

CITY COUNCIL RESOLUTION 25-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE
CONDITIONALLY APPROVING A TENTATIVE PARCEL MAP 24-01 (TPM 24-01)
MAP NO. 84653; FOR THE SUBDIVISION OF EXISTING 17.30 ACRES PARCEL TO
CREATE NEW 7.09 ACRES RESTRICTED OPEN SPACE PARCEL IN PERPETUITY
AT 700 NORTH SUNNYSIDE AVENUE**

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY
RESOLVE:

WHEREAS, an application for a Tentative Tract Map was filed by:

**The Congregation of the Passion
Mater Dolorosa Community
700 North Sunnyside Avenue
Sierra Madre, CA 91024**

WHEREAS, the Tentative Parcel Map can be described as:

Tentative Parcel Map No. 84653, a subdivision of an existing 17.03-acre parcel to create a 7.09-acre restricted open space parcel in perpetuity and a remaining parcel for institutional use; and

WHEREAS, the Tentative Parcel Map would apply to the property at 700 North Sunnyside Avenue, Sierra Madre, CA 91024, Assessor Parcel Numbers 5761-002-010; and

WHEREAS, on March 20, 2025, the Planning Commission adopted Planning Commission Resolution 25-01 recommending the City Council conditionally approve the Tentative Parcel Map (TPM 24-01), for the subdivision of an existing parcel to create a restricted open space parcel located at 700 North Sunnyside Avenue; and

WHEREAS, the proposed land subdivision is consistent with the general plan and Meadows at Bailey Canyon Specific Plan; and

WHEREAS, the City Council received the report and recommendations of staff; and

WHEREAS, following public notice, a public hearing was held before the City Council on April 22, 2025, with all testimony being received being made part of the public record; and

WHEREAS, at the public hearing, the City Council received written and oral evidence, all of which is deemed to be part of the record of this proceeding; and

WHEREAS, the proposed project qualifies for a Class 1 Categorical Exemption, pursuant to Section 15317, 15301 and 15061(b)(3), which Section 15317 exempts the establishment of the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area; Section 15301 (h) exempts the operation and maintenance of existing topographical features involving negligible or no expansion of use; and Section 15061(b)(3) covered the common sense exemption that the subdivision of real property that does not involve any new construction or change in the existing uses, and it can be seen with certainty that there is no possibility that it may have a significant effect on the environment, the activity is not subject to the California Environmental Quality Act (CEQA);

NOW THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the City Council at said hearing, the City Council now finds as follows:

SECTION 1. Recitals. The Recitals above are true and correct and incorporated herein by reference.

SECTION 2.1. Findings for approval of a tentative parcel map. Pursuant to Sierra Madre Municipal Code Section 16.12.080, any action taken by the City Council shall be supported by the findings required in Sections 66427.1, 66473.5, 66474, and 66474.6 of the California Government Code and Section 21100 of the California Public Resources Code.

SECTION 2.2. Government Code Section 66473.5 requires the proposed subdivision to be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan.

SECTION 2.3. Pursuant to California Government Code Section 66474.6, the proposed subdivision does not violate existing requirements prescribed by a California regional water quality control board pursuant to Division 7 (commencing with Section 13000) of the Water Code, thus disapproval of the proposal may not be found on this basis.

SECTION 2.4. Pursuant to Sierra Madre Municipal Code and California Government Code Section 66474, the tentative tract map or parcel map shall be denied if any of the following findings are made by the City Council:

A. That the proposed map is not consistent with applicable general and specific plans;

This finding cannot be made because the proposed map is consistent with the City's General Plan and the Meadows at Bailey Canyon Specific Plan adopted in 2022.

Goal 2: Preserve and enhance the diversity in the character of residential neighborhoods ensuring that new development is compatible in its design and scale with older established development in the surrounding neighborhood without attempting to replicate or mass produce a style of development.

Goal 4: Ensure that development is done to maximize water conservation practices to reduce and minimize the impact on the City's local water supply and the ability to serve its water customers.

Goal 5: Institute conservation measures so that the demand for water matches the City's local supply.

Goal 8: Preserve existing and provide additional constructed and natural open space.

Goal 9: Preserve the hillside areas in order to protect the environment and mountain views, obtain a balance between developed areas and the hillside wilderness, and establish the role of the hillside as an entry point into wildland areas.

Objective L1: Continuing the existing pattern of residential housing development.

Objective L4: Mitigating the impacts of new development on the City's open space, trees, infrastructure, water, transit services, the character of existing development, and other public needs.

