



Commission Agenda Report

To: Chair Leonard and Members of the Planning Commission

Prepared by: Rebecca Evans, Senior Management Analyst

Approved by: Maureen Tamuri, AIA, AICP, Interim Planning Director

Date prepared: October 24, 2024 Meeting date: November 4, 2024

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the October 21, 2024 Regular Planning Commission meeting.

DISCUSSION: Staff prepared draft minutes for the above-referenced Planning Commission meeting and hereby submits the minutes for the Commission's consideration.

ATTACHMENT: October 21, 2024 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
OCTOBER 21, 2024
COUNCIL CHAMBERS AND TELECONFERENCED
6:30 P.M.

The following meeting was held in a hybrid format that allowed members of the public to participate in-person and remotely via Zoom.

CALL TO ORDER

Chair Leonard called the meeting to order at 6:30 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Drew Leonard, Vice Chair Dennis R. Smith, Commissioners Kraig Hill, John G. Mazza, and Skylar Peak

ALSO PRESENT: Salvador Lopez, Jr., Interim Assistant Planning Director; Kellan Martz, Deputy City Attorney; Tyler Eaton, Senior Planner; Raneika Brooks, Senior Planner; Fletcher Allen, Associate Planner; Larbi Azzaz, Assistant Planner; Gina Paolini, Contract Planner; Alexander da Silva, Assistant Planner; Parker Davis, Media Technician; Gail Duncan, Administrative Assistant; and Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Interim Assistant Planning Director Lopez, Jr. led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Peak seconded a motion to approve the agenda as recommended by staff, continuing Item No. 4.A. to a date uncertain; Item No. 4.C. to the November 4, 2024 Regular Planning Commission meeting; and Item No. 5.A. to the November 18, 2024 Regular Planning Commission meeting.

The question was called and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Recording Secretary Evans reported that the agenda for the meeting was properly posted on October 11, 2024.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

Larry asked Commissioner Mazza to apologize for his attacks on former Assistant Planning Director Fernandez and asserted the former employee had filed a lawsuit against the City and members of City leadership. Larry quoted Commissioner Hill as having stated in an email with Commissioner Mazza and members of City Council that Assistant Planning Director Fernandez bent over backwards for developers and implied a former City Biologist intentionally mismeasured in favor of applicants. The legal actions would likely not be covered by the City's insurance carrier.

Ryan Day referenced an email between Commissioners Hill and Mazza and Councilmembers Silverstein and Uhring, which stated former Assistant Planning Director Fernandez was "bending over for developers" in reference to a 1,000 square foot house and noted that due to the size of the project it might not be a good public relations case. He implied a former City Biologist intentionally mismeasured in favor of applicants. Ryan alleged the email showed a pattern of collusion between the Malibu Township Council and some members of the Planning Commission and City Council to deprive residents of their right to impartial hearings. He stated the Commissioners were expected to independently analyze each project based on the code rather than make predeterminations or conduct parallel independent review of proposed developments in opposition to staff.

Jo Drummond alleged that the earlier speakers were non-residents and were not credible and stated there was no active lawsuit against herself or Commissioners Mazza and Hill.

Laird was not responsive when called for public comment.

ITEM 2.B. COMMISSION / STAFF COMMENTS

Chair Leonard reminded the public that the deadline to submit a Planning Verification-Woolsey Fire application was November 8, 2024 and the deadline to pull Building Permits was November 8, 2026. Owners of properties impacted by the Woolsey Fire who were unable to meet those deadlines should apply for a time extension prior to November 8, 2024. Those seeking an extension were not required to have held ownership at the time of the Woolsey Fire.

Commissioner Mazza stated there was no active lawsuit. He expressed concerns regarding parking shortages within the Cross Creek Shopping Center and requested staff clarification on the status of restaurant outdoor seating there. He asked if staff verify that the project constructed aligns with the approved project plans when the Certificate of Occupancy was given.

Commissioner Peak expressed support for the Los Angeles Dodgers in the upcoming World Series.

Commissioner Hill stated that a couple of emails from a couple years ago were referenced by the earlier speakers were misunderstood and he was happy to speak with anyone interested independently. He added that this long after the Woolsey Fire, the City should be better prepared for traffic flow management and have emergency backup generators on hand. Commissioner Hill referenced the planned power outages experienced by some parts of Malibu over the prior weekend and suggested that one of the existing City emergency response volunteer groups could be trained to respond to traffic signal issues in the event of an anticipated power outage.

