

**This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer’s Safer at Home Order (revised April 2, 2021). All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.**

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

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

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

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

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

**Monday, April 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

Approval of Agenda

Report on Posting of Agenda – April 8, 2021

**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. 17-104, Variance Nos. 19-035 and 19-036, and Minor Modification No. 20-012 – An application a new single-family residence and exterior site improvements \(Continued from April 5, 2021\)](#)

Location: 3620 Noranda Lane  
 APN: 4473-026-002  
 Owner: 3620 Noranda Lane, LLC  
 Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Adopt Planning Commission Resolution No. 21-32 determining the project is categorically exempt from the California Environmental Quality Act, and denying Coastal Development Permit No. 17-104, Variance (VAR) No. 19-035, VAR No. 20-036, and Minor Modification No. 20-012 to allow for a 5,285-square foot single-family residence that includes a 2,594-square foot basement including a subterranean garage, for a total development square footage of 6,082-square feet, a new onsite wastewater treatment system, exterior site improvements including a new swimming pool, spa, deck, landscape, a total of 6,330-square feet of impermeable coverage, and 432 cubic yards of non-exempt grading; including a variance to allow for development within the required Environmental Sensitive Habitat Area buffer, a variance to allow for construction on slopes steeper than 2.5 to 1, and a minor modification for the reduction of the required front yard setback by up to 50 percent located in the Rural Residential-Five Acre zoning district at 3620 Noranda Lane (3620 Noranda Lane, LLC).

B. New Items

- 1. [Approval of Minutes](#)

Recommended Action: Approve the minutes for the April 5, 2021 Regular Planning Commission meeting.

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

- 2. [De Minimis Waiver No. 20-008 — An application for a De Minimis Waiver for the installation of a replacement onsite wastewater treatment system](#)

Location: 34035 Pacific Coast Highway, not within the appealable coastal zone  
 APN: 4473-027-004  
 Owner: Regina Tenzer, Tenzer Sprinkling Trust  
 Case Planner: Assistant Planner Coronel, 456-2489, ext. 373

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 20-008 to allow for the installation of a replacement onsite wastewater treatment system for a Woolsey Fire affected parcel.

3. [De Minimis Waiver No. 20-014 — An application for a De Minimis Waiver for the installation of a replacement onsite wastewater treatment system](#)

Location: 5923 Cavalleri Road, not within the appealable coastal zone  
APN: 4467-019-017  
Owner: Victor Lobl  
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 20-014 to allow for the installation of a replacement onsite wastewater treatment system for a Woolsey Fire affected parcel.

4. [De Minimis Waiver No. 20-016 — An application for a De Minimis Waiver for the installation of a replacement onsite wastewater treatment system](#)

Location: 29841 Cuthbert Road, not within the appealable coastal zone  
APN: 4469-008-016  
Owner: Poptsis Trust  
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 20-016 to allow for the installation of a replacement onsite wastewater treatment system for a Woolsey Fire affected parcel.

5. [De Minimis Waiver No. 21-007 — An application for a De Minimis Waiver for the installation of a new onsite wastewater treatment system](#)

Location: 5916 Bonsall Drive, not within the appealable coastal zone  
APN: 4467-023-025  
Owner: 5916 Bonsall LLC  
Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 21-007 to allow for the installation of a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

6. [De Minimis Waiver No. 21-025 – An application for a De Minimis Waiver for the installation of a replacement onsite wastewater treatment system](#)

Location: 5917 Busch Drive, not within the appealable coastal zone  
APN: 4469-011-008  
Owners: Gregory Phillippe Lefevre and Geraldine Chollet  
Case Planner: Planning Technician Carr, 456-2489, ext. 295

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 21-007 to allow for the installation of a replacement onsite wastewater treatment system for a Woolsey Fire affected parcel.

7. [De Minimis Waiver No. 21-010 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel](#)

Location: 5920 Bonsall Drive, not within the appealable coastal zone  
 APN: 4467-023-041  
 Owner: 5920 Bonsall LLC  
 Case Planner: Assistant Planner Coronel, 456-2489, ext. 373

Recommended Action: Receive Planning Director’s report on De Mimimis Waiver No. 21-010 to allow for the installation of a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

4. **Continued Public Hearings**

A. [Coastal Development Permit No. 17-075, Variance Nos. 17-024, 18-022 and 20-042, and Offer-to-Dedicate No. 20-002 – An application for a new two-story single-family residence with attached two-car garage and associated development \(Continued from March 15, 2021\)](#)

Location: 18868 Pacific Coast Highway, within the appealable coastal zone  
 APN: 4449-001-023  
 Owner: Farshid Etaat  
 Case Planner: Contract Planner Rudolph, 456-2489, ext. 250

Recommended Action: Adopt Planning Commission Resolution No. 21-11 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 17-075 for the construction of a new 3,837 square foot, two-story, single-family beachfront residence with attached garage, decks, retractable beach stairs, onsite wastewater treatment system, grading, retaining walls, hardscape, and seawall; including Variance (VAR) No. 17-024 for the single-family residence to extend seaward of the building stringline, VAR No. 18-022 for the first and second floor decks to extend seaward of the deck stringline, and VAR No. 20-042 for a greater than 50 percent reduction of the front yard setback, and Offer-to-Dedicate No. 20-002 for a lateral access easement across the property located in the Single-Family Medium Density zoning district at 18868 Pacific Coast Highway (Etaat).

B. [Coastal Development Permit No. 14-072, Lot Merger No. 17-007, Lot Line Adjustment No. 14-004, Variance Nos. 17-050, 17-051, 18-001, 18-005, 18-006, and 18-015 – An application for a new single-family residence, associated development, lot merger, and lot line adjustment \(Continued from April 5, 2021\)](#)

Location: 33398 and 33390 Pacific Coast Highway, within the appealable coastal zone  
 APNs: 4473-019-005 and 4473-019-006  
 Owner: 180 PCH, LLC  
 Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Continue this item to May 3, 2021, Planning Commission meeting upon the applicant’s request to pursue redesign options.

- C. [Coastal Development Permit No. 14-073, Variance Nos. 18-002, 18-003, 18-004, 18-008, 18-009, and 18-010, and Minor Modification No. 18-001 – An application for a new single-family residence and associated development \(Continued from April 5, 2021\)](#)

Location: 33386 Pacific Coast Highway, within the appealable coastal zone  
APN: 4473-019-007  
Owner: 180 PCH, LLC  
Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Continue this item to May 3, 2021, Planning Commission meeting upon the applicant's request to pursue redesign options.

## 5. **New Public Hearings**

- A. [Administrative Plan Review Permit No. 19-001, Variance Review No. 20-007, and Demolition Permit No. 19-014 – An application for an addition, beachfront deck extension, and an interior and exterior remodel of an existing beachfront, single-family residence and associated development](#)

Location: 21314 Pacific Coast Highway, within the appealable coastal zone  
APN: 4451-001-018  
Owners: Brook and Anna Lenfest  
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 21-34 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 19-001 to allow for a 50 square foot addition and an interior and exterior remodel of an existing 3,531 square foot two-story, beachfront single-family residence, including Variance No. 20-007 to allow for a modification of the required deck stringline to allow for 128 square foot deck extensions to the first- and second-floor decks, and Demolition Permit No. 19-014 for the demolition of 187-feet, 7-inches of exterior walls located in the Single-Family Medium zoning district at 21314 Pacific Coast Highway (Lenfest).

- B. [Outdoor Lighting Review No. 20-001, Outdoor Lighting Review Deviation No. 21-002 – An application for new exterior lighting to meet the requirements of the Dark Sky Ordinance](#)

Location: 23387 Pacific Coast Highway  
APN: 4452-011-033  
Owner: First Oaks Oil LLC  
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 21-35 determining the project is categorically exempt from the California Environmental Quality Act, and approving Outdoor Lighting Review No. 20-001 to replace 51 exterior light fixtures including Outdoor Lighting Review Deviation No. 21-002 to allow light trespass onto adjacent parcels over the maximum allowable 0.25 foot-candles, located in the Commercial Visitor Serving-One zoning district at 23387 Pacific Coast Highway (First Oaks Oil LLC).

C. [Outdoor Lighting Review No. 20-004, Outdoor Lighting Review Deviation No. 21-001 – An application for new exterior lighting to meet the requirements of the Dark Sky Ordinance](#)

Location: 29145 Heathercliff Road, not within the appealable coastal zone  
APN: 4468-010-014  
Owner: Thrifty Oil Company  
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 21-36 determining the project is categorically exempt from the California Environmental Quality Act, and approving Outdoor Lighting Review No. 20-004 to replace 32 exterior light fixtures including Outdoor Lighting Review Deviation No. 21-001 to allow light trespass onto adjacent parcels over the maximum allowable 0.25 foot-candles, located in the Community Commercial zoning district at 29145 Heathercliff Road (Thrifty Oil Company).

6. **Old Business**

None.

7. **New Business**

None.

8. **Planning Commission Items**

None.

**Adjournment**

**Future Meetings**

Monday, May 3, 2021	6:30 p.m.	Regular Planning Commission Meeting	Location TBD
Monday, May 17, 2021	6:30 p.m.	Regular Planning Commission Meeting	Location TBD
Monday, June 7, 2021	6:30 p.m.	Regular Planning Commission Meeting	Location TBD
Monday, June 21, 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 8<sup>th</sup> day of April 2021 at 7:00 p.m.*



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Kathleen Stecko, Administrative Assistant