Commission Agenda Report

Planning Commission Meeting
05-18-26
Item 5.B.

To: Chair Peak and Members of the Planning Commission

Prepared by: Tyler Eaton, Assistant Community Development Director and Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director

Date prepared: May 7, 2026 Meeting date: May 18, 2026

Subject: Local Coastal Program Amendment No. 26-002 and Zoning Text Amendment No. 26-002 – An amendment to Chapter 2 (Definitions) of the Local Coastal Program Local Implementation Plan and Title 17 (Zoning) of the Malibu Municipal Code to add a definition of Beachfront and make a recommendation to the City Council

Applicant: City of Malibu
Location: Citywide

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-20 (Attachment 1) recommending that the City Council approve Local Coastal Program Amendment (LCPA) No. 26-002 and Zoning Text Amendment (ZTA) No. 26-002 to add a definition of Beachfront to Chapter 2 (Definitions) of the Local Coastal Program (LCP) Local Implementation Plan (LIP) and Title 17 (Zoning) of the Malibu Municipal Code (MMC).

SUMMARY: The item before the Planning Commission is consideration of a new definition of Beachfront being added to LIP Section 2.1 (Definitions) and MMC Section 17.02.060 (Definitions). This term is currently not defined in the LIP or MMC and its inclusion would be beneficial when applying development standards to projects whether on the beach or not. The proposed definition would not change any City practices or policies but would memorialize the City's longstanding application of this term in its codes. The proposed definition was reviewed by the City Council's Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) on March 26, 2026, where it was recommended the Planning Division proceed with the definition as proposed to the Planning Commission for review. Preparation of the Beachfront definition was directed by the City Council on December 8, 2025.

DISCUSSION: When applying development standards to projects requiring setbacks, height, impermeable coverage, two-thirds calculation, and Total Development Square Footage (TDSF), the LIP and MMC provide a different set of development standards for "beachfront" and "non-beachfront" projects. Beachfront development standards allow less setbacks and increased height than non-beachfront development standards. Additionally, beachfront development is not subject to the impermeable coverage, two-thirds calculation, and TDSF limitations that are otherwise applied to non-beachfront development. Since these limitations do not apply to beachfront development, it is important for the City to clearly define what parcels are subject to beachfront development standards to prevent non-beachfront development from mistakenly leveraging those allowances. As will be explained further in this report, beachfront parcels are typically smaller and compressed which is why policy makers of the past allowed lesser development standards. On the contrary many non-beachfront parcels are larger, given Malibu's rural characteristics, with much more room for development.

Neither the LIP nor MMC provide a definition of Beachfront or Non-Beachfront and, while in most cases the distinction is obvious, there are nuances with the location of development and configuration of some ocean-fronting parcels in the City that have resulted in ambiguity for applicants, the City's reviewers, and decision-makers. In practice, the Planning Division and the California Coastal Commission (CCC) through their review of development projects in the City, have historically qualified that beachfront development standards apply based on a parcel's orientation to the coast, the zoning designation, and the location of the structure. It should be noted that the City and CCC have historically agreed on what is considered a beachfront parcel. Geologic characteristics associated with the location of the primary use structure, such as the footprint of a residence as it is situated on a parcel, is a defining factor and not just the location of the parcel itself. Establishing a definition of Beachfront in the LIP and MMC would provide clarity to the public and City, improve consistency in project review, and reduce the need for case-by-base interpretations. It would also better position the City if challenges to a project's development standards were made by an applicant looking to maximize the extra code allowances of beachfront development that are intended to be for the typical constrained beachfront parcel.

Proposed Definition

The proposed definition would read:

> BEACHFRONT: A parcel is considered beachfront when one of its parcel boundary lines is the Pacific Ocean or beach directly adjacent to the Pacific Ocean, the parcel does not have a zoning designation of Rural Residential, and the site of proposed development is either directly on the beach or within a low-lying shoreline area contiguous with the beach and not separated from the beach by a coastal bluff, cliff, hill, or other elevated coastal landform. Parcels not meeting these criteria shall be

considered non-beachfront. Beachfront development standards shall only apply to parcels meeting this definition where the primary use structure is located in one of these areas. An ancillary structure on the beach shall not constitute a parcel to be beachfront if the primary use structure is not located on the beach.

