

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 January 5, 2022). 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 wishing to speak or defer time to another speaker during the meeting must participate through the Zoom application and must be present in the Zoom conference to be recognized. The City requests that you sign up to speak before the item you would like to speak on has been called by the Chair. For those wishing to defer time, you are not required to sign up to speak. At the start of public comment for the item, the Chair shall ask members of the public wishing to defer time to raise their hands in the Zoom meeting using the reactions button. Each person will be called to verify their presence in the Zoom meeting and their intent to donate time.

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)

Tuesday, January 18, 2022

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 – January 7, 2022

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

None.

4. Continued Public Hearings

- A. Coastal Development Permit–Woolsey Fire No. 19-001 and Variance No. 19-016 - An application for the reconstruction of an unpermitted, pre-existing non-conforming walk-out basement, decks, new swimming pool, and associated development (Continued from December 6, 2021)

Location: 4756 Latigo Canyon Road, not within the appealable coastal zone
APN: 4459-002-021
Owners: James and Kim Tomlinson
Case Planner: Assistant Planner Coronel, 456-2489, ext. 373

Recommended Action: Adopt Planning Commission Resolution No. 22-05 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit–Woolsey Fire No. 19-001 to allow for the reconstruction of a previously existing, unpermitted non-conforming basement, and construction of a new swimming pool and onsite wastewater treatment system, including Variance No. 19-016 for the proposed basement to daylight more than three vertical feet below a residence destroyed by the 2018 Woolsey Fire, located in the Rural Residential-Two Acre zoning district at 4756 Latigo Canyon Road (Tomlinson).

- B. Coastal Development Permit No. 19-013 and Site Plan Review No. 19-018 – An application for a new single-family residence and associated development (Continued from December 6, 2021)

Location: 30548 Morning View Drive, not within the appealable coastal zone
APN: 4469-025-064
Owner: Antonette Weinreb
Case Planner: Associate Planner Brooks, 456-2489, ext. 276

Recommended Action: Adopt Planning Commission Resolution No. 22-03 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 19-013 for the construction of a new 5,541 square foot, two-story single-family residence plus a 4,366 square foot subterranean garage and basement with a lightwell, porte-cochère, deck, swimming pool, spa, tennis court, fencing, gates, landscaping, hardscape, grading, retaining walls, and onsite wastewater treatment system; including Site Plan Review No. 19-018 for construction in excess of 18 feet in height, but not to exceed 28 feet for a pitched roof, in the Rural Residential-Two Acre zoning district at 30548 Morning View Drive (Weinreb).

C. Administrative Plan Review No. 21-045 and Variance No. 21-011 – An application to replace a 17.5-foot-tall failing retaining wall (Continued from December 6, 2021)

Location: 21463 Rambla Vista
APN: 4451-018-045
Owner: Arnold and Karen York Family Trust
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 22-04 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 21-045 to replace a failing retaining wall, including Variance No. 21-011 for construction of a retaining wall over 14 feet in height up to 17 feet, 6 inches in height, located in the La Costa Overlay District in the Single-Family Medium Density zoning district at 21463 Rambla Vista (Arnold and Karen York Family Trust).

D. Local Coastal Program Amendment No. 18-002 and Zoning Text Amendment No. 18-004 – Amendments to the Local Coastal Program and Malibu Municipal Code Title 17 (Zoning) to Update Regulations Related to Accessory Dwelling Units (Continued from December 6, 2021)

Applicant: City of Malibu
Location: Citywide
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 22-08 determining the amendments are exempt from the California Environmental Quality Act and recommending that the City Council approve Local Coastal Program Amendment No. 18-002 and Zoning Text Amendment No. 18-004, amendments to the Local Coastal Program and Malibu Municipal Code Title 17 (Zoning) to update regulations related to Accessory Dwelling Units.

5. **New Public Hearings**

None.

6. **Old Business**

None.

7. **New Business**

A. Extension-Woolsey Fire No. 21-001 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 6219 Ramirez Mesa Drive
APN: 4467-012-012
Owner: TKH Zuma, LLC
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

B. Extension-Woolsey Fire No. 21-005 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 33505 Pacific Coast Highway
APN: 4473-003-003
Owner: Kotler Family Trust
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

C. Extension-Woolsey Fire No. 21-007 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 7003 Birdview Avenue
APN: 4468-015-004
Owner: Alford Enterprises II, LP
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

D. Extension-Woolsey Fire No. 21-008 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 33012 Pacific Coast Highway
APN: 4473-018-006
Owner: Alford Children's Trust – 1992
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

E. Extension-Woolsey Fire No. 21-009 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 6234 Cavalleri Road
APN: 4467-017-009
Owner: Carla Bowman-Smith
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

F. Extension-Woolsey Fire No. 21-010 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 5911 Bonsall Drive
APN: 4467-024-005
Owners: Vincent C and Barbara Muselli
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

G. Extension-Woolsey Fire No. 21-011 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 5418 Horizon Drive
APN: 4469-006-010
Owner: William G Poole Decd Trust
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

H. Extension-Woolsey Fire No. 21-012 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 29350 Heathercliff Road
APN: 4468-012-022
Owners: Kenneth A and Carolyn K Good
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

I. Extension-Woolsey Fire No. 21-013 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 6800.5 Westward Beach Road
Nearest APN: 4468-016-905
Owner: County of Los Angeles, Department of Beaches and Harbors
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

J. Extension-Woolsey Fire No. 21-014 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 5878 Deerhead Road
APN: 4469-015-012
Owner: Helaina Properties, LLC
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

K. Extension-Woolsey Fire No. 21-017 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 29636 Cuthbert Road
APN: 4469-011-017
Owner: Genevieve Labean Trust
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

L. Extension-Woolsey Fire No. 21-018 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 29715 Cuthbert Road
APN: 4469-008-007
Owner: Surf Dog, LLC
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

M. Extension-Woolsey Fire No. 21-019 - Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 5246 Horizon Drive
APN: 4469-005-013
Owners: Jean H and Vicky V Yavrouian
Case Planner: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: Consider an extension request to submit an application to rebuild a legal nonconforming structure that was damaged or destroyed in the Woolsey Fire and direct staff to come back with a resolution memorializing the Planning Commission's action.

8. Planning Commission Items

None.

Adjournment**Future Meetings**

Monday, February 7, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Tuesday, February 22, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, March 7, 2022	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 7th day of January 2022 at 12:00 p.m.

Rebecca Evans

Rebecca Evans, Administrative Assistant