Commission Agenda Report

Planning Commission Meeting
05-04-26
Item 3.B.2.

To: Chair Peak 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: April 23, 2026 Meeting date: May 4, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the April 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:

April 20, 2026 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
APRIL 20, 2026
COUNCIL CHAMBERS
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 when technically viable.

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: Yolanda Bundy, Community Development Director; Kellan Martz, Assistant City Attorney; Tyler Eaton, Assistant Community Development Director; Patrick Achis, Senior Planner; Fletcher Allen, Senior Planner; Alexander da Silva, Associate Planner; Adriana Peralta, Assistant Planner; Larbi Azzaz, Associate Planner; Richard Greenbauer, Contract Planner; Magda Gonzalez, Contract Planner; Parker Davis, Media Technician; Gail Duncan, Management Analyst and Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Assistant Community Development Director Eaton led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved and Commissioner Peak seconded a motion to approve the agenda.

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 April 9, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Planning Commission Reorganization

Recommended Action: Conduct the election of Chair and Vice Chair
Staff Contact: Senior Management Analyst Evans, MS, 456-2489, ext. 246

Chair Riddick opened nominations for Chair.

Commissioner Kamins nominated Vice Chair Mazza for election to Chair.

Commissioner Leonard nominated Commissioner Peak for election to Chair.

The question was called and Chair Peak was elected 3-2, Vice Chair Mazza and Commissioner Kamins dissenting.

Recording Secretary Evans administered the Oath of Office to newly appointed Chair Peak.

Chair Peak opened nominations for the election of Vice Chair

Vice Chair Mazza, Commissioner Leonard and Commissioner Riddick nominated Commissioner Kamins for election to Vice Chair.

The question was called and Vice Chair Kamins was elected by unanimous consensus.

Recording Secretary Evans administered the Oath of Office to newly appointed Vice Chair Kamins.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Luis Tena provided a brief overview of beta versions of three tools available at no cost designed for rebuild support. The newArch beta prototype (https://www.newarch.com) was intended to help owners understand what could be built by right on a parcel by pulling data from publicly available information sites such as Los Angeles County Tax Assessor, United States Geographical Survey, and Los Angeles Region Imagery Acquisition Consortium. The Malibu Rebuild Navigator tool (https://luistenadesign.github.io/malibu-rebuild-navigator) offered a personalized flowchart of required permits, documents, and code references based on responses to fifteen questions. The Permit Tracker (https://maliburebuildtaskforce.github.io/permit-tracker) pulled information from the City's OnBase to generate a map, which indicates parcels with active building

permits and available reports. Mr. Tena invited comments on the three systems for further refinements.

Thomas Spencer commented on Commissioner Mazza's inattentiveness to his appointing Councilmember Uhring's code violations at his personal residence, which remained in violation after two years.

Jim Casey noted that both Commissioner Peak and former Commissioner Dennis Smith were completely exonerated by the Fair Political Practices Commission (FPPC) investigation. He alleged that Mayor Silverstein instigated the original FPPC complaint filed in cooperation with Jo Drummond. He stated that Ms. Drummond was motivated by the hope of claiming a Planning Commission seat should either Commissioner be removed.

Jo Drummond noted that once again Commissioner Mazza was passed over for Chair of the Planning Commission and stated he should have been elected based on his long service to the community. She alleged outside interest parties had been interfering with public meetings by Zoom commentary. Ms. Drummond stated residents would remember who stood with the community and who tolerated outside pressure at the ballot box. She expressed approval of Marni Kamins election to Vice Chair.

Commissioner Mazza alleged the virtual speakers were not residents of the community.

Vice Chair Kamins expressed concern regarding the public comments against Commissioner Mazza and noted his long tenure of service to the community. She urged virtual speakers to attend meetings in person to express their concerns.

Commissioner Riddick noted her appreciation of the value of Commissioner Mazza's in-depth analysis of projects, historical background and service to the Commission and stated his opinions would continue to be heard regardless of his role on the Commission.