Objective L6: Development that is done in harmony with its neighborhood and preserves and protects the privacy, mountain, and basin views of neighboring properties.

Objective L17: Protecting views to and from hillside areas in order to maintain the image and identity of the City as a village of the foothills.

Objective L44: The preservation of natural open space areas as crucial to the distinctive character of Sierra Madre, and as a key feature of sustainability and public safety.

B. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;

This finding cannot be made because the improvement of the proposed subdivision is consistent with City's General Plan and the Meadows at Bailey Canyon Specific Plan adopted in 2022.

Goal 3: Ensure that development is done in harmony with its neighborhood, and preserves and protects privacy and mountain views of neighboring properties.

Goal 1.0: Maintain and enhance the quality of existing housing and ensure that new residential development is consistent with Sierra Madre's small town character.

Goal 5.0: Promote environmental sustainability through support of existing and new development which minimizes reliance on natural resources.

Objective L7: Development that is compatible in its design and scale with the neighborhood.

C. That the site is not physically suitable for the type of development;

This finding cannot be made because the site is physically suitable for residential development (Subdivision Map Act §§ 66474(c) and 66474(d)).

The residential development is on an approximately 17-acre project site that was historically an unused portion of the adjacent Mater Dolorosa Retreat Center. The project site is surrounded by urban land uses to the north, residential land uses to the west, and south. To the east of the project site is a large flood control facility. As a result of the surrounding residential and institutional land uses to the north, west, and south, the project site is served by existing utilities and infrastructure. Access to the project site is readily available via existing public streets to the south and east. The project site does not contain any habitat for sensitive plant or animal species, as noted in Chapter 4.4 of the certified Final Environmental Impact Report ("FEIR") prepared in connection with the adoption of the SP in compliance with the California Environmental Quality Act, nor is the project located within any sensitive ecological area or designated habitat conservation area. Furthermore, a geotechnical analysis included in Chapter 4.7 of the FEIR notes soils within the project site are suitable for removal and recompaction to support residential development. No unusual soil conditions were discovered upon the completion of a preliminary geotechnical investigation, as described in the FEIR. Proposed grading for the proposed subdivision includes a maximum slope ratio of 2:1 and the project will result in approximately 1,300 cubic yards of import. The project site is not subject to known geologic hazards, such as fault zones. A final geotechnical investigation will be prepared prior to the issuance of building permits for the project, which will demonstrate compliance with the California Building Code and all applicable geologic hazards regulations.

D. That the site is not physically suitable for the proposed density of development;

This finding cannot be made because the project site is physically suitable for the proposed density of subdivision development.

The proposed density of the approximately 17-acre project site is the unused portion of the adjacent Mater Dolorosa Retreat Center is surrounded by urban land uses to the north, and residential low-density development to the west and south. To the east of the project site is a large flood control facility. The proposed residential low density is consistent and continues with the adjacent single-family residential urban fabric in structures, streets, sidewalks, and open spaces.

E. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

The design of the subdivision does not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. All potential significant impacts arising from the development of the residential subdivision, including those related to biological resources, historical resources, noise, transportation, utilities, and tribal cultural resources will be mitigated below a level of significance, as stated in the FEIR. No significant and unavoidable impacts will occur as a result of the proposed subdivision project. Implementation of the mitigation monitoring and reporting program ("MMRP"), which was made a condition of SP

approval and implementation, and will be carried forward to apply for approval of the proposed subdivision project, will ensure that any potential environmental impacts will be reduced to the maximum extent feasible.

Furthermore, the project site is characterized by disturbed, fallow land that has been subject to regular maintenance and is surrounded by urban land uses to the north, west, and south. The site does not contain suitable habitat for any special status plants or species, as explained in detail in Chapter 4.4 of the certified FEIR. The project site is not located within a designated habitat conservation area, nor does the project result in impacts to designated environmentally sensitive lands.

Accordingly, the design of the subdivision and proposed improvements are not likely to cause substantial environmental damage or injure fish or wildlife or their habitat.

F. That the design of the subdivision or the type of improvements is likely to cause serious public health problems;

This finding cannot be made because the design of the subdivision or type of improvements will not be detrimental to public health, safety, and welfare.

