

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 20, 2018
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Pierson 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 Mikke Pierson; Vice Chair Chris Marx; and Commissioners Jeffrey Jennings, John Mazza, and Steve Uhring

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Bonnie Blue, Planning Director; Adrian Fernandez, Senior Planner; Richard Mollica, Senior Planner; Lilly Rudolph, Contract Planner, and Kathleen Stecko, Senior Office Assistant

PLEDGE OF ALLEGIANCE

Norman Haynie led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Senior Office Assistant Stecko reported that the agenda for the meeting was properly posted on February 8, 2018, with the amended agenda properly posted on February 15, 2018.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Vice Chair Marx seconded a motion to approve the agenda. The motion carried unanimously.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

None.

ITEM 2.B. COMMISSION / STAFF COMMENTS

In response to Chair Pierson, Planning Director Blue provided an update on activity at the Paradise Cove mobile home park.

ITEM 3 CONSENT CALENDAR

MOTION Commissioner Mazza moved and Vice Chair Marx seconded a motion to approve the consent calendar. 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 for the November 20, 2017 Regular Planning Commission meeting and February 5, 2018 Regular Planning Commission meeting.

2. Administrative Coastal Development Permit No. 17-037 – An application for after-the-fact approval of an existing vineyard and associated development

Location: 5941 Kanan Dume Road, not within the appealable coastal zone

APN: 4467-018-053

Owner: Malibu Belleview Estate, LLC

Case Planner: Contract Planner Rudolph, 456-2489 ext. 238

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 17-037.

3. Administrative Coastal Development Permit No. 17-073 – An application for the replacement of an existing alternative onsite wastewater treatment system and associated development

Location: 29840 Harvester Road, not within the appealable coastal zone

APN: 4469-013-035

Owner: Kenneth and Carol Gable

Case Planner: Associate Planner Contreras, 456-2489 ext. 265

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 17-073.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit Amendment No. 17-006 and Variance No. 17-026 – An application to amend Coastal Development Permit No. 13-003 and Site Plan Review No. 13-002 to allow for a major remodel to an existing single-family residence, resulting in a new replacement structure, including a variance to maintain the existing non-conforming one-car garage (Continued from February 5, 2018)

Location: 20706 Seaboard Road, within the appealable coastal zone

APN: 4450-021-043

Owner: Ali Sadeghi and Leili Zarbakhsh

Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 18-14 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit Amendment No. 17-006

and Variance No. 17-026, amending Coastal Development Permit No. 13-003 and Site Plan Review No. 13-002 to permit a major remodel of a single-family residence, resulting in a new replacement structure, and a variance to reduce the enclosed parking requirement to maintain the existing non-conforming one-car garage at an existing developed property located in Rural Residential–Twenty Acre zoning district at 20706 Seaboard Road (Sadeghi and Zarbakhsh).

Senior Planner Mollica presented the staff report.

Disclosures: Commissioner Uhring and Chair Pierson.

The Commission directed questions to staff.

As there were no other questions for staff, Chair Pierson opened the public comment portion of the public hearing.

Speakers: Shelly Coulson, Kraig Hill, John Morris, and Don Schmitz.

Shelly Coulson provided rebuttal to public comment.

As there were no other speakers present, Chair Pierson closed the public comment portion of the public hearing.

The Commission directed questions to staff, Ms. Coulson, and Mr. Schmitz.

MOTION Commissioner Mazza moved and Commissioner Uhring seconded a motion to adopt Planning Commission Resolution No. 18-14, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit Amendment No. 17-006 and Variance No. 17-026, amending Coastal Development Permit No. 13-003 and Site Plan Review No. 13-002 to permit a major remodel of a single-family residence, resulting in a new replacement structure, and a variance to reduce the enclosed parking requirement to maintain the existing non-conforming one-car garage at an existing developed property located in Rural Residential–Twenty Acre zoning district at 20706 Seaboard Road (Sadeghi and Zarbakhsh); 2) prior to issuance of building permits, the plans shall be revised to identify a third unenclosed parking space on the property; and 3) prior to issuance of building permits approval dated after February 5, 2018 is obtained from the Los Angeles County Fire Department (LACFD).

