Commission Agenda Report

Planning Commission Meeting
10-05-26
Item 3.B.3.

To: Chair Kamins 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: September 24, 2026 Meeting date: October 5, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the September 8, 2026 Planning Commission Regular meeting and the September 22, 2026 Planning Commission Adjourned Regular meeting.

DISCUSSION: Staff has prepared draft minutes for the above-refenced Planning Commission meetings and hereby submits the minutes for the Commission's consideration.

ATTACHMENT:

1. September 8, 2026 Planning Commission Regular Meeting Minutes
2. September 22, 2026 Planning Commission Adjourned Regular Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 8, 2026
MULTI-PURPOSE ROOM
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: Tyler Eaton, Assistant Community Development Director; Kellan Martz, Assistant City Attorney; Fletcher Allen, Senior Planner; Rick Casswell, Contract Planner; Gina Paolini, Contract Planner; Parker Davis, Media Production Technician; Gail Duncan, Management Analyst; and Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Rick Mullen led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Leonard 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 August 27, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

None.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Assistant Community Development Director Eaton announced an emergency proclamation in regard to the sinkhole and damaged gas line on Sea Level Drive was issued by the City Manager. City staff were onsite throughout the day and worked closely with partner agencies to stabilize the area. The Chili Cook-Off event was cancelled on Sunday due to inclement weather but otherwise was successful with no complaints received by City staff.

Commissioner Mazza asked whether the sinkhole occurred at the same site as the seawall built under an Emergency Coastal Development Permit approved as a coastal development permit at the August 17, 2026 Regular Planning Commission meeting.

In response to Commissioner Mazza, Assistant Community Development Director Eaton stated he could look up the address of the impacted property.

A member of the public involved with the previously approved seawall, confirmed the structure Commissioner Mazza referenced had withstood the coastal wave action and the sinkhole occurred on a different parcel.

ITEM 3 CONSENT CALENDAR

MOTION Commissioner Mazza moved and Commissioner Leonard seconded a motion to approve the balance of the Consent Calendar as recommended by staff.

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. Approval of Minutes
Recommended Action: Approve the minutes of the August 3, 2026 and August 17, 2026 Regular Planning Commission meetings.
Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246

The minutes of the August 3, 2026 and August 17, 2026 Regular Planning Commission meetings were approved upon approval of the Consent Calendar.

2. Extension of Planning Verification-Woolsey Fire No. 19-173 – An application to extend the deadline to obtain a building permit for structures damaged or destroyed in the Woolsey Fire
Location: 29829 Harvester Road
APN: 4469-010-013
Owners: Warren and Faith Diamond
Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246
Recommended Action: Adopt Planning Commission Resolution No. 26-43 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 19-173 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, Two-Acre zoning district at 29829 Harvester Road (Warren and Faith Diamond).

MOTION Commissioner Mazza moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-43 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 19-173 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, Two-Acre zoning district at 29829 Harvester Road (Warren and Faith Diamond).

The question was called and the motion carried unanimously.

3. Administrative Coastal Development Permit Amendment No. 23-003 – An application to restore a temporary hauling access driveway to its original condition
Location: 28465 Via Acero Street, not within the appealable coastal zone

APN: 4467-033-014
Owner: Ayrshire West, LLC
Staff Contact: Senior Planner Allen, 456-2489, ext. 233
Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit Amendment No. 23-003.

The Commission received and filed the Community Development Director's report on the approval of Administrative Coastal Development Permit Amendment No. 23-003 upon approval of the Consent Calendar.

4. Extension of Planning Verification-Woolsey Fire No. 24-021 – An application to extend the deadline to obtain a building permit for structures damaged or destroyed in the Woolsey Fire
Location: 5911 Bonsall Drive
APN: 4467-024-005
Owner: Vincent Muselli
Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246
Recommended Action: Adopt Planning Commission Resolution No. 26-45 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 24-021 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, Five-Acre zoning district at 5911 Bonsall Drive (Vincent Muselli).

MOTION Commissioner Mazza moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-43 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 24-021 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, Five-Acre zoning district at 5911 Bonsall Drive (Vincent Muselli).