The proposed definition would align LIP Section 2.1 (Definitions) and MMC Section 17.02.060 (Definitions) with the City's longstanding practice for qualifying when beachfront development standards apply. The structure of the proposed definition is characterized by the following three components:

1) Physical Relationship to the Pacific Ocean: A parcel must directly abut the ocean. This component is important to ensure beachfront development standards are applied to parcels adjacent to the coast and not parcels adjacent to other low-lying areas, such as lagoons or blue-line streams; and

2) Consistency with the General Plan and Zoning Maps: A parcel must not be located within the General Plan, zoning code, or LCP land use designation of Rural Residential (RR) due to the lower-intensity development pattern envisioned for the RR residential land use and minimum lot size of one acre. This component is important because several parcels in the City are designated as RR and are oriented along the coast, as well as typically being larger in lot size. These lots are typically larger in size and have development that is separated from the beach by elevated landforms covered in the paragraph below. Allowing the use of beachfront development standards for these large RR parcels along the coast could allow for the parcels to develop in a relatively dense pattern that would not be consistent with the rural ambiance envisioned by the General Plan for such areas; and

3) Geologic Characteristics of a Beachfront Environment: The footprint of the primary use structure of a parcel must be reflective of geologic characteristics of a beachfront environment such as representing a low-lying coastal landform contiguous to the beach and not being separated from the beach by a coastal bluff, cliff, hill, or other prominent elevated coastal landform. This component is important because some parcels in the City are oriented along the coast and not within the RR land use designation, such as parcels in the Single Family Medium (SFM) land use designation; however, the location of proposed development for a primary use is separated from the beach by a coastal bluff, hill, or some other prominent coastal landform. Typically, parcels that include coastal bluffs or other prominent elevated coastal landforms are also larger in lot size than the parcels that are reflective of a beachfront environment. Allowing the use of beachfront development standards for parcels along the coast that are separated from the beach by a coastal bluff or some other prominent coastal landform would allow for development much larger than intended by the General Plan.

ZORACES

The proposed definition was reviewed by ZORACES at its meeting on March 26, 2026. The subcommittee voted 2-0 to proceed with the definition as recommended by staff to the Planning Commission for review. For clarity to the public, the subcommittee provided the following feedback:

1) Clarify that the LCPA/ZTA would not be changing any City practices or policies but rather memorializing the City's longstanding practice when applying beachfront development standards;
2) In the staff presentation, include enhanced mapping of example areas using the City's GIS and Google Earth; and
3) In the staff presentation, include Broad Beach Road in the examples of when beachfront development standards apply.

General Plan & LCP Consistency

The proposed amendment is supported by the following General Plan Mission Statement and Land Use (LU) Element, and LCP Land Use Plan (LUP) policies.

General Plan

1) Mission Statement (excerpt): Malibu will maintain its rural character by establishing programs and policies that avoid suburbanization and commercialization of its natural and cultural resources.
2) LU Policy 1.1.1: The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.
3) LU Policy 1.1.4: The City shall preserve the City's rural residential character.
4) LU Policy 1.1.5: The City shall require careful site planning which blends development with the natural topography.
5) LU Policy 2.3.2: The City shall discourage "mansionization" by establishing limits on height, bulk, and square footage for all new and remodel single-family residences.
6) LU Policy 2.4.1: The City shall preserve and protect vistas and large open areas that contribute to the rural feeling of the area.
7) LU Policy 6.1.1: The City shall use development standards and procedures that protect the property owners' reasonable use of their land consistent with the goals and policies of this General Plan.

LUP

1) LUP Policy 5.7: New development shall conform to the hillside management provisions of the LIP, including measures to minimize impacts to scenic and visual resources and to minimize the risk from hazards. The measures include but are not limited to limiting grading and retaining walls, restricting development on steep slopes, protecting ridgelines, and applying siting and design restrictions (scenic and visual policies). The slope density criteria of the subdivision ordinance shall apply

to sloping terrain and be applied in combination with the base land use designation in order to determine the maximum allowable density.

