Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 3.B.2.

To: Chair Peak and Members of the Planning Commission

Prepared by: Gail Duncan, Management Analyst

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

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the July 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:

July 20, 2026 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JULY 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 Peak called the meeting to order at 6:31 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Skylar Peak and Commissioners Drew Leonard, John G. Mazza and Elizabeth Riddick

ABSENT: Vice Chair Marni Kamins

ALSO PRESENT: Tyler Eaton, Assistant Community Development Director; Trevor Rusin, Interim City Attorney; Didier Murillo, Principal Planner; Samantha Elias, Associate Planner; Alexander da Silva, Associate Planner; Analise Nash, Assistant Planner; Adriana Grogan, Assistant Planner; Parker Davis, Media Production Technician; Luis Sotelo, Office Assistant; and Gail Duncan, Recording Secretary

PLEDGE OF ALLEGIANCE

Bryan Gordon led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Riddick seconded a motion to approve the agenda, continuing Item No. 4.A. to a date uncertain.

The question was called and the motion carried 4-0, Vice Chair Kamins absent.

REPORT ON POSTING OF AGENDA

Recording Secretary Duncan reported that the agenda for the meeting was properly posted on July 9, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Paul Allen Brown alleged there was a conflict of interest regarding Commissioner Mazza's position as a Commissioner on the Planning Commission and his position as Vice Chair on the Malibu Township Council. He added that Commissioner Mazza had served 16 years on the Planning Commission and should retire from his role.

Sterling Paige was called on to give comment and provided only a greeting to the Commission.

Commissioner Mazza addressed Paul Allen Brown's comment and explained that recusals were how Commissioners dealt with conflict of interests.

Chair Peak expressed his hope that everyone was having a wonderful summer.

Commissioner Mazza encouraged the public to attend the Public Works Commission meeting on July 22, 2026 and provide comment on the community lands project. He expressed the importance of public input on future uses of the City-owned vacant parcels.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Assistant Community Development Director Eaton thanked Commissioner Mazza for reminding the public about the community lands project and announced that the project would be heard at both the Parks and Recreation and Public Works Commission meetings. He announced that Community Development Director Bundy would be available at the Rebuild Center Monday through Friday for the foreseeable future and mentioned that an appointment was highly recommended. He explained that Phase 1 of the wireless residential fix was approved by the City Council on July 13, 2026 and that Phase 2 was scheduled for the August 24, 2026 Regular City Council Meeting. He also noted that the Local Coastal Program Amendment to create a definition for beachfront was scheduled for the August 10, 2026 Regular City Council meeting. Mr. Eaton announced the Community Development Department would present to ZORACES in the next few months to create a policy on blufftop determinations and biology inspections.

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

Commissioner Leonard asked staff how many permits had been issued on beachfront homes.

In response to Commissioner Leonard, Associate Planner Elias explained that there had been 10 building plan check permits issued for beachfront homes to date.

Commissioner Leonard asked staff how many Palisades Fire rebuild properties were under active construction.

In response to Commissioner Leonard, Assistant Community Development Director Eaton noted that he was aware of a few Palisades Fire rebuilds under active construction.

Commissioner Mazza asked staff if they had any information regarding a K-rail that was recently installed on Pacific Coast Highway and questioned if evacuation studies were done to evaluate the safety of having one lane in that area.

In response to Commissioner Mazza, Assistant Community Development Director Eaton explained that Public Works usually took the lead on PCH projects and that he would return with information on the K-rail at the next Planning Commission meeting after speaking with Public Works staff.

Chair Peak commented that he believed the K-rail was temporarily installed to improve worker safety.

ITEM 3 CONSENT CALENDAR

The following Items were pulled: Item Nos. 3.B.3, 3.B.4. and 3.B.5

MOTION Commissioner Mazza moved and Commissioner Leonard seconded a motion to approve the balance of the Consent Calendar, Item Nos. 3.B.1., 3.B.2. and 3.B.6.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Administrative Coastal Development Permit No. 26-029 – An application for the abandonment of an existing onsite wastewater treatment system (OWTS) and construction of a new (replacement) OWTS
   Location: 31810 Cottontail Lane, not within the appealable coastal zone
   APN: 4470-020-019
   Owner: Marjorie L. Weston Trust
   Case Planner: Assistant Planner Nash, 456-2489, ext. 294
   Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 26-029.

   The Commission received and filed the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 26-029 upon approval of the balance of the Consent Calendar.

2. Administrative Coastal Development Permit No. 22-055 – An application for the abandonment of an existing OWTS and to construct a new (replacement) OWTS
   Location: 5742 Busch Drive, not within the appealable coastal zone
   APN: 4467-026-017
   Owners: Scott E. Weiss and Marla Y. Weiss
   Case Planner: Associate Planner da Silva, 456-2489, ext. 314
   Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 22-055.

   The Commission received and filed the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 22-055 upon approval of the balance of the consent Calendar.

3. Formula Retail Clearance No. 26-007 – Cross Creek Ranch Shopping Center
   Location: 23465 Civic Center Way, Suite 720
   APN: 4458-022-032
   Owner: Cross Creek Ranch Malibu, LLC
   Tenant: Jenni Kayne
   Case Planner: Assistant Planner Grogan, 456-2489, ext. 315
   Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-007.

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

Senior Planner Allen presented the staff report.

Disclosures: Commissioners Leonard, Mazza, Riddick, Peak,

The Commission directed questions to staff.

Chair Peak opened public comment.

Speaker: Beth Gordie

Chair Peak closed the public comment portion of the hearing.

The Commission directed questions to staff and the applicant team. The Commission and staff discussed Formula Retail Clearance in relation to Item Nos. 3.B.3. through 3.B.5. extensively.

MOTION Commissioner Mazza moved to receive and file the Community Development Director's reports on Formula Retail Clearance Nos. 26-007, 26-009 and 26-010 and direct staff to return at the next Planning Commission meeting with a report anytime somebody rents an office within Industries that qualifies as a Formula Retail.

The motion failed for lack of a second.

The Commission directed staff to return with a presentation on the current formula retail status of the tenants of Industrious at the Cross Creek Shopping Center at a future meeting, preferably prior to the end of the year.

CONSENSUS The Commission received and filed the Community Development Director's reports on Formula Retail Clearance Nos. 26-007, 26-009 and 26-010 by consensus, Vice Chair Kamins absent.

4. Formula Retail Clearance No. 26-009 – Cross Creek Ranch Shopping Center

Location:	23465 Civic Center Way, Suite 340
APN:	4458-022-032
Owner:	Cross Creek Ranch Malibu, LLC
Tenant:	LoveShackFancy
Case Planner:	Assistant Planner Grogan, 456-2489, ext. 315

Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-009.

The Commission and staff discussed Formula Retail Clearance in relation to Item Nos. 3.B.3. through 3.B.5. extensively.

The Commission received and filed the Community Development Director's report on Formula Retail Clearance No. 26-009 by consensus, Vice Chair Kamins absent.

5. Formula Retail Clearance No. 26-010 – Cross Creek Ranch Shopping Center
Location: 23465 Civic Center Way, Suite 730
APN: 4458-022-032
Owner: Cross Creek Ranch Malibu, LLC
Tenant: Vuori
Case Planner: Assistant Planner Grogan, 456-2489, ext. 315
Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-010.

The Commission and staff discussed Formula Retail Clearance in relation to Item Nos. 3.B.3. through 3.B.5. extensively.

The Commission received and filed the Community Development Director's report on Formula Retail Clearance No. 26-010 by consensus, Vice Chair Kamins absent.

6. Approval of Minutes
Recommended Action: Approve the minutes of the June 1, 2026 and the June 15, 2026 Regular Planning Commission meetings.
Staff Contact: Senior Management Analyst Evans 456-2489, ext. 246

The Commission approved the minutes of the June 1, 2026 and the June 15, 2026 Regular Planning Commission meetings upon approval of the balance of the Consent Calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit No. 18-029 – A follow-up application to Emergency Coastal Development Permit No. 18-002 for the removal of temporary slope protection measures and the construction of permanent slope protection measures consisting of two revetments on the ocean side of a private street (Continued from June 15, 2026)

Locations: 31618 Sea Level Drive, within the appealable coastal zone
APNs: 4470-017-009, 4470-001-014, 4470-001-015, 4470-001-016, 4470-001-017, 4470-001-018, 4470-001-019, 4470-001-020, 4470-001-021, 4470-001-022, 4470-001-024, 4470-001-025, and 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.; Steve Supowitz; Fusco Family Trust; 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 a date uncertain.