The question was called and the motion carried unanimously.

5. De Minimis Waiver No. 26-005 – An application for a new pool and spa to be used for fire suppression purposes for a parcel affected by the Woolsey Fire
Location: 32826 Pacific Coast Highway, within the appealable coastal zone
APN: 4473-016-015

Owner: Bottlebrush LLC
Case Planner: Contract Planner Casswell, 619-483-3950
Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 26-005 for a new pool and spa to be used for fire suppression purposes for a Woolsey Fire affected parcel.

The item was continued to the September 22, 2026 Regular Planning Commission meeting upon approval of the agenda.

ITEM 4 CONTINUED PUBLIC HEARINGS

None.

ITEM 5 NEW PUBLIC HEARINGS

A. Extension of Coastal Development Permit No. 13-040, Conditional Use Permit No. 13-015, Negative Declaration No. 20-001, Variance Nos. 13-042, 13-043, 15-035 and 15-036, Minor Modification No. 13-011, Demolition Permit No. 20-011 and Coastal Development Permit Amendment No. 20-017 – An application to extend the Planning Commission's approval for replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank, generator, landscape, hardscape, gates and fencing and associated development

Location: 5723 Busch Drive
APN: 4469-028-006
Owner: Serra Canyon Company, LTD
Case Planner: Assistant Community Development Director Eaton, 456-2489, ext. 273
Recommended Action: Either adopt Planning Commission Resolution No. 26-41 granting a seventeen-month extension of Coastal Development Permit No. 13-040 and Coastal Development Permit Amendment No. 20-017 for the replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank to meet current domestic and fire protection standards, generator, landscape, hardscape, gates and fencing, Conditional Use Permit No. 13-015 for a water tank on a Rural Residential parcel, Variance No. 13-042 for the height of the water tank to exceed the maximum height up to 26 feet, Variance No. 13-043 for non-view permeable, eight feet in height fencing within the front yard setback, Variance No. 15-035 for the installation of a 7-foot, 8-inch in height back-up generator within the required rear yard setback from the required 15 feet to the proposed 5 feet, 3 inches, Variance No. 15-036 for impermeable coverage to exceed the maximum permitted for up to 9,219 square feet, Minor Modification No. 13-011 for the water tank to provide a 50 percent reduction of the required front yard setback from the required 20 feet to the proposed 10 feet and

Demolition Permit No. 20-011 for the full demolition of the existing water tank and other associated development located in the Rural Residential, Two-Acre zoning district at 5723 Busch Drive (Serra Canyon Co, LTD); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

Assistant Community Development Director Eaton presented the staff report.

Disclosures: None.

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

Speaker: Jack Husted

The Commission directed questions to the applicant.

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. 26-41 granting a seventeen-month extension of Coastal Development Permit No. 13-040 and Coastal Development Permit Amendment No. 20-017 for the replacement of an existing 300,000-gallon water tank with a new 385,000-gallon water tank to meet current domestic and fire protection standards, generator, landscape, hardscape, gates and fencing, Conditional Use Permit No. 13-015 for a water tank on a Rural Residential parcel, Variance No. 13-042 for the height of the water tank to exceed the maximum height up to 26 feet, Variance No. 13-043 for non-view permeable, eight feet in height fencing within the front yard setback, Variance No. 15-035 for the installation of a 7-foot, 8-inch in height back-up generator within the required rear yard setback from the required 15 feet to the proposed 5 feet, 3 inches, Variance No. 15-036 for impermeable coverage to exceed the maximum permitted for up to 9,219 square feet, Minor Modification No. 13-011 for the water tank to provide a 50 percent reduction of the required front yard setback from the required 20 feet to the proposed 10 feet and Demolition Permit No. 20-011 for the full demolition of the existing water tank and other associated development located in the Rural Residential, Two-Acre zoning district at 5723 Busch Drive (Serra Canyon Co, LTD)

The question was called and the motion carried unanimously.

