Commission Agenda Report

Planning Commission Meeting
02-02-26
Item 3.B.2.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Rebecca Evans, MS, Senior Management Analyst

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: January 22, 2026 Meeting date: February 2, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the January 20, 2026 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: January 20, 2026 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JANUARY 20, 2026
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Riddick called the meeting to order at 6:31 p.m.

ROLL CALL

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

PRESENT: Chair Elizabeth Riddick, Vice Chair John G. Mazza and Commissioners Marni Kamins, Drew Leonard and Skylar Peak

ALSO PRESENT: Kellan Martz, Assistant City Attorney; Tyler Eaton, Assistant Community Development Director; Patrick Achis, Senior Planner; Alexander da Silva, Associate Planner; Allison Cook, Contract Planner; Richard Greenbauer, Contract Planner; Jorge Rubalcava, Senior Civil Engineer; Nathaniel McLean, Assistant Engineer; Chris Dean, Contract Geologist; Lauren Doyel, Contract Geotechnical Engineer; Gail Duncan, Administrative Assistant and Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Don Schmitz led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved and Commissioner Peak seconded a motion to approve the agenda, continuing Item No. 4.A. to a date uncertain.

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 January 9, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Norm Haynie noted the recent City Council discussion regarding extension of the declaration of emergency did not appear to take into consideration that geotechnical issues from significant rainfall may take one to six months for the water to percolate down a hillside to the slip plane of the existing landslide before risk of a major landslide.

Gary Harkness stated there was a consistent pattern of Vice Chair Mazza voting in opposition to projects that had the potential to impact him personally regardless of benefit to the community. Mr. Harkness voiced support for public safety measures such as improved street lighting and pedestrian crossings on Pacific Coast Highway while Vice Chair Mazza opposed them.

George Dawes commented on Vice Chair Mazza's sixteen-year voting record and appointing Councilmember Uhring's statement that his home's fencing, sheds and squirrel refuge were legal. Mr. Dawes noted the Malibu Municipal Code prohibited housing wild animals in residential communities. He stated Councilmember Uhring's property had been in active code enforcement for 151 days without meaningful enforcement action.

Jo Drummond stated she was not aware of illegal development at Steve Uhring's home and that a shed did not require a permit. Ms. Drummond noted the anniversary of the Palisades Fire and resultant loss of homes and lives. She expressed concern that rebuild permit processing was too slow. Ms. Drummond asked the City to ensure that owners could move swiftly to rebuild. She stated the Palisades Fire was the result of a systemic failure and urged updated water systems, underground power lines, cleared motorways, and brush clearance for fire breaks in public lands. Ms. Drummond urged prioritization of rebuild projects over new development and reduced geotechnical reviews for rebuild properties. She stated concerns regarding short-term rentals should not be used to block recovery.

Commissioner Peak wished everyone a happy new year.

Chair Riddick asked staff to respond to the allegation that there were active code enforcement violations which were not addressed by staff as alleged in public comment.

In response to Chair Riddick, Assistant Community Development Director Eaton noted that staff were not able to comment on specific open code enforcement

cases although some information regarding addresses with open code enforcement was available to the public through the City website. Staff followed up on each complaint submitted to the City.

Assistant City Attorney Martz noted staff was not able to comment on specific open code enforcement cases and staff followed up on all complaints submitted. He further noted code enforcement actions were outside the purview of the Planning Commission.

Vice Chair Mazza asked for the number of open code violation cases and whether the number was over one thousand.

In response to Vice Chair Mazza, Assistant Community Development Director Eaton stated staff were not able to provide a specific number although it was not over one thousand, though it was a high number.

Vice Chair Mazza stated Council Policy No. 43 required anyone who complained about someone else's property must file a complaint and their name would be disclosed to the property owner. He asserted that candidates for the next election were behind the comments regarding himself and Councilmember Uhring.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Assistant Community Development Director Eaton announced that Courtney Brown and Fletcher Allen were promoted to Senior Planner positions and Didier Murillo was promoted to Principal Planner. On Tuesday, February 10, 2026, 3-4:30 p.m., an Environmental Subcommittee update was scheduled. Assistant Community Development Director Eaton noted the launch of a streamlined plan review process for Commercial Tenant Improvements meeting eligibility criteria.

Associate Planner da Silva presented a summary of rebuild statistics and highlighted upcoming rebuild meeting dates, which were also available at maliburebuilds.org.

Commissioner Leonard asked how many full-time staff vacancies remained in the Community Development Department and whether contract staff were used to cover any gaps.

In response to Commissioner Leonard, Assistant Community Development Director Eaton stated there were only a handful of vacant positions remaining and full-time gaps were currently filled with contract staff.

Vice Chair Mazza asked if Commercial Tenant Improvement reviews considered parking requirements and Assistant Community Development Director Eaton responded that parking requirements would continue to be part of those reviews.

Assistant Community Development Director Eaton urged owners, architects and design professionals working on rebuild beachfront properties to attend the Federal Emergency Management Agency (FEMA) meeting the following day for clarification on FEMA rebuilding requirements.

ITEM 3 CONSENT CALENDAR

MOTION Commissioner Leonard moved and Vice Chair Mazza seconded a motion to approve the Consent Calendar.

The motion was approved by unanimous consensus.

A. Previously Discussed Items

None.

B. New Items

1. De Minimis Waiver No. 24-007 – An application for a new onsite wastewater treatment system for a parcel affected by the Woolsey Fire
   Location: 30051 Andromeda Lane, not within the appealable coastal zone
   APN: 4469-004-017
   Owner: Worth Capital Holdings 24 LLC
   Case Planner: Contract Planner Shah, 456-2489, ext. 385
   Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 24-007 for a new onsite wastewater treatment system for a parcel affected by the Woolsey Fire.

   The Commission received and filed the Community Development Director's report on the issuance of De Minimis Waiver No. 24-007 upon approval of the consent calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. View Preservation Permit No. 24-001 – An application requesting corrective action to restore the views recorded at 4727 Avenida Del Mar under Primary

View Determination No. 12-267 with regard to the foliage located at 4732 Avenida Del Mar (Continued from December 1, 2025)

Claimant Name: Paul Rothbard
Claimant Address: 4727 Avenida Del Mar
Claimant APN: 4473-010-034
Foliage Owner Name: Avenida Del Mar Holding Trust
Foliage Owner Address: 4732 Avenida Del Mar
Foliage Owner APN: 4473-010-021
Case Planner: Assistant Planner Turner, MUP, 456-2489, ext. 295
Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-01 determining the action is categorically exempt from the California Environmental Quality Act, and approving View Preservation Permit No. 24-001 to require alteration and maintenance of foliage on 4732 Avenida Del Mar at the height of the horizon, as shown in Primary View Determination (PVD) No. 12-267, in order to restore the primary view documented in PVD No. 12-267 or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

The item was continued to a date uncertain at the request of the claimant.

B. Coastal Development Permit No. 19-012, Lot Merger No. 24-002, and Certificate of Compliance No. 19-009 – An application for a new one-story single-family residence and associated development; including a conditional certificate of compliance to recognize an illegally created lot consisting of two parcels and a lot merger to consolidate two parcels into one (Continued from December 16, 2025)

Location: 25200 Pacific Coast Highway, within the appealable coastal zone
APNs: 4459-013-021 and 4459-014-018
Owner: PAR PCH, LLC
Case Planner: Contract Planner Cook, AICP, 805-415-1991
Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-05, determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 19-012 to construct a new 9,219 square-foot, one-story, single-family residence, including a 1,000 square-foot subterranean two-car garage, 1,523 square-foot basement, 676 square-foot gym, detached 465 square-foot guest house, swimming pools, spa, driveways, decks, landscape, water features, hardscape, grading, retaining walls, and onsite wastewater treatment system, including Certificate of Compliance No. 21-004 to recognize an illegally created lot consisting of two Assessor Parcel Numbers (4459-013-021 and 4459-014-018), and Lot Merger No. 24-002 to consolidate two existing parcels into one, located in the Rural Residential, Two-Acre zoning district at 25200 Pacific Coast Highway (PAR

PCH, LLC) or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

Contract Planner Cook presented the staff report.

Disclosures: Commissioners Peak, Leonard, Kamins, Mazza and Riddick

The Commission directed questions to staff and the applicant team.

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

Speakers: Don Schmitz, Charlotte Frieze Jones, Scott Dittrich, Ralph Jeffery (8 minutes total with donations of time from Sharone Karsh, Beata Skulski, North Laurel, LLC, Janice Burns and Annette Bater), Chris Reed, Patt Healy for Malibu Coalition for Slow Growth, Bill Sampson on behalf of Malibu Township Council (7 minutes total with donations of time from Peter Jones, Jan Ravlich, Beate Nilsen, and Rosemarie Ihde), Wendy Carroll and Matt Eskan submitted written slips in support of the project, Jo Drummond, Ryan Embree, and Lonnie Gordon

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

RECESS Chair Riddick recessed the meeting at 8:35 p.m. The meeting resumed at 8:43 p.m. with all Commissioners present.

The applicant team offered to eliminate the guest house to improve the view corridor.

RECESS Chair Riddick recessed the meeting at 10:10 p.m. to allow time for the applicant and owner to consult with one another. The meeting resumed at 10:18 p.m. with all Commissioners present.

The applicant team offered to both eliminate the guest house and further reduce the height of the primary residence by an additional two feet.

MOTION Commissioner Peak moved and Commissioner Kamins seconded a motion to continue the item to February 17, 2026, for the applicant to return with plans reflecting the removal of the guest house and a two-foot reduction in the height of the primary residence.

The question was called and the motion carried unanimously.

ITEM 5 NEW PUBLIC HEARINGS

A. Coastal Development Permit No. 25-032, Site Plan Review No. 25-039, and Demolition Permit No. 25-027 – An application to implement the Malibu Middle and High School (MMHS) Campus Specific Plan (Phases 2, 3a, and 4a) with the construction of a new two-story 18,911 square-foot middle school gym (Building D) and outdoor sports courts, one-story 9,243 square-foot middle school student activity, food service, and special education building with canopy (Building D/I), one-story 333 square foot broadcasting/media arts building (Building D), middle school quad and walkways, site improvements, landscaping, on-grade solar installation, grading, and underground utility work, including a site plan review for a height increase over 18 feet, not to exceed 36 feet as allowed in the MMHS Specific Plan and a demolition permit for the demolition of existing classroom Buildings K and I, seven portable classroom buildings, and one portable restroom building

Location: 30215 Morning View Drive, within the non-appealable coastal zone
APN: 4469-017-901
Owner: Santa Monica-Malibu Unified School District
Case Planner: Contract Planner Greenbauer, 949 489-1442 ext. 132
Recommended Action: Adopt Planning Commission Resolution No. 26-04 certifying that the project is consistent with the Final Environmental Impact Report (State Clearinghouse No. 202008350), the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations adopted by the Santa Monica-Malibu Unified School District (SMMUSD) Board of Education on January 26, 2022 and certified by the City Council on July 11, 2022 in Resolution No. 22-32, and approving Coastal Development Permit No. 25-032, Site Plan Review No. 25-039, and Demolition Permit No. 25-027 to implement the MMHS Campus Specific Plan (Specific Plan) (Phases 2, 3a, and 4a) with the construction of a new two-story 18,911 square-foot (sf) middle school gym (Building D) and outdoor sports courts, one-story 9,243 sf middle school student activity, food service, and special education building with canopy (Building D/I), one-story 333 sf broadcasting/media arts building (Building D), middle school quad and walkways, site improvements, landscaping, on-grade solar installation, grading, and underground utility work, including a site plan review for a height increase over 18 feet, not to exceed 36 feet as allowed in the Specific Plan and a demolition permit for the demolition of existing classroom

Buildings K and I, seven portable classroom buildings, and one portable restroom building located in the Institutional Zone and MMHS Campus Specific Plan Overlay District at 30215 Morning View Drive (APN 4469-017-901) (SMMUSD).

Contract Planner Greenbauer presented the staff report.

Disclosures: Commissioner Peak

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

Speakers: None.

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

The Commission directed questions to the applicant team.

MOTION Commissioner Peak moved and Commissioner Kamins seconded a motion to adopt Planning Commission Resolution No. 26-04 certifying that the project is consistent with the Final Environmental Impact Report (State Clearinghouse No. 202008350), the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations adopted by the Santa Monica-Malibu Unified School District (SMMUSD) Board of Education on January 26, 2022 and certified by the City Council on July 11, 2022 in Resolution No. 22-32, and approving Coastal Development Permit No. 25-032, Site Plan Review No. 25-039, and Demolition Permit No. 25-027 to implement the MMHS Campus Specific Plan (Specific Plan) (Phases 2, 3a, and 4a) with the construction of a new two-story 18,911 square-foot (sf) middle school gym (Building D) and outdoor sports courts, one-story 9,243 sf middle school student activity, food service, and special education building with canopy (Building D/I), one-story 333 sf broadcasting/media arts building (Building D), middle school quad and walkways, site improvements, landscaping, on-grade solar installation, grading, and underground utility work, including a site plan review for a height increase over 18 feet, not to exceed 36 feet as allowed in the Specific Plan and a demolition permit for the demolition of existing classroom Buildings K and I, seven portable classroom buildings, and one portable restroom building located in the Institutional Zone and MMHS Campus Specific Plan Overlay District at 30215 Morning View Drive (APN 4469-017-901) (SMMUSD).

The question was called and the motion carried unanimously.

B. Zoning Text Amendment No. 25-003 – A revised amendment incorporating new state law and clarifications to Title 17 (Zoning) of the Malibu Municipal Code to update regulations related to Accessory Dwelling Units

Applicant: City of Malibu
Location: Citywide
Case Planner: Senior Planner Achis, AICP, 456-2489 ext. 247
Recommended Action: Adopt Planning Commission Resolution No. 26-03 recommending that the City Council approve revised Zoning Text Amendment No. 25-003, an amendment to Title 17 (Zoning) of the Malibu Municipal Code to update regulations related to Accessory Dwelling Units (ADU) and Junior ADUs.

Senior Planner Achis presented the staff report.

The Commission directed questions to staff.

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

Speakers: None.

As there were no speakers present, Chair Riddick 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 Peak moved and Commissioner Kamins seconded a motion to adopt Planning Commission Resolution No. 26-03, as amended, 1) modifying Section 17.44.050(C). to state, "Areas with Adequate Ingress and Egress. Since the entire City is located within a designated "Very High Fire Hazard Severity Zone," emergency ingress and egress shall be evaluated consistent with the City's adopted Fire Code (2025 California Fire Code, as amended), including the fire apparatus access road requirements set forth in California Fire Code Section 503, as enforced by the Los Angeles County Fire Department. Nothing in this subsection is intended to establish a zoning-based prohibition on ADUs or JADUs. Compliance with Fire Code and Building Code requirements is required; however, such requirements shall not be used as a zoning-based basis to deny an ADU or JADU that must be approved ministerially under State law."; and 2) recommending that the City Council approve revised Zoning Text Amendment No. 25-003, an amendment to Title 17 (Zoning) of the Malibu Municipal Code to update regulations related to Accessory Dwelling Units (ADU) and Junior ADUs.

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

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

A. Planning Commission and Staff Comments and Inquiries

None.

ADJOURNMENT

CONSENSUS At 11:15 p.m., the meeting was adjourned by unanimous consensus.

Approved and adopted by the Planning Commission of the City of Malibu on February 2, 2026.

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ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

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REBECCA EVANS, Recording Secretary