

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.

Amended¹ Malibu Planning Commission **Regular Meeting Agenda**

Monday, September 18, 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/89002310453>

Call to Order - Chair

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – September 8, 2023; *Amended Agenda posted September 14, 2023*

¹ See the addition of New Public Hearings Item No. 5.A.

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. De Minimis Waiver No. 23-006 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 33955 Pacific Coast Highway, not within the appealable coastal zone
APN: 4473-027-002
Owner: David Whitelaw
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. 23-006 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

2. De Minimis Waiver No. 23-003 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 5927 Trancas Canyon Road, not within the appealable coastal zone
APN: 4470-003-028
Owner: Trancas Properties
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. 23-003 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

3. Administrative Coastal Development Permit No. 22-016 – An application for a new onsite wastewater treatment system (OWTS) to replace an existing OWTS serving an existing commercial building.

Location: 22467 Pacific Coast Highway, partially within the appealable coastal zone

APN: 4452-023-010
Owner: Carbon West, LLC
Case Planner: Assistant Planner Allen, 456-2489, ext. 233

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 22-016.

4. Administrative Coastal Development Permit No. 21-014 – An application for a new onsite wastewater treatment system (OWTS) to replace an existing OWTS serving an existing single-family residence

Location: 20537 Little Rock Way, not within the appealable coastal zone
APN: 4450-019-024
Owners: Sawiris and Samia Michaiel Revocable Living Trust
Case Planner: Assistant Planner Allen, 456-2489, ext. 233

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 21-014.

5. Administrative Coastal Development Permit No. 20-067 – An application for a new onsite wastewater treatment system (OWTS) to replace an existing OWTS serving an existing single-family residence

Location: 3380 Sweetwater Mesa Road, partially within the appealable coastal zone
APN: 4452-016-017
Owners: Joseph Lawrence and Wendy Thida White
Case Planner: Planning Technician Valencia, 456-2489, ext. 247

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 20-067.

6. De Minimis Waiver No. 21-023 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 7010 Birdview Ave, not within the appealable coastal zone
APN: 4468-006-007
Owner: Heather Naylor
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. 21-023 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

7. Approval of Minutes

Recommended Action: Approve the minutes of the August 21, 2023, Regular Planning Commission meeting.

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

4. Continued Public Hearings

None.

5. New Public Hearings

A. Appeal No. 23-006 – Appeal of Planning Director’s denial of Temporary Use Permit No. 23-004 for the Malibu Triathlon

*Location: Zuma Beach, 30050 Pacific Coast Highway
 APN: 4469-027-901
 Owner: Los Angeles County
 Applicant/Appellant: Super League Triathlon
 Case Planner: Planning Director Mollica, 456-2489, ext. 346*

Recommended Action: Adopt Planning Commission Resolution No. 23-44, denying Appeal No. 23-006, and denying Temporary Use Permit No. 23-004 for the Malibu Triathlon in the Public Open Space zoning district at 30050 Pacific Coast Highway (Los Angeles County).

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

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
Monday, November 6, 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 donating one minute to another speaker, not to exceed a total of eight minutes. The speaker wishing to donate time must be present when the item is heard and their form must be submitted with the speaker form for the individual they are donating 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 majority 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 14th day of September 2023 at 2:30 p.m.



Rebecca Evans, Senior Administrative Analyst