B. Coastal Development Permit No. 25-015, Variance No. 25-021, and Site Plan Review No. 25-029 – An application for remedial repair of a slope failure on a

bluff as part of a follow-up to Emergency Coastal Development Permit No. 24-015
Location: 7049 Birdview Avenue, within the appealable coastal zone
APN: 4468-016-004
Owner: Michael and Caroline Cusumano Family Trust
Case Planner: Contract Planner Paolini, 530-957-1461
Recommended Action: Adopt Planning Commission Resolution No. 26-29 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 25-015 for remedial repair of a slope failure on a bluff and supportive landscaping; including Variance No. 25-021 for development on slopes steeper than 4 to 1 in the Point Dume neighborhood and Site Plan Review No. 25-029 for 186 cubic yards of remedial grading in follow-up to Emergency Coastal Development Permit No. 24-015 located in the Rural Residential, One-Acre zoning district at 7049 Birdview Avenue (Michael and Caroline Cusumano Family Trust).

Contract Planner Paolini presented the staff report.

Disclosures: Commissioner Mazza

The Commission directed questions to staff.

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

Speakers: Sara Laws, Michael Cusumano

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 Leonard seconded a motion to adopt Planning Commission Resolution No. 26-29 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 25-015 for remedial repair of a slope failure on a bluff and supportive landscaping; including Variance No. 25-021 for development on slopes steeper than 4 to 1 in the Point Dume neighborhood and Site Plan Review No. 25-029 for 186 cubic yards of remedial grading in follow-up to Emergency Coastal Development Permit No. 24-015 located in the Rural Residential, One-Acre zoning district at 7049 Birdview Avenue (Michael and Caroline Cusumano Family Trust).

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

None.

ADJOURNMENT

CONSENSUS At 6:53 PM, the meeting was adjourned in honor of long-time Malibu resident John Murphy by unanimous consensus.

Approved and adopted by the Planning Commission of the City of Malibu on October 5, 2026.

_____
MARNI KAMINS, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

MINUTES
MALIBU PLANNING COMMISSION
ADJOURNED REGULAR MEETING
SEPTEMBER 22, 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 6:33 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: Tyler Eaton, Assistant Community Development Director; Kellan Martz, Assistant City Attorney; Fletcher Allen, Senior Planner; Samantha Elias, Associate Planner; Latrice Williams, Assistant Planner; Adam Pisarkiewicz, Contract Planner; Aakash Shah, Contract Planner; Rick Casswell, Contract Planner; Tonya Ward, Contract Planner; Richard Greenbauer, Contract Planner; Parker Davis, Media Production Technician; Gail Duncan, Management Analyst; Juliana Bellonby, Senior Office Assistant; Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Franco Simplicio led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Leonard seconded a motion to approve the agenda as recommended by staff, hearing Item No. 5.C. prior to Item No. 5.A.

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 September 11, 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, 456-2489, ext. 246

Chair Peak opened nominations for Chair.

Commissioner Mazza nominated Vice Chair Kamins for election to Chair.

The question was called and Vice Chair Kamins was unanimously elected Chair.

Outgoing Chair Peak opened nominations for the election of Vice Chair.

Chair Kamins nominated Commissioner Mazza for election to Vice Chair.

The question was called and Commissioner Mazza was unanimously elected Vice Chair.

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

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Tommy Spencer alleged a conflict of interest with Vice Chair Mazza's roles on both the Planning Commission and the Malibu Township Council (MTC). Mr. Spencer stated that Jo Drummond was closely linked with Vice Chair Mazza and hoped to obtain a seat on the Planning Commission. He alleged that Jo Drummond and Mayor Silverstein influenced a complaint against Commissioners who were later fully exonerated.

Jason alleged Vice Chair Mazza, Jo Drummond and the MTC filed retaliatory complaints and appeals against their neighbors who were not aligned with the organization.

