Commission Agenda Report

Planning Commission Meeting
06-01-26
Item 3.B.3.

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: May 21, 2026 Meeting date: June 1, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the May 18, 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:

May 18, 2026 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
MAY 18, 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 Peak 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 Skylar Peak, Vice Chair Marni Kamins and Commissioners Drew Leonard, John G. Mazza and Elizabeth Riddick

ALSO PRESENT: Yolanda Bundy, Community Development Director; Trevor Rusin, Interim City Attorney; Tyler Eaton, Assistant Community Development Director; Patrick Achis, Senior Planner; Larbi Azzaz, Associate Planner; Analise Nash, Assistant Planner; Joseph Smith, Contract Principal Planner; Luis Flores, Senior Management Analyst; Parker Davis, Media Production Technician; Gail Duncan, Management Analyst and Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Stephanie Hawner led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Leon seconded a motion to approve the agenda, continuing Item No. 4.B. to the June 15, 2026 Regular Planning Commission meeting.

The motion carried unanimously.

REPORT ON POSTING OF AGENDA

Recording Secretary Evans reported that the agenda for the meeting was properly posted on May 7, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

None.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Commissioner Mazza thanked staff for corrections to the April 20, 2026 Regular Planning Commission meeting minutes.

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

ITEM 3 CONSENT CALENDAR

CONSENSUS The Commission approved the Consent Calendar by unanimous consensus.

The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

1. Receive and File Corrected Minutes
Recommended Action: Receive and file the minutes of the April 20, 2026 Regular Planning Commission meeting as amended and approved at the May 4, 2026 Regular Planning Commission meeting.
Staff Contact: Senior Management Analyst Evans, MS, 456-2489, ext. 246

The Commission received and filed the minutes of the April 20, 2026 Regular Planning Commission meeting upon approval of the consent calendar.

B. New Items

1. Approval of Minutes
Recommended Action: Approve the minutes of the May 4, 2026 Regular Planning Commission meeting.

Staff Contact: Management Analyst Duncan, 456-2489, ext. 309

The Commission unanimously approved the minutes of the May 4, 2026 Regular Planning Commission meeting upon approval of the consent calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit No. 23-073, Variance No. 25-019, Site Plan Review No. 23-035, and Minor Modification No. 24-005 – An application for the construction of a single-family residence and associated development (Continued from March 16, 2026)

Location: 32832 Pacific Coast Highway, within the appealable coastal zone
APN: 4473-017-023
Owner: Sun is Shining, LLC
Case Planner: Senior Planner Achis, AICP, 456-2489, ext. 247
Recommended Action: Adopt Planning Commission Resolution No. 26-11 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 23-073 to construct a new 5,168-square-foot, two-story single-family residence with an 840 square-foot subterranean garage and 2,192-square-foot basement, advanced onsite wastewater treatment system, driveway, hardscaping, pool and associated decks, landscaping and associated development; including Variance No. 25-019 for encroachment into an Environmentally Sensitive Habitat Area (ESHA) buffer and stream ESHA, Site Plan Review No. 23-035 for construction above 18 feet, up to 23 feet, 1 inch for a flat roof, and Minor Modification No. 24-005 for up to a 13 percent reduction of the front yard setback, located in the Rural Residential, Two-Acre zoning district at 32832 Pacific Coast Highway (Sun is Shining, LLC).

Senior Planner Achis presented the staff report.

Disclosures: Commissioners Leonard, Peak, Mazza and Kamins

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

Speaker: Stephanie Hawner

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 Commissioner Mazza moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-11, as amended, 1) adding Condition No. 28.g. to state, “No new development or vegetation shall be placed or

permitted in the view corridor, other than a fence that is completely view permeable. Existing vegetation shall be cut to restore the view corridor. Three sequential violations of this condition will result in the requirement to permanently remove all offending vegetation from the site."; and 2) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 23-073 to construct a new 5,168-square-foot, two-story single-family residence with an 840 square-foot subterranean garage and 2,192-square-foot basement, advanced onsite wastewater treatment system, driveway, hardscaping, pool and associated decks, landscaping and associated development; including Variance No. 25-019 for encroachment into an Environmentally Sensitive Habitat Area (ESHA) buffer and stream ESHA, Site Plan Review No. 23-035 for construction above 18 feet, up to 23 feet, 1 inch for a flat roof, and Minor Modification No. 24-005 for up to a 13 percent reduction of the front yard setback, located in the Rural Residential, Two-Acre zoning district at 32832 Pacific Coast Highway (Sun is Shining, LLC).

The question was called and the motion carried unanimously.

B. Coastal Development Permit No. 18-029 – A follow-up application to Emergency Coastal Development Permit No. 18-002 for the removal of temporary bluff protection measures and the construction of permanent bluff protection measures consisting of two revetments on the ocean side of a private street (Continued from May 4, 2026)

Location: 31618 Sea Level Drive, within the appealable coastal zone
APNs: 4470-017-009; 4470-001-014 through 4470-001-026
Owners: Malibu Encinal Homeowners Association; WHE Properties, LLC; Gary and Daphne Murphy; X17 Inc; Sea Level Properties II, LLC; Elizabeth E Heitman Trust; Drake Family Trust; Steve Shuken Trust; MH and JM Gainer Trust; CWMBS, Inc.; Fusco Family Trust; Steve Supowitz; Fusco Family Trust; Crowley and Summers; P and C Partners LP; BJGL Holdings I LLC
Case Planner: Associate Planner da Silva, 456-2489, ext. 314
Recommended Action: Continue the item to the June 15, 2026 Regular Planning Commission meeting.

The item was continued to the June 15, 2026 Regular Planning Commission meeting upon approval of the agenda.

ITEM 5 NEW PUBLIC HEARINGS

A. Conditional Use Permit No. 26-002 – An application to permit a temporary tow yard on weekends and holidays from May 23, 2026 through September 7, 2026 at the Malibu Middle and High School campus

Location: 30215 Morning View Drive
APN: 4469-017-901
Owner: Santa Monica-Malibu Unified School District
Case Planner: Assistant Planner Nash, 456-2489, ext. 294
Recommended Action: Adopt Planning Commission Resolution No. 26-19 determining the project is categorically exempt from the California Environmental Quality Act and approving Conditional Use Permit No. 26-002 to permit a temporary tow yard in the lower parking lot of the Malibu Middle and High School campus to store impounded vehicles from 8:00 a.m. to 7:00 p.m. on weekends and holidays from May 23, 2026 through September 7, 2026 located in the Institutional zoning district and Malibu Middle and High School Specific Plan Overlay at 30215 Morning View Drive (APN 4469-017-901) (Santa Monica-Malibu Unified School District).

Assistant Planner Nash 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.

Speaker: None.

As there were no 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. 26-19 determining the project is categorically exempt from the California Environmental Quality Act and approving Conditional Use Permit No. 26-002 to permit a temporary tow yard in the lower parking lot of the Malibu Middle and High School campus to store impounded vehicles from 8:00 a.m. to 7:00 p.m. on weekends and holidays from May 23, 2026 through September 7, 2026 located in the Institutional zoning district and Malibu Middle and High School Specific Plan Overlay at 30215 Morning View Drive (APN 4469-017-901) (Santa Monica-Malibu Unified School District).

The question was called and the motion carried unanimously.

B. 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
Case Planners: Assistant Community Development Director Eaton, 456-2489, ext. 273
Contract Principal Planner Smith, AICP, jsmith@malibucity.org

Recommended Action: Adopt Planning Commission Resolution No. 26-20 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.

Assistant Community Development Director Eaton and Contract Principal Planner Smith presented the staff report.

The Commission directed questions to staff.

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

Speaker: None.

As there were no 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 and the public and expressed concerns about potential implications for future lot mergers.

MOTION Commissioner Leonard moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-20 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 question was called and the motion carried unanimously.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

A. Planning Commission and Staff Comments and Inquiries

ADJOURNMENT

CONSENSUS At 7:37 p.m. the meeting was adjourned by unanimous consensus.

Approved and adopted by the Planning Commission
of the City of Malibu on June 1, 2026

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SKYLAR PEAK, Planning Commission Chair

ATTEST:

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REBECCA EVANS, Recording Secretary