Commissioner Peak noted that training and allocating work to a volunteer group was not within the Planning Commission's purview but expressed hope that City Administration or the City Council would raise the issue with public safety resources.

Commissioner Mazza observed a high percentage of motorists failed to come to a stop at the intersection of Zumirez Drive and Pacific Coast Highway (PCH) when traffic lights were not functional due to the length of the power outage.

Chair Leonard asked whether there were backup batteries at traffic signals along PCH to keep the lights blinking during outages.

Commissioner Peak clarified that the batteries were more suited to outages lasting a few hours and did eventually fail. He expressed the hope that the City could work with the Los Angeles County Sheriff's Office and California Department of Transportation to better plan for traffic management during extended power outages with advance notice.

Commissioner Smith remarked on the number of years he and Norman Hainey had participated in Planning Commission meetings as residents. He stated he was honored to be able to serve residents as a Commissioner. He concurred with traffic concerns expressed by fellow Commissioners. Vice Chair Smith noted he had completed training on how to manage traffic in the event of an emergency

and he observed volunteers at Kanan Dume and PCH. However, the volunteers took up a traffic lane and were not actively directing traffic. He also noted the potential risk to a volunteer managing traffic flow during evening hours without a car with lights.

In response to Commissioner Mazza, Interim Assistant Planning Director Lopez explained that restaurants which wished to retain temporary outdoor seating granted during the Coronavirus Disease-19 pandemic would require a Conditional Use Permit.

Commissioner Mazza asked why temporary outdoor dining was ongoing if the restaurants had not yet been granted Conditional Use Permits and stated residents needed parking spots.

In response to Commissioner Mazza, Associate Planner Allen explained that one of the properties in the Cross Creek Shopping Center had submitted an application for a Conditional Use Permit about one year ago and a second restaurant submitted an application more recently. Both applications were under review. Other businesses who took advantage of temporary outdoor dining had removed it. The City was working with local businesses to bring them into compliance.

ITEM 3 CONSENT CALENDAR

The Commission pulled Item Nos. 3.A.1. and 3.B.1.

CONSENSUS

Commissioner Peak moved and Commissioner Hill a motion to approve the balance of the Consent Calendar by consensus.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

1. Administrative Coastal Development Permit No. 23-011 – An application to demolish an existing single-family residence, construct a new single-family residence, install a new onsite wastewater system, and associated development (Continued from October 7, 2024)

Location: 6307 Via Cataldo Street, not within the appealable coastal zone

APN: 4460-017-027

Owner: 6307 Cataldo Inc.

Case Planner: Senior Planner Brooks, 456-2489, ext. 276

Recommended Action: Receive and file the following: 1) Clarity on the use of Local Implementation Plan Section 13.13.1(A)(4) when determining if a coastal development permit can be processed administratively and 2) Planning Director's report on the approval of Administrative Coastal Development Permit No. 23-011.

Speaker: Luke Tarr

The Commission directed questions to staff.

CONSENSUS

The Commission received and filed the 1) Clarity on the use of Local Implementation Plan Section 13.13.1(A)(4) when determining if a coastal development permit can be processed administratively and 2) the Planning Director's report on the approval of Administrative Coastal Development Permit No. 23-011 by consensus 3-2, Commissioners Hill and Mazza abstaining.

B. New Items

1. Extension of Coastal Development Permit No. 13-040, Conditional Use Permit No. 13-015, Negative Declaration No. 20-001, Variance Nos. 13-042, 13-043, 15-035 and 15-036, Minor Modification No. 13-011 and Demolition Permit No. 20-011 – An application to extend the Planning Commission's approval for replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank, generator, landscape, hardscape, gates and fencing and associated development
Location: 5723 Busch Drive
APN: 4469-028-006
Owner: Serra Canyon Company, LTD
Case Planner: Senior Planner Eaton, 456-2489, ext. 273
Recommended Action: Adopt Planning Commission Resolution No. 24-69 granting a two-year extension of Coastal Development Permit No. 13-040 and Coastal Development Permit Amendment No. 20-017 for the replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank to meet current domestic and fire protection standards, generator, landscape, hardscape, gates and fencing, Conditional Use Permit No. 13-015 for a water tank on a Rural Residential parcel, Variance No. 13-042 for the height of the water tank to exceed the maximum height up to 26 feet, Variance No. 13-043 for a non-view permeable, eight feet in height fencing within the front yard setback, Variance No. 15-035 for the installation of a 7-foot, 8-inch in height back-up generator within the required rear yard setback from the required 15 feet to the proposed 5 feet, 3 inches, Variance No. 15-036 for impermeable coverage to exceed the

