



# Council Agenda Report

To: Mayor Riggins and Honorable Members of the City Council

Prepared by: Tyler Eaton, Assistant Community Development Director

Reviewed by: Yolanda Bundy, Community Development Director

Approved by: Rob Duboux, Interim City Manager

Date prepared: January 29, 2026 Meeting date: February 9, 2026

Subject: Update on Temporary Use and Sign Permit Regulations and Consideration of Zoning Text Amendment

---

**RECOMMENDED ACTION:** 1) Receive update on the implementation of Ordinance No. 526, amendments to Temporary Use Permit (TUP) and Sign Permit regulations to support economic recovery following the impacts of the 2025 Palisades Fire; 2) Adopt Resolution No. 26-06 (Attachment 1), initiating a Zoning Text Amendment (ZTA) to Title 17 (Zoning) of the Malibu Municipal Code (MMC) related to TUP and Sign Permit regulations; 3) Bypass the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) review; and 4) Direct the Planning Commission to schedule a public hearing regarding the same.

**FISCAL IMPACT:** There is no fiscal impact associated with the recommended action.

**STRATEGIC PRIORITY:** This item supports the City's 2025 Strategic Plan Goal 2: Drive Economic Recovery and Restore Lost Revenue, and Goal 1: Support Community Rebuilding and Long-Term Recovery.

**DISCUSSION:** Pursuant to MMC Section 17.74.040, a change in the text of the Malibu Zoning Ordinance (MMC Title 17) must be initiated by the Council through a resolution of intention. The resolution gives notice to the public and other interested parties that the Council will consider changes to the code and directs the Planning Commission to hold a public hearing to consider the changes. The public hearing is required by the MMC and allows the City Council to make a recommendation on the zoning text.

The City Council is limited to the issues reasonably within the scope of the public hearing notice. In this resolution, the Council is announcing its intent to adopt revisions to MMC

Title 17 that would continue to support economic recovery for local businesses impacted by the 2025 Palisades Fire, specifically related to TUPs and Sign Permits. Additionally, the proposed permanent TUP and Sign Permit ordinance would better serve the community and advance the City's long-term economic development goals by easing regulations for minor events and promoting more business-friendly zoning standards.

Pacific Coast Highway (PCH) was closed from the City's eastern boundary to the Carbon Beach area starting on January 7, 2025, when the Palisades Fire broke out, and until Memorial Day 2025. Even after the roadway reopened, ongoing traffic controls, intermittent closures, and persistent congestion along PCH continue to cause significant delays, exacerbating access to the city and to local businesses. The prolonged closure and delays on PCH significantly limit access for visitors traveling from the greater Los Angeles area to Malibu, particularly during peak summer seasons when Malibu typically experiences its highest annual visitor volume. As a result, businesses throughout the city have been severely affected by the reduction of visitors, with some Malibu business owners publicly reporting year-over-year losses seen of up to 80 percent. The cause of the drop in visitors is widely attributable to the fire and resulting access restrictions.

The City Council adopted Urgency Ordinance No. 526U on July 14, 2025, in response to the economic impacts from the Palisades Fire described above. The ordinance was intended to help spur economic recovery and support local businesses during this period of lack of visitors. Ordinance No. 526, the follow-up regular ordinance to Urgency Ordinance No. 526U, was subsequently adopted by the City Council on September 8, 2025. Ordinance No. 526 (Attachment 2) is currently in effect and includes minor changes from Ordinance 526U, specifically related to TUPs involving events with 100-250 attendees. The amendments to MMC Title 17 adopted in Ordinance No. 526 include a sunset date of May 31, 2026, reflecting their purpose as both a post-fire economic recovery and a pilot program to evaluate their effectiveness and benefit to Malibu's business community.

Ordinance No. 526 allowed businesses to obtain a planning clearance for events with 99 persons or fewer. These events were not limited in number per year. Businesses were still required to obtain a permit from the City, so the City could ensure the event did not create a public nuisance, and so the City could notify the public through the City's online event report. These events were identified as Temporary Use Permits – Planning Clearance (TUPPC).

The ordinance also includes a provision for events with 100-250 persons, which differs from the general TUP ordinance. Businesses utilizing these provisions must submit their applications within seven (7) calendar days of the event date. Public Notices are mailed five (5) days in advance of the event to all neighbors within a 500-foot radius. These events are limited to a total of 48 one-day events per year, with no more than eight (8) one-day events per month per shopping center. For businesses not located in a shopping center, a total of 24 one-day events are allowed, with no more than two (2) one-day events per

business per month. These events were identified as Temporary Use Permits – Express (TUPE).

Events with more than 250 persons are required to obtain a regular TUP, which is limited to six (6) per calendar year, per parcel, and the application must be submitted at least 35 days in advance of the event. These requirements limit the ability to plan events on short notice. Prior to the adoption of Ordinance No. 526, even small events of less than 100 persons were required to obtain a regular TUP, which counted towards the six-event annual limit per parcel. Ordinance No. 526 provided businesses with greater opportunity to host more small-scale events and attract visitors, supporting economic recovery and longer-term economic development. The ordinance has been well received by Malibu business owners, and based on this experience, staff is recommending the Council initiate a Zoning Text Amendment to make the ordinance permanent. To date, no code enforcement complaints have been received for any events approved under the program period to date. Staff may also explore additional opportunities to support businesses, such as eliminating permit requirements for minor holiday events, including temporary ornamental Christmas tree displays or trick-or-treat events for residents. Below is a snapshot of the ordinance’s success from its adoption in July 2025 through January 2026. As stated previously, the ordinance is scheduled to sunset on May 31, 2026.

**TUPPCs, TUPEs, and TUPs approved from July 14, 2025 through January 21, 2026**

<b>Event Type</b>	<b>Number Approved</b>	<b>Code Enforcement Complaints</b>
TUPPC (99 or less)	19	0
TUPE (100-250)	5	0
TUP (250+)	10	0

To date, only one temporary sign permit has been approved during the program period. Staff has left the option open for Council to consider adopting the temporary sign regulations permanently or to direct staff to remove this provision from the permanent ordinance. The temporary signs regulations applicable during the program period are outlined in Ordinance No. 526 (Attachment 1). The Council may also consider other ways to regulate or promote signage.

Zoning Text Amendment

If this resolution of intent is adopted, staff will recommend amendments to the City's zoning code related to permanent TUPs and Sign Permits, including reductions to application and noticing requirements. Staff would also propose allowing more than six (6) TUPs per parcel, per year, while continuing to explore additional ways to ease regulations for minor events. Adoption of the resolution will authorize and direct the staff to prepare a ZTA as described herein.

Staff requests City Council feedback to help ensure the proposed ZTA aligns with the Council's objectives. While the Council will ultimately approve the final changes to the TUP and Sign Permit ordinances, staff seeks early direction to maintain consistency with Council's direction before proceeding further.

STAFF FOLLOW-UP: If the resolution is adopted, staff will prepare a staff report and proposed ordinance, including any environmental review required, bypass ZORACES review, and publish a notice of Planning Commission public hearing.

ATTACHMENTS:

1. Resolution No. 26-06
2. Ordinance No. 526

RESOLUTION NO. 26-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU  
INITIATING A ZONING TEXT AMENDMENT TO TITLE 17 (ZONING) OF  
THE MALIBU MUNICIPAL CODE RELATED TO TEMPORARY USE  
PERMIT AND SIGN PERMIT REGULATIONS

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On January 7, 2025, the Palisades Fire broke out, affecting one-third of Malibu geographically and closing Pacific Coast Highway (PCH), a main throughfare, to the general public. PCH was closed from the City's eastern boundary to the Carbon Beach area, affecting visitors traveling from the greater Los Angeles area. The Governor of California has declared the event a State of Emergency and the President of the United States has declared the event a Federal Emergency.

B. On May 21, 2025, the City Council adopted Resolution No. 25-23 to: 1) initiate a Zoning Text Amendment (ZTA) to consider changes to Title 17 (Zoning) of the Malibu Municipal Code (MMC) to stimulate economic recovery for local businesses as a result of impacts from the 2025 Palisades Fire, specifically related to Temporary Use Permits and Sign Permits; 2) Bypass the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES); and 3) Direct the Planning Commission to schedule a public hearing regarding the same.

C. On June 2, 2025, the Planning Commission held a duly noticed public hearing on the proposed amendments, ZTA No. 25-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The Planning Commission adopted Planning Commission Resolution No. 25-59 and provided a recommendation to the City Council.

D. On July 14, 2025, the City Council held a duly noticed public hearing on the proposed amendments ZTA No. 25-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council directed staff to set a second reading for adoption of Ordinance No. 526, approving ZTA No. 25-002. The City Council adopted an Urgency Ordinance, Ordinance No. 526U, to immediately initiate economic recovery for businesses affected by the 2025 Palisades Fire.

E. On August 11, 2025, the City Council received public comment, reviewed and considered the agenda report and written reports, public testimony, and other information in the record, and directed staff to return with additional revisions to the ordinance.

F. On August 25, 2025, the City Council received public comment, reviewed and considered the agenda report and written reports, public testimony, and other information in the record, and conducted an additional first reading and introduction of the Ordinance and directed staff to schedule a second reading and adoption of Ordinance No. 526, approving ZTA No. 25-002.

G. On September 8, 2025, the City Council held a duly noticed public hearing on the proposed amendments ZTA No. 25-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council approved on second reading Ordinance No. 526, approving ZTA No. 25-002.

H. On February 9, 2026, the City Council held a duly noticed public hearing and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record and initiated a ZTA to consider changes to Title 17 (Zoning) of the MMC, specifically related to Temporary Use Permits and Sign Permits.

SECTION 2. Initiation.

Pursuant to MMC Chapter 17.74, the City Council hereby initiates amendments to MMC Title 17 (Zoning) specifically related to Temporary Use Permits and Sign Permits.

SECTION 3. Planning Commission Hearing.

The Planning Commission is hereby directed to conduct a duly noticed public hearing in accordance with the provisions of MMC Chapter 17.74. Following the public hearing, the Planning Commission shall recommend to the City Council whether it should approve, modify or deny the proposed amendment. The Planning Commission's recommendation shall be made by resolution carried by the affirmative vote of not less than the majority of the entire Planning Commission.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

SECTION 5. The City Council shall certify the adoption of this resolution.

PASSED, APPROVED, and ADOPTED this 9<sup>th</sup> day of February, 2026.

---

MARIANNE RIGGINS, Mayor

ATTEST:

---

KELSEY PETTIJOHN, City Clerk  
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED  
BY THE CITY ATTORNEY'S OFFICE

---

TREVOR RUSIN, Interim City Attorney

ORDINANCE NO. 526

AN ORDINANCE OF THE CITY OF MALIBU APPROVING ZONING TEXT AMENDMENT NO. 25-002 TO AMEND TITLE 17 OF THE MALIBU MUNICIPAL CODE TO MODIFY STANDARDS AND PROCEDURES TO STIMULATE ECONOMIC RECOVERY FOR LOCAL BUSINESSES AS A RESULT OF IMPACTS FROM THE 2025 PALISADES FIRE, INCLUDING MODIFICATION TO THE PROVISIONS RELATED TO TEMPORARY USE PERMITS AND SIGN PERMITS, AND FINDING THE AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Recitals.

A. On January 7, 2025, the Palisades Fire broke out affecting close to one-third of Malibu geographically and closing Pacific Coast Highway (PCH), a main throughfare, to the general public. PCH was closed from the eastern City limit to the Carbon Beach area affecting visitors coming from the greater Los Angeles area from the date of the fire through Memorial Day weekend 2025. The Governor of California has declared the event a State of Emergency and the President of the United States has declared the event a Federal Emergency.

B. On May 8, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

C. On May 15, 2025, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

D. On May 21, 2025, the City Council adopted Resolution No. 25-23 to: 1) initiate a Zoning Text Amendment (ZTA) to consider changes to Title 17 (Zoning) of the Malibu Municipal Code (MMC) to stimulate economic recovery for local businesses as a result of impacts from the 2025 Palisades Fire, specifically related to Temporary Use Permits and Sign Permits; 2) Bypass the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES); and 3) Direct the Planning Commission to schedule a public hearing regarding the same.

E. On June 2, 2025 the Planning Commission held a duly noticed public hearing on the proposed amendments, ZTA No. 25-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The Planning Commission adopted Planning Commission Resolution No. 25-59 and provided a recommendation to the City Council.

F. On June 23, 2025, the item was continued to the July 14, 2025 City Council meeting.

G. On July 14, 2025, the City Council held a duly noticed public hearing on the proposed amendments ZTA No. 25-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council

directed staff to set a second reading for adoption of Ordinance No. 526, approving ZTA No. 25-002. The City Council adopted an Urgency Ordinance, Ordinance No. 526U, to immediately initiate economic recovery for businesses affected by the 2025 Palisades Fire.

H. On August 11, 2025 the City Council took public comment, reviewed and considered the agenda report and written reports, public testimony and other information in the record, and directed staff to return with additional revisions to the ordinance.

I. On August 25, 2025 the City Council took public comment, reviewed and considered the agenda report and written reports, public testimony and other information in the record, and conducted an additional first reading and introduction of the Ordinance and directed staff to set Ordinance No. 526, approving ZTA No. 25-002, for second reading and adoption.

J. On September 8, 2025, the City Council held a duly noticed public hearing on the proposed amendments ZTA No. 25-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council approved on second reading Ordinance No. 526, approving ZTA No. 25-002.

## SECTION 2. Environmental Review.

The City Council has analyzed the project proposal described herein. The California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council has determined that there is no possibility the amendment will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies. The amendments to the MMC will not to have a significant effect on the environment as they provide only temporary relief from some current permitting requirements, and still require individual review, conditions, and CEQA review for all events. In addition, the changes do not excuse compliance with the Coastal Act which provides additional protection of the environment and sensitive coastal resources. All of the temporary uses allowed by the proposed ordinance will be required to be restored to its existing state and each event will still require compliance with CEQA individually, as well as the California Coastal Act.

## SECTION 3. Zoning Text Amendment Findings.

Pursuant to Malibu Municipal Code Section 17.74.040, the City Council hereby makes the following findings:

A. The subject zoning text amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu's natural and cultural resources.

B. The City Council held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan, Malibu Municipal Code and the Malibu Local Coastal Program, and finds that the zoning text amendment is consistent and recommends approval.

SECTION 4. Zoning Text Amendment No. 25-002, Amendments to the Malibu Municipal Code (MMC).

The City Council hereby amends Title 17 - Zoning in the MMC as follows:

A. Amend Section 17.02.060 (Definitions) to add the underlined language:

“Director” refers to the Community Development Director of the city of Malibu or his or her designated appointee.

B. Amend Section 17.68.010 (Purpose) to add the underlined language:

The temporary use permit is intended to allow for the short-term placement of activities, many of which would be prohibited as permanent placements, in temporary facilities, public or private buildings or open spaces, or outside of buildings. Activities involving any commercial component such as: admission fee, renting of facility, charging for valet parking or shuttle service and/or public advertising shall require a temporary use permit. Temporary use permits shall be limited to four events per parcel of land per calendar year in residential zoning districts, and six events per parcel of land per calendar year in all zoning districts, except residential or as described in Section 17.68.090 below. All activities shall be regulated so as to avoid incompatibility between such uses and surrounding areas.

C. Add Section 17.68.090 titled “Temporary use permit requirements related to impacts from the 2025 Palisades Fire” which shall read as follows:

To aid recovery from the 2025 Palisades Fire, Temporary uses will be allowed for events specified in Section 17.68.040 with 250 or fewer attendees on commercially and institutionally zoned parcels from June 23, 2025, through May 31, 2026, subject to the following procedures and requirements. These provisions do not supersede the requirements of the City’s Local Coastal Program. Only one event permitted under this Section is allowed at a time. This section shall not apply to events with more than 250 persons.

A. Events with 99 persons or less in attendance at one time (excluding workers):

1. A TUP shall not be required, but instead a planning clearance must be obtained from the Community Development Department authorizing the temporary use.
2. The application shall be submitted at least two (2) calendar days prior to the event. No public noticing is required. The planning director’s decision is not appealable.

3. There are no limits to how many of these types of events may be conducted on a property so long as a planning clearance is obtained.
  4. A property is not eligible for a permit pursuant to this Section, and such application shall be denied, if any of the following apply:
    - a. The property has received a citation for violation of the City's noise ordinance or other public nuisance violation in the past year.
    - b. An event has been held on the property without the required permit in the past year.
    - c. The property has outstanding code enforcement violations, unless a compliance agreement between the City and the owner of the property exists that addresses a resolution to the violation, and the owner is in compliance with the requirements of the agreement.
    - d. The proposed event would create a public nuisance or violate any City, County, State, or Federal regulation.
    - e. The owner has knowingly made any false, misleading or fraudulent statement of material fact in the application, or in any report or statement required to be filed that is related to the application.
  5. These events shall appear on the City's weekly Event Report.
  6. The planning director may impose conditions on the permit to protect against the event becoming a nuisance to the surrounding properties due to the number of people in attendance, the amount of traffic to be generated, the type and volume of amplified music or entertainment to be utilized and other similar considerations. Conditions shall take into account the size of the property, the capacity of the street on which it is located, the availability of parking and the proximity to neighboring properties and sensitive uses.
- B. Events with 100-250 persons in attendance at one time (excluding workers):
1. A TUP pursuant to this chapter is required but the following requirements replace those in Section 17.68.050 and there shall be no appeal of the planning director's decision:
    - a. An application for a temporary use permit shall be filed with the Community Development Department seven (7) calendar days prior to the proposed use. Applications for events held at a shopping center must be applied for by the owner of the shopping center.
    - b. A notice shall be mailed, postage pre-paid, to any organization or homeowners associations that requests such notice in writing and to all property owners and tenants within a 500 foot radius of the subject property,

and in no event less than the 10 closest developed properties.

- c. The public notice shall state the nature of the request, location and zoning designation of the property, name of the applicant, and the time and place of the proposed temporary use.
  - d. Public notices shall be mailed not less than five (5) calendar days prior to the proposed event.
  - e. The planning director shall render a decision at least three (3) calendar days prior to the proposed temporary use.
  - f. Events shall not include illumination unless it complies with Chapter 17.41 (Malibu Dark Sky).
  - g. Events may occur in a common area, but cannot occur in vacant locations, i.e. those not occupied by a currently operating business.
  - h. Events must be open to the general public, but a fee may be charged for entrance. This requirement (h) does not apply to tenant opening events, private gatherings for friends and family of the business only, or other similar events hosted by the business or shopping center owner for the sole purpose of promoting the goods and services the business provides.
2. These events shall be limited to a total of 48 one day events with no more than eight (8) one day events per month per shopping center. For businesses not located in a shopping center, a total of 24 one day events shall be allowed with no more than two (2) one day events per business per month.
  3. A property is not eligible for a permit pursuant to this Section, and such application shall be denied, if any of the following apply:
    - a. The property has received a citation for violation of the City's noise ordinance or other public nuisance violation in the past year.
    - b. An event has been held on the property without the required permit in the past year.
    - c. The property has outstanding code enforcement violations, unless a compliance agreement between the City and the owner of the property exists that addresses a resolution to the violation, and the owner is in compliance with the requirements of the agreement.
    - d. The proposed event would create a public nuisance or violate any City, County, State, or Federal regulation.
    - e. The owner has knowingly made any false, misleading or fraudulent statement of material fact in the application, or in any report or statement required to be filed that is related to the application.

C. Temporary signage.

1. Businesses may obtain temporary signage permits subject to the following limitations. The requirements of Chapter 17.52 shall not apply so long as the businesses or property owners obtain a temporary sign permit from the City and meet the following requirements. All other signs are subject to chapter 17.52.
  - a. Six (6) signs per shopping center as defined by the Malibu Municipal Code or two (2) signs per parcel for all other commercial businesses which shall not exceed 16 square feet in size each.
  - b. Signs must be temporary and not have any permanent foundations or footings.
  - c. Signs shall not be illuminated.
2. The planning director may impose conditions on the permit to protect against the sign creating a nuisance or to increase the safety of the sign.

SECTION 5. Effective Date.

The ZTA sections referenced in Section 6 of this ordinance shall become effective 30 days following adoption by the City Council.

SECTION 6. Severability.

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality or the remaining portions of this Ordinance; it being hereby expressly declared and this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phases be declared invalid or unconstitutional.

SECTION 7. Certification.

The City Clerk shall certify to the passage and adoption of this Ordinance.

PASSED, APPROVED, and ADOPTED this 8<sup>th</sup> day of September 2025.

  
MARIANNE RIGGINS, Mayor

ATTEST:

  
\_\_\_\_\_  
KELSEY PETTIJOHN, City Clerk  
(seal)

Date: 9/8/25

APPROVED AS TO FORM:

  
\_\_\_\_\_  
TREVOR RUSIN, Interim City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 526 was passed and adopted at the Regular City Council meeting of September 8, 2025 by the following vote:

AYES: 5 Councilmembers: Conrad, Stewart, Uhring, Silverstein, Riggins  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

  
KELSEY PETTIJOHN, City Clerk  
(seal)