beach visitors.

Therefore, the proposed project would not restrict public access to the beach and would instead ensure that there will always be the opportunity for street parking for beach visitors within the project site by increasing parking turnover.

- *Coastal Act Section 30210 states:*

“In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.”

Consistent with this section, the proposed project would not impact access to Corral Beach, because the staggered parking restrictions would be in place when access to the beach isn’t allowed. No significant adverse effects result from limiting the use of parking

between the hours of 12:00 a.m. to 4:00 a.m. The CDP will require that the parking signs be clear to inform the public that parking will be available on the opposite side of the street during the two hour no parking period. Furthermore, the staggering of the parking restriction will ensure parking is available at all times.

- *LUP Policy 2.1: The shoreline, parklands, beaches and trails located within the City provide a wide range of recreational opportunities in natural settings which include hiking, equestrian activities, bicycling, camping, educational study, picnicking, and coastal access. These recreational opportunities shall be protected, and where feasible, expanded or enhanced as a resource of regional, state and national importance.*

Consistent with this section, the proposed project would increase parking turnover and ensure parking opportunities for both residents and visitors utilizing the shoreline, beaches, and trails.

- *LUP Policy 2.9: Public access and recreational planning efforts shall be coordinated, as feasible, with the National Park Service, the State Department of Parks and Recreation, the State Coastal Conservancy, Los Angeles County, Los Angeles County Department of Beaches and Harbors, the Santa Monica Mountains Conservancy, and the Santa Monica Mountains Trails Council.*

The proposed parking management program is being implemented in a manner that is consistent the parking restrictions that have been approved for the County in the portion of the PCH adjacent to the City's eastern limits.

- *LUP Policy 2.11: Public land, including rights of way, easements, dedications, shall be utilized for public recreation or access purposes, where appropriate and consistent with public safety and the protection of environmentally sensitive habitat areas.*

The proposed project will affect public rights-of-way in a manner that increases the opportunities for public parking by requiring the daily turnover of parking. In addition, the daily turnover of parking will be occurring at different times for the two sides of PCH which will ensure public parking is always available. Furthermore, it has been observed that oversized recreational vehicles that are parked for extended periods of time may discharge effluent onto City streets and storm drains or the ocean. The Los Angeles County Sheriff's office has cited two different individuals who were observed discharging raw sewage from their RVs onto the rock revetment on the shore in the Las Tunas Beach area.² This resulted in temporary closure of a public area to allow for a cleanup team to remove the waste and trash from the area that was making its way into the ocean and creating a public safety issue.

- *LUP Policy 2.17: Recreation and access opportunities at existing public beaches and parks shall be protected, and where feasible, enhanced as an important coastal resource. Public beaches and parks shall maintain lower-cost user fees and parking fees, and maximize hours of use to the extent feasible, in order to maximize public access and*

recreation opportunities. Limitations on time of use or increases in use fees or parking fees, which affect the intensity of use, shall be subject to a coastal development permit.

The implementation of the parking management program through the installation of regulatory signage is being processed with a CDP. Furthermore, the proposed staggered parking program will ensure that parking is available on at least one side of the street or highway at any given time, therefore public access will remain available at all times.

- *LUP Policy 2.26: Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.*

The proposed project will not result in the elimination of public parking. The parking restriction will take place during the night hours when demand on public recreational areas is low. In addition, the parking restriction will be staggered to ensure parking will be available on at least one side of the street at any time.

- *LUP Policy 2.27: The implementation of restrictions on public parking, which would impede or restrict public access to beaches, trails or parklands, (including, but not limited to, the posting of “no parking” signs, red curbing, physical barriers, imposition of maximum parking time periods, and preferential parking programs) shall be prohibited except where such restrictions are needed to protect public safety and where no other feasible alternative exists to provide public safety. Where feasible, an equivalent number of public parking spaces shall be provided nearby as mitigation for impacts to coastal access and recreation.*

The parking restriction will take place during the night hours when demand on public recreational areas is low. In addition, the parking restriction will be staggered to ensure parking will be available on at least one side of the street at any time. The proposed project would also protect public health and safety because of threats to water quality from effluent tank discharges associated with camper vehicles.

Public Safety

The staggered parking restrictions could result in visitors parking on the landward side of PCH and having to cross the highway on foot to access the coast. The only designated crosswalks in the Corral Beach area is at the intersection of Corral Canyon Road and PCH. However, the prohibition on parking on the seaward side of PCH would be in place from 2:00 a.m. to 4:00 a.m. The vertical beach access is closed between sunset and sunrise. It is expected that the demand for visiting the coast at these hours for uses such as night diving or grunion runs will be relatively low and that traffic flow on PCH will also be extremely light. The number of people crossing the highway during the restricted seaward side parking is expected to be negligible. Furthermore, there are other locations within the City that would offer unrestricted seaward side parking during these hours.

Relocation of the Problem

There are concerns that long-term parking will simply move westward upon posting of the proposed signs, in the same way that it did when the County implemented the restrictions in the Coastline Drive/Topanga area. It is hoped that the City Council's measured approach to address areas of the City individually will allow staff to continue to coordinate with other agencies and organizations to try to provide the services people experiencing homelessness need while balancing the protection of coastal resources and access.

LCP Analysis

The LCP consists of the LUP and a LIP. The LUP contains programs and policies to implement the Coastal Act in the City of Malibu. The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific policies and regulations to which every project requiring a coastal development permit must adhere.

There are 14 sections within the LIP that potentially require specified findings to be made, depending on the nature and location of the proposed project. Of these 14, five sections are for conformance review only and require no findings. These five sections include Zoning, Grading, Archaeological / Cultural Resources, Water Quality, and Wastewater Treatment System Standards. Since the proposed project does not involve any construction other than the installation of signs, the development standards in these sections are not applicable.

The nine remaining LIP sections include: 1) Coastal Development Permit findings; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. These nine sections are discussed under the LIP Findings section. Of these nine, General Coastal Development Permit, Scenic, Visual and Hillside Resource Protection and Public Access findings apply to this project.

None of the development standards in the other chapters are applicable and no findings are applicable. Since there is no construction besides the installation of the signs, no further discussion of these chapters is necessary.

LIP Findings

The proposed project has been reviewed by Planning Department and City Public Works Department for conformance with the LCP. The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals and policies.

A. General Coastal Development Permit (LIP Chapter 13)

LIP Section 13.9 requires that the following four findings be made for all CDPs.

Finding 1. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Malibu Local Coastal Program.

The Coastal Act and the LCP require the protection, maximization, and enhancement of public access and recreational opportunities, including parking, along the coast. The Coastal Act and LCP also require that maximum public access be provided consistent with public safety, the rights of the public and private property owners, and the protection of natural resources. The project has been reviewed for conformance with the LCP by the Planning Department and the City Public Works Department. As discussed herein, based on review of the subject application and detailed site investigation, the proposed project, as conditioned, conforms to the LCP in that it is consistent with all applicable public access goals, policies and standards.

Finding 2. The project is located between the first public road and the sea. The project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

The project is located along PCH, which is the first public road that is located near the sea. The project will prohibit parking on portions of the landward side of PCH between 12:00 a.m. and 2:00 a.m. and the seaward side of PCH between 2:00 a.m. and 4:00 daily near Corral Beach (Dan Blocker County Beach) between west edge West Malibu Road to the east property line of 26044 Pacific Coast Highway during the time when all nearby public coastal amenities are closed, thereby increasing parking turnover and improving the availability of parking spaces for the public. Consistent with California Coastal Act Section 30210 and LUP Policies 2.11, 2.25, and 2.26, the staggered parking restriction will allow for greater parking opportunities to the public visiting the beach in the project area. Furthermore, the staggered parking restriction will allow for 24 hour access to coastal resources.

Finding 3. The project is the least environmentally damaging alternative.

No Project – The no project alternative would avoid any changes to parking along this stretch of PCH. Vehicles including RVs could continue to be parked for long periods limiting public access and blocking views of the ocean. Furthermore, there is a concern of unsanitary materials being discharged and trash making its way into ocean would continue to occur, impacting public safety and coastal habitat. The no project alternative would not accomplish any of the project objectives which include the increased availability of public parking to increase access to coastal resources.

