

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 September 22, 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)

Tuesday, February 21, 2023

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 10, 2023

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. 14-079, Variance No. 14-058, Site Plan Review No. 14-056, Minor Modification No. 14-017, and Lot Merger No. 14-001 – A request to extend the Planning Commission's approval to combine two adjacent lots into one, and to construct a new single-family residence and associated development

Location: 27136 Sea Vista Drive, partially within the appealable coastal zone
 APN: 4460-009-007
 Owners: HH & HK, LLC; Malibu Sisters, LLC; and Sea Vista and Me, LLC
 Case Planner: Assistant Planning Director Fernandez, 456-2489, ext.

Recommended Action: Adopt Planning Commission Resolution No. 23-06 granting a one-year time extension of Coastal Development Permit No. 14-079 for the construction of a new 4,725 square foot, two-story single-family residence with a 593 square foot attached garage and 1,000 square foot basement, 600 square foot detached art studio, swimming pool, spa, flatwork, grading, fencing, gates, landscaping, soldier pile slope stabilization, and onsite wastewater treatment system; including Variance No. 14-058 for construction on slopes greater than 2.5 to 1, Site Plan Review No. 14-056 for construction up to 24 feet with a flat roof, Minor Modification No. 14-017 for a 50 percent reduction of the required front yard setback, and Lot Merger No. 14-001 to combine two adjacent legal lots into one in the Rural Residential-Two Acre zoning district located at 27136 Sea Vista Drive (HH & HK, LLC; Malibu Sisters, LLC; and Sea Vista and Me, LLC).

- 2. Extension of Coastal Development Permit No. 17-040, Variance Nos. 17-004, 17-005, 17-053 and 18-035, and Site Plan Review No. 17-015 – A request to extend the Planning Commission's approval for construction of a new two-story, single-family residence and associated development

Location: 5180 Horizon Drive, partially within the appealable coastal zone
 APN: 4469-005-019
 Owner: 5180 Horizon LLC
 Case Planner: Senior Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 23-07 granting a one-year time extension of Coastal Development Permit No. 17-040 for the

construction of a new 3,560 square foot, two-story, single-family residence, attached two-car carport, swimming pool, spa, decks, landscaping, hardscape, new onsite wastewater treatment system, and offsite private street improvements proposed adjacent to 5243 and 5246 Horizon Drive; including Variance No. 17-004 to reduce the Environmentally Sensitive Habitat Area buffer, Variance No. 17-005 for a greater than 50 percent reduction of the front yard setback, Variance No. 17-035 for construction on slopes steeper than 2.5 to 1, Variance No. 18-035 for a reduction in the parkland setback and Site Plan Review No. 17-015 for construction up to 28 feet in height with pitched roofs for the residence located in the Rural Residential-Two Acre zoning district at 5180 Horizon Drive (5180 Horizon LLC).

3. Extension of Coastal Development Permit No. 16-026, Site Plan Review No. 16-029, and Demolition Permit No. 16-027 – A request to extend the Planning Commission’s approval for construction of a new single-family residence and associated development

Location: 29458 Bluewater Road, not within the appealable coastal zone
APN: 4468-005-009
Owner: Kassoy Family Trust
Case Planner: Planning Technician Allen, 456-2489, ext. 233

Recommended Action: Adopt Planning Commission Resolution No. 23-08 granting a one-year time extension of Coastal Development Permit No. 16-026 to allow the remodel and roofline modification to an existing second unit, construction of a new 3,801 square foot single-family residence, 504 square foot detached garage, swimming pool, spa, trellis, tennis court, bocce ball court and landscaping, and replacement of the existing onsite wastewater treatment system; including Site Plan Review No. 16-029 for construction in excess of 18 feet in height for the primary residence and second unit, up to 24 feet and 22 feet, respectively, and Demolition Permit No. 16-027 for the demolition of an existing 3,488 square foot residence located in the Rural Residential-One Acre zoning district at 29458 Bluewater Road (Kassoy Family Trust).

4. 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

Locations: 25040 and 25000 Pacific Coast Highway, partially within the appealable coastal zone
APNs: 4458-015-007 and 4458-015-009
Owners: Malibu 2018 PCH, L.P. and 25000 PCH, LLC
Case Planner: Senior Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 23-09 granting a one-year time extension of Coastal Development Permit No. 15-057, to extend the Planning Commission’s approval for the construction of an underground soldier pile wall across two properties to stabilize a bluff slope and protect an existing single-family residence and surrounding downslope residentially developed properties located in the Rural Residential-Two Acre zoning district at 25040 and 25000 Pacific Coast Highway (Malibu 2018 PCH, L.P. and 25000 PCH, LLC).

4. Continued Public Hearings

None.

5. New Public Hearings

- A. Coastal Development Permit-Woolsey Fire No. 22-003, Site Plan Review No. 23-002 and Demolition Permit No. 23-001 – An application for the addition to the existing single-family residence and various site improvements

Location: 29738 Cuthbert Road, partially within the appealable coastal zone
APN: 4469-041-011
Owner: Malibo, LLC
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Adopt Planning Commission Resolution No. 23-10 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit-Woolsey Fire No. 22-003 for the construction of a 4,620 square foot addition to a destroyed single-family residence with an attached garage approved under Planning Verification-Woolsey Fire No. 21-034, extension of the existing swimming pool and spa, driveway reconfiguration, improvements to existing tennis court, new hardscaping, landscaping, grading, and onsite wastewater treatment system; including Demolition Permit No. 23-001 for the demolition of an existing hardscape; and Site Plan Review No. 23-002 for construction of the residence over 18 feet in height not to exceed 24 feet in height for a flat roof located in the Rural Residential, Two-Acre zoning district at 29738 Cuthbert Road (Malibo, LLC).

- B. Coastal Development Permit No. 20-068, Site Plan Review No. 21-009, and Demolition Permit No. 20-028 – An application to demolish an existing single-family residence and construct a new single-family residence, second unit and associated development

Location: 6734 Zumirez Drive, within the appealable coastal zone
APN: 4466-002-001
Owner: IBN Properties, LLC
Case Planner: Senior Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 23-11 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 20-068 and Demolition Permit No. 20-028 for the demolition of an existing single-family residence and construction of a new 6,284 square foot single-family residence, 986 square foot basement, 510 square foot attached garage, 462 square foot detached garage, 471 square foot detached second unit, swimming pool, two spas, onsite wastewater treatment system and associated development; including Site Plan Review No. 21-009 for construction up to 24 feet in height for a flat roof, located in the Rural Residential, One-Acre zoning district at 6734 Zumirez Drive (IBN Properties, LLC).

6. Old Business

None.

7. **New Business**

None.

8. **Planning Commission Items**

None.

Adjournment

Future Meetings

Monday, March 6, 2023	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, March 20, 2023	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, April 3, 2023	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 Alexander 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 10th day of February, 2023 at 2:30 p.m.



Rebecca Evans, Administrative Assistant