

# **AGENDA PLANNING COMMISSION**

**Thursday, November 7, 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, Dallas, Desai, Pevsner, Spears

## **APPROVAL OF AGENDA**

Majority vote of the Commission to proceed with Commission business

## **APPROVAL OF MINUTES**

1. August 1, 2019 Planning Commission Meeting Minutes
2. September 19, 2019 Planning Commission Meeting Minutes
3. October 3, 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. **DESIGN REVIEW PERMIT 19-09 (DRP 19-09) AND SECOND UNIT PERMIT 19-12 (SUP 19-12)**

**Address: 661 Mariposa Avenue  
Applicant: S. Barbosa Polverini**

The Planning Commission will conduct a public hearing to consider a request for (DRP 19-09) and Second unit Permit 19-12 (SUP 19-12) to construct a one-story addition of 1,148 square feet onto the existing single-family residence and to construct an addition of 234 square feet on the detached accessory structure to be legalized as a second unit.

## **DISCUSSION**

### **2. DESIGN REVIEW THRESHOLDS AND DESIGN REVIEW FINDINGS FOR RESIDENTIAL PROJECTS.**

The Planning Commission will introduce a discussion regarding amendments to the City's design review thresholds for single-family and multi-family zones and an assessment of the exiting design review findings pursuant to SMMC Section 17.60.041.D.

## **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)