Different Project Boundaries – The project could have been expanded in scope to encompass more linear footage; however, the project boundaries as proposed address improvement of public parking availability in an area with where long-term vehicle storage impeding public parking has been identified by City enforcement staff and the Los Angeles County Sheriff. Increasing the project boundaries is not a project goal at this time.

Proposed Project – The project will install approximately 45 new signs. Approximately twenty-seven new signs will be installed along the seaward side of PCH. Twenty-two new poles signs will be needed and 5 existing poles signs will be utilized. Utility poles are generally only located on the landside of PCH in this area so there is limited opportunity to utilize utility poles.

On the landside of PCH, approximately 18 new signs will be installed. Two existing sign poles will be utilized to install two signs and approximately 16 new signs will be placed on new sign poles or existing utility poles. Public Works staff will work Southern California Edison and other utilities to determine where signs can be posted on the existing utility poles and use existing poles where feasible.

Prohibiting parking on portions of the landward side of PCH between 12:00 a.m. and 2:00 a.m. and the seaward side of PCH between 2:00 a.m. and 4:00 daily near Corral Beach will result in the turnover of public parking during the early morning hours when nearby public coastal accesses are closed, allowing for increased public parking opportunities. It is expected to reduce issues with wastewater discharge and trash accumulation that adversely affect the environment, and to open up ocean views that are blocked by long term parking of oversized vehicles. The project is consistent with all state and local policies and is the least environmentally damaging alternative.

Finding 4. If the project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay), that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explaining why it is not feasible to take the recommended action.

The project site does not contain ESHA, nor is it ESHA adjacent.

B. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

The Scenic, Visual and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. The project site is along the right-of-way of PCH adjacent to Corral Beach which is a LUP-identified scenic resource. The parking of large vehicles for long periods of time block the view of the ocean on approximately .65 miles of PCH where views of the ocean

are available. However, as the proposed regulatory signage would be visible from PCH and therefore, the findings set forth in LIP Section 6.4 are enumerated herein.

Finding 1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

The parking signs necessary for implementation of the project will blend with other directional and safety signage in the area. The signs will be visible but will have no significant adverse effects on scenic or visual resources as they will be spaced out along the frontage of PCH. In addition, one of the goals of the proposed project is to reduce the number of vehicles parked for long periods of time, which block views of the ocean.

Finding 2. The project, as conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

As discussed in Finding 1, the project will not have significant adverse scenic or visual impacts.

Finding 3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Section A, Finding 3, the project, is the least environmentally damaging feasible alternative.

Finding 4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

As discussed in Finding 1, the project, as conditioned, will result in a less than significant impact on scenic and visual resources.

Finding 5. Development in a specific location on the site may have adverse scenic and visual impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified LCP.

As discussed in Finding 1, as conditioned, development on the site will not have significant adverse impacts on scenic and visual resources.

C. Public Access (LIP Chapter 12)

LIP Section 12.7.1 requires written findings of fact, analysis, and conclusions addressing public access for all projects between the first public road and the sea, and Section 12.7.2 calls out specific findings to be made. The project site is within public right-of-way on PCH and does not include, or have any accessways to existing or planned public trail areas, and is not located on a bluff-top. The project site is within public right-of-way along PCH, which is adjacent to the beach, but does not offer the opportunity for dedication of public

lateral access along or vertical access to the shore, nor is such access necessary due to the existence of a public beach at Corral Beach and nearby public access.

Finding 1. Project effects on public demand for access and recreation.

The proposed parking restriction will affect up to 240 spaces between the hours of 12:00 a.m. and 4:00 a.m. in the area of the Corral Beach. The public can still park in this area 24 hours a day; however, during the above-mentioned hours parking will be limited for two hours on alternating sides of PCH.

The goal of the project is to eliminate the long-term storage of vehicles that are currently being parked in on-street spaces that would otherwise serve the public coastal resources located directly adjacent to this parking. Consistent with California Coastal Act Section 30210 and LUP Policies 2.11, 2.25, and 2.26, the 2-hour staggered parking restriction will increase parking turnover, and is expected to improve availability of on-street parking for the public. Therefore, no replacement parking spaces are required.