The project would subdivide an approximately 17-acre undeveloped site into 49 total lots; 42 residential lots, one public park lot, and six open space lots, consistent with the requirements and standards found within the Meadows at Bailey Canyon Specific Plan. The project site is primarily characterized by disturbed, fallow land that was previously a part of the Mater Dolorosa Passionist Retreat Center and is surrounded by urban land uses to the north, west, and south. The conditions of approval proposed to be adopted in connection with the proposed subdivision require the proposed project to comply with all applicable provisions of the California Building Code, California Energy Code, California Water Code, California Fire Code, California Plumbing Code, California Electrical Code, California Mechanical Code, and California Green Building Standards Code. Furthermore, the project is also conditioned to comply with all water quality standards and obtain coverage under a statewide General Construction Activities Stormwater Permit in accordance with the requirements of the City's NPDES municipal stormwater permit. Prior to construction, the project is required to prepare a Storm Water Pollution Prevention Plan ("SWPPP") and a Stormwater Quality Management Plan ("SWQMP"), which will include construction best management practices, on-site biofiltration and hydromodification features, and ongoing permanent BMP maintenance. Any short-term erosion and sedimentation impacts associated with the project would be addressed through conformance with applicable regulations of the City stormwater permit and NPDES standards.

Compliance with these regulations during and after project construction will be enforced through building inspections by the City's building inspectors. Compliance with the standards and regulations included in these conditions will ensure the project does not result in adverse impacts on the health, safety, and general welfare of the community.

Moreover, as in the FEIR, all potentially significant impacts, including those related to biological resources, historical resources, noise, transportation, utilities, geology, hydrology, and tribal cultural resources will be mitigated below a level of significance. No significant and unavoidable impacts occur as a result of the proposed project. Implementation of the mitigation monitoring and reporting program ("MMRP"), which was adopted and made a condition of SP approval and will be carried forward and made a condition of approval of the proposed subdivision will ensure that any potential environmental impacts will be reduced to the maximum extent feasible.

G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The governing body may approve a map if it finds that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large

has acquired easements for access through or use of property within the proposed subdivision.

This finding cannot be made because the subdivision does not conflict with the easement for access through or use of property within the proposed subdivision.

Prior to the approval of the SP, the project site was private property owned by the Mater Dolorosa Passionist Retreat Center. Thus, no public access easements exist on the project site. Seventeen (17) existing utility easements will be modified or quitclaimed, as shown on Sheet 2 of the tentative tract map. All quitclaims are related to the relocation of existing utility infrastructure into proposed public streets. All existing utility easements have been accommodated by the project design and will be relocated, as shown on the tentative tract map. Alongside the construction of new utilities and infrastructure, the City will be granted easements related to access, ingress and egress, storm drain, water lines, and sewer lines. Electric lines will be maintained in their current locations, with existing easements granted to Southern California Edison unaffected. Easements will also be granted to the Los Angeles County Flood Control District for maintenance of the storm drain system.

Accordingly, in addition to the fact that there are no existing public access easements on the project site, as a result of these newly granted and/or relocated easements, the design of the subdivision or type of improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

SECTION 3. State Board of Forestry and Fire Protection. Pursuant to Government Code Section 1266.02, for tentative or parcel maps approved in very high fire hazard severity zones, the approving body is required to make and submit two findings to the State Board of Forestry and Fire Protection within 30 calendar days of map approval. The City Council confirms the findings and map(s) included herein as Attachment C and D, directs staff to submit the findings to the State Board of Forestry and Fire Protection.

SECTION 4. Environmental. The proposed project qualifies for a categorical exemption from CEQA pursuant to sections 15317 and 15301 of the CEQA Guidelines. Section 15317 exempts the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area. Section 15301 (h) exempts the operation and maintenance of existing public or private structures, facilities, and topographical features involving negligible or no expansion of use, and includes maintenance of existing landscaping, native growth, and water supply reservoirs. The subdivision of real property that does not involve any new construction or change in the existing uses, and it can be seen with certainty that there is no possibility that it may have a significant effect on the environment, is also exempt from CEQA pursuant to the "common sense" exemption in CEQA Guidelines 15061(b)(3). The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. If a development project is proposed on any of the parcels, the individual project would be subject to environmental review under CEQA once the scope of the project has been identified.

SECTION 5. Housing Accountability Act. Pursuant to California Government Code Section 65589.5, subdivision (j), and whereas findings for approval of a Tentative Tract Map is consistent with this section of the California Government Code, the City Council hereby finds that the proposed subdivision project will not have a significant, quantifiable, direct, and unavoidable impact upon the public health or safety. Thusly, grounds for disapproval of the project may not be made upon this basis nor shall the project be conditioned to require development at a lower density.

SECTION 6. Severability. If any sections, subsections, subdivisions, paragraph, sentence, clause or phrase of this Ordinance or any part hereof or exhibit hereto is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Ordinance or any part thereof or exhibit thereto. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that anyone or more sections, subsections, subdivisions, paragraph, sentences, clauses or phrases be declared invalid.

SECTION 7. Certification. The City Clerk shall attest to the passage and adoption of this Resolution by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED, AND ADOPTED the 22nd day of April, 2025.

I HEREBY CERTIFY the foregoing Resolution 25-23 was duly passed, approved, and adopted by the City Council of the City of Sierra Madre, California, at a meeting held on the 22nd day of April, 2025, by the following vote:

AYES: Mayor Robert Parkhurst, Mayor Pro Tem Kristine Lowe, Council Member Edward Garcia, Council Member Gene Goss, and Council Member Kelly Kriebs

NOES: None.

ABSENT: None.

ABSTAINED: None.



Robert Parkhurst, Mayor
City of Sierra Madre

ATTEST:



Laura Aguilar, City Clerk

I, LAURA AGUILAR, CITY CLERK OF THE CITY OF SIERRA MADRE, hereby certify that the foregoing Resolution Number was adopted by the City Council of the City of Sierra Madre at the regular meeting held on the 22nd day of April 2025.

EXHIBIT A
CITY COUNCIL RESOLUTION 25-23
TENTATIVE PARCEL MAP 24-01

CONDITIONS OF APPROVAL

1. This project shall expire 24 months following approval, as provided by Sierra Madre Municipal Code Section §16.12.100.
2. The applicant may file for an extension of time, not to exceed 24 months, at least 30 days prior to expiration, in accordance with SMMC §16.12.100(B).
3. The property shall be developed and maintained in substantial conformance with the Meadows Specific Plan (the "SP") and Development Agreement (the "DA"), as adopted by Ordinance No. 1461. The applicant shall comply with all of the requirements of the SP and DA.
4. The Congregation will complete a lot tie affidavit for the two parcels to ensure they cannot be transferred separately as a condition of any Tentative Map approval pursuant to DA §3(a).
5. The Congregation shall agree to record a conservation easement in favor of the City against the northern most parcel resulting from the subdivision and apply for a rezoning of that parcel to Open Space. The recordation of the conservation easement and application for rezoning shall occur concurrently with the recordation of the conservation easement as provided by DA §3(b).
6. The easement shall prohibit future development in the Hillside Open Space in perpetuity but shall reserve to the Congregation all subsurface rights, including but not limited to, water and mineral rights. Neither Congregation or Developer will be required to improve or maintain the Hillside Open Space. Congregation's obligation under this Section 3(c) may be specifically enforced by the other Parties, in accordance with DA §3(c).
7. The applicant shall comply with all inspection requirements as deemed necessary by the fire code official and building official of the City of Sierra Madre.
8. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. The increased stormwater runoff to retain on-site shall be determined by comparing the existing "pre-developed" condition and proposed "developed" condition, using the 100-year frequency storm.
9. The applicant shall submit a final map, be prepared by a California registered Land Surveyor or qualified Civil Engineer, to the Public Works Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted to the Public Works Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council.
10. The plans shall be approved by the City prior to approval of the Final Map.
11. Any projects that will disturb one acre or more of land. Therefore, the applicant must obtain coverage under a statewide General Construction Activities Stormwater Permit (General Permit). In accordance with the General Permit, the applicant shall file with the State a Notice of Intent (NOI) for the proposed project. Prior to issuance of grading permit by the City, the applicant shall have approved by the City Engineer a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall include a copy of the NOI and shall reference the corresponding Waste Discharge Identification (WDID) number issued

by the State upon receipt of the NOI.

12. Any projects under the City's NPDES Municipal Stormwater Permit as a development with equal to one acre or greater of disturbed area that adds more than 10,000 square feet of impervious surface area. Prior to issuance of grading permit, the applicant shall have approved by the City Engineer, an Urban Stormwater Mitigation Plan (USMP) that incorporates appropriate post construction Best Management Practices (BMPs), maximizes pervious surfaces, and includes infiltration into the design of the project.
13. The on-site sewer and water systems shall be publicly maintained. Water and sewer area studies shall be reviewed and approved by the City of Sierra Madre prior to the issuance of a building permit.
14. The applicant shall submit sewer and water improvement plans by a registered California Civil Engineer to the Public Works division for review. The plans shall be approved prior to the approval of the Final Map.
15. Prior to, or concurrent with, the recordation of a final map for the project, the applicant shall dedicate all necessary sewer and water easements to the City of Sierra Madre.
16. Fire apparatus access roads must be maintained in accordance with applicable requirements of the California Fire Code.