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