

This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant AB 361 and the County of Los Angeles Public Health Officer's Order (*revised February 15, 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.

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

Tuesday, February 22, 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 – February 11, 2022; *Amended Agenda posted on February 16, 2022*

1. Ceremonial/Presentations

None.

¹ See addition of Item 3A2.

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. De Minimis Waiver No. 21-012 — An application for a new advanced onsite wastewater treatment system for a Woolsey Fire affected parcel (Continued from February 7, 2022)

Location: 7034 Birdview Ave, not within the appealable coastal zone
APN: 4468-006-003
Owner: Medora C. Colberg Decd Trust
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Continue to a date uncertain.

2. Resolutions Approving Time Extension Requests to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire Previously Considered by the Planning Commission

Staff Contact: Senior Administrative Analyst Salazar, 456-2489, ext. 245

Recommended Action: 1) Adopt Resolution No. 22-13 granting a two-year extension to submit a planning verification for nonconforming structures and uses damaged or destroyed in the Woolsey Fire for the property located at 6219 Ramirez Mesa Drive (TKH Zuma, LLC); 2) Adopt Resolution No. 22-14 granting a one-year extension to submit a planning verification for nonconforming structures and uses damaged or destroyed in the Woolsey Fire for the property located at 33505 Pacific Coast Highway (Kotler Family Trust); 3) Adopt Resolution No. 22-15 granting a two-year extension to submit a planning verification for nonconforming structures and uses damaged or destroyed in the Woolsey Fire for the property located at 7003 Birdview Avenue (Alford Enterprises II, LP); 4) Adopt Resolution No. 22-16 granting a two-year extension to submit a planning verification for nonconforming structures and uses damaged or destroyed in the Woolsey Fire for the property located at 33012 Pacific Coast Highway (Alford Children's Trust-1992); 5) Adopt Resolution No. 22-17 granting a two-year extension to submit a planning verification for nonconforming structures and uses damaged or destroyed in the Woolsey Fire for the property located at 6234 Cavalleri Road (Bowman-Smith); 6) Adopt Resolution No. 22-18 granting a two-year extension to submit a planning verification for nonconforming structures and uses damaged or destroyed in the Woolsey Fire for the property located at 5941 Bonsall Drive (Muselli).

B. New Items**1. Approval of Minutes**

Recommended Action: Approve the minutes for the October 4, 2021 Regular Planning Commission meeting.

Staff Contact: Administrative Assistant Evans, 456-2489, ext. 246

2. De Minimus Waiver No. 20-026 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 30044 Andromeda Lane, not within the appealable coastal zone

APN: 4469-004-010

Owner: 30044 Andromeda Lane LLC

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

Recommended Action: Receive and file the Planning Director's report on the issuance of De Minimis Waiver No. 20-026 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

3. Formula Retail Clearance No. 21-005 – Malibu Country Mart Shopping Center

Location: 23410 Civic Center Way, Unit A-1

APN: 4458-020-010

Owner: 3835 Cross Creek, LLC

Tenant: CB2

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

Recommended Action: Receive and file the Planning Director's approval of Formula Retail Clearance No. 21-005.

4. Administrative Coastal Development Permit No. 21-056 – An application for a new onsite wastewater treatment system to replace an existing onsite wastewater treatment system servicing an existing single-family residence

Location: 29528 Harvester Road, not within the appealable coastal zone

APN: 4467-027-023

Owner: Matthew B. Pick Trust

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

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 21-056.

4. Continued Public Hearings

None.

5. New Public Hearings**A. Coastal Development Permit No. 18-011 and Site Plan Review No. 20-048 – An application to replace an onsite wastewater treatment system and associated development**

Location: 25147 Malibu Road, within the appealable coastal zone

APN: 4459-012-007

Owner: Scott A. Blake Separate Property Trust U/A/D June 13, 2014 and Carson Family Trust

Case Planner: Senior Planner Brooks, 456-2489, ext. 276

Recommendation: Adopt Planning Commission Resolution No. 22-12 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 18-011 to allow the replacement of an onsite wastewater treatment system, grading, and retaining walls; including Site Plan Review No. 20-048 for remedial grading, located in the Multi-Family zoning district at 25147 Malibu Road (Scott A. Blake Separate Property Trust U/A/D June 13, 2014 and Carson Family Trust).

B. Coastal Development Permit No. 05-081, Variance Nos. 09-023 and 16-024, and Site Plan Review No. 06-032 – An application for the construction of a new single-family residence and associated development

Location: 31864 Sea Level Drive, within the appealable coastal zone

APN: 4470-027-020

Owners: Narod Najarian and Garo Bedrossian

Case Planner: Assistant Planning Director Fernandez, 456-2489, 482

Recommended Action: Adopt Planning Commission Resolution No. 22-09 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 05-081 for the construction of a new 1,799 square foot, two-story single-family residence plus a 398 square foot attached garage and 995 square foot basement, 240 square foot ground floor deck, 349 square foot second floor deck, 125 square foot second floor balcony, permeable driveway and onsite wastewater treatment system; including Variance No. 09-023 for construction in a stream Environmentally Sensitive Habitat Area buffer, Variance No. 16-024 to allow for the septic system's dispersal field to extend into the required 100-foot setback from the creek, and Site Plan Review No. 06-032 for height over 18 feet but not to exceed 26 feet, 2 inches for a pitched roof, in the Single-Family Medium Density zoning district located at 31864 Sea Level Drive (Najarian and Bedrossian).

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment**Future Meetings**

Monday, March 7, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, March 21, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, April 4, 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 16th day of February, 2022 at 5:30 p.m.



Rebecca Evans, Administrative Assistant