Commissioner Leonard noted that the Planning Commission was not a political Commission and stated it was the Commission's responsibility to make critical findings and to serve the community as a whole.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Community Development Director Bundy thanked former Chair Riddick for her work and former Vice Chair Mazza for his time and institutional knowledge. She welcomed Chair Peak and Vice Chair Kamins. Ms. Bundy stated the General Plan

Amendment for the Safety Element was approved by City Council at their April 13, 2026 Regular meeting. The California Department of Housing and Community Development officially accepted the City's annual progress report which highlighted the City's progress with the certified Housing Element Implementation for the prior year. Ms. Bundy announced Community Development Department staff would finalize a Palisades Fire Rebuild Guide for with infographics for all stakeholders, which would be presented to the fire zone captains soon.

Associate Planner da Silva provided an update regarding rebuild statistics and upcoming rebuild meetings.

Recording Secretary Evans stated that any resolution or minutes adopted by the Commission that evening would be updated to reflect the name of the newly elected Chair.

ITEM 3 CONSENT CALENDAR

The following items were pulled: Item Nos. 3.B.1., 3B.2., 3.B.3., 3.B.4. and 3.B.5.

MOTION Commissioner Riddick moved and Commissioner Mazza seconded a motion to approve the balance of the Consent Calendar, Item Nos. 3.B.6, 3.B.7., and 3.B.8.

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. Formula Retail Clearance No. 26-001 - Cross Creek Ranch Shopping Center

Location:	23465 Civic Center Way, Unit 850
APN:	4458-022-032
Owner:	Cross Creek Ranch Malibu, LLC
Tenant:	Birkenstock
Case Planner:	Assistant Planner Peralta, 456-2489, ext. 315

Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-001.

The Commission determined Item Nos. 3.B.1 through 3.B.5 would be heard as a collective group.

The Commission directed questions to staff.

Assistant Planner Peralta presented the staff report.

Chair Peak opened public comment.

Speakers: Patt Healy, Bryan Gordon, Beth Gordie, Jeremy Fink, Jed August

Chair Peak closed the public comment portion of the hearing.

The Commission directed questions to staff.

Item Nos. 3.B.1. through 3.B.5 were received and filed by the Commission.

2. Formula Retail Clearance No. 26-002 – Cross Creek Ranch Shopping Center
   Location: 23465 Civic Center Way, Units 610 – 630
   APN: 4458-022-032
   Owner: Cross Creek Ranch Malibu, LLC
   Tenant: Restoration Hardware, Inc.
   Case Planner: Assistant Planner Peralta, 456-2489, ext. 315
   Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-002.

3. Formula Retail Clearance No. 26-003 – Cross Creek Ranch Shopping Center
   Location: 23465 Civic Center Way, Unit 350
   APN: 4458-022-032
   Owner: Cross Creek Ranch Malibu, LLC
   Tenant: Brandy Melville

Case Planner: Assistant Planner Peralta, 456-2489, ext. 315
Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-003.

4. Formula Retail Clearance No. 26-004 – Cross Creek Ranch Shopping Center
Location: 23465 Civic Center Way, Unit 470
APN: 4458-022-032
Owner: Cross Creek Ranch Malibu, LLC
Tenant: Malbon Golf
Case Planner: Assistant Planner Peralta, 456-2489, ext. 315
Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-004.

5. Formula Retail Clearance No. 26-005 – Cross Creek Ranch Shopping Center
Location: 23465 Civic Center Way, Unit 370
APN: 4458-022-032
Owner: Cross Creek Ranch Malibu, LLC
Tenant: The Shop by Wheat
Case Planner: Assistant Planner Peralta, 456-2489, ext. 315
Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-005.

6. Approval of Minutes
Recommended Action: Approve the minutes of the March 16, 2026 Regular Planning Commission meeting.
Staff Contact: Senior Management Analyst Evans, MS, 456-2489, ext. 246

The Commission unanimously approved the minutes of the March 16, 2026 Regular Planning Commission meeting upon approval of the balance of the agenda.

