



Commission Agenda Report

Planning Commission
Meeting
01-17-23

**Item
3.B.1.**

To: Chair Smith and Members of the Planning Commission

Prepared by: Rebecca Evans, Administrative Assistant

Approved by: Richard Mollica, Planning Director

Date prepared: January 5, 2023

Meeting date: January 17, 2023

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the May 20, 2021 Special Planning Commission meeting; July 22, 2021 Special Planning Commission meeting; January 18, 2022 Regular Planning Commission meeting; and February 2, 2022 Regular Planning Commission meeting.

DISCUSSION: Staff has prepared draft minutes for the above-referenced Planning Commission meetings and hereby submits the minutes for the Commission's consideration.

ATTACHMENTS:

1. May 20, 2021 Special Planning Commission Meeting Minutes
2. July 22, 2021 Special Planning Commission Meeting Minutes
3. January 18, 2022 Regular Planning Commission Meeting Minutes
4. February 2, 2022 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
SPECIAL MEETING
MAY 20, 2021
TELECONFERENCED – VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

CALL TO ORDER

Chair Jennings called the meeting to order at 6:31 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Chair Jeffrey Jennings, Vice Chair David Weil, and Commissioners Kraig Hill, John Mazza, and Dennis Robert Smith

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Richard Mollica, Planning Director; Justine Kendall, Associate Planner; Joyce Parker-Bozylinski, Contract Planner; Todd Leishman, Consulting Attorney; and Kathleen Stecko, Recording Secretary

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Chair Jennings seconded a motion to approve the agenda as recommended by staff.

The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Recording Secretary Stecko reported that the agenda for the meeting was properly posted on May 12, 2021.

ITEM 1 CONTINUED PUBLIC HEARINGS

- A. Amendments to the Local Coastal Program and Title 17 of the Malibu Municipal Code to Modify Regulations Pertaining to Accessory Dwelling Units
 - Applicant: City of Malibu
 - Location: Citywide
 - Case Planner: Associate Planner Kendall, 456-2489, ext. 301

Recommended Action: Adopt Planning Commission Resolution No. 21-45 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 to Malibu Municipal Code Title 17 (Zoning Ordinance) to modify regulations pertaining to Accessory Dwelling Units.

Commissioner Mazza commented that the low number of speakers in the virtual meeting indicated that in-person meetings better facilitated public input.

Contract Planner Parker-Bozylinski presented the staff report.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Jennings opened the public comment section of the public hearing.

Speakers: Jason Riddick, Elizabeth Riddick, Helmut Meissner, Matt Jewett, Patt Healy, Jo Drummond, and Howard Rudzki

As there were no other speakers present, Chair Jennings closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission discussed the project and directed questions to staff.

RECESS The meeting was recessed at 8:55 p.m. and resumed at 9:03 p.m. with all Commissioners present.

MOTION Commissioner Mazza moved and Commissioner Smith seconded a motion to continue this item to a date uncertain and return with a report including changes proposed by staff in the presentation; a change in terminology from Accessory Dwelling Unit to Accessory Dwelling Unit Administrative Coastal Development Permit; change from the use of Total Development Square Footage referenced; adopting staff recommendation to remove Junior Accessory Dwelling Unit references; an option to address setback concerns without a variance; address potential parking impact issues and height issues; detailing potential exemptions to Local Implementation Plan Section 13.4.1; deleting from 5.23 “No parking shall be required for a Junior Accessory Dwelling Unit”; 2.1. General Definitions, changing the definition of public transit line to major transit stop; adding the term legally established to Local Implementation Plan Section 13.4.3; Malibu Municipal Code Section 17.44.080 D change from rental rate reporting to owner will be asked to report rent charged for the prior year; and a staff analysis of the anticipated number of new Accessory Dwelling Units following adoption of the Ordinance.

The question was called and the motion carried unanimously.

ADJOURNMENT

MOTION At 10:15 p.m., Commissioner Mazza moved and Vice Chair Weil seconded a motion to adjourn the meeting. The question was called, and the motion carried unanimously.

Approved and adopted by the Planning Commission of the City of Malibu on January 17, 2023.

