

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 June 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 before the meeting begins.

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

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

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

Monday, June 21, 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 – June 11, 2021; Amended Agenda posted June 17, 2021

1. Ceremonial/Presentations

None.

¹ Added Recommended Action for Item 4.B.

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

None.

B. New Items

- 1. De Minimis Waiver No. 21-006 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 6556 Wandermere Road, not within the appealable coastal zone
APN: 4468-009-005
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 21-006 for a new onsite wastewater treatment system for a Woolsey affected parcel.

- 2. De Minimis Waiver No. 21-009 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 29445 Bluewater Road, partially within the appealable coastal zone
APN: 4468-006-020
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 21-009 for a new onsite wastewater treatment system for a Woolsey affected parcel.

- 3. De Minimis Waiver No. 20-001 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 5820 Trancas Canyon, not within the appealable coastal zone
APN: 4469-001-044
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 20-001 for a new onsite wastewater treatment system for a Woolsey affected parcel.

4. De Minimis Waiver No. 21-011 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 5944 Cavalleri Road, partially within the appealable coastal zone
APN: 4467-018-002
Case Planner: Associate Planner Murillo, 456-2489, ext. 353

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 21-011 for a new onsite wastewater treatment system for a Woolsey affected parcel.

5. De Minimis Waiver No. 21-004 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 30125 Harvester Road, not within the appealable coastal zone
APN: 4469-044-005
Case Planner: Associate Planner Kendall, 456-2489, ext. 301

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 21-004 for a new onsite wastewater treatment system for a Woolsey affected parcel.

6. De Minimis Waiver No. 20-023 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 6215 Kanan Dume Road, partially within the appealable coastal zone
APN: 4476-017-014
Case Planner: Associate Planner Kendall, 456-2489, ext. 301

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 20-023 for a new onsite wastewater treatment system for a Woolsey affected parcel.

7. De Minimis Waiver No. 20-030 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 31255 Beach View Estates, partially within the appealable coastal zone
APN: 4470-004-014
Case Planner: Associate Planner Kendall, 456-2489, ext. 301

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 20-030 for a new onsite wastewater treatment system for a Woolsey affected parcel.

8. Formula Retail Clearance No. 21-004 – The Park at Cross Creek Shopping Center

Location: 23401 Civic Center Way, Unit No. 4E
APN: 4458-022-030
Owner: The Park at Cross Creek, LLC
Tenant: Just Food for Dogs
Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Receive and file the Planning Director's report on the Formula Retail Clearance No. 21-004.

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 April 19, 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: Continue this item to the July 19, 2021 Regular Planning Commission meeting.

B. Coastal Development Permit No. 17-086, Conditional Use Permit No. 21-001, General Plan Map Amendment No. 17-002, Local Coastal Program Amendment No. 16-006, Zoning Map Amendment No. 17-002, Zoning Text Amendment No. 20-001, Development Agreement No. 21-001, Lot Merger No. 20-002, Demolition Permit No. 20-19, Initial Study No. 21-001, and Mitigated Negative Declaration No. 21-001 – An application for the conversion of an existing office building and gas station into a hotel, including new development (Continued from June 7, 2021)

Locations: 22729 and 22741 Pacific Coast Highway, within the appealable coastal zone
APNs: 4452 022-010 and 4452-022-017
Owners: Grey Granite, LLC; Las Tunas Beach, LLC; and Sea View Terrace, LLC
Case Planner: Contract Planner Rudolph, 456-2489, ext. 250

Recommended Action: Continue this item to the July 19, 2021 Regular Planning Commission meeting.

C. Wireless Communications Facility No. 20-010, Coastal Development Permit No. 20-028, Variance No. 20-017, and Site Plan Review No. 20-041 – An application for an upgraded wireless communications facility on a new replacement wooden utility pole in the public right-of-way (Continued from June 7, 2021)

Location: 31557.5 Pacific Coast Highway, not within the appealable coastal zone
Nearest APN: 4470-008-002
Geo-coordinates: 34°02'12.63"N, 118°51'43.45"W
Applicant: Motive for Verizon Wireless

Owner: California Department of Transportation Public Right-of-Way
 Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 21-48 determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Communications Facility No. 20-010 and Coastal Development Permit No. 20-028 for Verizon Wireless to install two replacement wireless communications facility antennas at a height of 34 feet, 9 inches and electrical support equipment mounted on a replacement wooden utility pole, including Variance No. 20-017 to permit an upgraded wireless facility mounted over 28 feet in height and Site Plan Review No. 20-041 to install and operate a wireless communications facility within the public right-of-way located at 31557.5 Pacific Coast Highway (Verizon Wireless).

