

**This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant 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**  
**Special Meeting Agenda**  
**(to be held during COVID-19 emergency)**

**Wednesday, May 31, 2023**

**6:30 P.M. – SPECIAL 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 – May 19, 2023

## 1. New Public Hearings

- A. Extension of Coastal Development Permit No. 16-064, Variance No. 17-011, Site Plan Review No. 17-042, and Minor Modification No. 17-008 – An application to extend the Planning Commission’s approval for construction of a new one-story, single-family residence and associated development (Continued from May 15, 2023)

Location: 5263 Horizon Drive  
APN: 4469-005-002  
Owner: Dougal Murray  
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Adopt Planning Commission Resolution No. 23-28 granting a one-year time extension of Coastal Development Permit No. 16-064 for construction of a new 4,312 square foot, one-story, single-family residence with attached two-car garage, 505 square foot second unit, 265 square foot pool cabana, swimming pool and spa, fire department turnaround, retaining walls, decks and alternative onsite wastewater treatment system, Variance No. 17-011 for fuel modification encroaching into Environmentally Sensitive Habitat Area, Site Plan Review No. 17-042 for construction on slopes between 3 to 1 and 2.5 to 1, and Minor Modification No. 17-008 for a reduced front yard setback, located in the Rural Residential-Two Acre zoning district located at 5263 Horizon Drive (Dougal Murray).

- 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 (Continued from April 17, 2023)

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 Commercial Visitor Serving-1 zoning district (Surfrider Plaza, LLC).

## Adjournment

**Future Meetings**

Monday, June 5, 2023	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, June 19, 2023	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, July 17, 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. 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.**

**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. Members of the public wishing to speak during the meeting must participate through the Zoom application. Each speaker is limited to three (3) minutes. Time may be surrendered by deferring one (1) minute to another speaker, not to exceed a total of eight (8) minutes. 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. Those wishing to defer time, are not required to sign up to speak in advance. 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.

*Planning Commission meetings are aired live and replayed on City of Malibu Government Access Channel 3 and are available on demand on the City’s website at <https://www.malibucity.org/video>. Copies of the staff reports or other written documentation relating to each item of business described above are available upon request by emailing [planningcommission@malibucity.org](mailto:planningcommission@malibucity.org).*

*The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Environmental Sustainability Director Yolanda Bundy, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II.*

*Requests to show an audio or video presentation during a Commission meeting should be directed to Alex Montano at (310) 456-2489, ext. 227 or [amontano@malibucity.org](mailto:amontano@malibucity.org). Material must be submitted by 12:00 p.m. on the meeting day.*

*I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Special meeting agendas may be amended up to 24 hours in advance of the meeting. Dated this 19<sup>th</sup> day of May, 2023 at 3:30 p.m.*




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*Rebecca Evans Administrative Assistant*