Finding 2. Shoreline processes.

The project has no impact on shoreline processes; this finding does not apply.

Finding 3, Historic public use and Finding 4, Physical obstructions.

Frequently, vehicles are parked in the subject area for weeks at a time, resulting in the loss of visitor parking. Long-term parking of vehicles takes away from the public's ability to utilize free parking along PCH to access coastal resources. The goal and expectation of the proposed parking regulation is that it will create greater availability of public parking for those enjoying the nearby coastal resources by preventing long-term parking of vehicles.

Finding 5. Other adverse impacts on access and recreation.

No adverse impacts on public access and recreation are expected. The project is expected to benefit access to coastal resources and recreation in the Corral Beach area by making parking more available through turn-over of.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Department has analyzed the proposed project. The Planning Department has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is exempt from the provisions of CEQA according to CEQA Guidelines Section 15301(C) – Existing Facilities. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: No written public correspondence has been received to date.

PUBLIC NOTICE: Staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu on September 24, 2020 and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 3).

SUMMARY: The required findings can be made that the project complies with the LCP. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 20-76. The project has been reviewed and conditionally approved for conformance with the LCP by Planning Department and the Public Works Department.

ATTACHMENTS:

1. Planning Commission Resolution No. 20-76
2. Exhibit A – Project Area Plan
3. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 20-76

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 20-046 FOR THE INSTALLATION OF REGULATORY SIGNAGE TO IMPLEMENT THE PARKING RESTRICTIONS OF ORDINANCE NO. 469 IN THE CORRAL BEACH AREA ALONG PACIFIC COAST HIGHWAY SO THAT NO PARKING IS ALLOWED IN THE PUBLIC RIGHT-OF-WAY ON THE LANDWARD SIDE BETWEEN 12:00 A.M. AND 2:00 A.M. AND ON THE SEAWARD SIDE BETWEEN 2:00 A.M. AND 4:00 A.M. LOCATED IN THE PUBLIC RIGHT-OF-WAY BETWEEN THE WEST EDGE OF WEST MALIBU ROAD AND THE EAST PROPERTY LINE OF 26044 PACIFIC COAST HIGHWAY (CALIFORNIA DEPARTMENT OF TRANSPORTATION)

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

SECTION 1. Recitals.

A. Section 30600 of the Coastal Act requires a local government to obtain a coastal development permit for development in the Coastal Zone. Pursuant to Section 30106 of the Coastal Act, development includes a change in the intensity of use of land. The California Coastal Commission has consistently maintained that parking programs constitute development because the implementation of parking limitations to public street spaces in proximity to coastal resources is a change in the intensity of use of land.

B. On September 14, 2020, an Application for Coastal Development Permit (CDP) No. 20-046 was filed by the City of Malibu Public Works Department, on behalf the property owner, California Department of Transportation, which owns the right-of-way of Pacific Coast Highway (PCH), for placement of parking restriction signs.

C. On October 8, 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.

D. On October 12, 2020, a Notice of Coastal Development Permit Application was posted on the subject property and the application was deemed complete.

E. On October 19, 2020, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record.

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. The Planning Commission found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from

the provisions of CEQA pursuant to 15301(C) – Existing Facilities. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

SECTION 3. Coastal Development Permit Findings.

Based on substantial evidence contained within the record and pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Sections 13.7(B) and 13.9, the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves CDP No. 20-046 for installation of regulatory signage to implement the parking restrictions of Ordinance No. 469 in the Corral Beach area along Pacific Coast Highway (PCH) so that no parking is allowed in the public right-of-way on the landward side between 12:00 a.m. and 2:00 a.m. and on the seaward side between 2:00 a.m. and 4:00 a.m., located in the public right-of-way between the west edge of West Malibu Road to the east property line of 26044 PCH (Caltrans) as shown in Exhibit A

The project, as proposed, and conditioned herein, is consistent with all applicable LCP standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. The Coastal Act and the LCP require the protection, maximization, and enhancement of public access and recreational opportunities, including parking, along the coast. The Coastal Act and LCP also require that maximum public access be provided consistent with public safety, the rights of the public and private property owners, and the protection of natural resources. The project has been reviewed for conformance with the LCP by the Planning Department and the City Public Works Department. As discussed herein, based on review of the subject application and detailed site investigation, the proposed project, as conditioned, conforms to the LCP in that it is consistent with all applicable public access goals, policies and standards.

2. The project will prohibit parking on portions of the landward side of PCH between 12:00 a.m. and 2:00 a.m. and the seaward side of PCH between 2:00 a.m. and 4:00 daily near Corral Beach between west edge of West Malibu Road to the east property line of 26044 Pacific Coast Highway during the time when all nearby public coastal amenities are closed, thereby increasing parking turnover and improving the availability of parking spaces for the public. Consistent with California Coastal Act Section 30210 and LCP LUP Policies 2.11, 2.25, and 2.26, the staggered parking restriction will allow for greater parking opportunities to the public visiting the beach in the project area. Furthermore, the staggered parking restriction will allow for 24 hour access to coastal resources.

3. The project will not result in adverse environmental or public access impacts. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the project on the environment or public access. The project will result in the turnover of public parking during the early morning hours when nearby public coastal accesses are closed, allowing for increased public parking opportunities. A condition of approval requires the signage to explain the when parking is restricted on one side of the street, it is available on the other. The project is expected to reduce issues with wastewater discharge and trash accumulation that adversely affect the environment, and to open up ocean views that are blocked by long term parking of oversized vehicles. The project has been conditioned to require implementation of a

comprehensive outreach program to try to assist homeless individuals living in cars and RVs on PCH in the area prior to implementation of the parking restrictions. The project is consistent with all state and local policies and is the least environmentally damaging alternative.

B. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

1 and 2. The parking signs necessary for implementation of the project will blend with other directional and safety signage in the area. The signs will be visible but will have no significant adverse effects on scenic or visual resources as they will be spaced out along PCH frontage and conditions include a requirement to use existing utility poles where available. In addition, one of the goals of the proposed project is to reduce the long-term parking of vehicles that block ocean views from PCH, which is a designated scenic highway. Implementation of the project is expected to public coastal views.

3. As discussed in Section A, Finding 3, the project is the least environmentally damaging alternative.

4. There are no feasible alternatives to the proposed project that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources because the project is not expected to have such impacts, and is expected to improve public views of the ocean.

5. The proposed project is designed to further the sensitive resources protection policies in the LCP by enhancing access to public parking, improving ocean views and reducing ocean water quality and habitat impacts associated with trash and wastewater discharge. The project does not have adverse scenic or visual impacts.

C. Public Access (LIP Chapter 12)

1. The proposed parking restriction will affect up to 240 spaces between the hours of 12:00 a.m. and 4:00 a.m. in the area of the Corral Beach. The public can still park in this area 24 hours a day; however, during the above-mentioned hours parking will be limited 2 hours on alternating sides of PCH. The goal of the project is to eliminate the long-term storage of vehicles that are currently being parked in on-street spaces that would otherwise serve the public coastal resources located directly adjacent to this parking. Consistent with California Coastal Act Section 30210 and LUP Policies 2.11, 2.25, and 2.26, the 2-hour staggered parking restriction will increase parking turnover, and is expected to improve availability of on-street parking for the public. Therefore, no replacement parking spaces are required.

2. Frequently, vehicles are parked in the subject area for weeks at a time, resulting in the loss of visitor parking. Long-term parking of vehicles takes away from the public's ability to utilize free parking along PCH to access coastal resources. The goal and expectation of the proposed parking regulation is that it will create greater availability of public parking for those enjoying the nearby coastal resources by preventing long-term parking of vehicles.

3. No adverse impacts on public access and recreation are expected. The project is expected to benefit access to coastal resources and recreation in the Corral Beach area by making parking more available.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 20-046, subject to the following conditions.

SECTION 5. Conditions of Approval.