The Commission discussed the motion.

FRIENDLY AMENDMENT

Commissioner Uhring amended the motion to give the applicant the option to provide written confirmation that the LACFD February 5, 2018 approval was correctly issued according to LACFD standards for what constitutes a remodel versus a new replacement structure in lieu of a new approval. The maker accepted the amendment.

The Commission discussed the amended motion.

The question was called and the amended motion carried unanimously.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit Nos. 17-013, 17-017, 17-019, 17-023, 17-024, 17-025, and 17-031, Wireless Communications Facility Nos. 16-021, 16-027, 16-025, 16-010, 16-018, 16-011, and 16-016 and Site Plan Review Nos. 16-065, 16-072, 16-070, 16-053, 16-061, 16-054, and 16-059 – Seven separate applications for installation of Southern California Gas Company advanced meter equipment and antennas, each on a new wood pole 28 feet in height

Locations: 31759.5 Pacific Coast Highway not within the appealable coastal zone;
7153.5 Fernhill Drive within the appealable coastal zone;
6218.5 Latigo Canyon Road not within the appealable coastal zone;
20685.5 Pacific Coast Highway within the appealable coastal zone;
3960.5 Rambla Pacifico Street within the appealable coastal zone;
18801.5 Pacific Coast Highway within the appealable coastal zone; and
7144.5 Birdview Avenue within the appealable coastal zone, within the public right-of-way

Nearest APNs: 4470-008-012; 4466-013-011; 4459-004-004; 4450-017-008; 4451-020-010; 4449-009-006; and 4468-005-002

Applicant: Southern California Gas Company
Owner: City of Malibu Public Right-of-Way
Case Planner: Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action:

- 1) Adopt Planning Commission Resolution No. 18-05 determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 17-013 and Wireless Communications Facility (WCF) No. 16-021 for the Southern California Gas Company (SoCalGas) to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including Site Plan Review (SPR) No. 16-065 to place a wireless communications facility within the public right-of-way located at 31759.5 Pacific Coast Highway (Site Number NI 194-C) (SoCalGas);
- 2) Continue to a date uncertain – Adopt Planning Commission Resolution No. 18-06 determining the project is categorically exempt from CEQA, and approving CDP No. 17-017 and WCF No. 16-027 for SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-072 to place a wireless communications facility within the public right-of-way located at 7153.5 Fernhill Drive (Site Number NI 150-B) (SoCalGas);

- 3) Adopt Planning Commission Resolution No. 18-07 determining the project is categorically exempt from CEQA, and approving CDP No. 17-019 and WCF No. 16-025 for SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-070 to place a wireless communications facility within the public right-of-way located at 6218.5 Latigo Canyon Road (Site Number NI 184-D) (SoCalGas);
- 4) Adopt Planning Commission Resolution No. 18-08 determining the project is categorically exempt from CEQA, and approving CDP No. 17-023 and WCF No. 16-010 for SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-053 to place a wireless communications facility within the public right-of-way located at 20685.5 Pacific Coast Highway (Site Number NI add20-G) (SoCalGas);
- 5) Adopt Planning Commission Resolution No. 18-09 determining the project is categorically exempt from CEQA, and approving CDP No. 17-024 and WCF No. 16-018 for the SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-061 to place a wireless communications facility within the public right-of-way located at 3960.5 Rambla Pacifico Street (Site Number NI 173-B) (SoCalGas);
- 6) Continue to a date uncertain – Adopt Planning Commission Resolution No. 18-10 determining the project is categorically exempt from CEQA, and approving CDP No. 17-025 and WCF No. 16-011 for the SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-054 to place a wireless communications facility within the public right-of-way located at 18801.5 Pacific Coast Highway (Site Number NI 171-D) (SoCalGas); and
- 7) Adopt Planning Commission Resolution No. 18-11 determining the project is categorically exempt from CEQA, and approving CDP No. 17-031 and WCF No. 16-016 for the SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-059 to place a wireless communications facility within the public right-of-way located at 7144.5 Birdview Avenue (Site Number NI 185-C) (SoCalGas).

