

**This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer’s Safer at Home Order (revised March 21, 2020). 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](mailto:planningcommission@malibucity.org) before the meeting begins.

**HOW TO PARTICIPATE DURING THE MEETING:** Members of the public may also speak during the meeting through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Chair and then you must be present in the Zoom conference to be recognized.

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

**Malibu Planning Commission**  
**Regular Meeting Agenda**  
**(to be held during COVID-19 emergency)**

**Monday, April 20, 2020**

**6:30 P.M. – REGULAR PLANNING COMMISSION MEETING**

**Various Teleconference Locations**

YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT

**[MALIBUCITY.ORG/VIDEO](https://malibucity.org/video)**

Call to Order - Chair

Roll Call - Recording Secretary

Approval of Agenda

Report on Posting of Agenda – April 13, 2020

**1. Ceremonial/Presentations**

- A. Update on Planning Department’s Operations During COVID-19 Emergency Declaration
- B. Staff Update on the Woolsey Fire Rebuild Process

**2. Written and Oral Communications from the Public**

- A. Communications from the public concerning matters which are not on the agenda but for which the Planning Commission has subject matter jurisdiction. The Commission may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.
- B. Planning Commission and staff comments and inquires

**3. Consent Calendar**A. Previously Discussed Items

None.

B. New Items

1. [Extension of Coastal Development Permit \(CDP\) No. 13-047 and CDP Amendment No. 15-007 \(Continued from April 6, 2020\)](#)

Location: 24840 Pacific Coast Highway  
APN: 4458-015-019  
Owner: Johnson Family Trust  
Case Planner: Contract Planner Rudolph, 456-2489, ext. 238

Recommended Action: Adopt Planning Commission Resolution No. 20-25 granting a one and a half-year extension of Coastal Development Permit No. 13-047, Site Plan Review No. 13-045, Minor Modification Nos. 13-016 and 13-017, Demolition Permit No. 13-022, and CDP Amendment No. 15-007 to allow the demolition of an existing 7,316 square foot single-family residence, and the construction of a new 6,843 square foot two-story single-family residence with a 791 square foot basement, a 979 square foot detached subterranean garage, a 468 square foot pool cabana, a 348 square foot gym, a 48 square foot guard station, 89 square foot seating room, an alternative onsite wastewater treatment system, and other ancillary improvements, Site Plan Review No. 13-045 for height in excess of 18 feet in height (up to 24 feet for a flat roof), Minor Modification No. 13-016 for a 20 percent reduction in the cumulative side yard setback, and Minor Modification No. 13-017 for a 50 percent reduction in the front yard setback located in the Rural Residential-Two Acre zoning district at 24840 Pacific Coast Highway (Johnson Family Trust).

2. [Administrative Coastal Development Permit No. 19-072 – A follow-up application for a new wastewater treatment system to replace the existing system for an existing multi-family structure](#)

Location: 28711 Pacific Coast Highway, not within the appealable coastal zone  
APN: 4467-015-042  
Owner: Malibu Zumirez View Homeowners Association  
Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 19-072.

3. [Administrative Coastal Development Permit-Woolsey Fire No. 19-005 – An application for the construction of a new single-family residence and associated development destroyed during the 2018 Woolsey Fire](#)

Location: 29623 Cuthbert Road, not within the appealable coastal zone  
 APN: 4469-008-010  
 Owner: Colby Family Trust  
 Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive and file the Planning Director’s report on the approval of Administrative Coastal Development Permit-Woosley Fire No. 19-005.

4. [De Minimis Waiver No. 20-009— An application for a new onsite wastewater treatment system](#)

Location: 5878 Deerhead Road, partially within the appealable coastal zone  
 APN: 4469-015-012  
 Owner: Donald H. Ball and Marjorie C. Ball Survivor's Trust  
 Case Planner: Contract Planner Shah, 456-2489, ext. 385

Recommended Action: Receive Planning Director’s report on De Minimis Waiver No. 20-009 for a new onsite wastewater treatment system (OWTS) to replace the existing OWTS.

**4. Continued Public Hearings**

- A. [Coastal Development Permit No. 17-118, Variance Nos. 20-004 and 20-005, and Demolition Permit No. 20-005 – An application for an upgraded wastewater treatment system and recycled water plant \(Continued from April 6, 2020\)](#)

Location: 28128 Pacific Coast Highway, within the appealable coastal zone  
 APNs: 4466-001-004 and 4466-001-005  
 Owner: Paradise Cove Land Company, LLC  
 Case Planner: Contract Planner Rudolph, 456-2489, ext. 238

Recommended Action: Adopt Planning Commission Resolution No. 20-36 adopting Initial Study No. 20-001 and Mitigated Negative Declaration No. 20-001 and approving Coastal Development Permit No. 17-118 for construction of a wastewater treatment plant consisting of a recycled water plant, a building housing sludge and disinfection equipment, an electrical alcove, retaining walls, and installation of a 1,400-foot long pipeline; including Variance (VAR) No. 20-004 for a greater than 50 percent reduction of the front yard setback for construction of the upgraded wastewater treatment plant, VAR No. 20-005 for construction within an Environmentally Sensitive Habitat Area, and Demolition Permit No. 20-005 for the demolition of two existing onsite wastewater treatment systems located in the Mobile Home Residential and Commercial Visitor Serving 1 Zoning Districts at 28128 Pacific Coast Highway (Paradise Cove Land Company, LLC).