Vice Chair Mazza noted the MTC was founded in 1947 and stated without it the City would have two marinas, big trucks on the highway, a nuclear power plant in Corral Canyon and the organization does not just go around filing complaints. He recommended residents view the MTC hosted City Council candidates' forum on YouTube.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Assistant Community Development Director Eaton congratulated Chair Kamins and Vice Chair Mazza on their appointments. He announced the City was preparing for the upcoming El Nino event in coordination with area agencies. Property owners concerned about potential storm event impacts in need of guidance could can request a meeting with Community Development Department leadership and staff regarding preparedness. He mentioned the September 22, 2026 Governor's declaration of a state of emergency for El Nino preparation.

Associate Planner Elias provided an update regarding rebuild statistics, announced the City has now issued one hundred and one building permits for Palisades Fire rebuild projects and the first Certificate of Occupancy was issued the previous week. She reminded rebuild owners and applicants that Community Development Community Development Director Bundy was available Monday through Friday at the Fire Rebuild Center. She reminded impacted residents of the November 9, 2026 deadline to file a time extension request to obtain a building permit for an approved Planning Verification-Woolsey Fire to retain nonconforming uses or structures damaged or destroyed in the Woolsey Fire.

Senior Management Analyst Evans stated for the record that all Resolutions adopted by the Commission that evening would be updated with the name of the newly elected Chair.

Vice Chair Mazza requested an update on the armoring of Pacific Coast Highway (PCH) and the standing of the red tagged lots.

In response to Vice Chair Mazza, Assistant Community Development Director Eaton noted there was significant coastal erosion on Sea Level Drive and those homes were still red tagged due to lack of egress for emergency vehicles, ongoing sink hole repairs, and utilities have not been restored. There are ongoing efforts by Caltrans to protect PCH near the area of Big Rock and multiple owners have come into City Hall with questions regarding what they can do to shore up private beachfront properties. Community Development Director Bundy and Assistant Community Development Director Eaton had met with property owners in Serra Retreat earlier that morning regarding preparation against potential flooding in the Malibu Creek area. He stated the City had a lot of resources available to help owners concerned about their properties prepare for El Nino impacts.

ITEM 3 CONSENT CALENDAR

The following Items were pulled: Item Nos. 3.A.1, 3.B.2. and 3.B.5.

MOTION Commissioner Peak moved and Vice Chair Mazza seconded a motion to approve the balance of the Consent Calendar as recommended by staff.

The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

1. Coastal Development Permit No. 26-032, Conditional Use Permit No. 26-005 and Variance No. 26-008 – A follow-up application to Emergency Coastal Development Permit No. 25-017 for a temporary public utility laydown yard to store materials and vehicles; including a variance for development on slopes steeper than 2.5 to 1

Location: 4000 Corral Canyon Road, partially within the appealable coastal zone
APN: 4459-006-270
Owner: Los Angeles Department of Water and Power
Case Planner: Associate Planner Elias, 456-2489, ext. 256
Recommended Action: Adopt Planning Commission Resolution No. 26-23 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. 26-032 as follow-up to Emergency Coastal Development Permit No. 25-017 to construct a temporary utility laydown yard to be operated over a period of seven years, including the placement of eight storage trailers, a new access driveway, fencing, vehicle gate, dark sky compliant lighting, six portable toilets, the placement of a permeable aggregate base for the operational area, utility hook-ups, and the complete restoration and improvement of site environmental conditions to conditions existing prior to construction activities at the end of the seven year period; including Conditional Use Permit No. 26-005 for the operation of a public utility facility comprised of a temporary utility laydown yard and Variance No. 26-008 for development on slopes steeper than 2.5 to 1 located in the Rural Residential, 20-Acre zoning district at 4000 Corral Canyon Road (Los Angeles Department of Water and Power).

The Commission directed questions to staff.

Chair Kamins opened public comment.

Speakers: Theodore Zeiss, Bill Sampson

There being no other speakers, Chair Kamins closed public comment.

The Commission directed questions to staff.

