

AGENDA PLANNING COMMISSION

Thursday, June 20, 2019
7:00 PM

City Hall Council Chambers
232 W. Sierra Madre Boulevard
Sierra Madre, California 91024



ROLL CALL

Chair Hutt, Vice-chair Denison, Commissioners Catalano, Desai, Pevsner, Spears

APPROVAL OF AGENDA

Majority vote of the Commission to proceed with Commission business

APPROVAL OF MINUTES

1. [June 6, 2019 Planning Commission Meeting Minutes](#)

COMMUNITY INPUT

At this time, any person may address the Planning Commission concerning an item that is not on the Agenda. The Commission welcomes your attendance and participation. When addressing the Commission, please begin by providing your name and address for the record. Please keep comments to no more than five minutes to assure an orderly and timely meeting.

Copies of the Agenda are available for your convenience at the rear of the Council Chambers. State legislation (Govt. Code Section 54954.2) limits the Commission's ability to take action on specific requests. Govt. Code Section 54954.2 limits the placement of items on the Agenda for action 72 hours prior to meetings, except for specific findings.

No action or discussion may be undertaken by the Planning Commission on any item if not posted on the Agenda, except that Commissioners or staff may briefly respond to statements made or questions posed by the public, or a Commissioner or staff liaison may ask a question for clarification, or make a brief report on his or her own activities. A Commissioner or the Commission itself may provide a reference to staff to report back to the Commission at a subsequent meeting concerning any matter or may direct staff to place a matter of business on a future agenda.

PUBLIC HEARING

1. [HILLSIDE DEVELOPMENT PERMIT 12-03 \(HDP 12-03\) AND CONDITIONAL USE PERMIT 12-10 \(CUP 12-10\)](#)

Address: 638 Baldwin Court (Lot 21)
Applicant: C.E.T.T.
Continued from March 21, 2019

The Planning Commission will conduct a public hearing continued from December 6, 2018 and March 21, 2019, to consider a request for HDP 12-03 and CUP 12-10 to allow the construction of

a two-story, 3,493-square foot single-family home. Pursuant to City of Sierra Madre Municipal Code Section 17.52.070.C.2, construction of a single-family dwelling unit in the Hillside Management Zone requires approval of a HDP. Pursuant to Condition of Approval No. 159 of Tract Map 54016, any development which can be seen from the location of the Macomber Cabin, Carter Barn or the Willis Estate is subject to a CUP to ensure that the development contrasts with the design of these cultural resources, and to protect these cultural resources by distinguishing them from their non-historic context.

DISCUSSION

None.

PLANNING COMMISSION REPORTS

PLANNING & COMMUNITY PRESERVATION STAFF REPORTS

ADJOURNMENT

If you require special assistance to participate in this meeting, please call the City Manager's Office at 626-355-7135 at least 48 hours prior to the meeting.

INFORMATION TO THE PUBLIC

The Planning Commission will consider the last item at 10:30 p.m. and they will adjourn the meeting by 11:00 p.m. The Planning Commission will continue all unfinished business to an adjourned meeting on the following Thursday at 7:00 p.m. or to a different time and date certain.

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REQUIRED FINDINGS

Conditional Use Permit and Variance considerations are "quasi-judicial" decisions made by the Planning Commission. As such, these decisions may be challenged in court. Accordingly, courts require an adequate "record" to exercise judicial review. This means that the documentation supporting the approval or denial of a project must include an explanation of how the Planning Commission processed the raw information and evidence considered in reaching its decision. The California Supreme Court has laid down distinct, definitive principles of law detailing the need for findings when a public agency approves or denies a project while acting in a "quasi-judicial" roll. This decision is based upon the case, *Topanga Assoc. For a Scenic Community v. County of Los Angeles* ("Topanga"). The "Topanga" court outlined the following 5 purposes for making findings:

- Provide a framework for making principled decisions, enhancing the integrity of the administrative process;
- Facilitate orderly analysis and reduce the likelihood the agency will randomly leap from evidence to conclusions;
- Serve a public relations function by helping to persuade the parties that the administrative decision making is careful, reasoned, and equitable;
- Enable the parties to determine whether and on what basis they should seek judicial review and remedies; and,
- Apprise the reviewing court of the basis for the agency's decision.

For more information on the necessary "Findings" that the Planning Commission must make, please contact the Development Services Department at (626) 355-7138.

(Source: Curtin's California Land Use & Planning Law, Daniel)