**5. New Public Hearings**

- A. [Coastal Development Permit No. 18-007 – An application for the installation of a portable toilet enclosed by a permanent six-foot-high fence to serve the public at the Edward Albert Escondido Canyon Trailhead](#)

Location: 27555 Winding Way, not within the appealable coastal zone  
 APN: 4460-002-903  
 Owner: Mountains Recreation and Conservation Authority  
 Case Planner: Associate Planner Brooks, 456-2489, ext. 276

Recommended Action: Adopt Planning Commission Resolution No. 20-01 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 18-007 for the installation of a portable toilet enclosed by a permanent six-foot-high fence to serve the public at the Edward Albert Escondido Canyon Trailhead in the Public Open Space zoning district located at 27555 Winding Way (Mountains Recreation and Conservation Authority).

- B. [Coastal Development Permit No. 19-084 – A follow-up application for the placement of a lifeguard tower on the bluff at El Matador State Beach](#)

Location: El Matador State Beach  
 32216 Pacific Coast Highway / APN 4473-013-901  
 within the appealable coastal zone  
 Owner: State of California Department of Parks and Recreation  
 Case Planner: Associate Planner Kendall, 456-2489, ext. 301

Recommended Action: Adopt Planning Commission Resolution No. 20-43 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 19-084 to allow for the creation of a roughly 240 square foot packed earth and aggregate pad and placement of one free-standing approximately 15.5 foot tall steel lifeguard tower and antenna, erosion control materials, and a temporary fence in a previously disturbed area on the bluff, which took place under Emergency Coastal Development Permit No. 19-012, located in the Public Open Space zoning district at El Matador State Beach (State of California).

**6. Old Business**

None.

**7. New Business**

None.

**8. Planning Commission Items**

None.

**Adjournment**

**Future Meetings**

Monday, May 4, 2020	6:30 p.m.	Regular Planning Commission Meeting	To Be Determined
Monday, May 18, 2020	6:00 p.m.	Regular Planning Commission Meeting	To Be Determined
Monday, June 1, 2020	6:30 p.m.	Regular Planning Commission Meeting	To Be Determined

**Guide to the Planning Commission Proceedings**

**As a result of the Coronavirus (COVID-19) pandemic, the City is under a state of local emergency, as well as states of emergency that have been declared in the County of Los Angeles, state of California, and a federal emergency declared by the President of the United States. At the direction of the Governor, starting March 19, 2020, the entire state is subject to stay-at-home orders. These measures are imposed to reduce the risk of spreading COVID-19. To comply with these emergency measures, the Planning Commission meeting will be open and public but conducted via teleconference only. This way the public, the staff, and the Commission will not be physically in the same place.**

**The Oral Communication** portion of the agenda is for members of the public to present items, which are not listed on the agenda but are under the subject matter jurisdiction of the Planning Commission. No action may be taken under, except to direct staff unless the Commission, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Commission and staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to three (3) minutes. Members of the public wishing to speak during the meeting must participate through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Chair and then you must be present in the Zoom conference to be recognized. Please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

**Items in Consent Calendar Section A** have already been considered by the Commission at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

**Items in Consent Calendar Section B** have not been discussed previously by the Commission. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Commissioners may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Commission following the action on the Consent Calendar. The Commission first will take up the items for which public speaker requests have been submitted.

**For Public Hearings** involving zoning matters the appellant and applicant will be given 15 minutes each to present their position to the Planning Commission, including rebuttal time. All other testimony shall follow the rules as set forth under Oral Communication. In order to speak, individuals must visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

**Old Business** items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

**Items in New Business** are items, which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

**Planning Commission Items** are items, which individual members of the Planning Commission may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the Planning Commission.

Planning Commission meetings are aired live and replayed on City of Malibu Government Access Channel 3 and are available on demand on the City's website at <https://www.malibucity.org/video>. Copies of the staff reports or other written documentation relating to each item of business described above are available upon request by emailing [planningcommission@malibucity.org](mailto:planningcommission@malibucity.org).

The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Environmental Sustainability Director Yolanda Bundy, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II].

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 13<sup>th</sup> day of April 2020 at 3:00 p.m.



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Kathleen Stecko, Administrative Assistant