2) LUP Policy 5.25: In order to protect the rural character, improvements, which create a suburban atmosphere such as sidewalks and streetlights, shall be avoided in any rural residential designation.
3) LUP Policy 6.5: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.
4) LUP Policy 6.7: The height of structures shall be limited to minimize impacts to visual resources. The maximum allowable height, except for beachfront lots, shall be 18 feet above existing or finished grade, whichever is lower. On beachfront lots, or where found appropriate through Site Plan Review, the maximum height shall be 24 feet (flat roofs) or 28 feet (pitched roofs) above existing or finished grade, whichever is lower. Chimneys and rooftop antennas may be permitted to extend above the permitted height of the structure.

NEXT STEPS: A proposed ordinance (Attachment 1, Exhibit A) will be presented to the City Council if recommended by the Planning Commission. If adopted by the City Council, a second reading would occur at a subsequent City Council meeting and then be transmitted to the CCC for certification. The LCPA (and ZTA as a corollary amendment) would become effective upon certification by the CCC.

ENVIRONMENTAL REVIEW: Pursuant to California Environmental Quality Act (CEQA), the proposed LCP and MMC amendment actions have been analyzed by the Community Development Director and determined to be Statutorily Exempt pursuant to CEQA Guidelines Section 15265 because CEQA does not apply to activities or approvals by a local government as necessary for the preparation and adoption of an LCPA for review and certification by the CCC as set forth in Section 21080.9 of the Public Resources Code. Accordingly, the certified City of Malibu LCP constitutes a plan for use in the CCC's regulatory program as certified under Section 21080.5 of the Public Resources Code.

CORRESPONDENCE: To-date, no correspondence has been received on this topic. Correspondence had been received for the City Council Initiation meeting in December of 2025, but it was related the Council's consideration of adding TDSF requirements to beachfront parcels. TDSF was not included in the Council's Initiation of this LCPA/ZTA.

PUBLIC NOTICE: On April 23, 2026, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed to interested parties (Attachment 2).

ATTACHMENTS:

1. Planning Commission Resolution No. 26-20
   Exhibit A - Draft Ordinance
2. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU DETERMINING THE AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND RECOMMENDING THAT THE CITY COUNCIL APPROVE LOCAL COASTAL PROGRAM AMENDMENT NO. 26-002 AND ZONING TEXT AMENDMENT NO. 26-002 TO ADD A DEFINITION OF BEACHFRONT TO CHAPTER 2 (DEFINITIONS) OF THE LOCAL COASTAL PROGRAM LOCAL IMPLEMENTATION PLAN AND TITLE 17 (ZONING) OF THE MALIBU MUNICIPAL CODE

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

Section 1. Recitals.

A. On December 8, 2025, the City Council adopted Resolution No. 25-56 to initiate the preparation of a Beachfront definition.

B. On March 26, 2026, the Zoning Ordinance Revision and Code Enforcement Subcommittee (ZORACES) met to discuss the proposed amendments and provided feedback for staff to incorporate as the ordinance advances to the Planning Commission.

C. On April 23, 2026, 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.

D. On May 18, 2026, the Planning Commission held a duly noticed public hearing on the proposed amendment in Local Coastal Program Amendment (LCPA) No. 26-002 and Zoning Text Amendment (ZTA) No. 26-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

Section 2. Environmental Review.

Pursuant to California Environmental Quality Act (CEQA), the proposed Local Coastal Program (LCP) and Malibu Municipal Code (MMC) amendment actions have been analyzed by the Planning Commission and determined to be Statutorily Exempt pursuant to CEQA Guidelines Section 15265 because CEQA does not apply to activities or approvals by a local government as necessary for the preparation and adoption of an LCPA for review and certification by the California Coastal Commission (CCC) as set forth in Section 21080.9 of the Public Resources Code. Accordingly, the certified City of Malibu LCP constitutes a plan for use in the CCC's regulatory program as certified under Section 21080.5 of the Public Resources Code.

Section 3. Local Coastal Program Amendment Findings.

