

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 April 21, 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 at least three days prior to the meeting to provide adequate time for Commissioner consideration. Correspondence will continue to be processed until thirty minutes prior to the start of the meeting or as practical.

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, August 15, 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 – August 5, 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. Administrative Coastal Development Permit No. 19-085 – An application for a new onsite wastewater treatment system to replace an existing onsite wastewater treatment system serving an existing single-family residence

Location: 28943 Grayfox Street, within the appealable coastal zone
 APN: 4466-007-014
 Owner: Highlands Investment Group, LLC
 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. 19-085.

- 2. Extension of Coastal Development Permit No. 15-028, Conditional Use Permit No. 15-011, Initial Study No. 16-002, Mitigated Negative Declaration No. 16-001, Lot Merger No. 16-001, Variance No. 16-016, Site Plan Review No. 16-009, and Minor Modification No. 16-010 – A request to extend the Planning Commission’s approval of an application for the construction of a new memorial park, including a new 6,000 square foot chapel with 673 square feet of ancillary spaces, 8,002 square foot subterranean parking lot and 1,346 square foot basement, 47 mausoleum structures with a maximum area of 200 square feet each for a total maximum of 9,400 square feet, approximately 28,265 in-ground burial plot spaces intermittently located throughout the property, approximately 3,644 interments in above grade wall crypt structures, a circular driveway, parking lot, entry gates, grading, landscaping and exterior lighting, including Variance No. 16-016 for non-exempt grading, Site Plan Review No. 16-009 for height over 18 feet but less than 28 feet for the sloped roof of the chapel, Minor Modification No. 16-010 for mausoleums not to exceed a 50 percent front yard setback reduction, Conditional Use Permit No. 15-011 for the proposed memorial park and chapel in the subject zoning district, and Lot Merger No. 16-001 for consolidation of the three existing legal lots into one legal lot in the Commercial Visitor Serving-Two zoning district

Location: 4000 Malibu Canyon Road, not within the appealable coastal zone
 APN: 4452-028-015, 4458-028-019 and 4458-030-007
 Applicant: Jake Jesson
 Owner: Green Acres LLC

Case Planner: Assistant Planner Director Fernandez, 456-2489, ext. 482

Recommended Action: Continue this item to the September 6, 2022 Regular Planning Commission meeting.

4. **Continued Public Hearings**

None.

5. **New Public Hearings**

- A. Coastal Development Permit Amendment No. 22-003 - An application to amend Coastal Development Permit No. 14-051 for the construction of a shoring wall to protect existing development on adjacent lots during construction of a previously approved single-family residence

Location: 31224 Broad Beach Road, within the appealable coastal zone

APN: 4470-015-017

Owner: 31224 Broad Beach, LLC

Case Planner: Contract Planner Pisarkiewicz, AICP, 949-489-1442

Recommended Action: Adopt Planning Commission Resolution No. 22-53, determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit Amendment No. 22-003 to amend Coastal Development Permit No. 14-051 for the construction of a shoring wall to protect existing development on adjacent lots during construction of the previously approved single-family residence located in the Single-Family Medium Density Zoning District and Trancas Beach Overlay District at 31224 Broad Beach Road (31224 Broad Beach, LLC).

- B. Coastal Development Permit No. 21-013, Capital Improvement Project No. 21-002, Initial Study No. 22-001, and Mitigated Negative Declaration No. 22-001 (State Clearinghouse Number 2018111004) – An application to replace two damaged drainage culverts on Pacific Coast Highway near Nicholas Canyon Beach Road and biological habitat restoration

Location: 34685, 34555, 34405, and 33904 Pacific Coast Highway and in the California Department of Transportation public right-of-way, within the coastal appeal zone

APNs: 4473-027-005; 4473-027-006; 4473-027-007; 4473-024-911 and 4473-024-900

Owner: California Department of Transportation

Case Planner: Contract Planner Pisarkiewicz, AICP, 949-489-1442

Recommended Action: Continue this item to the September 6, 2022 Regular Planning Commission meeting.

- C. Coastal Development Permit Amendment No. 16-009, Variance 19-017 and Site Plan Review No. 19-049 – An application to amend Coastal Development Permit No. 05-025 replacing the previously approved, two-story, single-family residence and guest house with a two-story, 9,524-sq.ft. single family residence and guest house; associated development; including a variance for non-exempt grading over 1,000 cubic yards; and a site plan review for construction over 18 feet in height, up to 24 feet in height to allow for a flat roof

Location: 18805 Pacific Coast Highway, partially within the appealable coastal zone
 APN: 4449-009-012
 Owner: EVO M SPV 100, LLC
 Case Planner: Assistant Planner Coronel, 456-2489, ext. 373

Recommended Action: Continue this item to the September 6, 2022 Regular Planning Commission meeting.

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

Tuesday, September 6, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, September 19, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, October 3, 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 5th day of August, 2022 at 2:00 p.m.



Rebecca Evans, Administrative Assistant