



Commission Agenda Report

To: Chair Riddick and Members of the Planning Commission

Prepared by: Gail Duncan, Administrative Assistant

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

Date prepared: February 5, 2026 Meeting date: February 17, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the December 16, 2025 Adjourned 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:

December 16, 2025 Adjourned Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
ADJOURNED REGULAR MEETING
DECEMBER 16, 2025
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

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

ALSO PRESENT: Kellan Martz, Assistant City Attorney; Yolanda Bundy, Community Development Director; Tyler Eaton, Assistant Community Development Director; Fletcher Allen, Associate Planner; Courtney Brown, Associate Planner; Coli Turner, Assistant Planner; Allison Cook, Contract Planner; Christina Muñoz, Deputy City Clerk and Gail Duncan, Recording Secretary

PLEDGE OF ALLEGIANCE

Don Shmitz led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Leonard moved and Vice Chair Mazza seconded a motion to approve the agenda, hearing Item No. 5.C. before Item No. 5.B.

CONSENSUS The motion was approved by unanimous consensus.

MOTION Vice Chair Mazza moved and Chair Riddick seconded a motion to dedicate the meeting in memory of Robert and Michele Reiner.

CONSENSUS The motion was approved by unanimous consensus.

REPORT ON POSTING OF AGENDA

Recording Secretary Duncan reported that the agenda for the meeting was properly posted on December 5, 2025.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Anne Komarovsk requested the Planning Commission investigate the risk of Pacific Coast Highway falling into the Pacific Ocean. She reminded the public of her campaign to become the Governor of California and stated her campaign website provided news updates. She thanked the Planning Commission and the public for their participation in the civic process during the holiday season.

David Paul Dominguez, a cultural resource manager and monitor, advised the Planning Commission that the City of Malibu had departed from its historical practice of collaborating with cultural resource experts. He stated the Native American Cultural Resources Advisory Committee (NACRAC) had been disbanded, there was no chairman of cultural resources, and the City did not currently employ a City Archeologist. He recommended the City re-establish NACRAC in order to properly review cultural resources.

Gary M. Harkness stated Vice Chair Mazza's role as Malibu Township Council Vice President created a conflict with his position on the Commission. He further alleged that Vice Chair Mazza asked fellow members of the Malibu Township Council to file appeals against project he had voted on.

Jerry W. requested staff address a long-standing code violation on a property owned by Councilmember Uhring and stated there was an illegal animal rescue on the property.

Frank Booth alleged that Vice Chair Mazza had a pattern of using procedure to control decision making via appeals filed through third parties. He stated that Vice Chair Mazza's actions decreased public input and hurt the City's image.

In response to comments made by Gary M. Harkness, Jerry W, and Frank Booth Vice Chair Mazza alleged a former Councilmember had the financial means to hire three speakers. He then stated that he was proud of the way he had voted in regards to projects along Pacific Coast Highway.

In response to public comments regarding Vice Chair Mazza, Commissioner Kamins stated Vice Chair Mazza was an unpaid civil servant who contributed to

Malibu for many years. She noted the public comments would carry more weight if they were made in person.

Commissioner Peak wished everyone happy holidays.

Chair Riddick noted she understood the frustration expressed in public comments regarding the propensity for appeals to be filed after hours of Planning Commission deliberations.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Associate Planner Azzaz provided an update on rebuild statistics and upcoming rebuild events and meetings.

Community Development Director Bundy reflected on the creation of the Community Development Department, the Palisades Fire and Franklin Fire, and the events of 2025.

ITEM 3 CONSENT CALENDAR

MOTION

Commissioner Leonard moved and Chair Riddick seconded a motion to approve the Consent Calendar as recommended by staff, amending Item No. 3.B.1. local appeal language to state, “Pursuant to LIP Section 13.20.1 (Local Appeals), a Planning Commission decision may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and a filing fee, as determined by the City Council. Please note that City Hall will be closed from December 24, 2025 through January 2, 2026, due to the winter closure. As such, the appeal period for this decision will be tolled until City Hall re-opens. For every day that City Hall is closed during the appeal period, an additional day will be added to the appeal period to ensure that members of the public are afforded the ability to obtain information before filing an appeal. The appeal period for this decision is from December 17, 2025 through January 7, 2026, 5:30 PM. Appeal forms may be found online at www.malibucity.org/planningforms. For questions about the appeal process, please contact the Planning Division at (310) 456-2489, ext. 309”.