MOTION

Vice Chair Mazza moved and Commissioner Peak seconded a motion to adopt Planning Commission Resolution No. 26-23 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. 26-032 as follow-up to Emergency Coastal Development Permit No. 25-017 to construct a temporary utility laydown yard to be operated over a period of seven years, including the placement of eight storage trailers, a new access driveway, fencing, vehicle gate, dark sky compliant lighting, six portable toilets, the placement of a permeable aggregate base for the operational area, utility hook-ups, and the complete restoration and improvement of site environmental conditions to conditions existing prior to construction activities at the end of the seven year period; including Conditional Use Permit No. 26-005 for the operation of a public utility facility comprised of a temporary utility laydown yard and Variance No. 26-008 for development on slopes steeper than 2.5 to 1 located in the Rural Residential, 20-Acre zoning district at 4000 Corral Canyon Road (Los Angeles Department of Water and Power).

The question was called and the motion unanimously.

B. New Items

1. De Minimis Waiver No. 26-006 – An application for a new onsite wastewater treatment system for a parcel affected by the Woolsey Fire

Location: 29623 Harvester Road, partially within the appealable coastal zone
APN: 4469-028-004
Owner: Plen Family Revocable Trust
Case Planner: Assistant Planner Williams, 456-2489, ext. 353
Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 26-006 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. 26-006 for a

new onsite wastewater treatment system for a parcel affected by the Woolsey Fire upon approval of the balance of the Consent Calendar.

2. Administrative Coastal Development Permit No. 21-003 – An application to construct a new single-family residence, a new second dwelling unit/ADU, install a new onsite wastewater treatment system, and associated development
Location: 6257 Gayton Place, not within the appealable coastal zone
APN: 4467-019-021
Owners: Regal Services LLC
Staff Contact: Contract Planner Shah, 456-2489, ext. 385
Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit-Woolsey Fire No. 21-003.

Contract Planner Shah presented the staff report.

Speakers: Carmel Mofayden and Doug Burdge available for questions.

The Commission directed questions to staff and the applicant team.

MOTION Commissioner Peak moved and Commissioner Riddick seconded a motion to receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit-Woolsey Fire No. 21-003.

The question was called and the motion carried 4-1, Vice Chair Mazza dissenting.

3. Extension of Planning Verification-Woolsey Fire No. 21-037 – An application to extend the deadline to obtain a building permit for structures damaged or destroyed in the Woolsey Fire
Location: 29359 Bluewater Road
APN: 4468-006-013
Owner: Bear Sills Properties LLC
Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246
Recommended Action: Adopt Planning Commission Resolution No. 26-48 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 21-037 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, One-Acre zoning district at 29359 Bluewater Road (Bear Sills Properties LLC).

MOTION Commissioner Peak moved and Vice Chair Mazza seconded a motion to adopt Planning Commission Resolution No. 46-48 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 21-037 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, One-Acre zoning district at 29359 Bluewater Road (Bear Sills Properties LLC).

The question was called and the motion carried unanimously.

4. Extension of Planning Verification-Woolsey Fire No. 21-050 – An application to extend the deadline to obtain a building permit for structures damaged or destroyed in the Woolsey Fire

Location: 5929 Kanan Dume Road
APN: 4467-018-025
Owner: Chester Griffiths and Christine Anderton-Griffiths Trust
Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246
Recommended Action: Adopt Planning Commission Resolution No. 26-49 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 21-050 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, Five-Acre zoning district at 5929 Kanan Dume Road (Chester Griffiths and Christine Anderton-Griffiths Trust).

MOTION Commissioner Peak moved and Vice Chair Mazza seconded a motion to adopt Planning Commission Resolution No. 26-49 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 21-050 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, Five-Acre zoning district at 5929 Kanan Dume Road (Chester Griffiths and Christine Anderton-Griffiths Trust).

The question was called and the motion carried unanimously.

5. De Minimis Waiver No. 26-005 – An application for a new pool and spa to be used for fire suppression purposes for a parcel affected by the Woolsey Fire

Location: 32826 Pacific Coast Highway, within the appealable coastal zone
APN: 4473-016-015
Owner: Bottlebrush LLC
Case Planner: Contract Planner Casswell, 619-483-3950

Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 26-005 for a new pool and spa to be used for fire suppression purposes for a Woolsey Fire affected parcel.

Contract Planner Casswell presented the staff report.

As there were no questions for staff, Chair Kamins opened public comment.

Speakers: Charles Santos, Patt Healy

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

The Commission directed extensive questions to staff.

CONSENSUS The Commission received and filed the Community Development Director's report on the issuance of De Minimis Waiver No. 26-005 by consensus 4-1, Vice Chair Mazza dissenting.

RECESS Chair Kamins recessed the meeting at 8:03 PM. The meeting resumed at 8:12 PM with all Commissioners present.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit No. 23-028, Site Plan Review No. 23-032 and Minor Modification No. 26-004 – An application for a new single-family residence and associated site improvements

Location: 6200 Porterdale Drive, not within the appealable coastal zone
APN: 4467-004-040
Owner: Brad Folb
Planner: Contract Planner Paolini, 650-522-2500

Recommended Action: Continue the item to a date uncertain.

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

B. Coastal Development Permit No. 20-033, Conditional Use Permit No. 18-004 and Demolition Permit No. 20-018 – An application to continue the operation of an existing restaurant, remediate unpermitted construction, and associated building improvements (Continued from August 3, 2026)

Location: 6800 Westward Beach Road, Unit 1, within the appealable coastal zone
APN: 4468-022-001
Owner: 6800 Westward Beach Road LP
Tenant: Sunset Restaurant & Beach Bar, Inc.
Planner: Contract Planner Pisarkiewicz, AICP, 949-489-1442
Recommended Action: Adopt Planning Commission Resolution No. 26-30 determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 20-033 and Demolition Permit No. 20-018 for exterior and interior remodeling with demolition less than 50 percent of an existing two-story restaurant, after-the-fact approval of a patio cover, after-the-fact approval of outdoor seating areas, new outdoor lighting, new building signage, demolition of unpermitted building areas; including Conditional Use Permit No. 18-004 to allow for the operation of a restaurant over 125 seats with the sale and service of alcohol and food for onsite consumption located in the Commercial Visitor Serving-One zoning district at 6800 Westward Beach Road (6800 Westward Beach Road LP).

Contract Planner Pisarkiewicz presented the staff report.

Disclosures: Commissioners Peak, Leonard, Mazza, Riddick, Kamins

The Commission directed questions to staff.

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

Speakers: Don Schmitz, Douglas Plank, Mark Wetton, John Hathorne, Mikke Pierson, Michelle Smit, in the interest of time the following persons stood to show support rather than provide individual comment: Kim Cunningham, Robin Perkins, Del Aden-Jones, Lisa Hall, Kristin Swindal, Marie Lehman, Michelle Perkins

As there were no other speakers present, Chair Kamins 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 applicant team.

RECESS Chair Kamins recessed the meeting at 9:48 PM. The meeting resumed at 9:55 PM with all Commissioners present.

The Commission directed additional questions to staff and the applicant team.

MOTION Commissioner Leonard moved and Chair Kamins seconded a motion to adopt Planning Commission Resolution No. 26-30, as amended, 1) adding a condition of approval to state, "The total restaurant seating count shall not expand beyond a maximum of 200 seats. Any proposed increase in restaurant seating shall require an amendment to the CUP."; 2) adding a condition of approval to state, "Prior to the issuance of a building permit, the applicant shall update the project plans to remove the outdoor seating area on the western-facing side of the building and revert that area to parking. The 46 seats within the outdoor seating area shall be redistributed within the building."; 3) updating the resolution title and Condition No. 2 to reflect the conversion of outdoor seating on the western-facing side of the building to parking stalls and after-the fact approval of outdoor seating area along Birdview Avenue; and 4) determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 20-033 and Demolition Permit No. 20-018 for exterior and interior remodeling with demolition less than 50 percent of an existing two-story restaurant, after-the-fact approval of a patio cover, after-the-fact approval of outdoor seating areas, new outdoor lighting, new building signage, demolition of unpermitted building areas; including Conditional Use Permit No. 18-004 to allow for the operation of a restaurant over 125 seats with the sale and service of alcohol and food for onsite consumption located in the Commercial Visitor Serving-One zoning district at 6800 Westward Beach Road (6800 Westward Beach Road LP).

FRIENDLY AMENDMENT
Vice Chair Mazza moved a friendly amendment to add a condition of approval to state, "The owner shall not prohibit parking on the landside of westward Beach Road." The maker did not accept the friendly amendment.

The question was called and the motion carried 4-1, Vice Chair Mazza dissenting.

ITEM 5 NEW PUBLIC HEARINGS

A. Extension of Coastal Development Permit No. 15-050 and Variance Nos. 15-029 and 16-003 – A request to extend the Planning Commission's approval for construction of a new 3,511 square foot, two-story single-family residence and associated development; including variances to reduce the required front-yard setback and for construction on slopes steeper than 2.5 to 1

Location: 19750 Pacific Coast Highway
APN: 4449-008-013
Owner: Viox, LLC
Case Planner: Senior Planner Allen, 456-2489, ext. 233
Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-44 granting a one-year extension of Coastal Development Permit No. 15-050 to construct a new 3,511 square foot, two-story single-family residence, with an

attached two-car garage with roof deck and rooftop pool, retaining walls, landscaping, hardscaping, and seawall, and construction of a new alternative onsite wastewater treatment system; including Variance No. 15-029 to reduce the required front yard setback and Variance No. 16-003 for construction on slopes steeper than 2.5 to 1 located in the Single-Family Medium Density zoning district at 19750 Pacific Coast Highway (Viox, LLC); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

Senior Planner Allen presented the staff report.

The Commission directed questions to staff.

Disclosures: None.

The Commission directed questions to staff.

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

Speaker: Don Schmitz available for questions

As there were no other speakers present, Chair Kamins 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. 26-44 granting a one-year extension of Coastal Development Permit No. 15-050 to construct a new 3,511 square foot, two-story single-family residence, with an attached two-car garage with roof deck and rooftop pool, retaining walls, landscaping, hardscaping, and seawall, and construction of a new alternative onsite wastewater treatment system; including Variance No. 15-029 to reduce the required front yard setback and Variance No. 16-003 for construction on slopes steeper than 2.5 to 1 located in the Single-Family Medium Density zoning district at 19750 Pacific Coast Highway (Viox, LLC).

The question was called and the motion carried unanimously.

B. Administrative Plan Review No. 26-014, Conditional Use Permit No. 24-010, Variance Nos. 24-020, 24-021, 24-024, and 25-001, Site Plan Review Nos. 24-023 and 26-020 – An application to install a new water tank and associated water system improvements

Location: 20699 Las Flores Mesa Drive
APN: 4450-030-902
Owner: Los Angeles County Waterworks District No. 29

Case Planner: Contract Planner Ward, AICP, 925-667-0547
Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-42 determining the project is suspended from the California Coastal Act and the California Environmental Quality Act pursuant to Governor Executive Order N-20-25, and approving Administrative Plan Review No. 26-014 to install a new 25 foot (ft.), 5 inch (in.) tall, above-ground new 100,000 gallon (gal.) water tank and associated foundation to accompany an existing 100,000 gal. water tank, an 18 ft., 10 in. tall retaining wall, and grading on an existing public utility parcel; including Conditional Use Permit No. 24-010 for a utility facility use in the Rural Residential zoning district, Variance (VAR) No. 24-020 for a 59 percent reduction in the required rear yard setback from 24 feet, 7 inches to 10 feet, VAR No. 24-021 for structures on slopes steeper than 2.5 to 1, VAR No. 24-024 for an increase in the maximum impermeable coverage from 5,830 square feet to 6,337 square feet, and VAR No. 25-001 for retaining wall height above 18 feet, up to 18 feet, 10 inches, Site Plan Review (SPR) No. 24-023 for structure height above 18 feet, up to 25 feet, 5 inches and SPR No. 26-020 for a 12 percent reduction in the required side yard setback from 11 foot, 4 inches to 10 feet located in the Rural Residential, Twenty-Acre zoning district at 20699 Las Flores Mesa Drive (Los Angeles County Waterworks District No. 29); or 2) deny the project as proposed and direct staff to return with a resolution of denial. The applicant for the project is a private entity (LFMAC, LLC).

Contract Planner Ward presented the staff report.

Disclosures: Commissioners Peak, Riddick, Leonard, Mazza, Kamins

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

Speakers: Don Schmitz, Norm Haynie

As there were no other speakers present, Chair Kamins 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 Vice Chair Mazza moved and Commissioner Leonard seconded a motion to adopt Planning Commission Resolution No. 26-42 determining the project is suspended from the California Coastal Act and the California Environmental Quality Act pursuant to Governor Executive Order N-20-25, and approving Administrative Plan Review No. 26-014 to install a new 25 foot (ft.), 5 inch (in.) tall, above-ground new 100,000 gallon (gal.) water tank and associated foundation to accompany an existing 100,000 gal. water tank, an 18 ft., 10 in. tall retaining wall, and grading on

an existing public utility parcel; including Conditional Use Permit No. 24-010 for a utility facility use in the Rural Residential zoning district, Variance (VAR) No. 24-020 for a 59 percent reduction in the required rear yard setback from 24 feet, 7 inches to 10 feet, VAR No. 24-021 for structures on slopes steeper than 2.5 to 1, VAR No. 24-024 for an increase in the maximum impermeable coverage from 5,830 square feet to 6,337 square feet, and VAR No. 25-001 for retaining wall height above 18 feet, up to 18 feet, 10 inches, Site Plan Review (SPR) No. 24-023 for structure height above 18 feet, up to 25 feet, 5 inches and SPR No. 26-020 for a 12 percent reduction in the required side yard setback from 11 foot, 4 inches to 10 feet located in the Rural Residential, Twenty-Acre zoning district at 20699 Las Flores Mesa Drive (Los Angeles County Waterworks District No. 29).

The question was called and the motion carried unanimously.

C. Coastal Development Permit No. 25-010, Variance No. 26-014, and Site Plan Review No. 26-040 – A follow-up application to Emergency Coastal Development Permit No. 24-016 for the installation of shoring piles and remedial grading to stabilize an existing landslide

Locations: 18805 Pacific Coast Highway (PCH) and PCH Public Right-of-Way, partially within the appealable coastal zone
APN: 4449-009-012 and Public Right-of-Way
Owners: EVO M SPV 100, LLC and California Department of Transportation (Caltrans)
Case Planner: Contract Planner Greenbauer, 949-489-1442, ext. 132
Recommended Action: Adopt Planning Commission Resolution No. 26-50 determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 25-010 for the installation of shoring piles, grade beams, remedial grading, and associated improvements to stabilize an existing landslide; including Variance No. 26-014 for structures on slopes steeper than 2.5 to 1 and manufactured transition slopes steeper than 2 to 1, and Site Plan Review No. 26-040 for remedial grading on property located in the Rural Residential, Forty-Acre zoning district at 18805 PCH and within the PCH Public Right-of-Way (EVO M SPV 100, LLC; Caltrans).

Contract Planner Greenbauer presented the staff report.

Disclosures: None.

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

Speaker: Don Schmitz (available for questions)

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

MOTION Vice Chair Mazza moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-50 determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 25-010 for the installation of shoring piles, grade beams, remedial grading, and associated improvements to stabilize an existing landslide; including Variance No. 26-014 for structures on slopes steeper than 2.5 to 1 and manufactured transition slopes steeper than 2 to 1, and Site Plan Review No. 26-040 for remedial grading on property located in the Rural Residential, Forty-Acre zoning district at 18805 PCH and within the PCH Public Right-of-Way (EVO M SPV 100, LLC; Caltrans).

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

None.

ADJOURNMENT

CONSENSUS At 10:35 PM, the meeting was adjourned in memory of Presley Gerber by unanimous consensus.

Approved and adopted by the Planning Commission of the City of Malibu on October 19, 2026.

_____
MARNI KAMINS, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary