

PC RESOLUTION 09-10

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF SIERRA MADRE RECOMMENDING AMENDMENTS TO CHAPTER
17.36 IN ITS ENTIRETY AND REPEAL OF CHAPTER 17.37 AND SECTION
17.60.030(B) OF THE SIERRA MADRE MUNICIPAL CODE**

THE PLANNING COMMISSION OF THE CITY OF SIERRA MADRE DOES
HEREBY RESOLVE:

WHEREAS, the applicant for the subject Municipal Code Text Amendment
and Zone Change is:

City of Sierra Madre
232 West Sierra Madre Boulevard
Sierra Madre, CA 91024

WHEREAS, the Municipal Code Text Amendment can be described as:

Amendments to the Chapter 17.36 (C Commercial zone) in its entirety. The amendments include updating the list of permitted and conditionally permitted uses in the commercial zone, and updating the corresponding design and development standards; and repeal of Chapter 17.37 (Downtown Overlay zone) and Section 17.60.030(B). Repeal of Chapter 17.37 removes downtown overlay standards which limits the uses allowed in the commercial zone and the requirement that all such uses requires a conditional use permit. Due to the consolidation of permitted and conditionally permitted uses as provided in Chapter 17.36, repeal of 17.60.030(B) removes the cross reference of these same uses.

WHEREAS, the Planning Commission on May 21, 2009 conducted a duly noticed public hearing at which time it heard and considered public testimony being received and made part of the public record;

WHEREAS, the Planning Commission has received the report and recommendations of staff; and

WHEREAS, the proposed project qualifies for a Negative Declaration, pursuant to Section 15070 of the California Environmental Quality Act (CEQA);

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

Pursuant to Code Section 17.64.050, the Planning Commission may grant approval of a Municipal Code Text Amendment whenever the public interest, convenience and

general welfare so require: in that the amendments to Chapter 17.36 (“C” Commercial zone) and repeal of Chapter 17.37 (Downtown Overlay zone) will endure the orderly development of compatible and harmonious commercial uses in the downtown area, while safeguarding the downtown area of potentially undesirable impacts caused commercial uses by the requirement of a conditional use permit. The proposed amendments are intended to establish standards and impose the appropriate conditions to ensure the use, activity, and operations of commercial uses are compatible with the surrounding neighborhood. Therefore, the public interest, convenience and welfare would be met.

The Municipal Code Text Amendment is consistent with the Goals and Objectives of the General Plan; in that it would ensure orderly development of commercial uses where they currently exist so that they are compatible with and complement adjacent land uses. The text amendments are consistent with a General Plan objective that the commercial areas provide for a mix of uses which accomplishes a healthy balance of local services and visitor attraction while maximizing the City’s revenues from property and sales tax. Further, the text amendments are consistent with General Plan policies to accommodate a diversity of commercial uses intended to meet the needs of local residents, and to accommodate commercial uses intended to attract visitors.

For the Municipal Code Text Amendment:

PURSUANT TO THE ABOVE FINDINGS, AND THE RECITALS AS SET FORTH ABOVE, IT IS RESOLVED that the Planning Commission RECOMMENDS APPROVAL of Municipal Code Text Amendment 09-01 to the City Council.

The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6. The Planning Commission Secretary shall certify to the adoption of this resolution, transmit copies of the same to the applicant and his counsel, if any, together with a proof of mailing in the form required by law and shall enter a certified copy of this resolution in the book of resolution of the City.

APPROVAL RECOMMENDED, the 21st day of May 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

John Vandavelde, Chairperson
Sierra Madre Planning Commission

ATTEST:

Danny Castro, Development Services Director