7. Extension of Coastal Development Permit No. 15-002, Variance Nos. 16-019 and 17-052, Site Plan Review No. 16-041 and Minor Modification No. 21-005 – A request for an extension of time for construction of a new two-story single-family residence and associated development
Location: 28906 Verde Mesa Lane
APN: 4467-018-031

Owner: Maron Family Trust
Case Planner: Contract Planner Kinsella, 510-407-3062
Recommended Action: Adopt Planning Commission Resolution No. 26-14 granting a two-year extension of Coastal Development Permit No. 15-002 for the construction of a new 5,913 square foot, two-story single-family residence plus a 668 square foot attached garage, swimming pool, spa, deck, hardscape, fencing, grading, retaining walls, and landscape, onsite wastewater treatment system; including Variance No. 16-019 for fuel modification encroachment into the Environmentally Sensitive Habitat Area and Environmentally Sensitive Habitat Area Buffer, Variance No.17-052 for construction on slopes steeper than 2.5 to 1, Site Plan Review No. 16-041 for height over 18 feet but not to exceed 28 feet for a pitched roof, and Minor Modification No. 21-005 for a less than 50 percent reduction to the required front yard setback in the Rural Residential, Five-Acre zoning district located at 28906 Verde Mesa Lane (Maron Family Trust).

The Commission adopted Planning Commission Resolution No. 26-14 granting a two-year extension of Coastal Development Permit No. 15-002 for the construction of a new 5,913 square foot, two-story single-family residence plus a 668 square foot attached garage, swimming pool, spa, deck, hardscape, fencing, grading, retaining walls, and landscape, onsite wastewater treatment system; including Variance No. 16-019 for fuel modification encroachment into the Environmentally Sensitive Habitat Area and Environmentally Sensitive Habitat Area Buffer, Variance No.17-052 for construction on slopes steeper than 2.5 to 1, Site Plan Review No. 16-041 for height over 18 feet but not to exceed 28 feet for a pitched roof, and Minor Modification No. 21-005 for a less than 50 percent reduction to the required front yard setback in the Rural Residential, Five-Acre zoning district located at 28906 Verde Mesa Lane (Maron Family Trust) unanimously upon approval of the balance of the Consent Calendar.

8. <u>De Minimis Waiver No. 24-002 – An application for a new onsite wastewater treatment system for a parcel affected by the Woolsey Fire</u>
Location: 29960 Harvester Road, not within the appealable coastal zone
APN: 4469-013-037
Owner: Stacy Clunies-Ross Trust
Case Planner: Associate Planner Azzaz, 456-2489, ext. 302

Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 24-002 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. 24-002 upon approval of the balance of the Consent Calendar.

RECESS Chair Peak recessed the meeting at 7:59 p.m. The meeting resumed at 8:15 p.m. with all Commissioners present.

ITEM 4 CONTINUED PUBLIC HEARINGS

None.

ITEM 5 NEW PUBLIC HEARINGS

A. Zoning Text Amendment No. 25-003 – An amended recommendation for Accessory Dwelling Unit regulations to include a reduced setback provision for fire rebuilds
Location: Citywide
Case Planner: Senior Planner Achis, AICP, 456-2489, ext. 247
Recommended Action: Adopt Planning Commission Resolution No. 26-16 amending the Commission's prior recommendation (Resolution No. 26-03) to include a setback provision for Accessory Dwelling Units attached to fire rebuild replacement structures and recommending that the City Council approve revised Zoning Text Amendment No. 25-003.

Senior Planner Achis presented the staff report.

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

Speakers: Steve Parks, Chris Sorensen

As there were no other speakers present, Chair Peak 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 Mazza moved and Vice Chair Kamins seconded a motion to adopt Planning Commission Resolution No. 26-16, as amended, 1) modifying the title to add "beachfront" before "fire rebuild replacement structures"; 2) adding to the

end of Section 3.B. "as amended to limit reduced Accessory Dwelling Unit setbacks to beachfront lots." 3) modifying Exhibit A, recital K to add "and adopted Resolution No. 26-03, as amended to limit the ADU fire rebuild setback exception to beachfront lots only, recommending City Council approval of ZTA No. 23-003."; 4) prefacing the proposed language in Exhibit A-1 for Malibu Municipal Code Section 17.44.090(B)(4) with "On a beachfront lot,"; and 5) amending the Commission's prior recommendation (Resolution No. 26-03) to include a setback provision for Accessory Dwelling Units attached to beachfront fire rebuild replacement structures and recommending that the City Council approve revised Zoning Text Amendment No. 25-003.

The question was called and the motion carried unanimously.

B. Coastal Development Permit No. 23-033 and Variance No. 26-004 – An application for the construction of a new potable water well with a reduced setback from an onsite wastewater treatment system

Location: 31255 Beach View Estates Drive, partially within the appealable coastal zone
APN: 4470-004-014
Owner: Conscious Choice, LLC
Case Planner: Contract Planner Greenbauer, 949-489-1442, ext. 132
Recommended Action: Adopt Planning Commission Resolution No. 26-17 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 23-033 for the construction of a new potable water well to service an approved replacement single-family residence previously destroyed in the Woolsey Fire; including Variance No. 26-004 for an approximate 30 percent reduction in the required 150-foot setback between the well and an onsite wastewater treatment system, located in the Rural Residential, Five-Acre zoning district at 31255 Beach View Estates Drive (Conscious Choice, LLC).

Contract Planner Greenbauer presented the staff report.

Disclosures: None.

The Commission directed questions to staff.

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

Speakers: Martin Rasmussen, Jed August, (Matt Jewett was available to respond to questions)

As there were no other speakers present, Chair Peak 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 Mazza moved and Vice Chair Kamins seconded a motion to adopt Planning Commission Resolution No. 26-17 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 23-033 for the construction of a new potable water well to service an approved replacement single-family residence previously destroyed in the Woolsey Fire; including Variance No. 26-004 for an approximate 30 percent reduction in the required 150-foot setback between the well and an onsite wastewater treatment system, located in the Rural Residential, Five-Acre zoning district at 31255 Beach View Estates Drive (Conscious Choice, LLC).

The question was called and the motion carried unanimously.

C. Coastal Development Permit No. 21-045 and Variance 26-003 – An application to grade and construct a new 594 square-foot, approximately 11 foot 2-inch tall, detached Accessory Dwelling Unit/Second Unit, including a variance for relief from Malibu Country Estates Overlay District standards associated with a proposed second building pad, reduced rear yard setback, wall heights, and allowances for impermeable coverage, structure height, and grading outside the existing building pad

Location: 24507 Vantage Point Terrace, partially within the appealable coastal zone
APN: 4458-033-006
Owner: Meissner Family Trust
Case Planner: Contract Planner Gonzalez, 929-789-7160
Recommended Action: Adopt Planning Commission Resolution No. 26-02 determining that the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves, and denying Coastal Development Permit No. 21-045 and Variance No. 26-003 to grade and construct a new 594 square-foot, approximately 11 foot 2-inch tall, detached Accessory Dwelling Unit/Second Unit; including a variance for relief from Malibu Country Estates Overlay District standards associated with a proposed second building pad, reduced rear yard setback, wall heights, and allowances for impermeable coverage, structure height, and grading outside the existing building pad on a parcel located in the Malibu Country Estates Overlay and Single Family Medium zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

Contract Planner Gonzalez presented the staff report.

Disclosures: Commissioners Riddick, Leonard, Mazza

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

Speakers: Matt Jewett, Mark Baute, Helmut Meissner, Jed August

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

MOTION Vice Chair Kamins moved to direct staff to return with a resolution for approval of Coastal Development Permit No. 21-045 and Variance No. 26-003.

The motion failed for lack of a second.

MOTION Commissioner Mazza moved to adopt Planning Commission Resolution No. 26-02 determining that the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves, and denying Coastal Development Permit No. 21-045 and Variance No. 26-003 to grade and construct a new 594 square-foot, approximately 11 foot 2-inch tall, detached Accessory Dwelling Unit/Second Unit; including a variance for relief from Malibu Country Estates Overlay District standards associated with a proposed second building pad, reduced rear yard setback, wall heights, and allowances for impermeable coverage, structure height, and grading outside the existing building pad on a parcel located in the Malibu Country Estates Overlay and Single Family Medium zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

The motion failed for lack of a second.

The Commission directed questions to staff and the applicant team.

STRAW POLL

The Commissioners conducted a straw poll regarding inclination toward finding a path to approval.

The straw poll concluded the Commission was inclined to pursue approval of the proposed development 3-2, Commissioners Mazza and Peak dissenting.

MOTION Chair Peak moved and Commissioner Mazza seconded a motion to continue the item to the June 1, 2026 Regular Planning Commission meeting.

The question was called and the motion carried 3-2, Commissioners Leonard and Kamins 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 10:16 p.m., the meeting was adjourned by unanimous consensus.

Approved and adopted by the Planning Commission of the City of Malibu on May 4, 2026.

_____
SKYLAR PEAK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary