

HOW TO VIEW THE MEETING: The meeting will be live streamed at www.malibucity.org/video and teleconferenced via Zoom.

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 IN-PERSON DURING THE MEETING: Members of the public may speak during the meeting in-person or through the Zoom application. In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form and be present in the Council Chambers when the item is called by the Chair. In-person participants may also surrender their opportunity to speak on a particular item to defer one minute to another in-person speaker, not to exceed a total of eight minutes.

HOW TO PARTICIPATE REMOTELY DURING THE MEETING: In order to participate remotely, you must be present in the Zoom meeting and use the Raise Hand feature to request to speak when the Chair calls the item. When you join the Zoom meeting you may see a pop-up asking you to enter an email address, but a valid email address is not required. Be advised that those participating via Zoom do so at their own risk; remote participants should not expect the meeting to be cancelled or continued due to the inability of some members of the public to access the remote meeting.

Please visit <https://malibucity.org/VirtualMeeting> and follow the directions to stream the live meeting or learn how to use the Zoom application.

Malibu Planning Commission **Regular Meeting Agenda**

Tuesday, September 5, 2023

6:30 P.M. – REGULAR PLANNING COMMISSION MEETING

**City Hall – Council Chambers
23825 Stuart Ranch Road**

Zoom Meeting Link:

<https://us02web.zoom.us/j/86120655932>

Call to Order - Chair

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – August 25, 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. 22-026 – An application to install a new water well for future domestic, irrigation, and fire protection uses on a vacant parcel

Location: 28462 Via Acero Street, partially within the appealable coastal zone
APN: 4467-033-019
Owner: Jagora 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. 22-026.

2. Approval of Minutes

Recommended Action: Approve the minutes of the February 22, 2022, June 20, 2022 and May 15, 2023 Regular Planning Commission meetings and the May 31, 2022 Special Planning Commission meeting.

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

4. Continued Public Hearings

None.

5. New Public Hearings

A. Coastal Development Permit No. 21-068, Conditional Use Permit No. 21-011, Site Plan Review No. 21-038, Lot Merger No. 21-002, and Demolition Permit No. 21-036 – An application to implement Phase 1 of the Malibu Middle and High School Campus Specific Plan which includes the construction of a new 36-foot tall, two-story high school building and associated development

Location: 30215 Morning View Drive, within the appealable coastal zone
APNs: 4469-017-900 and 4469-018-903
Owner: Santa Monica–Malibu Unified School District
Case Planner: Senior Planner Brooks, 456-2489, ext. 276

Recommended Action: Adopt Planning Commission Resolution No. 23-39 finding the project consistent with the Final Environmental Impact Report (State Clearinghouse No. 202008350), the Mitigation Monitoring and Reporting Program and the Statement of Overriding Considerations certified by the City Council on July 11, 2022 in Resolution No. 22-32, and approving Coastal Development Permit No. 21-068 to implement Phase 1 of the Malibu Middle and High School Campus Specific Plan which includes the construction of a new 36-foot tall, two-story high school building (Building C), reconfigured drive aisles and new parking areas, grading, hardscape, landscaping, Environmentally Sensitive Habitat Area restoration, the after-the-fact relocation of five portable buildings, and associated development, including Conditional Use Permit No. 21-011 for a new public educational institution facility, Site Plan Review No. 21-038 for a height increase over 18 feet, not to exceed 36 feet for a flat roof in accordance with the pending MMHS Campus Specific Plan Overlay District, Lot Merger No. 21-002 to consolidate two existing parcels into one, and Demolition Permit No. 21-036 to demolish the remaining outdoor improvements associated with the former Juan Cabrillo Elementary School campus, located in the Institutional zone at 30215 Morning View Drive (Santa Monica–Malibu Unified School District).

- B. Coastal Development Permit-Woolsey Fire No. 22-004, Variance No. 22-007 – An application to allow for a conversion of 508-square feet of office/gym space into an attached second unit and a new onsite wastewater treatment system; including a variance for development within the required Environmentally Sensitive Habitat Area buffer to allow for the replacement onsite wastewater treatment system

Location: 6244 Busch Drive, partially within the appealable coastal zone
APN: 4467-029-021
Owner: Tyler Muir and Bridgette Muir
Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Adopt Planning Commission Resolution No. 23-40 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit-Woolsey Fire No. 22-004 to allow for a conversion of 508-square feet of office/gym space into an attached second unit, landscaping and a replacement onsite wastewater treatment system; including Variance No. 22-007 for development within the required Environmentally Sensitive Habitat Area buffer to allow for the installation of the replacement onsite wastewater treatment system, in the Rural Residential, Two-Acre zoning district located at 6244 Busch Drive (Tyler Muir and Bridgette Muir)

6. **Old Business**

None.

7. **New Business**

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

Monday, September 18, 2023 6:30 p.m. Regular Planning Commission Meeting City Hall Council Chambers
 Monday, October 2, 2023 6:30 p.m. Regular Planning Commission Meeting City Hall Council Chambers
 Monday, October 16, 2023 6:30 p.m. Regular Planning Commission Meeting City Hall Council Chambers

Guide to the Planning Commission Proceedings

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 minutes. Members of the public may speak during the meeting in-person or through the Zoom application. In order to participate remotely, you must be present in the Zoom meeting and use the Raise Hand feature to request to speak when the Chair calls the item. In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Chair. In person participants may surrender their time by deferring one minute to another speaker, not to exceed a total of eight minutes. The speaker wishing to defer time must be present when the item is heard and their form must be submitted with the speaker form for the individual they are deferring time to. Speakers are taken in the order slips are submitted. In-person speakers will be called prior to Zoom speakers.

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.

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 the Media Team at media@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 25th day of August 2023 at 4:30 p.m.



Rebecca Evans, Senior Administrative Analyst