The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Extension of Coastal Development Permit No. 18-015, Variance No. 18-024, Site Plan Review Nos. 22-023 and 18-017 and Minor Modification No. 18-007 – A request for an extension for construction of a new two-story single-family residence and associated development; including site plan reviews construction over 18 feet up to a maximum height of 24 feet for a flat roof and for the project to be exempt from additional regulations for hillside residential development pursuant to the provisions of Malibu Municipal Code Section 17.62.040(A)(11), a variance for construction on slopes steeper than 2.5 to 1, and a minor modification for up to a 50 percent reduction of the front yard setback

Location: 30015 Andromeda Lane

APN: 4469-004-027

Owner: Sandy Fazeli

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

Recommended Action: Adopt Planning Commission Resolution No. 25-89 granting an 18-month extension of Coastal Development Permit No. 18-015 for construction of a new two-story, 4,864 square foot single-family residence, including a 2,258 square foot basement, a swimming pool and spa, grading, hardscape, landscaping, and the installation of a new onsite wastewater treatment system, including Site Plan Review No. 18-017 for construction over 18 feet up to a maximum height of 24 feet for a flat roof, Site Plan Review No. 22-023 for the project to be exempt from additional regulations for hillside residential development pursuant to the provisions of Malibu Municipal Code Section 17.62.040(A)(11), Variance No. 18-024 for construction on slopes steeper than 2.5 to 1, and Minor Modification No. 18-007 for up to a 50 percent reduction of the front yard setback in the Rural Residential-Two Acre zoning district located at 30015 Andromeda Lane (Fazeli).

MOTION

Commissioner Leonard moved and Chair Riddick seconded a motion to adopt Planning Commission Resolution No. 25-89, as amended, 1) modifying the local appeal language to read, “Pursuant to LIP Section 13.20.1 (Local Appeals), a Planning Commission decision may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City

Clerk within 10 days and shall be accompanied by an appeal form and a filing fee, as determined by the City Council. Please note that City Hall will be closed from December 24, 2025 through January 2, 2026, due to the winter closure. As such, the appeal period for this decision will be tolled until City Hall re-opens. For every day that City Hall is closed during the appeal period, an additional day will be added to the appeal period to ensure that members of the public are afforded the ability to obtain information before filing an appeal. The appeal period for this decision is from December 17, 2025 through January 7, 2026, 5:30 PM. Appeal forms may be found online at www.malibucity.org/planningforms. For questions about the appeal process, please contact the Planning Division at (310) 456-2489, ext. 309"; and 2) granting an 18-month extension of Coastal Development Permit No. 18-015 for construction of a new two-story, 4,864 square foot single-family residence, including a 2,258 square foot basement, a swimming pool and spa, grading, hardscape, landscaping, and the installation of a new onsite wastewater treatment system, including Site Plan Review No. 18-017 for construction over 18 feet up to a maximum height of 24 feet for a flat roof, Site Plan Review No. 22-023 for the project to be exempt from additional regulations for hillside residential development pursuant to the provisions of Malibu Municipal Code Section 17.62.040(A)(11), Variance No. 18-024 for construction on slopes steeper than 2.5 to 1, and Minor Modification No. 18-007 for up to a 50 percent reduction of the front yard setback in the Rural Residential-Two Acre zoning district located at 30015 Andromeda Lane (Fazeli).

The question was called and the motion carried unanimously.

2. Approval of Minutes

Recommended Action: Approve the minutes of the November 17, 2025 and December 1, 2025 Regular Planning Commission meetings.

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

The Commission approved the minutes of the November 17, 2025 and December 1, 2025 Regular Planning Commission meetings upon approval of the Consent Calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

None.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit No. 25-041 - An application for temporary improvements within the Pacific Coast Highway public right-of-way between Broad Beach Road and La Piedra Beach Road, including lane reductions, signage, and the installation of two roundabouts with safety lighting at the intersections of El Matador Beach Road and Encinal Canyon Road, as recommended in the 2015 Pacific Coast Highway Safety Study conducted by the City in partnership with the California Department of Transportation

Location: Citywide along Pacific Coast Highway, from Broad Beach Road to La Piedra Beach Road, within the appealable coastal zone

Applicants: City of Malibu Public Works Department and California Department of Transportation (Caltrans)

Case Planner: Associate Planner Brown, 456-2489, ext. 268

Recommended Action: Adopt Planning Commission Resolution No. 25-78 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 25-041 for a pilot project for temporary improvements within the PCH public right-of-way between Broad Beach Road and La Piedra Beach Road, including lane reductions, signage, and the installation of two roundabouts with safety lighting at the intersections of El Matador Beach Road and Encinal Canyon Road, between Post Mile 58.4 and 59.9, as recommended in the 2015 PCH Safety Study conducted by the City of Malibu in partnership with the California Department of Transportation (Caltrans).

Associate Planner Brown presented the staff report.

Disclosures: None.

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

Speakers: Nadia Fahoum, Sri Chakravarthy, Lucille Keller with donated time from Anthony Keller, Harriet Coleman, Brian Zein, Lee Haber with a minute donate from John Lee, Ellen Olivie, Gary Wanicott, Greg Harris, and Marril May.

RECESS The Chair called a recess at 8:02 p.m. The meeting resumed at 8:12 p.m. with all Commissioners present.

Speakers Continued: Michel Shane, Kevin Keagan, Rick Mullen, Evonne Gelbach, Kristina Kropp, Norm Haynie, Scott Dietrich with one minute donated from Jan Ravolich, Heidi Ommensen, Patt Healy, James, Tiffany Murrey, Ryan Embree, Justin Orenstein, Kathleen Summers, and Bill Sampson

The Commission directed questions to the applicant team.

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.

MOTION Commissioner Kamins moved to adopt Planning Commission Resolution No. 25-78, amending Condition No. 3 to state, “The authorized improvements are considered temporary and to be utilized for a minimum of fifteen months once operational, up to a maximum of 18 months. This period is intended to allow Caltrans and the City’s Public Works Department to gather enough data to determine if the roundabouts provide significant safety enhancements on PCH within the project area. At the conclusion of the authorized period, the improvements would need to be removed and the PCH travel lanes restored to pre-condition. Should the City and/or Caltrans request to retain the improvements permanently as designed, authorization shall be subject to an approved Coastal Development Permit.”

The motion failed due to lack of a second.

MOTION Vice Chair Mazza moved and Commissioner Kamins seconded a motion to continue the item to a date uncertain, and return with additional information regarding the safety factor of a one lane roundabout, the evacuation plan for Encinal Canyon and Puesta Del Sol, the safety plan for the access streets, statistics regarding summer maximum traffic rates, the safety factor of merging a bike lane into a one lane roundabout, decision criteria for selection of the intersections for these roundabouts, and a request for further community outreach and input.

SUBSTITUTE MOTION

Commissioner Leonard moved and Commissioner Peak seconded a motion to adopt Planning Commission Resolution No. 25-78, as amended, 1) modifying the local appeal language to state, “Pursuant to LIP Section 13.20.1 (Local Appeals), a Planning Commission decision may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and a filing fee, as determined by the City Council. Please note that City Hall will be closed from December 24, 2025 through January 2, 2026, due to the winter closure. As such, the appeal period for this decision will be tolled until City Hall re-opens. For every day that City Hall is closed during the appeal period, an additional day will be added to the appeal period to ensure that members of the public are afforded the ability to obtain information before filing an appeal. The appeal period for this decision is from December 17, 2025 through

January 7, 2026, 5:30 PM. Appeal forms may be found online at www.malibucity.org/planningforms. For questions about the appeal process, please contact the Planning Division at (310) 456-2489, ext. 309.”; and 2) amending Condition No. 3 to state, “The authorized improvements are considered temporary and to be utilized for a minimum of fifteen months once operational, up to a maximum of 18 months. This period is intended to allow Caltrans and the City’s Public Works Department to gather enough data to determine if the roundabouts provide significant safety enhancements on PCH within the project area. At the conclusion of the authorized period, the improvements would need to be removed and the PCH travel lanes restored to pre-condition. Should the City and/or Caltrans request to retain the improvements permanently as designed, authorization shall be subject to an approved Coastal Development Permit.”; 3) adding Condition No. 34 to state, ”The applicant must submit a report to the Planning Commission at the conclusion of the 15 month test period, detailing the impact of the temporary improvements.”; and 4) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 25-041 for a pilot project for temporary improvements within the PCH public right-of-way between Broad Beach Road and La Piedra Beach Road, including lane reductions, signage, and the installation of two roundabouts with safety lighting at the intersections of El Matador Beach Road and Encinal Canyon Road, between Post Mile 58.4 and 59.9, as recommended in the 2015 PCH Safety Study conducted by the City of Malibu in partnership with the California Department of Transportation (Caltrans).

MOTION Commissioner Kamins moved and Vice Chair Mazza seconded a motion to deny the project.

RECESS Chair Riddick called a recess at 11:07 p.m. The meeting resumed at 11:16 p.m. with all Commissioners present.

The question was called on the motion for denial and the motion failed 2-3, with Commissioner Leonard, Commissioner Peak, and Chair Riddick dissenting.

FRIENDLY AMENDMENT

Vice Chair Mazza moved to modify Condition No. 15b to state, “The use of highly reflective materials shall be prohibited except for solar energy panels or cells, reflective paint, bollards, and other safety devices as needed, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.” and adding Condition No. 28e to state, “Construction is prohibited between Memorial Day and Labor Day.”

The friendly amendment was accepted by the maker and the seconder.

FRIENDLY AMENDMENT

Vice Chair Mazza moved to add a condition requiring that the approval of the project expired after 18 months.

The friendly amendment was not accepted by the maker.

The question was called and the motion carried 3-2, Commissioner Kamins and Vice Chair Mazza dissenting.

MOTION

Vice Chair Mazza moved and Commissioner Peak seconded a motion to continue Item No. 5.C. to the January 20, 2026 Regular Planning Commission meeting and Item Nos. 5.B. and 5.D. to the February 2, 2026 Regular Planning Commission meeting.

The question was called and the motion carried unanimously.

B. View Preservation Permit No. 25-001 – An application requesting corrective action to restore the views recorded at 7132 Dume Drive under Primary View Determination No. 12-009 with regard to the foliage located at 29119 Cliffside Drive

Claimant Name: Mark DiPaola, Managing Member of Napa Malibu LLC

Claimant Address: 7132 Dume Drive

Claimant APN: 4466-014-014

Foliage Owner Name: Nancy Alder Esq.

Foliage Owner Address: 29119 Cliffside Drive

Foliage Owner APN: 4466-014-008

Case Planner: Planning Technician Turner, MUP, 456-2489 ext. 295

Recommended Action: Either: 1) adopt Planning Commission Resolution No. 25-88, determining the action is categorically exempt from the California Environmental Quality Act, and approving View Preservation Permit No. 25-001 to require alteration and maintenance of foliage at 29119 Cliffside Drive at the height of the horizon, as shown in Primary View Determination No. 12-009, in order to restore the primary view documented in Primary View Determination No. 12-009; or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

This item was continued to the February 2, 2026 Regular Planning Commission meeting.

- C. 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

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. 25-05, 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.

This item was continued to the January 20, 2026 Regular Planning Commission meeting.

- D. Local Coastal Program Amendment No. 23-003, Zoning Map Amendment No. 18-001, Coastal Development Permit No. 18-038, Variance Nos. 21-001, 21-002, and 21-003, Site Plan Review No. 18-044 and Conditional Use Permit No. 19-002 – An application to change the land use designation and rezone the property from Commercial Neighborhood to Community Commercial and construct a two-story 1,792 square foot residential care facility for assisted senior living with an additional 1,194 square-foot basement and 805 square-foot attached four-car garage, onsite wastewater treatment system, retaining walls, landscaping, and associated development; including variances for retaining wall not to exceed 24 feet in height and impact wall not to exceed 11 feet in height, construction on slopes over 2.5:1, and development and fuel modification into Environmentally Sensitive Habitat Area (ESHA) and ESHA buffer, a site plan review for structure

height above 18 feet not to exceed 24 feet, and a conditional use permit to allow a residential care facility for the elderly in the Community Commercial zone

Location: 22549 Pacific Coast Highway, within the appealable coastal zone

APN: 4452-023-003

Owner: Anita Kundi

Case Planner: Contract Planner Cook, AICP, 805-415-1991

Recommended Action: Either 1) adopt Planning Commission Resolution No. 25-90 recommending the City Council determine that the project is exempt from the California Environmental Quality Act, adopt Local Coastal Program Amendment No. 23-003 to change the land use designation and zoning designation from Community Neighborhood (CN) to Community Commercial (CC) in the Local Coastal Program Land Use Plan and Local Implementation Plan, adopt Zoning Map Amendment No. 18-001 to change the zoning of the property in Title 17 of the Malibu Municipal Code from CN to CC, approval of Coastal Development Permit No. 18-038 to construct a new two-story 1,792 square-foot residential care facility for assisted senior living with an additional 1,194 square-foot basement and 805 square-foot attached four-car garage, driveway, fire truck turnaround area, landscape, hardscape, terrace decks, grading, retaining walls, site walls, and an onsite wastewater treatment system; including Variance (VAR) No. 21-001 for retaining wall and impact wall heights above six feet for a single wall, VAR No. 21-002 for construction on slopes steeper than 2.5 to 1, VAR No. 21-003 for development in Environmentally Sensitive Habitat Area (ESHA) buffer and fuel modification in ESHA and ESHA buffer, Site Plan Review No. 18-044 for construction over 18 feet up to a maximum height of 24 feet for a flat roof, and Conditional Use Permit No. 19-002 to allow a residential care facility for the elderly use in the CC zone located at 22549 PCH (Anita Kundi) or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

This item was continued to the February 2, 2026 Regular Planning Commission meeting.

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

At 11:36 p.m., the meeting was adjourned in memory of Robert and Michelle Reiner by unanimous consensus.

Approved and adopted by the Planning Commission
of the City of Malibu on February 17, 2026.

ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

GAIL DUNCAN, Recording Secretary