maximum permitted for up to 9,219 square feet, Minor Modification No. 13-011 for the water tank to provide a 50 percent reduction of the required front yard setback from the required 20 feet to the proposed 10 feet and Demolition Permit No. 20-011 for the full demolition of the existing water tank and other associated development located in the Rural Residential, Two-Acre zoning district at 5723 Busch Drive (Serra Canyon Co, LTD).

MOTION

Commissioner Mazza moved and Commissioner Hill seconded a motion to adopt Planning Commission Resolution No. 24-69, as amended, 1) reducing the time extension to one-year; and 2) granting a one-year extension of Coastal Development Permit No. 13-040 and Coastal Development Permit Amendment No. 20-017 for the replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank to meet current domestic and fire protection standards, generator, landscape, hardscape, gates and fencing, Conditional Use Permit No. 13-015 for a water tank on a Rural Residential parcel, Variance No. 13-042 for the height of the water tank to exceed the maximum height up to 26 feet, Variance No. 13-043 for a non-view permeable, eight feet in height fencing within the front yard setback, Variance No. 15-035 for the installation of a 7-foot, 8-inch in height back-up generator within the required rear yard setback from the required 15 feet to the proposed 5 feet, 3 inches, Variance No. 15-036 for impermeable coverage to exceed the maximum permitted for up to 9,219 square feet, Minor Modification No. 13-011 for the water tank to provide a 50 percent reduction of the required front yard setback from the required 20 feet to the proposed 10 feet and Demolition Permit No. 20-011 for the full demolition of the existing water tank and other associated development located in the Rural Residential, Two-Acre zoning district at 5723 Busch Drive (Serra Canyon Co, LTD).

SUBSTITUTE MOTION

Commissioner Peak moved and Vice Chair Smith seconded a motion to adopt Planning Commission Resolution No. 24-69 granting a two-year extension of Coastal Development Permit No. 13-040 and Coastal Development Permit Amendment No. 20-017 for the replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank to meet current domestic and fire protection standards, generator, landscape, hardscape, gates and fencing, Conditional Use Permit No. 13-015 for a water tank on a Rural Residential parcel, Variance No. 13-042 for the height of the water tank to exceed the maximum height up to 26 feet, Variance No. 13-043 for a non-view permeable, eight feet in height fencing within the front yard setback, Variance No. 15-035 for the installation of a 7-foot, 8-inch in height back-up generator within the required rear yard setback from the required 15 feet to the proposed 5 feet,

3 inches, Variance No. 15-036 for impermeable coverage to exceed the maximum permitted for up to 9,219 square feet, Minor Modification No. 13-011 for the water tank to provide a 50 percent reduction of the required front yard setback from the required 20 feet to the proposed 10 feet and Demolition Permit No. 20-011 for the full demolition of the existing water tank and other associated development located in the Rural Residential, Two-Acre zoning district at 5723 Busch Drive (Serra Canyon Co, LTD).

The question was called and the substitute motion carried 3-2, Commissioners Hill and Mazza dissenting.

2. De Minimis Waiver No. 24-001 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 5746 Busch Drive, not within the appealable coastal zone
APN: 4467-027-007
Owner: Gary R. Carlson Trust
Case Planner: Assistant Planner Azzaz, 456-2489, ext. 302
Recommended Action: Receive and file the Planning Director’s report on the issuance of De Minimis Waiver No. 24-001 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

This item was received and filed by consensus upon approval of the Consent Calendar.

3. Approval of Minutes

Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246
Recommended Action: Approve the minutes of the October 7, 2024 Regular Planning Commission meeting.

This item was approved by consensus upon approval of the Consent Calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit No. 23-067, Variance No. 24-008, and Code Violation No. 23-092 – An application for the construction of a new one-story, single-family residence with an attached two-car garage and attached second unit, onsite wastewater treatment system, driveway, hardscaping, pool, patio decks, and landscaping; including a variance for the required hammerhead turnaround and the fuel modification to encroach into the Environmentally Sensitive Habitat Area and it’s 100-foot buffer (Continued from September 16, 2024)

Location: 31587 Pacific Coast Highway, within the appealable coastal zone
APN: 4470-008-005

Owners: Rodney L. and Marianna S. Eckerman
Case Planner: Senior Planner Brooks, 456-2489, ext. 276
Recommended Action: Continue the item to a date uncertain.

This item was continued to a date uncertain upon approval of the agenda.

B. Administrative Plan Review No. 24-038, Variance No. 24-009 and Demolition Permit No. 24-042 – An application to replace an existing retaining wall and widen an existing driveway (Continued from October 7, 2024)

Location: 31380 Broad Beach Road

APN: 4470-016-020

Owner: S. L. and S. Kurland Trust

Case Planner: Contract Planner Paolini, 530-957-1461

Recommended Action: 1) Consider Planning Commission Resolution No. 24-68 determining the project is categorically exempt from the California Environmental Quality Act for Administrative Plan Review No. 24-038 and Demolition Permit No. 24-042 for the demolition of an existing retaining wall, widening of an existing driveway and construction of a new six foot in height retaining wall, including Variance No. 24-009 for development on slopes steeper than 2.5 to 1, located in the Single Family-Medium density zoning district along beachfront property developed with an existing single-family residence at 31380 Broad Beach Road; and 2) provide direction for a resolution consistent with the Planning Commission's action (S. L. and S. Kurland Trust).

Contract Planner Paolini presented the staff report.

Disclosures: Commissioners Leonard, Hill, Mazza and Peak

Speakers: Luis Tena, Norm Haynie

As there were no other speakers present, Chair Leonard closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff.

MOTION Commissioner Smith moved and Commissioner Peak seconded a motion to adopt Planning Commission Resolution No. 24-68 determining the project is categorically exempt from the California Environmental Quality Act for Administrative Plan Review No. 24-038 and Demolition Permit No. 24-042 for the demolition of an existing retaining wall, widening of an existing driveway and construction of a new six foot in height retaining wall, including Variance No. 24-009 for development on slopes steeper than 2.5 to 1, located in the Single Family-

Medium density zoning district along beachfront property developed with an existing single-family residence at 31380 Broad Beach Road (S. L. and S. Kurland Trust).

The question was called and the motion carried 4-1, Commissioner Mazza dissenting.

RECESS Chair Leonard called a recess at 8:05 p.m. The meeting reconvened at 8:12 p.m. with all Commissioners present.

- C. Administrative Plan Review No. 21-093 and Variance No. 24-014 – An application for the construction of retaining walls to create an emergency vehicular pull-out area along Escondido Beach Road to improve vehicular circulation, including a variance for construction on steep slopes

Location: 27254 Pacific Coast Highway

APN: 4460-029-017

Owner: Betsee Isenberg Trust

Case Planner: Associate Planner Allen, 456-2489, ext. 233

Recommended Action: Continue the item to the November 4, 2024 Regular Planning Commission meeting at the Applicant's request.

This item was continued to the November 4, 2024 Regular Planning Commission meeting upon approval of the agenda.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit No. 22-009 and Site Plan Review No. 24-013 – An application for a new one-story, 3,963 square foot single-family residence, including an attached 414 square foot garage, new driveway, swimming pool and spa, roof deck and associated development; including a site plan review for 3,032 cubic yards of remedial grading

Location: 24515 Vantage Point Terrace, partially within the appealable coastal zone

APN: 4458-033-005

Owner: 24515 Vantage Point Syndication, LLC

Case Planner: Senior Planner Brooks, 456-2489, ext. 276

Recommended Action: Continue the item to the November 18, 2024 Regular Planning Commission meeting.

This item was continued to the November 18, 2024 Regular Planning Commission meeting.

- B. Coastal Development Permit No. 22-030 – An application by the County of Los Angeles to construct a 7,172 foot long, 12-inch diameter, watermain that will connect to the Las Virgenes Municipal Water District to be used in times of emergency

Location: Encinal Canyon Road Public Right-of-Way, within the appealable coastal zone

Nearest APNs: 4473-026-003 – 4473-011-046

Owner: City of Malibu

Applicant: Los Angeles County Department of Public Works

Case Planner: Senior Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 24-73 determining the project is consistent with the Los Angeles County Department of Public Works District 29 Priority Capital Deficiencies Improvements Final Environmental Impact Report previously adopted by the Los Angeles County Board of Supervisors under the California Environmental Quality Act, and approving Coastal Development Permit No. 22-030 to construct a 7,172 foot long, 12-inch diameter, watermain that will connect to the Las Virgenes Municipal Water District to be used in times of emergency (County of Los Angeles).

Senior Planner Eaton presented the staff report.

Disclosures: Commissioners Peak and Hill

The Commission directed questions to staff.

As there were no further questions for staff, Chair Leonard opened the public hearing.

Speakers: Jack Husted and Jo Drummond

As there were no other speakers present, Chair Leonard closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Commissioner Peak moved and Chair Leonard seconded a motion to adopt Planning Commission Resolution No. 24-73, as amended, 1) adding Condition No. 23 to state, “The project shall comply with all applicable mitigation measures in the Mitigation Monitoring and Reporting Program (Exhibit A).”; and 2) determining the project is consistent with the Los Angeles County Department of Public Works District 29 Priority Capital Deficiencies Improvements Final Environmental Impact Report previously adopted by the Los Angeles County Board of Supervisors under the California Environmental Quality Act, and approving Coastal Development Permit No. 22-030 to construct a 7,172 foot long,

12-inch diameter, watermain that will connect to the Las Virgenes Municipal Water District to be used in times of emergency (County of Los Angeles).

The question was called and the motion carried unanimously.

- C. Coastal Development Permit No. 22-031, Variance No. 23-031, and Variance No. 23-032 – An application to demolish the existing onsite wastewater treatment system (OWTS), surrounding retaining walls, and access stairs from Malibu Road, and construct a new OWTS, bulkhead, retaining walls, and access stairs from Malibu Road; including variances for geological factor of safety and 100-year economic life of the structure based on the finished floor elevation of the new bulkhead

Location: 24942 Malibu Road, within the appealable coastal zone

APN: 4458-013-030

Owner: Xie Family Trust

Case Planner: Associate Planner Allen, 456-2489, ext. 233

Recommended Action: Consider Planning Commission Resolution No. 24-71 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 22-031 to demolish the existing onsite wastewater treatment system (OWTS), surrounding retaining walls, and access stairs from Malibu Road, and construct a new OWTS, bulkhead, retaining walls, and access stairs from Malibu Road; including Variance (VAR) No. 23-031 for geological factor of safety and VAR No. 23-032 for the 100-year economic life of the structure based on the finished floor elevation of the new bulkhead, in the Single-Family, Medium zoning district located at 24942 Malibu Road (Xie Family Trust).

Associate Planner Allen presented the staff report.

Disclosures: Commissioner Hill

The Commission directed questions to staff.

As there were no further questions for staff, Chair Leonard opened the public hearing.

Speaker: Sean Xie

As there were no other speakers present, Chair Leonard closed the public comment portion of the public hearing and returned the matter to the table for discussion.

MOTION Chair Leonard moved and Vice Chair Smith seconded a motion to adopt Planning Commission Resolution No. 24-71 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 22-031 to demolish the existing onsite wastewater treatment system (OWTS), surrounding retaining walls, and access stairs from Malibu Road, and construct a new OWTS, bulkhead, retaining walls, and access stairs from Malibu Road; including Variance (VAR) No. 23-031 for geological factor of safety and VAR No. 23-032 for the 100-year economic life of the structure based on the finished floor elevation of the new bulkhead, in the Single-Family Medium zoning district located at 24942 Malibu Road (Xie Family Trust.).

SUBSTITUTE MOTION

Commissioner Mazza moved and Commissioner Hill seconded a motion to adopt Planning Commission Resolution No. 24-71, as amended, 1) direct staff to add a variance for the height of the retaining wall and determine the wall is not an integral part of the structure within Local Implementation Plan Section 8.C.; 2) amend Section C.4. findings to clarify that only the new protective seawall was deemed to have a 100-year economic life; 3) modify findings in Section C.6. to add, “The variance will only apply to the bulkhead and will not apply to any future development which does not meet code or conditions related to future development standards on the site at the time of the development.”; 4) continue the item to a date uncertain and bring it to the Commission at the next available date; and 5) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 22-031 to demolish the existing onsite wastewater treatment system (OWTS), surrounding retaining walls, and access stairs from Malibu Road, and construct a new OWTS, bulkhead, retaining walls, and access stairs from Malibu Road; including Variance (VAR) No. 23-031 for geological factor of safety and VAR No. 23-032 for the 100-year economic life of the structure based on the finished floor elevation of the new bulkhead, in the Single-Family, Medium zoning district located at 24942 Malibu Road (Xie Family Trust.).

The question was called and the substitute motion failed 2-3, Commissioners Peak, Smith and Leonard dissenting.

The question was called and the original motion carried 3-2, Commissioners Hill and Mazza dissenting.

- D. Coastal Development Permit No. 24-039 and Demolition Permit No. 24-037– An application for an interior and exterior remodel of an existing two-story, beachfront single-family residence, resulting in a height increase from 18 feet to 24 feet; including a demolition permit for the demolition of 66 linear feet of the exterior walls (23% demolition)

Location: 18960 Pacific Coast Highway, within the appealable coastal zone

APN: 4449-002-042

Owner: 18960 PCH LLC

Case Planner: Assistant Planner da Silva, 456-2489, ext. 314

Recommended Action: Adopt Planning Commission Resolution No. 24-72 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 24-039 for the interior and exterior remodel of an existing, two-story, beachfront single-family residence, resulting in a height increase from 18 feet to 24 feet; including Demolition Permit No. 24-037 for demolition of 66 linear feet of the exterior walls (23% demolition), located in the Single-Family Medium zoning district at 18960 Pacific Coast Highway (18960 PCH, LLC).

Assistant Planner da Silva and Senior Planner Brooks presented the staff report.

Disclosures: Commissioner Hill

The Commission directed questions to staff.

As there were no questions for staff, Chair Leonard opened the public hearing.

Speakers: Ali Dashti, Omid Saleh, Jason Ventress

As there were no other speakers present, Chair Leonard closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff and the applicant team.

MOTION Commissioner Mazza moved and Commissioner Peak seconded a motion to adopt Planning Commission Resolution No. 24-72, as amended, 1) modifying the height increase to reflect an increase from 19 feet to 22 feet rather than 18 feet to 24 feet in the Resolution title, Section 3 heading, and Condition No. 2; 2) adding Condition No. 30 to state, “The applicant/property owner shall obtain all required permits, including approval for mechanized equipment to access to the beach, from Beaches and Harbor prior to commencement of construction.”; 3) adding Condition No. 31 to state, “All construction debris shall be removed from the

beach daily and at the completion of development.”; 4) adding Condition No. 32 to state, “No stockpiling of dirt or construction materials shall occur on the beach.”; 5) adding Condition No. 33 to state, “Measures to control erosion, runoff, and siltation shall be implemented at the end of each day’s work.”; 6) adding Condition No. 34 to state, “The applicant shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion.”; 7) adding Condition No. 35 to state, “No machinery shall be placed, stored or otherwise located in the intertidal zone at any time, unless necessary for protection of life and property.”; 8) adding Condition No. 36 to state, “Construction equipment shall not be cleaned on the beach.”; 8) adding Condition No. 37 to state, “Construction debris and sediment shall be properly contained and secured on site with BMPs to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.”; and 9) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 24-039 for the interior and exterior remodel of an existing, two-story, beachfront single-family residence, resulting in a height increase from 19 feet to 22 feet; including Demolition Permit No. 24-037 for demolition of 66 linear feet of the exterior walls (23% demolition), located in the Single-Family Medium zoning district at 18960 Pacific Coast Highway (18960 PCH, LLC).

The question was called and the motion carried 4-1, Chair Leonard abstaining.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

CONSENSUS At 10:24 p.m., the Commission adjourned the meeting by unanimous consensus.

Approved and adopted by the Planning Commission
of the City of Malibu on November 4, 2024.

DREW LEONARD, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary