

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 March 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](mailto: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, April 4, 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 – March 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

None.

B. New Items

1. Extension of Coastal Development Permit No. 14-082 – A request to extend the Planning Commission’s approval of an application for the construction of a new single-family home, guest house, and associated development

Location: 30385 Morning View Drive  
APN: 4469-016-006  
Owners: Greg and Mica Belzberg  
Case Planner: Associate Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 22-33, granting a one-year time extension of Coastal Development Permit No. 14-082 for the construction of a new one-story 8,473 square foot single-family residence 18 feet in height plus a basement, detached 891 square foot garage, one-story detached 466 square foot guest house, 466 square foot pool house, swimming pools, spa, tennis court; retaining walls, water feature, hardscape, driveway with a fire truck turnaround, vehicular gates and landscaping, and installation of a new onsite wastewater treatment system located in the Rural Residential-Two Acre zoning district at 30385 Morning View Drive (Belzberg).

2. De Minimis Waiver No. 21-014 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 5685 Calpine Drive, not within the appealable coastal zone  
APN: 4467-023-040  
Owners: Jason Thompson and Paloma Jonas  
Case Planner: Senior Planner Thompson, 456-2489, ext. 280

Recommended Action: Receive and file the Planning Director’s report on the issuance of De Minimis Waiver No. 21-014 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

#### 4. Continued Public Hearings

- A. 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 (Aviator Nation) (Continued from January 11, 2022)

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

Recommended Action: Adopt Planning Commission Resolution No. 22-01 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 for 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 (Aviator Nation Dreamland) located in the Commercial Visitor Serving-One zoning district at 22969 Pacific Coast Highway (SKA Group, LLC).

- B. Malibu Inn Motel – Coastal Development Permit No. 09-067, Mitigated Negative Declaration No. 20-003 and Initial Study No. 20-003, Conditional Use Permit No. 18-002, Variance Nos. 18-029, 18-030, 18-031, and 20-035, Site Plan Review No. 18-025, and Joint Use Parking Agreement No. 18-001 – An application for development of a motel project (Continued from January 11, 2022)

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: Continue the item to a date uncertain to permit the applicant additional time to resolve compliance with the Memorandum of Understanding between the City and Regional Water Quality Control Board.

#### 5. New 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 January 18, 2022)

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. 16-028 – An application for a new single-family residence and associated development

Location: 6333 Sea Star Drive, not within the appealable coastal zone  
APN: 4469-047-003  
Owner: Issac Real Estate Holdings, Series LLC, Series A  
Case Planner: Assistant Planner Eng, 456-2489, ext. 372

Recommended Action: Adopt Planning Commission Resolution No. 22-32 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 16-028 for the construction of a 5,984 square foot, one-story single-family residence with a rooftop deck, a 422 square foot detached two-car garage, swimming pool and spa, grading, landscaping and hardscape, and the installation of an onsite wastewater treatment system on an undeveloped parcel, located in the Rural Residential, Two-Acre zoning district at 6333 Sea Star Drive (Issac Real Estate Holdings, Series LLC, Series A).

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

Monday, April 18, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, May 2, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, May 16, 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](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 25<sup>th</sup> day of March 2022 at 2:30 p.m.*



---

Rebecca Evans, Administrative Assistant