Senior Planner Fernandez presented the staff report.

Disclosures: Chair Pierson.

The Commission directed questions to staff.

As there were no other questions for staff, Chair Pierson opened the public comment portion of the public hearing.

Speakers: Mike Harriel, Janel Ruiz, Shaun Baptiste, Jackeline Reyes, and Elizabeth O'Sullivan.

The Commission directed questions to Ms. Ruiz, Mr. Baptiste, Mr. Harriel, and Ms. O'Sullivan.

Ms. Reyes provided rebuttal to public comment.

As there were no other speakers present, Chair Pierson closed the public comment portion of the public hearing.

MOTION

Commissioner Mazza moved and Commissioner Uhring seconded a motion to:

1) Adopt Planning Commission Resolution No. 18-05 determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 17-013 and Wireless Communications Facility (WCF) No. 16-021 for the Southern California Gas Company (SoCalGas) to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including Site Plan Review (SPR) No. 16-065 to place a wireless communications facility within the public right-of-way located at 31759.5 Pacific Coast Highway (Site Number NI 194-C) (SoCalGas);

2) Continue to a date uncertain – Adopt Planning Commission Resolution No. 18-06 determining the project is categorically exempt from CEQA, and approving CDP No. 17-017 and WCF No. 16-027 for SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-072 to place a wireless communications facility within the public right-of-way located at 7153.5 Fernhill Drive (Site Number NI 150-B) (SoCalGas);

3) Adopt Planning Commission Resolution No. 18-07 determining the project is categorically exempt from CEQA, and approving CDP No. 17-019 and WCF No. 16-025 for SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-070 to place a wireless communications facility within the public right-of-way located at 6218.5 Latigo Canyon Road (Site Number NI 184-D) (SoCalGas);

4) Adopt Planning Commission Resolution No. 18-08 determining the project is categorically exempt from CEQA, and approving CDP No. 17-023 and WCF No. 16-010 for SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-053 to place a wireless communications facility within the public right-of-way located at 20685.5 Pacific Coast Highway (Site Number NI add20-G) (SoCalGas);

5) Adopt Planning Commission Resolution No. 18-09, as amended: 1) determining the project is categorically exempt from CEQA, and approving CDP No. 17-024 and WCF No. 16-018 for the SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-061 to place a wireless communications facility within the public right-of-way located at 3960.5 Rambla Pacifico Street; 2) adding a condition that the City Biologist verify the pole location is not within five feet of the protected sycamore tree's dripline (Site Number NI 173-B) (SoCalGas);

6) Continue to a date uncertain – Adopt Planning Commission Resolution No. 18-10 determining the project is categorically exempt from CEQA, and approving CDP No. 17-025 and WCF No. 16-011 for the SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-054 to place a wireless communications facility within the public right-of-way located at 18801.5 Pacific Coast Highway (Site Number NI 171-D) (SoCalGas); and

7) Adopt Planning Commission Resolution No. 18-11 determining the project is categorically exempt from CEQA, and approving CDP No. 17-031 and WCF No. 16-016 for the SoCalGas to install a new 28-foot high wood pole and attach advanced meter mechanical equipment at a height of 24 feet and two antennas at a height of 28 feet, including SPR No. 16-059 to place a wireless communications facility within the public right-of-way located at 7144.5 Birdview Avenue (Site Number NI 185-C) (SoCalGas).

FRIENDLY AMENDMENT

Vice Chair Marx amended the motion to continue to a date uncertain the project located in the public right-of-way at 3960.5 Rambla Pacifico Street.

The maker did not accept the amendment.

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

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 8:00 p.m., Commissioner Mazza moved and Chair Pierson seconded a motion to adjourn the meeting. The motion carried unanimously.

Approved and adopted by the Planning Commission
of the City of Malibu on March 5, 2018.



CHRIS MARX, Chair

ATTEST:


KATHLEEN STECKO, Recording Secretary