

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 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, June 5, 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 – May 26, 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. 22-051 and Code Violation No. 22-046 – An application for the installation of a new onsite wastewater treatment system

Location: 7133 Birdview Avenue, within the appealable coastal zone
APN: 4468-018-011
Owner: 7133 Birdview LLC
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 22-051.

2. Administrative Coastal Development Permit No. 21-050 and Code Violation No. 21-127 – An application to replace a failing onsite wastewater treatment system and the extension of an existing soldier pile wall

Location: 27551 Pacific Coast Highway, not within the appealable coastal zone
APN: 4460-005-020
Owner: New Freedom, LLC
Case Planner: Senior Planner Brooks, 456-2489, ext. 276

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 21-050.

3. De Minimis Waiver No. 21-029 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 30084 Harvester Road, not within the appealable coastal zone
APN: 4469-014-019
Owner: Harvester Road Properties LLC
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive and file the Planning Director's report on the issuance of De Minimis Waiver No. 21-029 for a new onsite wastewater treatment

system for a Woolsey Fire affected parcel.

4. De Minimis Waiver No. 21-022 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 5837 Murphy Way, not within the appealable coastal zone
 APN: 4467-003-034
 Owner: Amit Shok
 Case Planner: Planning Technician Valencia, 456-2489, ext. 247

Recommended Action: Receive and file the Planning Director’s report on the issuance of De Minimis Waiver No. 21-022 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

5. Approval of Minutes

Recommended Action: Approve the minutes of the March 21, 2022 and April 4, 2022 Regular Planning Commission meetings.

Staff Contact: Administrative Assistant Evans, 456-2489, ext. 246

4. **Continued Public Hearings**

None.

5. **New Public Hearings**

A. Coastal Development Permit No. 15-067 and Conditional Use Permit No. 17-009 – An application for an interior and exterior remodel of an existing four-unit apartment building resulting in a reduction of two residential units, first- and second-floor additions resulting in an additional 1,604 square feet, an upgrade to the existing onsite wastewater treatment system, and other associated development; including a conditional use permit for expansion over five hundred square feet of a multiple-family residential use and for a non-conforming multi-family use

Location: 25426 Malibu Road, within the appealable coastal zone
 APN: 4459-017-015
 Owner: Andrew Beath
 Case Planner: Senior Planner Brooks, 456-2489, ext. 276

Recommended Action: Continue the item to a date uncertain.

6. **Old Business**

None.

7. **New Business**

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

| | | |
|------------------------|---|--------------|
| Monday, June 19, 2023 | 6:30 p.m. Regular Planning Commission Meeting | Location TBD |
| Monday, July 3, 2023 | Cancelled | Cancelled |
| Monday, July 17, 2023 | 6:30 p.m. Regular Planning Commission Meeting | Location TBD |
| Monday, August 7, 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, the Planning Commission meeting will be open and public but conducted virtually because meeting in person would present imminent risks to the health or safety of attendees. 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 26th day of May 2023 at 3:30 p.m.



Rebecca Evans, Administrative Assistant