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.
2. Approval of this application is to allow for the following:
 - a) Prohibit parking on portions of the landward side of PCH between 12:00 a.m. and 2:00 a.m. and the seaward side of PCH between 2:00 a.m. and 4:00 a.m. in the segment of PCH between west edge of West Malibu Road and the east property line of 26044 Pacific Coast Highway as shown in Exhibit A.
 - b) Install a total of approximately 45 new signs. Approximately twenty-seven new signs will be installed along the seaward side of PCH. Twenty-two new sign poles will be installed, and 5 existing sign poles signs will be utilized. Utility poles are generally only located on the landside of PCH in this area so there is limited opportunity to utilize utility poles.

On the landside of PCH, approximately 18 new signs will be installed. Two existing sign poles will be utilized, and the other 16 new signs will be placed on new sign poles or existing utility poles.
3. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 days of this decision becoming final.
4. This CDP shall expire if the project has not commenced (i.e., parking restriction signs have been installed) within three (3) years after issuance of the permit. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.
5. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.
6. Minor changes to the approved project or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the LCP and Malibu Municipal Code.

7. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals, including those to the California Coastal Commission (CCC), have been exhausted. In the event that the CCC denies the permit or issues the permit on appeal, the CDP approved by the City is void.

Project-specific Conditions

8. Public Works staff shall work Southern California Edison and other utilities to determine where signs can be posted on the existing utility poles and use existing poles where feasible.
9. The parking restriction signs shall indicate that during the period of restricted parking along one side of PCH, parking is available on the other side of PCH.
10. The City shall implement a comprehensive outreach program to try to assist homeless individuals living in cars and RVs on PCH in the area prior to the implementation of the parking restrictions. This would include information about the upcoming parking restrictions as well as information about the homeless services offered in the area including housing resources.
11. The applicant shall request a final planning inspection upon completion of the project. A final approval shall not be issued until the Planning Department has determined that the project complies with this coastal development permit.

Fixed Conditions

12. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

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

PASSED, APPROVED AND ADOPTED this 19th day of October 2020.

JOHN MAZZA, 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. Appeals shall be emailed to psalazar@malibucity.org and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal online, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

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 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. 20-76 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 19th day of October 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

KATHLEEN STECKO, Recording Secretary





City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

PLANNING DEPARTMENT
NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, October 19, 2020, at 6:30 p.m.**, on the project identified below via teleconference only in order to reduce the risk of spreading COVID-19, pursuant to the Governor's Executive Orders N-25-20 & N-29-20 & the County of Los Angeles Public Health Officer's Safer at Home Order.

COASTAL DEVELOPMENT PERMIT NO. 20-046 - An application to implement staggered overnight parking restrictions consistent with Ordinance No. 469 approved by City Council and the installation of associated regulatory signage on both sides of Pacific Coast Highway (PCH), within the public right-of-way, between the west boundary of the intersection of PCH and Malibu Road to the east boundary of 26044 PCH. Parking along the landward side of PCH will be prohibited between 12:00 AM and 2:00 AM and on the seaward side of PCH between 2:00 AM & 4:00 AM daily.

APPLICANT / OWNER: City of Malibu / California Department of Transportation (Caltrans)
APPEALABLE TO: City Council and California Coastal Commission
ENVIRONMENTAL REVIEW: Categorical Exemption CEQA Guidelines Section 15301(c)
APPLICATION FILED: September 14, 2020
CASE PLANNER: Richard Mollica, Assistant Planning Director, rmollica@malibucity.org
(310) 456-2489, ext. 346

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center: <http://www.malibucity.org/agendacenter>. Related documents are available for review by contacting the Case Planner during regular business hours. You will have an opportunity to testify during the public hearing; written comments, which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing. To view or sign up to speak during the meeting, visit malibucity.org/virtualmeeting.

LOCAL APPEAL - A decision of 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 emailed to psalazar@malibucity.org within ten days following the date of action & the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Payment must be received within 10 days of the appeal deadline. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal online, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

COASTAL COMMISSION APPEAL - An aggrieved person may appeal the Planning Commission's approval directly to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. More information may be found online at www.coastal.ca.gov or by calling 805-585-1800.

BONNIE BLUE, Planning Director

Date: September 24, 2020