This item was continued to a date uncertain upon approval of the agenda.

ITEM 5 NEW PUBLIC HEARINGS

A. Conditional Use Permit No. 26-003 – An application to allow the operation of a new restaurant including outdoor seating and to allow the onsite sale and consumption of beer, wine, and distilled spirits (Alcohol Beverage Control License Type 47) to patrons of a bona fide eating place (Madeo Mare)

Location: 23465 Civic Center Way, Parcel A, Building 4, Suites 480 & 490, within the Town Center Overlay District
APN: 4458-022-032
Owner: Cross Creek Ranch Malibu, LLC
Tenant: Madeo Mare
Case Planner: Assistant Planner Grogan, 456-2489, ext. 315

Recommended Action: Adopt Planning Commission Resolution No. 26-27 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 26-003 to allow the operation of a new restaurant, including outdoor seating, and authorizing the Community Development Director to submit a letter of public convenience or necessity for a California Department of Alcoholic Beverage Control License Type 47 (On-Sale General – Eating Place) to allow the onsite sale and consumption of beer, wine, and distilled spirits in the Community Commercial zoning district within the Town Center Overlay located at 23465 Civic Center Way, Suites 480 & 490 (Cross Creek Ranch Malibu, LLC).

Assistant Planner Grogan presented the staff report.

Disclosures: Commissioners Leonard, Mazza, Riddick, Peak,

The Commission directed questions to staff.

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

Speakers: Bryan Gordon, Beth Gordie

As there were no other speakers present, Chair Peak closed the public comment portion of the public hearing. No further discussion occurred.

MOTION Commissioner Mazza moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-27, as amended, 1) modifying Condition No. 2 hours of operation to state "8:00 a.m. to 12:00 a.m. Sunday through Thursday; and 8:00 a.m. to 1:00 a.m. Friday through Saturday" and 2) determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 26-003 to allow the operation of a new restaurant, including outdoor seating, and authorizing the Community Development Director to submit a letter of public convenience or necessity for a California Department of Alcoholic Beverage Control License Type 47 (On-Sale General – Eating Place) to allow the onsite sale and consumption of beer, wine, and distilled spirits in the Community Commercial zoning district within the Town Center Overlay located at 23465 Civic Center Way, Suites 480 & 490 (Cross Creek Ranch Malibu, LLC).

The question was called and the motion carried 4-0, Vice Chair Kamins absent.

B. Coastal Development Permit No. 26-002 – An application to extend the height of an existing power pole within the Public Right-of-Way

Locations: 5716 Kanan Dume Road and within the adjacent Public Right-of-Way
APN: 4467-033-026
Owners: Fordson Inc. and City of Malibu
Applicant: Fordson Inc.
Case Planner: Principal Planner Murillo, 456-2489, ext. 342
Recommended Action: Adopt Planning Commission Resolution No. 26-28 determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 26-002 to extend the height of an existing Southern California Edison wooden utility power pole (Pole No. 2171513E) from 24 feet to 28 feet tall located in the Rural Residential, Five-Acre zoning district at 5716 Kanan Dume Road and within the adjacent Public Right-of-Way (Fordson Inc. and City of Malibu).

Principal Planner Murillo presented the staff report.

Disclosure: Commissioner Mazza

The Commission directed questions to staff.

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

As there were no speakers present, Chair Peak closed the public comment portion of the public hearing. No further discussion occurred.

MOTION Commissioner Mazza moved and Commissioner Leonard seconded a motion to adopt Planning Commission Resolution No. 26-28 determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 26-002 to extend the height of an existing Southern California Edison wooden utility power pole (Pole No. 2171513E) from 24 feet to 28 feet tall located in the Rural Residential, Five-Acre zoning district at 5716 Kanan Dume Road and within the adjacent Public Right-of-Way (Fordson Inc. and City of Malibu).

The question was called and the motion carried 4-0, Vice Chair Kamins absent.

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 7.57 p.m. the meeting was adjourned by consensus 4-0, Vice Chair Kamins absent.

Approved and adopted by the Planning Commission of the City of Malibu on August 3, 2026.

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SKYLAR PEAK, Planning Commission Chair

ATTEST:

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GAIL DUNCAN, Recording Secretary