Pursuant to LIP Section 19.6, the Planning Commission hereby makes the following findings and recommends the City Council adopt the ordinance in Exhibit A amending the LIP as stated in Section 4 of the ordinance.

A. Section 30251 of Chapter 3 of the Coastal Act states that the scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. The Section requires that coastal development must protect scenic views, be visually compatible with surroundings, and, where feasible, restore and enhance visual quality in visually degraded areas. Highly scenic areas, including areas to and along the ocean, scenic roads, and public viewing areas, require development to be subordinate to the setting. Establishing a proper definition of "Beachfront" will ensure that only true beachfront development utilizes the standards which are meant for more constrained parcels along the coast bound by the ocean and limited parcel width, and further preserve more scenic and visual qualities of coastal areas in Malibu.

B. Chapters 5 and 6 of the Malibu LUP incorporate the Coastal Act's development policies, including Section 30251, to minimize impacts on scenic resources. This includes restricting development and applying siting and design restrictions.

C. LIP Chapter 3 implements the LUP by requiring development standards applicable to beachfront and non-beachfront development. Non-beachfront development standards require increased setbacks and lower heights than beachfront development standards, as well as restrictions on impermeable coverage, limits on the volume of development above 18 feet (two-thirds calculation), and Total Development Square Footage (TDSF) limitations. This is due to non-beachfront parcels being larger in size where those extra limitations help to preserve Malibu's coastal resources. Historically, the City and CCC through its review of coastal development have qualified that beachfront development standards apply based on a parcel's orientation to the coast, the zoning designation, and the location of the structure. Geologic characteristics associated with the location of the primary use structure, such as the footprint of a single-family residence as it is situated on a parcel, is a defining factor and not just the location of the parcel itself. Establishing a definition of Beachfront in the LIP would further implement Chapters 5 and 6 of the LUP and Section 30251 of the Coastal Act by ensuring the appropriate application of non-beachfront development standards are being applied to parcels that do not meet the eligibility components of a beachfront parcel.

Section 4. Zoning Text Amendment Findings.

Pursuant to MMC Section 17.74.040, the Planning Commission hereby makes the following findings and recommends the City Council adopt the ordinance in Exhibit A amending the MMC Title 17 (Zoning) as stated in Section 6 of the ordinance.

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 and protect the natural environment and rural residential character by regulating land use, discouraging "mansionization," and preserving vistas and open areas.

B. The Planning Commission held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan and MMC, and finds

that ZTA No. 26-002 is consistent and recommends approval. The Planning Commission found that the Beachfront definition is consistent with the historical application of the MMC and LCP by the City and CCC and does not change how Malibu has applied beachfront development standards previously. Rather, it clarifies what is and is not subject to beachfront development standards which differs from non-beachfront development standards.

Section 5. Planning Commission Action.

Based on the foregoing findings and evidence contained in the record, the Planning Commission hereby recommends that the City Council approve LCPA No. 26-002 and ZTA No. 26-002 contained in Sections 3 and 4 of this resolution.

Section 6. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 18th day of May 2026.

SKYLAR PEAK, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

Exhibit A: Recommended Ordinance for Council Adoption

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 26-20 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 18th day of May, 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

REBECCA EVANS, Recording Secretary

Exhibit A

ORDINANCE NO. xxx

AN ORDINANCE OF THE CITY OF MALIBU APPROVING LOCAL COASTAL PROGRAM AMENDMENT NO. 26-002 AND ZONING TEXT AMENDMENT NO. 26-002 TO ADD A DEFINITION OF BEACHFRONT TO CHAPTER 2 (DEFINITIONS) OF THE LOCAL COASTAL PROGRAM LOCAL IMPLEMENTATION PLAN AND TITLE 17 (ZONING) OF THE MALIBU MUNICIPAL CODE; AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

SECTION 1. Findings.

A. On December 8, 2025, the City Council adopted Resolution No. 25-56 to initiate the preparation of a Beachfront definition.

B. On March 26, 2026, the Zoning Ordinance Revision and Code Enforcement Subcommittee (ZORACES) met to discuss the proposed amendments and provided feedback for staff to incorporate as the ordinance advances to the Planning Commission.

