

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 Order N-08-21 and the County of Los Angeles Public Health Officer's Order (*revised August 23, 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. The meeting 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.

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

Wednesday, September 8, 2021

6:30 P.M. – ADJOURNED PLANNING COMMISSION MEETING

Various Teleconference Locations

YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT
MALIBUCITY.ORG/VIDEO

Call to Order - Chair

Roll Call - Recording Secretary

Approval of Agenda

Report on Posting of Agenda – August 31, 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

None.

B. New Items

1. De Minimis Waiver No. 21-005 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 6603 Dume Drive, not within the appealable coastal zone

APN: 4468-009-012

Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 21-005 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

4. Continued Public Hearings

- A. Wireless Communications Facility No. 19-021, Coastal Development Permit No. 20-001, and Site Plan Review No. 21-025 – An application for a new wireless communications facility on a freestanding pole in the public right-of-way (Continued from August 16, 2021)

Location: 20703.5 Pacific Coast Highway, within the appealable coastal zone

Nearest APN: 4450-007-023

Applicant: Synergy for AT&T Mobility

Owner: California Department of Transportation

Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Continue the item to a date uncertain.

- B. Coastal Development Permit No. 21-008 – An application to construct median improvements to widen the outside shoulder for a distance of approximately two miles along Pacific Coast Highway between Webb Way and Puerco Canyon Road (Continued from August 26, 2021)

Location: 24201.5 Pacific Coast Highway, approximately two miles along Pacific Coast Highway between Webb Way and Puerco Canyon Road, within the appealable coastal zone

Applicant City of Malibu Public Works Department and California Department of Transportation

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

Recommended Action: Adopt Planning Commission Resolution No. 21-57 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 21-008 to construct median improvements to widen the outside shoulder for a distance of approximately two miles along Pacific Coast Highway between Webb Way and Puerco Canyon Road located entirely within the California Department of Transportation (Caltrans) public right-of-way to better allow a combination of bicycle use and on-street parking (City of Malibu and Caltrans).

- C. Conditional Use Permit Amendment No 13-006 and Joint Use Parking Agreement No. 14-001 – An application to amend Conditional Use Permit No 09-009 and Joint Use Parking Agreement No. 10-001 to reduce the restaurant service area in order to accommodate for the creation of a new retail tenant space, and decrease the number of required off-site parking spaces (Aviation Nation) (Continued from August 26, 2021)

Location: 22969 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-019-004
Owner: SKA Group, LLC
Tenant: Aviation Nation Dreamland/Aviation Nation
Case Planner: Assistant Planning Director Fernandez, 456-2489, ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 21-64 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit Amendment No. 13-006 and Joint Use Parking Agreement (JUPA) No. 14-001 amending Conditional Use Permit No. 09-009 and JUPA No. 10-001 to allow the reduction of the restaurant service area in order to accommodate the permanent expansion of existing retail tenant space, and decrease the number of required off-site parking spaces in the JUPA to reflect the new number of required offsite parking spaces at an existing restaurant (Aviation Nation Dreamland) located in the Commercial Visitor-Serving-One zoning district at 22969 Pacific Coast Highway (SKA Group, LLC).

- D. Malibu Inn Motel - Coastal Development Permit No. 09-067, Conditional Use Permit No. 18-002, Variance Nos. 18-029, 18-030, 18-031, and 20-035, Site Plan Review No. 18-025, Joint Use Parking Agreement No. 18-001, Initial Study No. 20-003, and Mitigated Negative Declaration No. 20-003 – An application for development of a motel project (Continued from August 26, 2021)

Location: 22959 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-019-005
Owner: Surfrider Plaza, LLC
Case Planner: Assistant Planning Director Fernandez, 456-2489, ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 21-65 adopting Mitigated Negative Declaration No. 20-003 and Initial Study No. 20-003 and pursuant to the California Environmental Quality Act, and approving Coastal Development Permit No. 09-067 for the construction of a new 7,693 square foot, 20-room motel above a new subterranean parking garage, surface parking lot, rooftop deck with swimming pool, spa and bar area, grading, retaining walls, landscaping, a new onsite wastewater treatment system and authorization for the Planning Director to submit a letter of public convenience or necessity for the sale of alcohol; including Conditional Use Permit No. 18-002 for a motel in the Commercial Visitor-Serving-One (CV-1) zoning district and sale of alcohol, Variance (VAR) No. 18-029 for non-exempt grading in excess of 1,000 cubic yards per acre of

commercial development, VAR No. 18-030 for construction on slopes steeper than 3 to 1, VAR No. 18-031 for a retaining wall that is an integral part of the building in excess of 12 feet in height, VAR No. 20-035 for surface parking within the required front yard setback, Site Plan Review No. 18-025 for a building height in excess of 18 feet, not to exceed 24 feet for a flat roof, and Joint Use Parking Agreement No. 18-001 to share the parking spaces with the adjacent lot to the east (22969 Pacific Coast Highway–Malibu Inn) located in the CV-1 zoning district at 22959 PCH (Surfrider Plaza, LLC).

5. New Public Hearings

- A. Coastal Development Permit No. 15-064, Variance No. 15-046, Site Plan Review No. 15-053, Minor Modification No. 15-017 – An application for a new single-family residence

Location: 4831 Latigo Canyon Road, not within the appealable coastal zone
APN: 4460-001-015
Owner: Latigo Canyon, LLC
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Continue the item to the September 20, 2021 Regular Planning Commission meeting.

- B. Coastal Development Permit No. 17-083, Site Plan Review No. 17-051, Minor Modification No. 17-017, and Demolition Permit No. 17-029 – An application to demolish the existing single-family residence, and construction of a new two-story, single-family residence and associated development

Location: 7247 Birdview Avenue, within the appealable coastal zone
APN: 4468-019-005
Owner: Westward Beach Partners, LLC
Case Planner: Associate Planner Murillo, 456-2489, ext. 353

Recommended Action: Continue the item to the September 20, 2021 Regular Planning Commission meeting.

- C. Coastal Development Permit No. 18-002 and Variance No. 21-015 – An application for an interior and exterior remodel of a single-family residence and associated development

Location: 20238 Piedra Chica Road, not within the appealable coastal zone
APN: 4450-013-084
Owners: Reza Nebavi and Maryam Akbar
Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Continue the item to the October 4, 2021 Regular Planning Commission meeting.

D. 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

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 the item to October 4, 2021 Regular Planning Commission meeting.

E. 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

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 the item to October 4, 2021 Regular Planning Commission meeting.

6. **Old Business**

None.

7. **New Business**

None.

8. **Planning Commission Items**

None.

Adjournment

Future Meetings

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|----------------------------|---|--------------|
| Monday, September 20, 2021 | 6:30 p.m. Regular Planning Commission Meeting | Location TBD |
| Monday, October 4, 2021 | 6:30 p.m. Regular Planning Commission Meeting | Location TBD |
| Monday, October 18, 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. In order to reduce the risk of spreading COVID-19. Consistent 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 Commission 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 31st day of August 2021 at 2:00 p.m.



Patricia Salazar, Senior Administrative Analyst