

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](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, September 20, 2021**

**6:30 P.M. – PLANNING COMMISSION REGULAR 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 – September 10, 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

None.

**4. Continued Public Hearings**

- A. Coastal Development Permit No. 19-052, Variance Nos. 19-047, 19-048 and 19-060, Demolition Permit No. 20-020, and Code Violation No. 19-039 - An application for an after-the-fact replacement of an existing single-family residence due to the unpermitted demolition/replacement of exterior walls in excess of 50 percent, garage addition and associated development (Continued from August 16, 2021)

Location: 25429 Malibu Road, within the appealable coastal zone  
 APN: 4459-014-014  
 Owner: The Celestial Trust  
 Case Planner: Assistant Planning Director Fernandez, 456-2489, ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 21-39 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 19-052 and Demolition Permit No. 20-020 for an after-the-fact replacement of an existing single-family residence due to the unpermitted demolition/replacement of exterior walls in excess of 50 percent, including an after-the-fact replacement of the attached garage with a new garage, rear on-grade deck extension, and associated development; including Variance (VAR) No. 19-047 for construction on slopes steeper than 2.5 to 1, VAR No. 19-048 for the reduction of the required side yard setbacks and cumulative side yard setbacks, and VAR No. 19-060 from the City’s geotechnical standards for factor of safety located in the Rural Residential Two-Acre zoning district at 25429 Malibu Road (The Celestial Trust).

- B. 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 and associated development (Continued from September 8, 2021)

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

Recommended Action: Adopt Planning Commission Resolution No. 21-69 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-064 to allow for the construction of a new 5,669 square foot single-family residence, including a 1,304 square foot basement, 4,747 square feet of first and second floor decks, 654 square foot swimming pool and spa, landscaping, 11,425 square feet of impermeable surfaces, five feet tall front yard fencing, driveway, six feet tall retaining walls, 577 cubic yards of non-exempt grading, and an onsite wastewater treatment system, including Variance No. 15-046 for construction on slopes steeper than 2.5 to 1, Site Plan Review No. 15-053 to allow for construction in excess of 18 feet up to 28 feet in height (35 feet tall in absolute height), Minor Modification No. 15-017 to allow for a 50 percent reduction in the required front yard setback located in the Rural Residential-Two Acre zoning district at 4831 Latigo Canyon Road (Ning Wang).

- C. 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 (Continued from September 8, 2021)

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: Adopt Planning Commission Resolution No. 21-60 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 17-083 to allow the demolition of an existing 2,228 square foot, single-story residence, construction of a new 6,852 square foot two-story single-family residence with a 1,080 square foot basement, swimming pool, onsite wastewater treatment system, and associated development, including Site Plan Review No. 17-051 for construction in excess of 18 feet in height up to 24 feet for a flat roof, Minor Modification No. 17-017 for a 50 percent reduction of the required front yard setback, and Demolition Permit No. 17-029 for the demolition of the existing single-family residence and onsite development located in the Rural Residential-One Acre zoning district at 7247 Birdview Avenue (Westward Beach Partners, LLC).

## 5. New Public Hearings

- A. Coastal Development Permit No. 21-021 – An application for roadway improvements to improve a combination of pedestrian, bicycle and motorist access and to provide additional on-street parking for a distance of approximately 1,500 linear feet along Westward Beach Road between Zuma Beach Access Road and Birdview Avenue

Location: 7110.5 Westward Beach Road, 1,500 linear feet along Westward Beach Road between Zuma Beach Road and Birdview Avenue, within the appealable coastal zone  
APNs: 4468-014-904 and 4469-027-901  
Owners: City of Malibu public right-of-way and Los Angeles County, Department of Beaches and Harbors  
Case Planner: Associate Planner Murillo, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 21-67 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 21-021 for roadway improvements to allow for diagonal parking spaces, beach sand wall, new pedestrian and bicycle path, to improve a combination of pedestrian, bicycle and motorist access and to provide additional on-street parking for a distance of approximately 1,500 linear feet along Westward Beach Road between Zuma Beach Access Road and Birdview Avenue in the Public Open Space zoning district at 7110.5 Westward Beach Road located mostly within the City's public right-of-way but expanding partially within land owned by the Los Angeles County, Department of Beaches and Harbors (City of Malibu).

B. Conditional Use Permit No 21-006 – An application to allow a temporary parking lot and ancillary operations to serve the construction activities of nearby construction sites

Location: 3542 Coast View Drive  
APN: 4458-021-003  
Owner: Wave Properties, Inc.  
Case Planner: Assistant Planner Coronel, 456-2489, 373

Recommended Action: Adopt Planning Commission Resolution No. 21-66 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 21-006 to allow the establishment of a one-acre temporary parking lot with 75 parking spaces to serve the construction activities of nearby construction sites, a shuttle service between the temporary parking lot and construction sites, continued use of low voltage solar lighting in compliance with the Dark Sky Ordinance, and temporary storage of boxed trees located in the Community Commercial zoning district at 3542 Coast View Drive (Wave Properties, Inc.).

C. Coastal Development Permit No. 17-088, Site Plan Review No. 19-030, Demolition Permit No. 19-023, and Code Violation No. 20-014 – An application for the demolition of an existing single-family residence, and construction of a new two-story, single-family residence and associated development

Location: 6968 Dume Drive, not within the appealable coastal zone  
APN: 4466-015-015  
Owner: Highlands Investment Group LLC  
Case Planner: Associate Planner Murillo, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 21-68 determining the project is categorically exempt from the California Environmental Quality Act, approving Coastal Development Permit No. 17-088 to allow the demolition of an existing 2,257 square foot, single-story single-family residence, construction of a new 7,472 square foot, two-story single-family residence with a 999 square foot basement, swimming pool, onsite wastewater treatment system, associated development, and after-the-fact retaining walls, grading and front yard gates, including Site Plan Review No. 19-030 for construction in excess of 18 feet in height, up to 28 feet for a pitched roof, and Demolition Permit No. 19-023 for the demolition of the existing single-family residence and onsite development located in the Rural Residential-One Acre zoning district at 6968 Dume Drive (Highlands Investment Group LLC).

D. Outdoor Lighting Review No. 20-001, Outdoor Lighting Review Deviation No. 21-002, and Code Violation No. 20-005 – 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  
Tenant: Shell Gas Station  
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Continue the item to a date uncertain.

E. Outdoor Lighting Review No. 20-004, Outdoor Lighting Review Deviation No. 21-001, and Code Violation No. 21-007 – An application for new exterior lighting to meet the requirements of the Dark Sky Ordinance

Location: 29145 Heathercliff Road  
APN: 4468-010-014  
Owner: Thrifty Oil Company  
Tenant: ARCO Gas Station  
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Continue the item to a date uncertain.

6. **Old Business**

None.

7. **New Business**

None.

8. **Planning Commission Items**

None.

**Adjournment**

**Future Meetings**

|                          |   |              |
|--------------------------|---|--------------|
| 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 |
| Monday, November 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. 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.

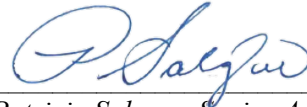
**Planning Commission Items** are items, which individual members of the Planning Commission may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the Planning Commission.

*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](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 Commission 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 10<sup>th</sup> day of September 2021 at 3:00 p.m.*



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*Patricia Salazar, Senior Administrative Analyst*