

**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 December 30, 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.

**Amended<sup>1</sup> Malibu Planning Commission**  
**Regular Meeting Agenda**  
**(to be held during COVID-19 emergency)**

**Tuesday, January 19, 2021**

**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

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – January 7, 2021; Amended Agenda posted January 12, 2021

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<sup>1</sup> See Added Item Nos. 1.A. and 1.B..

**1. Ceremonial/Presentations**

- A. Administer Oath of Office to Newly Appointed Commissioners
- B. Chair and Vice Chair Elections

**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. [Approval of Minutes](#)

Recommended Action: Approve the minutes for the January 4, 2021 Regular Planning Commission meeting.

Staff Contact: Acting Planning Director Mollica, 456-2489, ext. 346

- 2. [De Minimis Waiver No. 20-021 — An application for a De Minimis Waiver for the installation of a replacement onsite wastewater treatment system](#)

Location: 6670 Dume Drive, partially within the appealable coastal zone

APN: 4468-008-018

Owners: Paquette Family Trust

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

Recommended Action: Receive Planning Director's report on the De Minimis Waiver No. 20-021 to allow for the installation of a replacement onsite wastewater treatment system for a Woolsey Fire affected parcel.

**4. Continued Public Hearings**

- A. [Coastal Development Permit No. 20-018 - An application for a new vehicular and pedestrian access gate to the Sycamore Park neighborhood \(Continued from January 4, 2021\)](#)

Location: 6480 Via Escondido Drive, not within the appealable coastal zone

APN: 4460-009-003

Owner: Sycamore Tennis Court Association

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

Recommended Action: Continue this item to a date uncertain.

- B. [Coastal Development Permit No. 17-085, Variance No. 19-059, Site Plan Review No. 17-001, and Demolition Permit No. 17-001 – An application for and interior and exterior remodel, additions to an existing single-family residence and new accessory development \(Continued from January 4, 2021\)](#)

Location: 3710 Decker Edison Road, not within the appealable coastal zone  
APN: 4473-005-014  
Owner: Tao Guan  
Case Planner: Assistant Planner Murillo, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 21-02 determining the project is categorically exempt from the California Environmental Quality Act, approving Coastal Development Permit No. 17-085 to allow for an interior and exterior remodel and 920 square feet of additions to the existing single-family residence, a new 900 square foot detached second residential unit with an attached 400 square foot garage, a new 440 square foot detached swimming pool house, swimming pool, native vegetation restoration, hardscape, fire department access improvements and a new onsite wastewater treatment system; including Variance No 19-059 for the required fuel modification to encroach onto Environmentally Sensitive Habitat Area, Site Plan Review No. 17-001 for construction up to 28 feet in height for a pitched roof and Demolition Permit No. 17-001 for the exterior wall demolition to accommodate the additions to the existing single-family residence and abandon the existing OWTS, located in the Rural Residential-Ten Acre zoning district at 3710 Decker Edison Road (Tao Guan).

## 5. **New Public Hearings**

- A. [Appeal No. 20-011 – An appeal of the Planning Director’s approval of Administrative Coastal Development Permit-Woolsey Fire No. 20-002, an application to allow for the construction of a new 5,686 square-foot, two-story single-family residence with 806 square foot attached garage and associated development including the conversion of an existing accessory structure into a new 780 square-foot detached second unit with attached 210 utility room, a new lap pool/spa, a new 100 square-foot cabana, reconfiguring the existing driveway, hardscaping, grading; and installation of a new onsite wastewater treatment system, including Site Plan Review No. 20-010 for construction of the residence over 18 feet in height to replace a home destroyed in the 2018 Woolsey Fire](#)

Location: 29725 Harvester Road, not within the appealable coastal zone  
APN: 4469-010-017  
Owners: Gary and Daphne Murphy  
Case Planner: Assistant Planner Murillo, 456-2489, ext. 353

Recommended Action: Continue this item to the February 1, 2021 Regular Planning Commission meeting.

B. [Coastal Development Permit No. 20-014 - An application for a new swimming pool and spa](#)

Location: 31100 Broad Beach Road, within the appealable coastal zone  
APN: 4470-015-004  
Owner: BH Broad Beach, LLC  
Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Adopt Planning Commission Resolution No. 21-03 determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 20-014 to construct a new beachfront swimming pool and spa, baja shelf, with associated pool equipment on a residentially developed parcel located in the Single-Family Medium Density (SFM) zoning district and Trancas Overlay District at 31100 Broad Beach Road (BH Broad Beach, LLC).

C. [Appeal No. 20-012 - Appeal of Planning Director's approval of Planning Clearance No. 20-017 for the Tesla Information Center and Showroom](#)

Location: 23401 Civic Center Way, not within the appealable coastal zone  
APN: 4458-022-030  
Owner: The Park at Cross Creek, LLC  
Appellant: Patt Healy  
Case Planner: Assistant Planner Murillo, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 21-04, determining the project is categorically exempt from the California Environmental Quality Act, denying Appeal No. 20-012, and approving Planning Clearance No. 20-017 for the Tesla Information Center & Gallery/Showcase in the Civic Center Northeast-Specific Plan zoning district at 23401 Civic Center Way (The Park at Cross Creek, LLC).

D. [Coastal Development Permit No. 21-001 - An application to implement Ordinance No. 427, Malibu Municipal Code Chapter 10.18 through installation of associated regulatory signage at the City boundary to restrict the parking of oversize vehicles for a period of not more than 72 hours citywide](#)

Locations: At the northern City boundary, in the public right-of-way of:  
Las Flores Canyon Road  
Rambla Pacifico Street  
Malibu Canyon Road  
Corral Canyon Road  
Latigo Canyon Road  
Kanan Dume Road  
Encinal Canyon Road  
Owner: City of Malibu  
Case Planner: Associate Planner Kendall, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 21-08 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 21-001 to implement Ordinance No. 427, Malibu Municipal Code Chapter 10.18 through the installation of associated regulatory signage to restrict the parking of oversize vehicles citywide at the City boundary of Las Flores Canyon Road, Rambla Pacifico Street, Malibu Canyon Road, Corral Canyon Road, Latigo Canyon Road, Kanan Dume Road, and

Encinal Canyon Road; and to implement a permit parking program to allow residents to park a specific trailer or oversize vehicle on City streets for a period of not more than 72 hours (City of Malibu).

- E. [Coastal Development Permit No. 21-002 - An application to implement Ordinance No. 427, Malibu Municipal Code Chapter 10.18 through installation of associated regulatory signage at the City boundary to restrict the parking of oversize vehicles for a period of not more than 72 hours citywide](#)

Locations: Locations: At the northern City boundary, in the public right-of-way of:  
 Tuna Canyon Road  
 Decker Canyon Road  
 At the western and eastern City boundary, in the public right-of-way of Pacific Coast Highway

Owners: City of Malibu and California Department of Transportation (CALTRANS)

Case Planner: Associate Planner Kendall, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 21-09 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 21-002 to implement Ordinance No. 427, Malibu Municipal Code Chapter 10.18 through the installation of associated regulatory signage to restrict the parking of oversize vehicles citywide at the City boundary of Tuna Canyon Road, Decker Canyon Road, and Pacific Coast Highway; and to implement a permit parking program to allow residents to park a specific trailer or oversize vehicle on City streets for a period of not more than 72 hours (City of Malibu and Caltrans).

- F. [Local Coastal Program Amendment No. 16-007 And Zoning Text Amendment No. 16-005 – Implementing a comprehensive regulatory system for the placement of wireless facilities, including procedures, permitting, and penalties by amending Malibu Municipal Code \(MMC\) Chapter 17, including, but not limited to Chapter 17.46 and Table B and amending Local Coastal Program Local Implementation Plan Chapter 3, including, but not limited to Section 3.16 and Table B.](#)

Applicant: City of Malibu

Location: Citywide

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

Recommended Action: Continue this item to the February 1, 2021 Regular Planning Commission meeting to allow staff additional time to incorporate public comments into the draft ordinance.

**6. Old Business**

None.

**7. New Business**

None.

**8. Planning Commission Items**

None.

**Adjournment**

**Future Meetings**

Monday, February 1, 2021	6:30 p.m.	Regular Planning Commission Meeting	Location TBD
Tuesday, February 16, 2021	6:30 p.m.	Regular Planning Commission Meeting	Location TBD
Monday, March 1, 2021	6:30 p.m.	Regular Planning Commission Meeting	Location TBD

**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. Requests to show an audio or video presentation during a Council meeting should be directed to Alex Montano at (310) 456-2489, ext. 227 or [amontano@malibucity.org](mailto:amontano@malibucity.org). Material must be submitted by 12:00 p.m. on the meeting day.

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 12<sup>th</sup> day of January 2021 at 1:30 p.m.



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Kathleen Stecko, Administrative Assistant