C. On April 23, 2026, 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.

D. On May 18, 2026, the Planning Commission held a duly noticed public hearing on the proposed amendment in Local Coastal Program Amendment (LCPA) No. 26-002 and Zoning Text Amendment (ZTA) No. 26-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

E. On xxx xx, 2026, a Notice of City Council Public Hearing and Notice of Availability of Local Coastal Program (LCP) Amendments was published in a newspaper of general circulation within the City of Malibu and mailed to interested parties indicating that the City Council would a hold public hearing on xxx xx, 2026 to consider the proposed Ordinance.

E. On xxx xx, 2026, the City Council held a duly noticed public hearing on the proposed amendments, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council conducted a first reading and introduction of the Ordinance and directed staff to set a second reading for adoption of Ordinance No. xxx, approving LCPA No. 26-002 and ZTA No. 26-002.

SECTION 2. Environmental Review.

The City Council finds that pursuant to the California Environmental Quality Act (CEQA), the proposed LCP and Malibu Municipal Code (MMC) amendment actions have been analyzed and determined to be Statutorily Exempt pursuant to CEQA Guidelines Section 15265 because CEQA does not apply to activities or approvals by a local government as necessary for the preparation and adoption of an LCPA for review and certification by the California Coastal Commission (CCC) as set forth in Section 21080.9 of the Public Resources Code. Accordingly, the certified City of Malibu LCP constitutes a plan for use in the CCC's regulatory program as certified under Section 21080.5 of the Public Resources Code.

SECTION 3. Local Coastal Program Amendment Findings.

Pursuant to LCP Local Implementation Plan (LIP) Section 19.6, the City Council hereby makes the following findings to approve LCPA No. 26-002 as stated in Section 4 of this ordinance.

A. Section 30251 of Chapter 3 of the Coastal Act states that the scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. The Section requires that coastal development must protect scenic views, be visually compatible with surroundings, and, where feasible, restore and enhance visual quality in visually degraded areas. Highly scenic areas, including areas to and along the ocean, scenic roads, and public viewing areas, require development to be subordinate to the setting. Establishing a proper definition of "Beachfront" will ensure that only true beachfront development utilize the standards which are meant for more constrained parcels along the coast bound by the ocean and limited parcel width, and further preserve more scenic and visual qualities of coastal areas in Malibu.

B. Chapters 5 and 6 of the Malibu LCP Land Use Plan (LUP) incorporate the Coastal Act's development policies, including Section 30251, to minimize impacts on scenic resources. This includes restricting development and applying siting and design restrictions.

C. LIP Chapter 3 implements the LUP by requiring development standards applicable to beachfront and non-beachfront development. Non-beachfront development standards require increased setbacks and lower heights than beachfront development standards, as well as restrictions on impermeable coverage, limits on the volume of development above 18 feet (two-thirds calculation), and Total Development Square Footage (TDSF) limitations. This is due to non-beachfront parcels being larger in size where those extra limitations help to preserve Malibu's coastal resources. Historically, the City and CCC through its review of coastal development have qualified that beachfront development standards apply based on a parcel's orientation to the coast, the zoning designation, and the location of the structure. Geologic characteristics associated with the location of the primary use structure, such as the footprint of a single-family residence as it is situated on a parcel, is a defining factor and not just the location of the parcel itself. Establishing a definition of Beachfront in the LIP would further implement Chapters 5 and 6 of the LUP and Section 30251 of the Coastal Act by ensuring the appropriate application of non-beachfront

development standards are being applied to parcels that do not meet the eligibility components of a beachfront parcel.

SECTION 4. Local Coastal Program Amendments.

Pursuant to LIP Section 19.5(B), the LIP shall be amended as follows:

A. Amend LIP Section 2.1 (Definitions) to include a new definition as follows:

BEACHFRONT: A parcel is considered beachfront when one of its parcel boundary lines is the Pacific Ocean or beach directly adjacent to the Pacific Ocean, the parcel does not have a zoning designation of Rural Residential, and the site of proposed development is either directly on the beach or within a low-lying shoreline area contiguous with the beach and not separated from the beach by a coastal bluff, cliff, hill, or other elevated coastal landform. Parcels not meeting these criteria shall be considered non-beachfront. Beachfront development standards shall only apply to parcels meeting this definition where the primary use structure is located in one of these areas. An ancillary structure on the beach shall not constitute a parcel to be beachfront if the primary use structure is not located on the beach.

SECTION 5. Zoning Text Amendment Findings.

Pursuant to MMC Section 17.74.040(C), the City Council hereby makes the following findings to approve ZTA No. 26-002 as stated in Section 6 of this ordinance.

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 and protect the natural environment and rural residential character by regulating land use, discouraging "mansionization," and preserving vistas and open areas.

B. The City Council held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan and MMC, and finds that ZTA No. 26-002 is consistent with the General Plan. The City Council found that the Beachfront definition is consistent with the historical application of the MMC and LCP by the City and CCC and does not change how Malibu has applied beachfront development standards previously. Rather, it clarifies what is and is not subject to beachfront development standards which differs from non-beachfront development standards.

SECTION 6. Zoning Text Amendments.

Pursuant to MMC Section 17.74.040(D), the MMC shall be amended as follows:

A. Amend MMC Section 17.02.060 (Definitions) to include a new definition as follows:

"Beachfront" means that a parcel is considered beachfront when one of its parcel boundary lines is the Pacific Ocean or beach directly adjacent to the Pacific Ocean, the parcel does not have a zoning designation of Rural Residential, and the site of proposed development is either directly on the beach or within a low-lying shoreline area contiguous with the beach and not separated from the beach by a coastal bluff, cliff, hill, or other elevated coastal landform. Parcels not meeting these criteria shall be considered non-beachfront. Beachfront development standards shall only apply to parcels meeting this definition where the primary use structure is located in one of these areas. An ancillary structure on the beach shall not constitute a parcel to be beachfront if the primary use structure is not located on the beach.

SECTION 7. Submittal to California Coastal Commission.

The City Council hereby directs staff to submit the LCPA to the CCC per Title 14, California Code of Regulations Section 13544(c).

SECTION 8. Effective Date.

LCPA No. 26-002 and corollary ZTA No. 26-002 approved in this Ordinance shall become effective only upon final certification of the LCPA by the CCC.

SECTION 9. 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 of 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 10. Certification.

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

PASSED, APPROVED, and ADOPTED this ___ day of _____, 2026.

_____
BRUCE SILVERSTEIN, Mayor

ATTEST:

_____
KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

_____
TREVOR RUSIN, Interim City Attorney

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
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COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, May 18, 2026, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

BEACHFRONT DEFINITION

Local Coastal Program Amendment No. 26-002 and Zoning Text Amendment No. 26-002 - The Planning Commission will consider amendments to Chapter 2 (Definitions) of the Local Coastal Program Local Implementation Plan and Title 17 (Zoning) of the Malibu Municipal Code to add a definition of Beachfront and make a recommendation to the City Council

LOCATION: **Citywide Project**
CASE PLANNER: Tyler Eaton, Assistant Community Development Director, teaton@malibucity.org (310) 456-2489, ext. 273

Pursuant to California Environmental Quality Act (CEQA), the proposed Local Coastal Program (LCP) and Malibu Municipal Code amendment actions have been analyzed by the Community Development Director and determined to be Statutorily Exempt pursuant to CEQA Guidelines Section 15265 because CEQA does not apply to activities or approvals by a local government as necessary for the preparation and adoption of an LCP Amendment for review and certification by the California Coastal Commission (CCC) as set forth in Section 21080.9 of the Public Resources Code. Accordingly, the certified City of Malibu LCP constitutes a plan for use in the CCC regulatory program as certified under Section 21080.5 of the Public Resources Code.

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Commission regarding this matter will be afforded an opportunity in accordance with the Commission's procedures. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours. Oral and written comments may be presented to the Planning Commission on, or before, the date of the meeting.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

YOLANDA BUNDY, Community Development Director Date: April 23, 2026

ATTACHMENT 2