D. Wireless Communications Facility No. 20-011, Coastal Development Permit No. 20-029, Variance No. 20-018, and Site Plan Review No. 20-040 – An application for an upgraded wireless communications facility on a new replacement wooden utility pole in the public right-of-way (Continued from June 6, 2021)

Location: 6213.5 Kanan Dume Road, not within the appealable coastal zone
 Nearest APN: 4467-017-014
 Geo-coordinates: 34°01'34.31"N, 118°48'03.57"W
 Applicant: Motive for Verizon Wireless
 Owner: City of Malibu Public Right-of-Way
 Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 21-49 determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Communications Facility No. 20-011 and Coastal Development Permit No. 20-029 for Verizon Wireless to install replacement wireless telecommunications facility antennas at a height of 34 feet, 9 inches, electrical support equipment mounted on a 48-foot tall replacement wooden utility pole and a ground-mounted backup battery unit, including Variance No. 20-018 to permit an upgraded wireless communications facility mounted over 28 feet in height and Site Plan Review No. 20-040 to install and operate a wireless communications facility within the public right-of-way located at 6213.5 Kanan Dume Road (Verizon Wireless).

5. New Public Hearings

A. Coastal Development Permit No. 14-058, Variance No. 19-046, Site Plan Review Nos. 14-044 and 14-045, Demolition Permit No. 17-024 and Code Violation No. 21-016 – An application for the demolition of an unpermitted equestrian facility, including 8,144 square feet of barn and stables and a 35,386 square foot equestrian riding ring, construction of a new equestrian facility with associated development, after-the-fact and new grading, and installation of a new onsite wastewater treatment system

Location: 6295 Murphy Way, not within the appealable coastal zone
 APN: 4467-006-019
 Owner: Tomboy Farms, LLC
 Case Planner: Contract Planner Rudolph, 456-2489, ext. 250

Recommended Action: Adopt Planning Commission Resolution No. 21-33 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit (CDP) No. 14-058 to construct a new equestrian facility comprising three new structures, including a 4,034 square foot barn (Building A) and two horse stables of 1,486 square feet and 2,624 square feet (Buildings B and C), a new 35,386 square foot equestrian riding ring, driveway and drainage improvements, retaining walls, after-the-fact and new grading, and onsite wastewater treatment system (OWTS), including Variance No. 19-046 to allow retaining walls in excess of 6 feet in height, up to 12 feet in height; Site Plan Review (SPR) No. 14-044 for development on slopes steeper than 3 to 1, but flatter than 2.5 to 1; SPR No. 14-045 to allow structure height up to 24 feet for flat roof and top of deck railing, and 28 feet for pitched roof; and Demolition Permit No. 17-024 to demolish the existing unpermitted equestrian facility located in the Rural Residential Two-Acre zoning district at 6295 Murphy Way (Tomboy Farms, LLC).

- B. Malibu Country Inn and Restaurant Project - Coastal Development Permit No. 17-089, General Plan Map Amendment No. 21-002, Local Coastal Program Amendment No. 17-004, Zoning Map Amendment No. 17-005, Lot Line Adjustment No. 17-002, Conditional Use Permit No. 17-011, Variance Nos. 18-038, 20-034 and 21-010, Site Plan Review No. 19-008, Minor Modification No. 19-007, Demolition Permit No. 20-026, and Code Violation No. 17-011 – An application to replace the existing restaurant, lot line adjustment to expand the lot into the adjacent mobile home park and after-the-fact consideration of unpermitted restaurant expansion and ground-floor decking

Locations: 6506 Westward Beach Road, 29500 Heathercliff Road and various addresses in the Point Dume Club mobile home park, within the appealable coastal zone

APNs: 4458-032-027 and 4468-013-011

Owners: Malibu Country Inn, Corp and Corp, and Point Dume, LTD

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

Recommended Action: Adopt Planning Commission Resolution No. 21-54 the City Council find that the project and proposed map amendments are exempt from the California Environmental Quality and Act and approves Coastal Development Permit No. 17-089, Lot Line Adjustment No. 17-002, Demolition Permit No. 20-026, General Plan Map Amendment No. 21-002, Zone Map Amendment No. 17-011 and Local Coastal Program Amendment 17-004 to increase the lot area of the Malibu Country Inn lot with land from the Point Dume Club mobile home park, change the General Plan land use designation, Zoning Map and Local Coastal Program maps from Commercial Visitor Serving-1 to Commercial Visitor Serving-2 (CV-2) and the increased Malibu Country Inn lot area from Mobilehome Residential (MH) to CV-2, replace the existing restaurant, after-the-fact approval of a deck attached to the restaurant and replace a 200 square foot unpermitted storage shed with a 100 square foot storage shed; including Conditional Use Permit No. 17-011 for the hotel and restaurant uses and sale of alcohol for room service and restaurant; Variance (VAR) No. 18-038 for construction of Fire Department stairs on slope steeper than 2.5 to 1; VAR No. 20-034 for legal, non-conforming parking spaces in terms of size, number and aisle width to remain; VAR No. 21-010 from the City's geotechnical standards for factor of safety; Site Plan Review No. 19-008 for the reconstruction of the restaurant in excess of 18 feet; and Minor Modification No. 19-007 for the replacement restaurant to provide a 50 percent reduction of the required front yard setback, located at 6506 Westward Beach Road and 29500 Heathercliff Road (Malibu Country Inn, Corp and Corp, and Point Dume, LTD).

- C. Wireless Communications Facility No. 18-008, Coastal Development Permit No. 18-032, Variance No. 18-039, and Site Plan Review No. 18-034 – An application for a new wireless communications facility on top of a replacement streetlight pole, including a ground-mounted backup power battery unit, in the public right-of-way

Location: 22651.5 Pacific Coast Highway, within the appealable coastal zone
Nearest APN: 4452-022-005
Geo-coordinates: 34°02'22.07"N, 118°40'05.2"W
Applicant: Eukon Group for Verizon Wireless
Owner: California Department of Transportation Public Right-of-Way
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 21-40 determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Communications Facility No. 18-008 and Coastal Development Permit No. 18-032 for Verizon Wireless to install an omnidirectional canister antenna on top of a replacement streetlight pole reaching a maximum height of 32 feet, 3 inches and electrical support equipment, including Variance No. 18-039 to permit a streetlight pole over 28 feet in height and Site Plan Review No. 18-034 to install and operate a wireless communications facility within the public right-of-way located at 22651.5 Pacific Coast Highway (PCH) (Verizon Wireless).

- D. Wireless Communications Facility No. 19-020, Coastal Development Permit No. 20-019, Variance No. 19-049, and Site Plan Review No. 20-020 – An application for an upgraded wireless communications facility on a new replacement wooden utility pole in the public right-of-way

Location: 18921.5 Pacific Coast Highway, within the appealable coastal zone
Nearest APN: 4449-009-012
Geo-coordinates: 34°02'22.03"N, 118°35'16.10"W
Applicant: Motive for Verizon Wireless
Owner: California Department of Transportation Public Right-of-Way
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 21-42 determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Communications Facility No. 19-020 and Coastal Development Permit No. 20-019 for Verizon Wireless to install replacement wireless communications facility antennas at a height of 30 feet, 6 inches and electrical support equipment mounted on a 39-foot tall replacement wooden utility pole, including Variance No. 19-049 to permit an upgraded wireless communications facility mounted over 28 feet in height and Site Plan Review No. 20-020 to install and operate a wireless communications facility within the public right-of-way located at 18921.5 Pacific Coast Highway (Verizon Wireless).

- E. Wireless Communications Facility No. 20-005, Coastal Development Permit No. 20-031, Variance No. 20-021, and Site Plan Review No. 20-037 – An application for a new wireless communications facility on top of a replacement streetlight pole in the public right-of-way

Location: 22340.5 Pacific Coast Highway, within the appealable coastal zone
Nearest APN: 4452-001-019
Geo-coordinates: 34°02'21.70"N, 118°39'41.47"W

Applicant: Eukon Group for Verizon Wireless
 Owner: California Department of Transportation Public Right-of-Way
 Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 21-52 determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Communications Facility No. 20-005 and Coastal Development Permit No. 20-031 for Verizon Wireless to install a new omnidirectional canister antenna on top of a replacement streetlight pole reaching a maximum height of 32 feet, 3 inches and, pole-mounted electrical support equipment, including Variance No. 20-021 to permit a new wireless communications facility mounted over 28 feet in height and Site Plan Review No. 20-037 to install and operate a wireless communications facility within the public right-of-way located at 22340.5 Pacific Coast Highway (Verizon Wireless).

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

Tuesday, July 6, 2021	CANCELLED		
Monday, July 19, 2021	6:30 p.m.	Regular Planning Commission Meeting	Location TBD
Monday, August 2, 2021	6:30 p.m.	Regular Planning Commission Meeting	Location TBD
Monday, August 16, 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.

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. 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 17th day of June 2021 at 6:00 p.m.

Patricia Salazar

Patricia Salazar, Senior Administrative Analyst