

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 23, 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)

Monday, March 7, 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 25, 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**A. Previously Discussed Items**

1. 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. 22-21 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 5418 Horizon Drive (Poole);
- 2) Adopt Resolution No. 22-22 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 29350 Heathercliff Road (Good);
- 3) Adopt Resolution No. 22-23 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 6800.5 Westward Beach Road (County of Los Angeles, Department of Beach and Harbors);
- 4) Adopt Resolution No. 22-24 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 5878 Deerhead Road (Helaina Properties, LLC);
- 5) Adopt Resolution No. 22-25 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 29636 Cuthbert Road (Genevieve Labean Intervivos Trust);
- 6) Adopt Resolution No. 22-26 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 29715 Cuthbert Road (Surf Dog, LLC);
- 7) Adopt Resolution No. 22-27 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 5246 Horizon Drive (Yavrouian);

- 8) Adopt Resolution No. 22-28 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 4615 Via Vienta Street (Kostman);
- 9) Adopt Resolution No. 22-29 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 6760 Dume Drive (Wolfsdorf); and
- 10) Adopt Resolution No. 22-30 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 6351 Kanan Dume Drive (Patricia Pascucci Brown Trust).

B. New Items

1. De Minimis Waiver No. 21-016 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 6244 Busch Drive, partially within the appealable coastal zone
APN: 4467-029-021
Owners: Tyler and Bridgette Muir
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive and file the Planning Director's report on De Minimis Waiver No. 21-016 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

2. Extension of Coastal Development Permit No. 15-057 – A request to extend the Planning Commission's approval of an application for the construction of an underground soldier pile wall

Location: 25000 Pacific Coast Highway / APN 4458-015-009
25040 Pacific Coast Highway / APN 4458-015-007
Owners: Malibu 2018 PCH LP and 25000 PCH LLC
Case Planner: Associate Planner Eaton, 456-2489, ext. 273

Recommended Action: Continue the item to the March 21, 2022 Regular Planning Commission meeting.

4. Continued Public Hearings

- A. Local Coastal Program Amendment No. 18-002 and Zoning Text Amendment No. 18-004 - An amendment to the Local Coastal Program and Title 17 (Zoning) of the Malibu Municipal Code to Update Regulations Related to Accessory Dwelling Units (Continued from January 18, 2022)

Applicant: City of Malibu
Location: Citywide
Case Planner: Associate 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 for an amendment to the Local Coastal Program and to the Malibu Municipal Code Title 17 (Zoning) to update regulations related to Accessory Dwelling Units.

5. New Public Hearings

- A. Coastal Development Permit No. 20-052 – An application for the construction of a new swimming pool, spa, onsite wastewater treatment system and other site improvements

Location: 6800 Wildlife Road, within the appealable coastal zone

APN: 4466-005-004

Owner: 6800 Wildlife LLC

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

Recommended Action: Continue the item to the March 21, 2022 Regular Planning Commission meeting.

- B. Coastal Development Permit-Woolsey Fire No. 18-022, Variance No. 22-003, and Lot Merger No. 18-004 – An application for a 1,166 square foot addition to a previously approved fire rebuild residence, 792 square foot detached garage/workshop, swimming pool, spa, an onsite wastewater treatment system, lot merger to combine two lots, and exterior site improvements

Location: 29846 Harvester Road, not within the appealable coastal zone

APNs: 4469-013-033 and 4469-013-034

Owner: Jean-Fabrice Brunel

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

Recommended Action: Adopt Planning Commission Resolution No. 22-10 determining that the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit–Woolsey Fire No. 18-022 to allow for the construction of a 1,166 square foot addition to a destroyed single-family residence approved under Planning Verification-Woolsey Fire No. 19-274; 792 square foot detached garage/workshop, swimming pool, spa, pool equipment, retaining walls, grading, onsite wastewater treatment system, driveway reconfiguration and other associated development; including Variance No. 22-003 for construction on slopes steeper than 2.5 to 1 and Lot Merger No. 18-004 to combine the two adjacent vacant lots (APNs 4469-013-033 and 4469-013-034) located in the Rural Residential, Two-Acre zoning district at 29846 Harvester Road (Brunel).

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

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
Monday, April 18, 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 25th day of February, 2022 at 1:30 p.m.



Rebecca Evans, Administrative Assistant