

**This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to AB 361. 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) 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, April 17, 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 – April 6, 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. Administrative Coastal Development Permit No. 21-072 – An application to upgrade an existing onsite wastewater treatment system (OWTS) serving an existing single-family residence and an upgrade to a separate OWTS serving an existing second unit

Location: 6343 Merritt Drive, partially within the appealable coastal zone

APN: 4469-018-012

Owner: 6343 Merritt Drive, LLC

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

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 21-072.

**4. Continued Public Hearings**

- A. Coastal Development Permit No. 05-081, Variance Nos. 09-023 and 16-024, and Site Plan Review No. 06-032 – An application for the construction of a new single-family residence and associated development (Continued from April 3, 2023)

Location: 31864 Sea Level Drive, within the appealable coastal zone

APN: 4470-027-020

Owners: Narod Najarian and Garo Bedrossian

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

Recommended Action: Adopt Planning Commission Resolution No. 23-03 determining the California Environmental Quality Act does not apply to the project, and denying Coastal Development Permit No. 05-081 for the construction of a new 1,799 square foot, two-story single-family residence plus a 398 square foot attached garage and 995 square foot basement, 240 square foot ground floor deck, 349 square foot second floor deck, 125 square foot second floor balcony, permeable driveway and onsite wastewater treatment system; including Variance No. 09-023 for construction in a stream Environmentally Sensitive Habitat Area buffer, Variance No. 16-024 to allow for the septic system's dispersal field to extend into the required 100-foot setback from the creek, and Site Plan Review No. 06-032 for height over 18 feet but not to exceed 26 feet, 2 inches for a pitched roof, in the Single-Family Medium Density zoning district located at 31864 Sea Level Drive (Najarian and Bedrossian)

**5. New Public Hearings**

A. Coastal Development Permit-Woolsey Fire No. 21-005 and Minor Modification No. 22-001 – An application for a new single-family residence and associated development

Location: 6642 Zumirez Drive, within the appealable coastal zone  
APN: 4466-002-008  
Owner: Keyvan Taheri  
Case Planner: Contract Planner Pisarkiewicz, 949-489-1442

Recommended Action: Adopt Planning Commission Resolution No. 23-25 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit-Woolsey Fire No. 21-005 for the construction of a new one-story, 4,691 square foot single-family residence plus a 2,686 square foot basement, a 737 square foot detached garage, 227 square foot surf shack, pickleball court, swimming pool, spa, grading, retaining walls, hardscaping and landscaping, a new onsite wastewater treatment system and associated development; including Minor Modification No. 22-001 for a 50 percent reduction of the front yard setback, located in the Rural Residential, One-Acre zoning district at 6642 Zumirez Drive (Taheri)

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. 18-030, 18-031, and 20-035, and Site Plan Review No. 18-025 – An application for development of a motel project

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: Adopt Planning Commission Resolution No. 23-24 pursuant to the California Environmental Quality Act, adopting Mitigated Negative Declaration No. 20-003 and Initial Study No. 20-003 and approving Coastal Development Permit No. 09-067 for the construction of a new 7,693 square foot, 20-room motel above a new subterranean parking garage, surface parking lot, rooftop bar area, grading, retaining walls, landscaping, a new onsite wastewater treatment system and authorization for the Planning Director to submit a letter of public convenience or necessity for the sale of alcohol; Conditional Use Permit No. 18-002 for a motel in the Commercial Visitor Serving-1 zoning district and sale of alcohol; including Variance No. 18-030 for construction on slopes steeper than 3 to 1, Variance No. 18-031 for a retaining wall that is an integral part of the building in excess of 12 feet in height, Variance No. 20-035 for surface parking within the required front yard setback, and Site Plan Review No. 18-025 for a building height in excess of 18 feet, not to exceed 24 feet for a flat roof, located in the Commercial Visitor Serving-1 zoning district at 22959 Pacific Coast Highway (Surfrider Plaza, LLC); and request direction from the Planning Commission about whether the rooftop swimming pool and spa are uses authorized in the CV-1 zoning district

C. Coastal Development Permit No. 21-009 and Demolition Permit No. 22-015 – An application for an interior and exterior remodel, additions to an existing beachfront single-family residence and other associated development

Location: 23936 Malibu Road, within the appealable coastal zone  
APN: 4458-008-013  
Owner: 23936 Malibu, LLC  
Case Planner: Senior Planner Bobbett, 456-2489, ext. 280

Recommended Action: Adopt Planning Commission Resolution No. 23-19 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 21-009 and Demolition Permit No. 22-015 to allow for an interior and exterior remodel, partial demolition and additions to an existing two-story beachfront single-family residence, relocation of an existing spa, ground floor deck, second floor decks, open-air trellis, onsite wastewater treatment system and other associated development in the Single-Family Medium zoning district at 23936 Malibu Road (23936 Malibu, LLC)

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

Monday, May 1, 2023	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, May 15, 2023	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, June 5, 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](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 Alexander 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 6<sup>th</sup> day of April 2023 at 3:00 p.m.*



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*Rebecca Evans, Administrative Assistant*