

**NOTICE OF PUBLIC HEARING
CITY OF MALIBU
PLANNING COMMISSION**

The Malibu Planning Commission will hold a public hearing on **MONDAY, November 21, 2022, at 6:30 p.m.** on the project identified below. This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to AB 361 and the County of Los Angeles Public Health Officer's Safer at Home Order. All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

How to View the Meeting: No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at <https://malibucity.org/video> and <https://malibucity.org/VirtualMeeting>.

How to Participate Before the Meeting: Members of the public are encouraged to submit email correspondence to planningcommission@malibucity.org at least three days prior to the meeting to provide adequate time for Commissioner consideration. Correspondence will continue to be processed until thirty minutes prior to the start of the meeting or as practical.

How to Participate During the Meeting: Members of the public wishing to speak or defer time to another speaker during the meeting must participate through the Zoom application and must be present in the Zoom conference to be recognized. The City requests that you sign up to speak before the item you would like to speak on has been called by the Chair. For those wishing to defer time, you are not required to sign up to speak. At the start of public comment for the item, the Chair shall ask members of the public wishing to defer time to raise their hands in the Zoom meeting using the reactions button. Each person will be called to verify their presence in the Zoom meeting and their intent to donate time.

Please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

ACCESSORY DWELLING UNIT ORDINANCE

LOCAL COASTAL PROGRAM AMENDMENT NO. 18-002 AND ZONING TEXT AMENDMENT NO. 18-004 – Consider an amendment and make a recommendation to the City Council to amend the Local Coastal Program (LCP) and Title 17 (Zoning) of the Malibu Municipal Code modifying regulations pertaining to accessory dwelling units, also known as second dwelling units, to bring existing regulations into compliance with State law

Location: Citywide Project
Case Planner: Tyler Eaton, Associate Planner

(310) 456-2489, extension 273
teaton@malibucity.org

On March 7, 2022, prior to the opening of the public hearing on the City's ADU draft ordinance, the Planning Commission requested staff prepare a report with numerous discussion items and postponed the public hearing. On August 22, 2022, the City Council directed staff 1) in order to protect sensitive coastal resources and public access to the coast, minimize substantive changes in the Local Coastal Program (LCP) for the proposed ordinance which complies with state law; and 2) bring the item back to the Planning Commission without the studies requested.

In accordance with the CEQA, Public Resources Code Section 21080.9, CEQA does not apply to activities and approvals by the City as necessary for the preparation and adoption of an LCP amendment (LCPA). This application is for an LCPA which must be certified by the California Coastal Commission before it takes effect. The ZTA and LCPA are not a project within the meaning of CEQA Guidelines Section 15378, because they have no potential to result in physical change to the environment, directly or indirectly. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility and is not subject to CEQA. Moreover, in the event that the code amendment and LCPA are interpreted so as to permit construction of an ADU on a particular site, the construction would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15301 (existing facilities), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/ or State CEQA Guidelines Section 15304 (minor alterations to land).

A written staff report will be available at or before the hearing for the projects, typically 10 days before the hearing in the Agenda Center: <http://www.malibucity.org/agendacenter>. All persons wishing to address the Commission regarding these matters 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. For more information, view the City's Accessory Dwelling Units website at www.malibucity.org/adu.

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.

RICHARD MOLLICA, Planning Director

Date: October 27, 2022