DENNIS R. SMITH, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

MINUTES
MALIBU PLANNING COMMISSION
SPECIAL MEETING
JULY 22, 2021
TELECONFERENCED – VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

CALL TO ORDER

Chair Jennings called the meeting to order at 6:32 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Chair Jeffrey Jennings, Vice Chair David Weil, and Commissioners Kraig Hill, John Mazza, and Dennis Robert Smith

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Richard Mollica, Planning Director; Justine Kendall, Associate Planner; John Douglas, City Housing Consultant; and Kathleen Stecko, Recording Secretary

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Chair Jennings seconded a motion to approve the agenda as recommended by staff.

The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Recording Secretary Stecko reported that the agenda for the meeting was properly posted on July 15, 2021.

ITEM 1 CONTINUED PUBLIC HEARINGS

- A. 2021-2029 Housing Element Draft Update Planning Commission Study Session
Applicant: City of Malibu
Location: Citywide
Case Planner: Associate Planner Kendall, 456-2489, ext. 301
Recommended Action: 1) Receive staff’s presentation; 2) receive public

comments, and 3) provide comments to staff on the draft Housing Element, as appropriate.

Associate Planner Kendall and City Housing Consultant Douglas presented the staff report.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Jennings opened the public comment section of the public hearing.

As there were no speakers present, Chair Jennings closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission discussed the draft report, provided comments and directed questions to staff.

MOTION Commissioner Mazza moved and Chair Jennings seconded a motion to

The question was called and the motion carried unanimously.

ADJOURNMENT

MOTION At 7:35 p.m., Commissioner Mazza moved and Commissioner Jennings seconded a motion to adjourn the meeting. The question was called, and the motion carried unanimously.

Approved and adopted by the Planning Commission
of the City of Malibu on January 17, 2023.

DENNIS R. SMITH, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JANUARY 18, 2022
TELECONFERENCED – VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

CALL TO ORDER

Chair Hill called the meeting to order at 6:30 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Kraig Hill, Vice Chair Dennis Robert Smith, and Commissioners Jeffrey Jennings, John Mazza, and Mark Wetton

ALSO PRESENT: Adrian Fernandez, Assistant Planning Director; Patrick Donegan, Assistant City Attorney; Philip Coronel, Assistant Planner; Raneika Brooks, Senior Planner; Tyler Eaton, Assistant Planner; Joyce Parker-Bozylinski, Contract Planner; Lauren Doyel, Contract Coastal Engineer and Geotechnical Reviewer; Patricia Salazar, Senior Administrative Analyst; and Rebecca Evans, Recording Secretary

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Chair Hill seconded a motion to move Item Nos. 7.A. – 7.M. to precede Item No. 4.A.

The Commission discussed the motion.

The question was called and the motion passed unanimously.

REPORT ON POSTING OF AGENDA

Recording Secretary Evans reported that the agenda for the meeting was properly posted on January 7, 2022.

ITEM 1 CEREMONIAL/PRESENTATIONS
None.

ITEM 2.A. PUBLIC COMMENTS

Jeremy Walker offered his services for brush clearance through goat herd management.

ITEM 2.B. COMMISSION / STAFF COMMENTS

Commissioner Jennings commented on the changes to the draft explanation for speaker time and requested clarification that speaker time would be adjusted based on the pleasure of the Commission as a whole. He noted that public agencies to the north were not willing to allow Malibu goats to consume vegetation or clear their land.

Commissioner Mazza agreed using goats was the easiest method for rough terrain and noted that the City of Laguna Beach has had success with a similar program. He added that this would be a matter for the administration of the city to determine logistics.

Chair Hill and Commissioner Mazza requested an update on the status of wireless facilities projects and the quantity of applications which would be brought to the Planning Commission. He noted airlines have objected to 5G use within two miles of airports due to interference with airplanes' altimeters and added there may be health concerns related to 5G, with impacts decreased with distance.

Assistant Planning Director Fernandez informed there were few pending wireless facility applications, many applications were inactive for several years and would likely be closed due to inactivity. He added that seven applications recently submitted were not under the recently enacted ordinance and the newly adopted ordinance appeared to discourage new application submissions.

Commissioner Mazza noted at one point it appeared Malibu would get about 190 in coverage with the combined carriers. He asked if carriers have ignored service issues in Malibu in favor of Los Angeles.

Assistant Planning Director Fernandez stated that Malibu has not yet received any 5G applications. The Planning Department had received 4G applications, mainly from Verizon. It was historically common for new technology to be employed in larger urban areas first and then later brought to less urban environments, possibly through adjustments to current facilities rather than new facilities. Malibu could receive 5G applications in the next three to four years.

Vice Chair Smith notified the Commission of his intent to recuse himself from hearing Item No. 4.C. due to proximity to his home.

ITEM 3 CONSENT CALENDAR

The Consent Calendar consisted of the following items:

- A. Previously Discussed Items
None.

- B. New Items
None.

ITEM 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).

Assistant Planner Coronel presented the staff report.

Disclosures: Commissioners Mazza, Jennings, and Wetton, Vice Chair Smith and Chair Hill

The Commission directed questions to staff.

As there were no further questions for staff, Chair Hill opened the public comment portion of the public hearing.

Speakers: James Tomlinson and Daniel Ziese

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff and the applicant team.

MOTION Commissioner Jennings moved and Vice Chair Smith seconded a motion to continue Item No. 4.A. to a date uncertain for a staff analysis on whether there was substantial evidence to show the original basement could have been permitted under the rules that existed at the time of construction.

The Commission discussed the motion and directed questions to staff.

The question was called and the motion carried 4-1, Commissioner Mazza dissenting.

RECESS At 9:31 p.m. Chair Hill recessed the meeting. The meeting reconvened at 9:40 p.m. with all Commissioners present.

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).

Senior Planner Brooks presented the staff report.

Disclosures: Commissioner Mazza and Chair Hill

The Commission directed questions to staff. Senior Planner Brooks stated for the record that staff added a condition to the resolution requiring a landscape plan amendment to remove all palm trees prior to the issuance of building permits. The amended landscape plan is subject to review and approval by the City Biologist and the Planning Department.

As there were no further questions for staff, Chair Hill opened the public comment portion of the public hearing.

Speaker: Charles Santos

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Jennings moved and Vice Chair Smith seconded a motion to 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)

The Commission discussed the motion and directed questions to staff.

The question was called and the motion carried unanimously.

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).

RECUSAL Vice Chair Smith recused himself from hearing Item 4.C. and left the meeting at 10:04 p.m.

Assistant Planner Eaton presented the staff report.

Disclosures: Commissioners Mazza and Wetton and Chair Hill

As there were no questions for staff, Chair Hill opened the public comment portion of the public hearing.

Speakers: Karen York and Mark Barrett

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission discussed the item and directed questions to staff and the applicant team.

MOTION Commissioner Jennings moved and Commissioner Mazza seconded a motion to adopt Planning Commission Resolution No. 22-04 as amended, 1) the property will remain under the same ownership for the life of the OWTS and retaining wall; 2) approval conditioned upon applicant signing a lot tie agreement prepared by the city attorney; 3) 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)

The Commission discussed the motion and directed questions to staff.

The question was called and the motion carried, 4-0-1, Vice Chair Smith recused.

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.

Vice Chair Smith rejoined the Regular Planning Commission meeting at 11:18 p.m.

MOTION Commissioner Mazza moved and Commissioner Jennings seconded a motion to continue Item No. 4.D. to the March 7, 2022 Regular Planning Commission meeting.

The question was called and the motion carried unanimously.

ITEM 5 NEW PUBLIC HEARINGS
None.

ITEM 6 OLD BUSINESS
None.

ITEM 7 NEW BUSINESS

Prior to opening the individual hearings for Item Nos. 7.A. – 7.M., Chair Hill mentioned that many of these cases had commonalities in terms of the type of unusual circumstances which he entered into the record for quick reference and to provide context for the discussions. He stated three main categories: 1) health issues such as stress and post-traumatic stress disorder; 2) delays due to Southern California Edison pending settlements; and 3) delays due to the COVID pandemic and supply issues. In addition, he provided the following executive actions and documents to justify the time extension: White House Executive Order of February 24, 2021 provided the backdrop for Governor Newsom’s Order AB1651, which allowed an 18-month time extension for housing approvals. Los Angeles County issued Health Orders and Stay At Home Orders, most recently updated on January 11, 2022. Southern California Edison’s 2020 annual report referred pending settlements to plaintiffs, which will be paid on or before July 2023.

- 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.

The Commission directed questions to staff.

The Commission discussed and determined to address each Item individually.

As there were no further questions for staff, Chair Hill opened the public comment portion of the public hearing.

Speaker: Parker Laret

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff and applicant.

MOTION Commissioner Mazza moved and Commissioner Jennings seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The Commission discussed the motion and directed questions to staff.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Kirby Kottler

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff and the applicant.

MOTION Commissioner Mazza moved and Chair Hill seconded a motion to direct staff to come back with a resolution granting a one-year time extension and listing the reasons provided by the owner in the extension request.

The Commission discussed the motion and directed questions to staff.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Ryan Levis

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff and the applicant.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The Commission discussed the motion.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Ryan Levis

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The Commission discussed the motion and directed questions to staff.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Stan Smith

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Vince Muselli

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: William Poole

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Matthew Good

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Warren Ontiveros

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Joseph Lezama

Disclosures: Commissioners Mazza, Jennings, and Wetton, Vice Chair Smith and Chair Hill

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension, listing the reasons provided by the owner in the extension request and directing City staff to investigate the question of recovery of waived fees.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: None

As there were no speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a one-year time extension and listing the reasons provided by the owner in the extension request.

The question was called and the motion carried unanimously.

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.

Chair Hill opened the public comment portion of the public hearing.

Disclosures: Commissioner Mazza

Speaker: None

As there were no speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a one-year time extension and listing the reasons provided by the owner in the extension request.

The question was called and the motion carried unanimously.

- 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.

Chair Hill opened the public comment portion of the public hearing.

Speaker: Vicky Yavrouian and architect Armen Hagobian

As there were no other speakers present, Chair Hill closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to come back with a resolution granting a two-year time extension and listing the reasons provided by the owner in the extension request.

The question was called and the motion carried unanimously.

ITEM 8 PLANNING COMMISSION ITEMS
None.

ADJOURNMENT

MOTION At 11:25 p.m., Commissioner Mazza moved and Commissioner Jennings seconded a motion to adjourn the meeting. The motion carried unanimously.

Approved and adopted by the Planning Commission
of the City of Malibu on January 17, 2023.

DENNIS R. SMITH, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 7, 2022
TELECONFERENCED – VARIOUS LOCATIONS
6:30 P.M.

CALL TO ORDER

Chair Hill called the meeting to order at 6:31 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Kraig Hill, Vice Chair Dennis R. Smith, and Commissioners Jeffrey Jennings and John Mazza

ABSENT: Commissioner Wetton

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Richard Mollica, Planning Director; Adrian Fernandez, Assistant Planning Director; Lauren Doyel, Contract Coastal Engineer and Geotechnical Reviewer; Jessica Thompson, Senior Planner; David Eng, Assistant Planner; Patricia Salazar, Senior Administrative Analyst; and Rebecca Evans, Recording Secretary

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved to approve the agenda as proposed by staff, hearing Item Nos. 7.A.-7.C. after the Consent Calendar and continuing Item Nos. 5.A., 5.B. and 5.C. to a date uncertain.

The motion failed for lack of a second.

MOTION Commissioner Mazza moved and Commissioner Jennings seconded a motion to approve the agenda as recommended by staff, hearing Item Nos. 7.A., 7.B. and 7.C. after the Consent Calendar and continuing Item Nos. 5.A. and 5.B. to a date uncertain.

The question was called and the motion carried 4-0-1, Commissioner Wetton absent.

REPORT ON POSTING OF AGENDA

Recording Secretary Evans reported that the agenda for the meeting was properly posted on January 28, 2022.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

Jo Drummond stated the release of the Councilmember Silverstein harassment information and denial of Malibu Country Inn exonerated him. She expressed concern regarding geotechnical review and variances granted for factor of safety by the Planning Department, which put existing properties at risk. She stated that small projects and in-kind fire rebuilds should be processed more easily and that more staff training was needed.

Norman Haynie thanked Commissioners for their service to the City of Malibu. He spoke with an ocean engineer on the impacts of sea level rise in combination with tectonic plate movement in Malibu and offered to connect with Reg Brown to coordinate a presentation on the topic. He noted in some cases sea level was actually dropping due to a tectonic rise in the height of the land.

There being no other public speakers present, Chair Hill opened Commission/Staff Comments.

ITEM 2.B. COMMISSION / STAFF COMMENTS

Commissioner Mazza concurred with Mr. Haney's points regarding sea level rise and cited owner agreement to onerous conditions for a recent project at the last house on Broad Beach before Zuma, which could impact any future decisions along the coast. The California Coastal Commission banned the use of a sea wall, moved back the house and made the client agree to tear down their house if it became breached due to sea level rise. Commissioner Mazza would like staff to clarify the impact of this ruling. When Malibu has updated the website annually, the staff reports from three years prior were removed. Commissioner Mazza stated that storage costs were low and continued online access to agendas and staff reports for ten years would be helpful.

Commissioner Jennings agreed that it would be useful to hear a presentation on sea level rise and an update from staff on the impacts of the California Coastal Commission decision. He also agreed online access to staff reports and agendas for a longer timeframe would be useful, although likely a City Council level decision.

Vice Chair Smith noted that most Malibu landslides were manmade and due to the actions of an existing homeowner rather than the result of new construction. The slide described by Ms. Drummond was caused by a homeowner.

Chair Hill acknowledged that it was a City Council matter, but further policing from the Sheriff's department or some other agency to prevent traffic situations experienced over the weekend was needed. Traffic routinely moved at high rates of speed near Moonshadows and last Saturday there were cars racing along Pacific Coast Highway for several hours. He asked for further clarification on how appealability of a project to the California Coastal Commission is determined. He questioned if appealability had been based on whether any part of the property lot was within the appealable zone or if the actual project work fell within the appealable zone.

Contract Coastal Engineer Doyel stated that she and her team met with the California Coastal Commission every four to six weeks and a conversation with the City Council about sea level rise has been on her agenda for the last six months. Her team met regularly with the California Coastal Commission's Coastal Engineer, Leslie Ewing, and her staff and can provide insight into their thinking and the concept of managed retreat. Her team remained at the Planning Commission and City Council's pleasure for a presentation on the topic.

Assistant City Attorney Rusin recommended that staff bring back an item on managed retreat and sea level rise. Planning Director Mollica agreed to schedule a presentation on sea level rise at a future Planning Commission meeting. Commissioner Mazza requested a certain amount of time be allocated to hear from Reg Brown. Assistant City Attorney Rusin stated that staff could work this out with the Chair.

Commissioner Mazza stated Sunday at noon there were hundreds of cars which drove over the speed limit and pulled into the Cross Creek intersection without regard to lights, with all parking at the center full. He asked that something be done to prevent road blockage. Additionally, Pacific Coast Highway was closed by Topanga Canyon due to a driver doing donuts and the Planning Department should do something about this.

Vice Chair Smith noted that rules were broken and this was bad for those who enjoy car shows who do follow protocols.

Commissioner Mazza expressed concern that traffic issues could cause Malibu to lose the farmers' market and stated they were already losing vendors due to the situation.

Planning Director Mollica clarified that traffic issues mentioned were vehicle code violations and Malibu's code enforcement staff do not have the ability to move people off the site. The Los Angeles County Sheriff's office held control of local traffic issues. What has been done is to consider shopping center sponsored car shows as temporary events that count toward the property's annual limit. When provided photographic evidence of Temporary Use Permit violations, code enforcement had pursued cases.

Commissioner Mazza asked if the Planning Commission could revoke the Conditional Use Permits of shopping centers. Assistant City Attorney Rusin stated there was a due process procedure to revoke Conditional Use Permits but it was a difficult process and based on the shopping center's intent to violate their agreement rather than on the actions of members of the public who may choose to participate in an event. Vice Chair Smith expressed that most responsible car show attendees arrive early in the morning before local businesses open but they did have a large group of out-of-town visitors flood the car show around 10:00 a.m.

Chair Hill has reached out to the California Coastal Commission to request a presentation to the Planning Commission regarding future policies on development along the coastline. He stated there were a high number of traffic fatalities and serious accidents on the Pacific Coast Highway.

Assistant City Attorney Rusin noted that traffic control is not within the purview of the Planning Commission.

ITEM 3 CONSENT CALENDAR

Staff asked to pull Item No. 3.B.2. to enter a minor change into the public record. The Commission also pulled Item No. 3.B.3.

MOTION Commissioner Mazza moved and Commissioner Jennings seconded a motion to approve the balance of the Consent Calendar, hearing consent Item Nos. 3.B.2. and 3.B.3.

The question was called and the motion carried, 4-0-1, Commissioner Wetton absent.

CONSENSUS

By consensus the Commission approved the balance of the Consent Calendar. The question was called and the motion carried, 4-0-1, Commissioner Wetton absent.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Approval of Minutes

Recommended Action: Approve the minutes for the August 16, 2021 Regular Planning Commission meeting.

Approved the minutes for the August 16, 2021 Regular Planning Commission meeting by consensus.

2. Administrative Coastal Development Permit No. 20-069 – An application for the construction of a new single-family residence and associated development

Location: 28926 Boniface Drive, partially within the appealable coastal zone

APN: 4466-017-013

Owner: Tia Hoberman

Case Planner: Assistant Planner Eng, 456-2489, ext. 372

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 20-069.

Assistant Planner Eng stated a correction to the staff report for the record.

Disclosures: Commissioners Mazza and Jennings and Chair Hill

The Commission directed questions to staff.

As there were no further questions for staff, Chair Hill opened the public comment portion of the public hearing.

Speakers: Lester Tobias and Norman Haynie

As there were no other speakers present, Chair Hill closed the public comment portion of the hearing and returned the matter to the table for discussion.

The Commission directed questions to staff and the applicant team.

MOTION

Commissioner Mazza moved and Vice Chair Smith seconded a motion to receive and file the Planning Director’s report on the approval of Administrative Coastal Development Permit No. 20-069.

The question was called and the motion carried 3-1-1, Chair Hill dissenting and Commissioner Wetton absent.

- 3. De Minimis Waiver No. 21-012 – An application for a new advanced onsite wastewater treatment system for a Woolsey Fire affected parcel
Location: 7034 Birdview Avenue, 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: Receive Planning Director’s report on De Minimis Waiver No. 21-012 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

The Commission directed questions to staff.

Staff requested the item be continued for a correction to the plans, showing that no Accessory Dwelling Unit conversion for the garage was approved as part of De Minimis Waiver No. 21-012.

MOTION

Commissioner Mazza moved and Vice Chair Smith seconded a motion to continue Item No. 3.B.3. to the February 22, 2022 Planning Commission meeting.

The question was called and the motion carried 4-0-1, Commissioner Wetton absent.

- 4. De Minimis Waiver No. 21-020 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 30111 Harvester Road, not within the appealable coastal zone
APN: 4469-044-008
Owner: Richard and Maureen Kronman Revocable Trust
Case Planner: Contract Planner Shah, 456-2489, ext. 385
Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 21-020 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

Received and filed the Planning Director's report on De Minimis Waiver No. 21-020 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

5. De Minimis Waiver No. 21-021 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel
Location: 29863 Cuthbert Road, not within the appealable coastal zone
APN: 4469-008-001
Owner: Anndrea Taylor
Case Planner: Contract Planner Shah, 456-2489, ext. 385
Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 21-021 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel upon approval of the consent calendar.

Received and filed the Planning Director's report on De Minimis Waiver No. 21-021 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

6. De Minimis Waiver No. 21-013 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel
Location: 5675 Calpine Drive, not within the appealable coastal zone
APN: 4467-026-014
Owners: Jack Guo and Hong Li
Case Planner: Senior Planner Thompson, 456-2489, ext. 280
Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 21-013 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel upon approval of the consent calendar.

Received and filed the Planning Director's report on De Minimis Waiver No. 21-013 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel upon approval of the consent calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

None.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit-Woolsey Fire No. 18-002, Lot Merger No. 18-004, and Certificate of Compliance No. 21-005 – An application for an addition, a new onsite wastewater treatment system, and exterior site improvements
Location: 29846 Harvester, not within the appealable coastal zone

APN: 4469-013-033 and 4469-013-034
Owner: Jean-Fabrice Brunel
Case Planner: Senior Planner Thompson, 456-2489, ext. 280
Recommended Action: Continue the item to a date uncertain.

Item No. 5.A. was continued to a date uncertain upon approval of the agenda.

- B. Coastal Development Permit 19-064 and Minor Modification No. 21-003 –
An application for a new single-family residence and associated development
Location: 28116 Pacific Coast Hwy, within the appealable coastal zone
APN: 4460-033-012
Owner: Lot 21, LLC
Case Planner: Senior Planner Brooks, 456-2489, ext. 276
Recommended Action: Continue the item to a date uncertain.

Item 5.B. was continued to a date uncertain upon approval of the agenda.

RECESS

Chair Hill recessed the meeting at 8:19 p.m. The meeting reconvened at 8:30 p.m., Commissioner Wetton absent.

- C. Coastal Development Permit No. 19-086, Variance Nos. 21-020, 21-021 and 22-001, Neighborhood Standards No. 19-001, Site Plan Review Nos. 19-125 and 22-001, Minor Modification Nos. 19-017 and 19-018, and Demolition Permit No. 21-029 – An application to permit work completed pursuant to an Emergency Coastal Development Permit and to allow the construction of a new single-family residence and associated development
Location: 31697 Sea Level Drive, within the appealable coastal zone
APN: 4470-024-031
Owner: P & C Partners, LP
Case Planner: Senior Planner Thompson, 456-2489, ext. 280
Recommended Action: Adopt Planning Commission Resolution No. 22-11 determining the project is categorically exempt from the California Environmental Quality Act, approving Coastal Development Permit No. 19-086 for construction of a new two-story, 3,312 square foot, single-family residence, including 1,636 square foot subterranean garage/basement (318 square feet of which is included in the Total Development Square Footage) for the project), hardscape, landscape, grading and retaining walls and onsite wastewater treatment system, and approving the slope repair and demolition of the previously existing single-family residence completed pursuant to Emergency Coastal Development Permit No. 18-009; including Variance No. 21-020 for construction on steep slopes and a bluff face, Variance No. 21-021 for retaining walls over six feet in height and a cumulative height for two or

more retaining walls over 12 feet in height, Neighborhood Standards No. 19-001 to increase the maximum allowed total development square footage, Site Plan Review No. 19-125 for construction up to 28 feet with a pitched roof, Site Plan Review No. 22-001 for 1,525 cubic yards of remedial grading, Minor Modification No. 19-017 to reduce the required front yard setback, Minor Modification No. 19-018 to reduce the required side yard setback, and Demolition Permit No. 21-029 for the demolition, and denying Variance No. 22-001 for the placement of a generator and propane tank on steep slopes and bluff face that were reconstructed as part of the Emergency Coastal Development Permit located in the Single-Family Medium Density zoning district at 31697 Sea Level Drive (P & C PARTNERS, LP)

MOTION Commissioner Mazza moved and Commissioner Jennings seconded a motion to continue the item to the March 21, 2022 Regular Planning Commission meeting.

The question was called and the motion carried 4-0-1

ITEM 6 OLD BUSINESS
None.

ITEM 7 NEW BUSINESS

- A. Extension-Woolsey Fire No. 21-003 – Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire
Location: 4615 Via Vienta Street
APN: 4473-011-018
Owner: William Kostman
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.

Chair Hill provided background information for Item Nos. 7.A.-7.C., citing recent legal decisions and evidence for the record of pandemic-related issues including supply chain shortages, time delays for insurance and Southern California Edison settlement claims, and provisions for time extensions from State agencies.

Senior Administrative Analyst Salazar presented the staff report.

Disclosures: None

Speaker: William Kostman available for questions

MOTION

Mazza moved and Vice Chair Smith seconded a motion to direct staff to bring back a resolution granting a one-year extension for planning verification. Carried 4-0-1, Commissioner Wetton absent.

The question was called and the motion carried 4-0-1, Commissioner Wetton absent.

B. Extension-Woolsey Fire No. 21-006 – Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 6760 Dume Drive
APN: 466-016-003
Owner: Bernard Wolfsdorf
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.

Disclosures: Commissioner Mazza

Chair Hill opened the public comment portion of the hearing. There being no speakers present, Chair Hill closed the public comment portion of the hearing.

MOTION

Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to bring back a resolution granting a two-year extension for planning verification.

The question was called and the motion carried 4-0-1, Commissioner Wetton absent.

C. Extension-Woolsey Fire No. 21-015 – Extension of Time to Submit a Planning Verification for Nonconforming Structures and Uses Damaged or Destroyed in the Woolsey Fire

Location: 6351 Kanan Dume
APN: 4467-036-006
Owner: Patricia Pascucci Brown 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.

Disclosures: Commissioner Mazza and Chair Hill

Chair Hill opened the public comment portion of the hearing.

Speakers: Joseph Lezama and Kevin Brown

There being no further speakers present, Chair Hill closed the public comment portion of the public hearing.

MOTION Commissioner Mazza moved and Vice Chair Smith seconded a motion to direct staff to bring back a resolution granting a one-year extension for planning verification.

The question was called and the motion carried 4-0-1, Commissioner Wetton absent.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 8:44 p.m., Commissioner Mazza moved and Chair Hill seconded a motion to adjourn the meeting. The motion carried 4-0-1, Commissioner Wetton absent.

Approved and adopted by the Planning Commission
of the City of Malibu on January 17, 2023.

DENNIS R. SMITH, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary