



City of Sierra Madre

Office of the City Clerk

232 W. Sierra Madre Blvd.,

Sierra Madre, CA

(626) 355-7135

THE BROWN ACT PROVIDES THE PUBLIC WITH AN OPPORTUNITY TO MAKE PUBLIC COMMENTS AT ANY PUBLIC MEETING.

THE FOLLOWING WRITTEN COMMENTS WERE RECEIVED IN ADVANCE OF THIS MEETING AND WILL BE POSTED ONTO THE CITY'S WEBSITE FOR PUBLIC ACCESS AND TRANSPARENCY.

THE COMMENTS ATTACHED ARE SUBMITTED BY MEMBERS OF THE PUBLIC. THE CITY DOES NOT CONFIRM THE VERACITY OF THE STATEMENTS PROVIDED BY MEMBERS OF THE PUBLIC.

From: [REDACTED]
To: [Public Comment](#)
Subject: July 12, 2022 City Council meeting - Hearing #2 Film Permit
Date: Sunday, July 10, 2022 1:35:58 PM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear City Council:

As a resident and property owner in Sierra Madre, I am, again, writing to express my concerns about the proposed film ordinance which is Hearing #2 on Tuesday's City Council Agenda. I understand the complexity of the issue and want to thank the Council members for continuing the Hearing last meeting to take the time to reflect on the issue to create an equitable and fair solution for the residents of Sierra Madre.

First, I would like to point out that the Film Permit ordinance has been tied in people's minds to the one for Temporary Use permits as well as the upcoming Conditional Use Permit applications for both Alverno and Lavender Market. I would propose that the Council look at the film permit process for the whole city and not simply focus on Alverno or any other single area of the city. Recently, filming in the city has occurred in the downtown area, Memorial Park, and residential streets. All of these areas need to be protected by a common sense film permit process.

I would like to reiterate the two areas that would significantly impact people in the residential areas of Sierra Madre.

- The residential areas are not afforded the same protections as the non residential areas in the ordinance because of the removal of the signature requirement for filming. It is replaced with an ill-defined appeal process where the fees are unknown and the process is unclear. Please consider keeping the residential signature process in place so that residents of Sierra Madre have the same rights as those in our neighboring cities.
- Consider changing the language in the ordinance to define property as anywhere there is film production or its related activities, including parking, transportation areas, off set cast and crew areas, and set up/knock down areas. My example from last time still holds true that under the current proposal multiple productions could rent and use the same parking lot subjecting the neighbors to many more days of film related inconveniences than is the intent of the ordinance.

Finally, as I read the staff report, it appears that staff has added an item to the ordinance that would exempt an institutionally designated property with a master plan OR conditional use permit that regulate filming from this ordinance. I understand that a CUP would govern

the film use in this area; however, I have concerns about the language that it could be a master plan only that allows an institution to bypass the ordinance. I'd ask that this OR be amended to an AND so that a Conditional Use Permit is required.

As we move forward, there will be CUPs filed for properties within the city. It is important that the film ordinance in place has strong protections for residential areas. Finally, I would ask the Council to pass an ordinance for all of Sierra Madre and use that ordinance as a way to issue guidance to the Planning Commission for CUPs now and in the future.

Thank you for your time,

Janis Savoie



Sierra Madre

From: [REDACTED]
To: [Public Comments](#)
Subject: Alverno heights Academy
Date: Tuesday, July 12, 2022 11:14:15 AM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

I support Alverno Heights Academy for the use of the villa and the school grounds for filming and private events . I believe that it is very helpful to support the school and maintain the beautiful Villa Del Sol .

Matthew MacDonald

[REDACTED]
Sierra Madre

From: [REDACTED]
To: [Public Comments](#)
Subject: Alverno heights Academy
Date: Tuesday, July 12, 2022 11:14:15 AM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

I support Alverno Heights Academy for the use of the villa and the school grounds for filming and private events . I believe that it is very helpful to support the school and maintain the beautiful Villa Del Sol .

Matthew MacDonald

[REDACTED]
Sierra Madre

From: [REDACTED]
To: [Public Comments](#)
Subject: Alverno Heights Academy
Date: Tuesday, July 12, 2022 11:17:46 AM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Hello,

I support Alverno Heights Academy for the use of the Villa for private events and filming. Alverno is a great school and needs help to maintain the villa and its surrounding grounds .

Sean MacDonald

[REDACTED]
Sierra Madre

From: [REDACTED]
To: [Public Comment](#)
Subject: Public comments about Alverno
Date: Tuesday, July 12, 2022 1:52:20 PM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Honorable Mayor Goss and City Council members;

My name is Carolyn Halpern. I live at [REDACTED]. I live across the street from Alverno. This has been our family home since 1956. It was not a school of any kind when it was purchased.

I am writing to you on behalf of myself, and all of my neighbors on Michillinda in Pasadena. We have been adversely affected by Alverno Heights in the following ways:

1. excessive filming
- 2) excessive events on the weekends and at nights
- 3) more traffic on Michillinda with their car line up
- 4) directly affected by the intersection of Highland and Michillinda during drop offs but particularly at pickups at 3 pm.
- 5) Due to the near accidents occurring practically every afternoon at that intersection, I contacted our Pasadena Transportation office as the accident would probably occur while the car from Highland was edging out for a left turn
Onto the Pasadena Michillinda side.

Here is the response from Pasadena Transportation:

Good morning Carolyn,

I was the Pasadena representative who was at the meeting in front of Alverno on the morning of March 7th. In attendance were representatives of Alverno Heights (Andrea Bertolini, Joanne Harabedian, and one other), Sierra Madre Police, Planning, and Public Works Departments, and an independent traffic engineer hired by Alverno to develop a traffic plan.

We discussed our concerns regarding Alverno affiliated vehicles possibly impeding sight lines for pedestrians and drivers at the intersection of Michillinda and Highland. Alverno's traffic engineering consultant received all of our comments and will work with the school and Sierra Madre staff on reducing or relocating the northbound line of cars on Michillinda during afternoon pick-up in a way that won't block visibility at the intersection. We also suggested that the school can educate parents on the importance of keeping that area clear.

We anticipate that a new traffic scheme can take a few weeks to develop and implement. Nonetheless, please keep us updated on the Alverno line of cars and send us pictures of how far the line goes if you can so that we can keep tabs on their progress. We'll forward your updates to the City of Sierra Madre and Alverno staff as feedback on their efforts.

If you have any further questions, please do not hesitate to give me a call at the number below.

Sincerely,

Donson Liu, T.E.

Associate Transportation Engineer
City of Pasadena, Department of Transportation
Tel: (626) 744-7672

Guess what Mayor and city council?????

Alverno has done NOTHING new along these lines. I will be contacting Pasadena AGAIN to get this under control before Alverno's school starts again for the fall.

|

I also had to endure the quick installation of the trailers for the K-8. That happened right across the street from my home. The dirt, dust, death to my plants and absolute noise every single day, including weekends was mind numbing. I asked Alverno to help mitigate this burden they were putting on Pasadena residents but they declined. At the end of the installation, they gave us Krispy Kremes as a thank you. Are you kidding? They basically killed my camellia bushes which had been planted in 1952 and had flourished every year. It took two years for the flowers to bloom after giving those bushes a lot of love and care.

So, here is my plight. I have asked Alverno 8 times without getting any answer on how close their trailers are to the Michillinda fence. They also stated in their zoom meeting before the installation of the trailers that they would take the trees at the Highland end and plant them against the Michillinda fence area. They have declined to do so. All through that process, Alverno would never answer any questions for me. I had to go to their construction company to get answers.

Now they want to create a multipurpose building right in front of my house. LaSalle has a similar building but it is on Sierra Madre Blvd. Also, LaSalle knows how to maintain quiet while it is being used.

I have no faith that Alverno would know how to make that building noise and vibration contained. It is very opaque and unclear on how it will even be used. I highly suggest that it would be made very clear on how this building, if built, be used.

Based on Alverno's history, I would like the filming at Alverno to stop. Back in 2019, there was an explosion at 11:15 pm on a Friday evening at Alverno for the filming of Strange Angel. I went down to speak with Gabe Englund and Lawren Heinz at that time. Although the film crew was given a permit by Sierra Madre, the sound of the explosion woke up Pasadena and Arcadia residents. These people had NO NOTICE that this was going to happen. There is no other city that does this. If you speak with film offices at other cities, Sierra Madre is known for its ineptitude in handling filming permits and film matters.

Michillinda residents have no longer been part of the signing process for the filming at Alverno despite that we are 250 ft from the school. I finally received a response from Lawren Heinz in which she stated the following:

“

Under the direction of the previous administration and some discussions with the Pasadena Film Office it was determined that signatures from the Pasadena residents would no longer be gathered...The change was set in motion approximately 4 years ago.”

If that is the case, then why do the film trucks park along Michillinda at 6:30 am with engines idling and along Cartwright in Upper Hastings Ranch. My neighbors told me that during the a recent filming, huge film trucks made their way to Michillinda through Upper Hastings Ranch at 6:30 am waking up our people in his path.

It's really a shame that Alverno isn't in the guts of Sierra Madre. It isn't. It borders on Pasadena, and that's where I take issue. They are not kind and decent to their neighbors. They do nothing to mitigate the noise despite letters, emails, comments at city meetings, and phone calls. Even after the November 2021 where Alverno was told to be kinder and reach out to their neighbors, they did not. In fact, they thumbed their collective nose at those very planning

commissioners and held even louder events. There is NO ONE in charge there at the facility to monitor these events. Sierra Madre police has been useless at this. In fact, at a recent talk I attended a female SM officer stated that Alverno was in Pasadena. HUH?????

It is not the fault of the neighbors that Alverno has no endowment. That is quite pathetic after being in business for 60 years. It is also not the job of the neighbors to endure endless loud eardrum-breaking events heard all over Upper Hastings Ranch, in order to pay for their Villa and scholarships.

Haven't they heard of fundraisers? They should ask the other schools, even public ones, in Sierra Madre on how to be successful at fundraising.

Alverno runs at least two other businesses. The filming and the events. Those are businesses and should be treated as such in a residential area. The draw at Alverno is the Villa; certainly not the school itself. Last I heard the Villa needed a complete overhaul. I haven't seen that happen.

The amount of filming at Alverno is excessive. I have written before about the negative impact of this on its Pasadena residents. I have spent my entire summer wrapped up in these meetings and not seen anything done about it, yet.

This is your time to act. I have loved the town of Sierra Madre forever. What is happening here? Don't let Alverno run the show.

Here is something else. Sierra Madre film department blamed the filming company for the fraudulent signatures back earlier this year. Really? As Lawren stated, Pasadena is no longer part of the process. A quick look at the fraudulent signatures shows many houses with a Michillinda address. They have me down here as Vanessa Lopez at [REDACTED] So, Lawren signed this and KNEW that there was no more signing of Michillinda residents. Hmmm. And the blame is on the studios? I'd check that out with your own "film department" - the same one that orders the playground equipment.

I am sick and tired of all negative energy from Alverno. You are not taking Pasadena residents into consideration at all. There was a successful lawsuit against Alverno in 1999 from Pasadena residents. Please don't make us do that again.

This is your time to act on behalf of all of the hardworking people of Sierra Madre and Pasadena.

Thank you for your time,

Carolyn

From: [REDACTED]
To: [Public Comment](#)
Subject: Comment for 12 July City Council Meeting
Date: Tuesday, July 12, 2022 2:04:59 PM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Please forward to all members of City Council. Submitted before 2pm today.

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Dear Members of City Council,

I write to urge you to resist the misguided, deceptive and inflammatory actions of NUW and the Passionist Fathers and ask that you decline to approve their efforts to ram through an unwarranted housing and zoning alteration to their property.

The smokescreen of fraudulent claims of 'foul' that the Passionists and NUW have sent up does not resemble the truth of the options for the Passionists should the zoning become Hillside as thousands of City residents have urged. In fact, the chance to refine and expand appropriate development at their facility would still be the prerogative of the Passionist Fathers.

It is truly ironic that the Passionists are purporting to have been good and valuable neighbors, a hybrid of the World Central Kitchen and Mother Teresa in their contributions.

In fact, in 100 years of their existence, according to public record, they've never made any substantial cash contribution for the free services they have received from the City.

Without a Sacramento-driven legislative change to a long-overdue "PILOT" model of nonprofit 'payments in lieu of taxes', of course the Passionists can continue to hide their profits and siphon off free services from the taxpayers of Sierra Madre.

Other non-profits and religious organizations in CA have, in fact, been making cash payments in lieu of services rendered by their host counties and municipalities for many years--without the existence of legal requirements. They've been responsible neighbors, unlike the Passionists.

Based on land law precedents, our own City Attorney's analysis is riddled with flaws, and continues the myth of holding the City in fear of lawsuits should it decline this development plan. You can show the courage that is being asked of you by a majority of city residents and take up the threat of litigation--and hire another battery of lawyers who do not seem to be operating as adjuncts of NUW and the Passionists.

And, keep in mind that over 60% of City Council ran for and were elected on some

version of 'no-growth' or 'appropriate' growth platforms. Your voters remember this position you took, and will work to support you if you do the right thing in this situation.

And, we would be frustrated enough to challenge the legitimacy of your role on Council should you yield to NUW and the Passionists and work to replace you if you don't protect us from carpetbaggers and cash-grabbers who don't care about the fate of our City. It takes a lot for citizens to lose faith in their leaders, and we'd rather not be further disheartened and disappointed.

Dan Golden

--

Dan Golden, PhD

Director, GOLDENWORDS College and Life Planning Consultants

[REDACTED]

Sierra Madre, CA 91024

[REDACTED]

Make Every Word...A GOLDENWORD

From: [REDACTED]
To: [Public Comments](#)
Subject: Alverno Heights Academy
Date: Tuesday, July 12, 2022 11:20:59 AM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

I support Alverno to use the villa and the school for private events and filming. Anything to support the school and maintain the villa and its surrounding grounds is appreciated.

Harrison Macdonald

[REDACTED]

Sierra Madre

From: [REDACTED]
To: [Public Comment](#)
Subject: Add to our last email pdf for tonights city council item #1 #2
Date: Tuesday, July 12, 2022 2:56:42 PM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Please accept the following and attach to the petition we just sent you as these neighbors attended the last city council meeting yet cannot tonight.

And redact accordingly: THANK YOU MUCH Ms. Tardiff

Begin forwarded message:

From: P Thomas <[REDACTED]>
Subject: Re: Could you sign the petition?
Date: July 12, 2022 at 2:36:45 PM PDT
To: K S <[REDACTED]>

I don't see signature sheet attached am I missing it?

We are completely in on signing petition.

Colleen and Jeff Thomas
[REDACTED]

Agree to our signatures being added to the petition against Alverno.

Thanks
Colleen and Jeff Thomas

Re: Changing the city code for filming Consideration of Resolution No. CSC 22-01
recommending an amendment to Chapter 5.36



Honorable Mayor of Sierra Madre and City Council Members

We aren't trying to stop filming. But when 90% of all filming in Sierra Madre has been done at 200 N. Michillinda Ave the neighbors want to see in the code something that protects their rights to the quiet enjoyment of their homes. 200 N. Michillinda has become aggressively marketed making it a HIGH DEMAND location. No other neighborhood in Sierra Madre deals with what we have. Many California cities have specific guidelines for highly desirable filming locations in residential neighborhoods beyond the city code. Pasadena, S. Pasadena, and other cities have documents that are triggered with conditions specific to their highly desired film locations.

We want language like theirs for our neighborhood that borders 200 N. Michillinda.

For decades, the neighbors have turned to asking both the Sierra Madre and Pasadena police, the administration at Alverno, the City Council, the Sierra Madre code officer, city planners, and the film liaison office of Sierra Madre to stop the intrusive and negative impact that filming brings to our homes. Instead filming has continued, at any hour or day of the week.

The Services Commission (who gives out film permits) wants to recommend Resolution CSC 22-01. We feel that in it's current state, these recommendations failed to fully address the plethora of complaints by neighbors. It does not include enough protections for neighbors bordering 200 N. Michillinda Ave. We feel the City of Sierra Madre making a good effort to begin addressing issues with filming.

NOW IS THE TIME TO BE A PART OF THE CODE REDRAFTING. ADD YOUR VOICE TO SO THE FILM CODE ALSO PROTECTS THE NEIGHBORS. Since 2021 neighbors have gathered at meetings, communicated digitally and/or spoken up about the negative issues filming has thrust upon their lives and homes. We will be putting them on a document to give to the city.

Right now filming in the neighborhood is quiet. Sierra Madre police are investigating the fraudulent activity perpetrated by several film companies. We are aware of more than one film that has been onsite without proper signatures and even after warning Alverno, filming continued. *Filming WILL resume as will the school, and the party rentals for the Villa .*

We are regular folks like you. We love our homes. Everyone works hard to live here with our families and loves their neighbors. We are not a school with a board of trustees or have lawyers with PR departments to sway the city. Neighbors are asking for a film and photography code that will allow Alverno to continue filming but also protect the residents when they do. **If you continue to have concerns, agree with the content of complaints, remedies and wish to see 200 N. Michillinda be designated as a Highly Desirable Film Location - please sign and ask Sierra Madre representatives to give us back our right to the peace, privacy and quiet enjoyment of our homes and property.** Thank you. See attached page to add your signature.

ACTION TO BE TAKEN (Sorry, short time frame, but we are volunteers and have jobs:

Sign our petition today. Starting next page.

If we missed you and you wish to sign and be heard, email us at [REDACTED] We can return. Or sign digitally through Acrobat. OR you can sign in your email if you are out of town but please include your address for verification.

OR

Speak up at a Planning Commission or City Council meetings with the items of interest to you on the agenda. Everyone who puts in a card as they arrive can speak. There is no limit to the household. You may leave copies of your statement for their consideration.

OR

Send an email to PublicComment@CityofSierraMadre.com **no later than 3PM day of meeting, state that your wish for your comments to be part of any Planning Commission and City Council meeting regarding** Resolution No. CSC 22-01. You may speak about the CUP if you wish, but note that is a separate item. Include your address. Everyone in your home may write.

OR

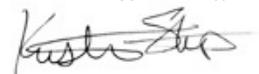
Write a letter. State you wish to address Resolution No. CSC 22-01 and the CUP if it is of concerns, and ask that **your comments to be part of any Planning Commission and City Council meeting regarding such.** Drop it off at city hall before 3PM of any of the city meetings.

Each meeting agenda for the various city meetings regarding changing the film code as well as Alverno's request to amend their Conditional Use Permit can be found online at the city website for your full review:

<https://www.cityofsierramadre.com> You will have to put in a search for the specific item of interest

We don't want to give up our right to live peacefully in our home. The neighbors should not be paying for Alverno's poor business plan through all night film shoots and constant party rentals and a usage that extends beyond the property line of 200. N. Michillinda Ave. It doesn't matter who was here first. This is about the use of the property under the Conditional Use Permit and any Temporary Use Permits granted Alverno so they may operate amidst our residentially zoned neighborhood. This includes how excessive filming negatively impacts our R-1 neighborhood by rentals and the appropriateness of this expansion which is currently under review. Thank you for considering your neighbors and what is appropriate for getting to live as we desire in our homes and is afforded to every other neighborhood but ours under city code.

Your neighbors,,



Keith and Kristin Stephens



Honorable Mayor of Sierra Madre and City Council Members

Complaints and fraud triggered the recent film moratorium and the need to update the film and photography code. Neighbors want to see these issues addressed and a Red Flag guidelines developed specifically for 200. N. Michillinda Ave. (this is not to stop filming):

- Alverno has agreed to the following over various discussions for filming during neighborhood meetings, communications to the city of Sierra Madre and a mediated agreement between neighbors. Alverno has not abided by their agreements to:
 - no filming on weekends,
 - no late night shoots.
 - No trucks will come on campus before 7:30AM
 - Send out quarterly letters to neighbors informing them of filming, weddings, events.
 - Will require noise decibel readings to be no more than 60dba coming from campus
 - Limit all weekend events to Saturday, except two Sunday open houses in January
 - To hold quarterly meetings with the neighbors to discuss the agreements and how it is going.

—Per the mediated and binding agreement between neighbors and Alverno administration which has been uploaded to public comments on the City Of Sierra Madre website 6/28/22.

- There will be no overnight filming activities on campus.
- No film activity may commence on campus before 7:00 a.m., nor are any film crew members allowed on the campus between the hours of 10:00 p.m. and 7:00 a.m.
- No filming activities will involve the use of explosives or fireworks.
- On all occasions when film activity is conducted on campus, all property owners immediately adjacent to campus shall be given advance written notice of the proposed activity.
- In order for any filming activity to go forward, at least three-quarters (75%) of the property owners immediately adjacent to the property must consent to such filming activity
- Paid security will shut down any production and parties will be escorted offsite if filming does not cease by 10PM
- All filming ends by 9:30PM
- All participants in film activities shall be transported to campus by vans provided by the film producers.
- No parking on adjacent streets to the campus.
- Filming will be confined to the area in and around the Villa.
- At all times, filming activities at the Villa shall use a blank generator and located adjacent to the northeast corner of the Villa.
- Trailers and dressing rooms shall, whenever possible, be placed on the stretch of lawn between the North end of the Villa and south side of the High School.
- All trucks and heavy equipment used during filming activities must enter and exit campus between the hours of 7:00 a.m. and 10:00 p.m.

- No rock video may be filmed on campus.
 - Trucks and film vehicles, may remain parked without their engines running on campus during the hours when the campus is otherwise locked (between 10:00 p.m. and 7:00a.m.).
 - Furthermore, trucks and heavy equipment are to abide by the following rules of operation: Trucks are not to stop, park, idle, or await the opening of campus on that part of Michillinda Avenue immediately adjacent to campus between the hours of 10:00 p.m. and 7:00 a.m. No trucks or heavy equipment used in conjunction with filming activity may be removed from campus between the hours of 10:00 p.m. and 7:00 a.m.
 - All passenger cars or vans used by film crews in conjunction with filming activities are to be parked at designated sites off campus.
 - Trucks and heavy equipment are to park and wait for opening at the shopping center located on the northwest corner of Michillinda and Sierra Madre Blvd.
 - Access to the campus by trucks, heavy equipment and other vehicles used in conjunction with film shootings shall not be allowed prior to 7:00 a.m.
 - Any (film) trucks and heavy equipment seeking entry onto campus shall not come before 7:00 a.m. All personnel involved with the filming activity must be off campus no later than 10:00 p.m. and the campus shall then be locked by the security guard.
 - The security guard shall be the last to leave campus, and may do so only after the campus has been locked.
 - Have a licensed security guard onsite for every film and date of the permit
 - Security guard shall be reachable by residents, they will log all complaints, the security guards response and the outcome of the complaint
 - The security guard has the authority to shut down production over permit violations.
-
- **The SM City Film Code needs to address frequently filmed locations**, See <https://www.cityofpasadena.net/planning/arts-and-cultural-affairs/film-office/guidelines/>
 - 12 times a year up to 10 days each film is way too many for this neighborhood. 6x
 - Limit the hours of film set up to be like it is for construction in the city, 7AM - 7PM end.
 - Exceptions, 100% of the surrounding neighborhood are needed for approval to allow up to 10PM for onsite usage.
 - The city noise ordinance tamps down at 10PM. Filming should be aligned to the same. NO to 11PM
 - No changes may be made to the school agenda and placement to accommodate a film crew. In other words, no crew can ask the school to convene in the parking lot, change their pick up and drop off, or other gathering for the benefit of the filming yet to the detriment of the neighborhood.
 - Film monitors must be onsite at least 30" before a days shoot. They should prevent film vehicles and crews from congregating at the site before 7AM.
 - Violators need to be sanctioned if the permit is violated. Past complaints need to be reviewed and noted for the record. Deny permits for 2x repeat offenders of any part of their permit.
 - We want to see sanctions and penalties for permit and code violations.
For example: No TUPs for 30 days after the first infraction, the second - no TUPs for 60 days and a fine, the third - Pull their permit, send the violators packing if it is film or party related. They don't get to return for a permit for 2 years.

- In this digital age there should be a section on our City of Sierra Madre website to see what permits are underway. <https://www.cityofpasadena.net/planning/arts-and-cultural-affairs/film-office/film-calendar/>
- AHA should honor their 1998 mediated settlement agreement between neighbors. There is good language. AHA has been acting in bad faith by knowing they agreed to the terms but have chosen to violate the terms.
- We feel ALL filming should end by 10PM This is a residential neighborhood. Stop the “activity is permitted prior to 7:00 am or later than 11 :00 pm
- The film rental business conducted on AHA property should be considered cumulative usage of the property at AHA/theVilla because we have to deal with school during the day, after school sports, evening and weekend school events, filming during and after the school closes, then rentals at the Villa. Don’t just look at the pandemic calendars because that was an anomaly for wedding rentals but the school and lot’s of filming still took place.
- Support vehicles should not leave engines running. This includes catering. Use the generators for medium to small shoots or use an offsite.
- Stop the rental of the school parking lots and construction for filming. Confine filming to the Villa. Too often filming takes place right in the parking lot.
- Staging should take place offsite.
- Film productions violate their permits and permits are never pulled. For example a drone came over from AHA and followed me hovering above and stayed filming me in my back yard. Called the police. They said they didn’t know what the law was. It is a violation of my privacy under California law.
NO DRONES!!!!
- Crews and support trucks should unloaded and be staged offsite. Again, no trucks should be running in idle their engines past 15”. Trucks should not stay in reverse with back up beepers left beeping for any length of time. Put the vehicles in Neutral if they must run for the wench to load a condor or tow trucks loading vehicles.
- Truck gates should be lowered not dropped. The banging is jarring for neighbors and pets
- Empty flat bed trucks should secure their gates from unnecessary rattling and slow down. Excessive speed makes gates and side partitions rattle and bang.
- Trucks or other film support vehicles should not be using the surrounding streets as staging or waiting to get into AHA.
- Film crews and trucks should not be honking horns to be let into locked gates at AHA at ANY hour.
- Stop the massive film shoots that go on past 2 weeks.
- Say no to films that bring semi trucks onto our streets and hundreds of crew, Condors,
- Do not allow EVER bank lights trespass into homes.
- Educate our police force to understand what is permissible and what is not.
- Do not give the SM film representative so much power that they can override any of the code that protects the neighbors without 100% signatures. The city council should not be deciding either.

In the words of Cagney and George Cohan, "My mother thanks you. My father thanks you. My sister thanks you. And I thank you."



CITY OF SOUTH PASADENA
Guidelines for Film Permitting
In Frequently Filmed Areas
(Addendum to Film Policy)

Purpose

The purpose of these guidelines is to create more stringent review conditions for film permit applications in frequently filmed areas in order to prevent or lessen neighborhood fatigue.

Permit Application Review Guidelines

Permit application review guidelines are based on a three-step process:

- 1) determine the geographical boundaries of the neighborhood most impacted by the proposed filming: the measuring neighborhood;
- 2) determine if the measuring neighborhood has been a frequently filmed area during the preceding 90 day period; and
- 3) if so, devote extra scrutiny and conditions to the proposed film permit, and impose mandatory conditions on the permit.

Determination of a Frequently Filmed Area

The measuring neighborhood, the area affected by the proposed film permit, includes all property within one-half block in both directions of the proposed filming location on both sides of the street.

After defining the measuring neighborhood, the recent frequency of filming in such a neighborhood is evaluated as follows:

If, within a 90-day period preceding the proposed filming, one or more film locations have been used in the measuring neighborhood for a total of 6 filming days in a residential or commercial area, then the permit is considered to be a film permit in a frequently filmed area.

Still photography is exempt from this restriction.

Factors for Evaluating Level of Impact

All proposed film permits in frequently filmed areas will receive additional analysis with regard to the following factors:

- a. Public disturbance or other problems connected with prior filming in the measuring neighborhood within the immediate past 90 days.

- b. Frequency of filming in the measuring neighborhood during the calendar quarter when the filming will occur.
- c. Number of filming days requested.
- d. Number of days needed for pre-filming and any other film-related activity.
- e. Nature and impact of filming activity.
- f. Proposed number of vehicles on the street.
- g. Availability of on-street parking.
- h. Adequacy of proposed parking plan.
- i. Width of street proposed for parking.
- j. Containment of activity on private film location.

Mandatory Conditions

The following conditions shall apply to any approved film permit in a frequently filmed area in addition to any other conditions imposed by the Film Liaison.

- a. No extension of the regular hours of filming (7:00 a.m. to 7:00 p.m.) will be authorized before 7:00 a.m. or past 10:00 p.m. The City Manager and/or his designee, at his/her discretion, may waive this condition if consent is received from 100% of the property owners/tenants in the measuring neighborhood.
- b. The location manager, or his or her designated representative, must be present at the filming location until pre-filming activities are completed, and must communicate to the production company the conditions of the permit.

The City may withdraw a permit and stop the production in the event the permittee does not adhere to all conditions of approval.

Legal Analysis of Sierra Madre Non-Conforming Use Provisions Applied to Mater Dolorosa and Hillside Management Zone

Prepared by Beverly Grossman Palmer, Strumwasser & Woocher LLP for public distribution

Initiative Intent is to Permit Operation Consistent With Nonconforming Use Provisions

- “The intent of this Initiative is to permit the continued operation of the Mater Dolorosa Passionist Retreat Center without expansion, significant physical alteration, or change in use, as a nonconforming use.”
- “It is the intent of the voters that the existing retreat center, the Mater Dolorosa Passionist Retreat Center, may continue as a pre-existing non-conforming use under the provisions of the Sierra Madre Municipal Code relating to non-conforming use.”
- “It is the intent of the voters that any change of use of the Mater Dolorosa Property from its current use as the Mater Dolorosa Passionist Retreat Center must be consistent with the requirements of the Municipal Code governing the Hillside Residential Zone/Hillside Management Zone.”

Sierra Madre Municipal Code Regulation of Nonconforming Use (Chapter 17.56)

Any future changes by the Passionists would have to be consistent with the status as a legal non-conforming use.

Code Expressly Provides for Enlargement or Alteration of Nonconforming Use

The Sierra Madre Municipal Code does not entirely prohibit changes or enlargement of nonconforming structures, and allows the continuation and maintenance of those uses and structures. A stated purpose of the chapter on nonconforming uses to “establish procedures and criteria for evaluating the allowable enlargement of specific nonconforming uses and structures.” (Sierra Madre Municipal Code (SMMC), § 17.56.010(4).) Additional purposes include to “limit” the alteration, enlargement, or relocation of nonconforming structures in manner that would further increase the difference between existing nonconforming conditions and the current provisions of [the municipal code], and to allow for the “continuation and maintenance of specific nonconforming uses and structures.” (*Id.* at (5) & (3).)

The Code expressly acknowledges that the “area, space or volume” of a nonconforming use may be enlarged under the procedures set forth in the Code. Nonconforming uses may be “maintained and continued” without enlargement of “the area, space or volume occupied or devoted to the nonconforming use, *except as allowed by this chapter*” and a nonconforming structure may be maintained without physical change “other than necessary maintenance and repair, *except as allowed by this chapter.*” (SMMC, § 17.56.030 (emphasis added); see also SMMC 17.56.050 [“So long as a nonconforming use or structure exists upon a lot, no new use or structure may be constructed, established, or installed on the lot, *except as allowed by this chapter.*”])

Code-Required Process for Enlargement of Nonconforming Use or Structures

The Code provides as to alteration or additions to nonconforming uses and structures that “nothing in this chapter shall be deemed to prevent the construction, enlargement, expansion extension, or reconstruction (hereafter referred to as ‘work’ of a nonconforming use or structure” if the work proceeds according to the Code. (SMMC, § 17.56.080.)

Alteration or Enlargement of Use: Alteration or enlargement of nonconforming use requires a “minor conditional use permit.” The new use must comply with “the performance standards and applicable development standards” of the Hillside Management Zone. (SMMC, § 17.56.080(F).)

Alteration or Enlargement of Structures: A nonconforming structure may be altered or enlarged if it obtains a variance under Municipal Code chapter 17.60. “Alteration and enlargement may occur, but only in compliance with the current applicable development standards.” The enlargement would have to comply with Hillside Management Zone development standards. (SMMC, § 17.56.080(E).)

A conforming use may be established on the same lot as a non-conforming use. (SMMC, § 17.56.080(G).)

Hillside Management Zone Permissible Uses

The Hillside Management Zone allows for all uses permitted in the R-1 District with a Hillside Development Permit. (SMMC, § 17.52.070(C)(1) [“The following uses of land shall be allowed subject to the granting of a hillside development permit in compliance with this chapter: “Any primary or accessory use permitted in the R-1 one-family residential zone (as set forth in Section 17.20.020 and 17.60.030)”].)

Permitted by-right uses include remodels or additions onto “existing, legal, primary structures;” and “an accessory structure or any combination of accessory structures.” (SMMC, §§ 17.52.070(C)(5) & (6).)

With a conditional use permit, the R-1 District allows “churches, temples, and *other places of worship;*” “educational institutions;” “open air theaters;” “fraternity;” and certain licensed residential care facilities for the elderly under state law. (This is a partial list; see SMMC 17.60.030 (A) [conditional uses, all zones except OS and R-C zones].) “Churches, temples and other places of worship,” are listed as authorized by conditional use permit “provided they shall be excluded from the C (commercial) zone.” (*Ibid.*)

Conclusion: Multiple Routes Exist for this Place of Worship to Operate and Alter Its Existing Uses and Structures

Any conforming use in the Hillside Management Zone could be established on the lot along with the Passionists; it would have to comply with Hillside Management Zone development standards. “Churches, temples, and other places of worship” are conditionally permitted uses in all residential zones, including the Hillside Management Zone. The Passionists can therefore

seek a conditional use permit to construct or expand in connection with their operation as a “place of worship.”

The Passionists can expand their “use” of the lot as long they obtain a minor conditional use permit and comply with the performance and development standards of the underlying zone. It is unclear what “performance standards” means as that term is not used elsewhere in the zoning code.

Existing structures could be altered or enlarged by the variance procedure, though this requires making specific findings. (SMMC, §§ 17.060.010 & 17.060.020.)

In addition, the Hillside Management Zone allows additions to existing legal structures, which is another way the Passionists could argue that they are permitted to construct an addition.

Moreover, accessory structures are permitted in the Hillside Management Zone. “Accessory” is defined as a building with use “subordinate to, and the use of which is incidental to, that of the main building, structure, or use on the same lot.” The Passionists could construct additional facilities as accessory uses so long as the development is consistent with the Hillside Management Zone.

Legal Analysis of Challenges to the Initiative Under The Religious Land Use and Institutionalized Persons Act (RLUIPA)

Prepared by Beverly Grossman Palmer & Julia Michel, Strumwasser & Woocher LLP
for public distribution

SUMMARY

- As a general matter, religious institutions must apply for the same permits, follow the same requirements, and go through the same land use processes as other land users.
- The Initiative expressly anticipates and allows religious uses of the Mater Dolorosa site to continue. In Hillside Management Zones, “churches, temples, and other places of worship” are conditionally permitted uses, so the Passionists would be allowed to seek alterations or enlargements of the structures on the site, so long as they comply with the Hillside Management Zone development and performance standards—just like any other private residence abutting the San Gabriel Mountains.
- Any RLUIPA challenge would require the City to first deny an application by the Passionists. If such an application were granted, there would be no burden on the Passionists’ religious exercise and therefore no potential violation of RLUIPA.
- Nothing about the Initiative draws a distinction between religious uses and non-religious uses.

The Initiative’s Express Intent is for Religious Uses at Mater Dolorosa to Continue

- “It is the intent of the voters that the existing retreat center, the Mater Dolorosa Passionist Retreat Center, may continue as a pre-existing non-conforming use under the provisions of the Sierra Madre Municipal Code relating to non-conforming use.”
- “It is the intent of the voters that any change of use of the Mater Dolorosa Property from its current use as the Mater Dolorosa Passionist Retreat Center must be consistent with the requirements of the Municipal Code governing the Hillside Residential Zone/Hillside Management Zone.”

There is No Threat of a Meritorious “Substantial Burden” Claim under RLUIPA

A “substantial burden” claim can arise if a government “impose[s] or implement[s] a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person” unless that burden is “in furtherance of a compelling governmental interest” and is the “least restrictive means” of furthering that interest. (42 U.S.C. § 2000cc(a)(1).) First and foremost, the Initiative itself is not susceptible to a challenge under this provision (i.e., a facial challenge). Instead, as the City Attorney has acknowledged, a “substantial burden” claim would only arise if the City had denied some sort of request from the Passionists. However, under the Hillside Management Zoning, “churches, temples, and other places of worship” are conditionally

permitted uses, so there is no basis to conclude that an application by the Passionists for such activity would be denied. That is, the Passionists can therefore seek a conditional use permit to construct or expand in connection with their operation as a “place of worship”—there is simply no basis to conclude that an application by the Passionists for such activity would necessarily be denied. If the application were granted, there would be no burden on the Passionists and no possible violation of RLUIPA.

Next, even if there was an application and even if that application were denied, the challenger would then have the burden to prove the City’s denial of its application imposed a *substantial* burden on its religious exercise. (*New Harvest Christian Fellowship v. City of Salinas* (9th Cir. 2022) 29 F.4th 596, 601.) The Courts require the “substantial burden” to actually be very substantial; it “must place more than inconvenience on religious exercise” and must impose a “significantly great restriction or onus upon [religious] exercise.” (*Ibid.*)

Again, because of the fact-intensive nature of such a claim, it would be difficult to anticipate whether any burden would rise to the level of “substantial” here. However, it bears repeating that the Initiative *expressly* intends that the Mater Dolorosa Passionist Retreat Center will continue operating on the site.

There is No Threat of an “Unequal Treatment” Claim Under RLUIPA

An “equal provision” claim arises under 42 U.S.C. § 2000cc(b)(1), which provides that “[n]o government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution.” A facial challenge under this provision would not succeed because the Initiative on its face is not targeting religious use – it is actually allowing it to continue. Furthermore, any future changes to the site (altering or enlarging the use or structures) would be addressed the same way that other similarly situated properties (also located in the Hillside Management Zone) are addressed.

Stated another way, nothing about the Initiative draws a distinction between religious uses and non-religious uses, which is what would trigger an “unequal treatment” RLUIPA claim. The City Attorney suggests that merely because the Initiative *identifies* the Mater Dolorosa site, it is *targeting* the religious uses of the site. That is simply not true. The issue is whether Initiative treats *religious* uses any worse than *non-religious* uses, and there is no suggestion the Initiative crosses that line.

Furthermore, as the City Attorney admits on page 23 of his memorandum, the secular “comparator” to Mater Dolorosa would be the residences that abut San Gabriel Mountains—and even the City Attorney acknowledges that “nearly all” of them are designated “Hillside Management.” That is precisely the point of the Initiative: Citizens seek merely to apply the “Hillside Management” zoning requirements to another property that is also on the hillside, abutting the San Gabriel Mountains.

July 12, 2022

To: Sierra Madre City Council

From: Tricia J. Searcy

[REDACTED]
Sierra Madre, California 91024

Re: City Attorney's Section 9212 Report Re: Citizen Petition For Initiative Measure To Change The General Plan Land Use Designation From "Institutional" To Hillside" And The Zoning Designation From "Institutional" To "Hillside Management" For The Mater Dolorosa Property

Having read the City Attorney's Report on the Initiative, I would request that the Council carefully consider the legal analysis set forth by Protect Sierra Madre's attorney, Beverly Grossman Palmer, which establishes that the Passionists retain significant rights to build on their property under the Initiative and to continue their operations.

The Council requested an unbiased report, however, the City Attorney acknowledges that part of the report was prepared in conjunction with NUW's attorneys and relies on their legal research. In addition, the report fails to acknowledge the express intent of the Initiative which is for the retreat center to legally continue as a nonconforming use and have all the rights to build in accordance with Sierra Madre's ordinances on nonconforming uses and Hillside Management.

As Ms. Grossman Palmer has shown, the NonConforming Use code expressly provides for enlargement and alteration of nonconforming uses.

In addition, the Passionists are free to establish a conforming use on the same lot. The Hillside Management Zone allows for all uses permitted in the R-1 District with a Hillside Development Permit.

Permitted by-right uses include remodels or additions onto "existing, legal, primary structures;" "accessory structure[s];" and public parks and recreation facilities. These are permitted *by right* uses.

With a conditional use permit, the R-1 District also allows "churches, temples, and other places of worship;" (like the retreat center) among other things including certain licensed residential care facilities for the elderly under state law. (This is a partial list; see SMMC 17.60.)

So, the Hillside Management Zone allows additions to existing legal structures and also provides for "accessory" structures which is defined as a building with use "subordinate to, and the use of which is incidental to, that of the main building, structure, or use on the same lot."

This language unambiguously covers the Passionists concerns about being able to expand their ministry, build a shrine, a garden structure, and/or care for their aging priests appropriately.

The Initiative is very respectful and supportive of the retreat center and its activities. The express intent of the initiative is to allow the retreat center to continue and to offer an alternative to the 42 tract home development which has nothing whatsoever to do with the retreat center or its activities.

As for potential challenges under the religious land use law, please have a look at Ms. Grossman-Palmer's analysis showing that there is no threat of a meritorious "Substantial Burden" claim nor is there threat of an "Unequal Treatment" claim.

Nothing in the Initiative draws a distinction between religious and nonreligious uses. This is about 42 tract homes not about the operation of the retreat center.

In fact, as the City Attorney admits on page 23 of his report, the secular "comparator" to Mater Dolorosa would be the residences that abut the San Gabriel Mountains—nearly all of which are designated "Hillside Management." That is precisely the point of the Initiative: Citizens seek merely to apply the "Hillside Management" zoning requirements to another property that is also on the hillside, abutting the San Gabriel Mountains.

There is no telling if the Passionists will file a nuisance lawsuit against the City, but there are no grounds for a meritorious one if the Initiative is passed. Again, I urge you to read the submissions of Ms. Grossman Palmer.

From: [REDACTED]
To: [Public Comment](#)
Subject: Discussion Item #1 Citizen Petition for Initiative Measure RE: Mater Dolorosa Property 7-12-2022
Date: Tuesday, July 12, 2022 2:45:47 PM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Councilmembers,

Thank you for the opportunity to comment on this important issue.

I support the initiative measure to change the General Plan Land Use Designation from "Institutional" to "Hillside" and the Zoning Designation from "Institutional" to "Hillside Management" for the Mater Dolorosa Property.

This initiative will not restrict the rights of the property owners and does not target the religious uses of the site.

Since it appears that the property owners want to develop housing units on their property it will require them to adhere to all the regulations that any other property owner would need to comply with in the same situation. This is only fair.

Mater Dolorosa should not get a Special Use Permit and other changes they are requesting to facilitate a development that is inappropriate for our small community.

I live on West Orange Grove Avenue near Lima Street and walk my dogs between there and Bailey Canyon Park and all the streets in between including Sunnyside. Many of these streets do not have sidewalks and one is forced to walk in the street. I regularly see children playing in the streets and riding their bicycles. Despite what the Draft EIR may conclude we do not need the added traffic on these streets.

As you are well aware we are in a water crisis and you may soon be forced to impose stricter guidelines on residential water use. This is not a time to be adding a development of this magnitude despite assurances in the Draft EIR that this project will be a zero net gain in water use. That will make little difference when there is no water.

Thank you for your commitment as Council Members to protect our community and keep it the safe and enjoyable place we love.

Russ Guiney

Sent from [Mail](#) for Windows

From: [REDACTED]
To: [Public Comment](#)
Subject: Monastery Development--Do not approve as is!
Date: Tuesday, July 12, 2022 2:15:03 PM

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Please enter my comment in the public record.

I am writing to urge you to listen to your constituents and residents and do not approve or forward the Bailey Meadows project as it stands. Also, the City Attorney's report (biased in favor of the developer) that will be submitted tonight is deeply flawed and based on misinformation and erroneous arguments in regards to the curtailing of the Monastery's ability to maintain its mission and make reasonable changes to the property.

The project is dangerous in a severe fire zone and the developer has shown time and again to be acting in bad faith in terms of misrepresenting the project or failing to provide the necessary details to assess and approve the project accurately and fairly. The citizen's petition shows clearly that the town wants other options investigated and pursued.

Sincerely,
Maria Karafilis

[REDACTED]

22-year resident

To the City Council

City's review authority under both projects.

Council Member Robert Parkhurst had asked that the City Attorney's report to the City Council show the oversight authority of the City under both the Meadows Specific Plan and the Ordinance proposed by the People's initiative.

That is an easy comparison to make - and the removal of City oversight from the construction of the largest development project in the City's history is an important part of our objection to the project. We trust in our very carefully crafted General Plan and don't feel that they should be contravened by the City without a compelling reason to do so.

CITY OVERSIGHT OF THE MEADOWS PROJECT

Under the terms of the Meadows Specific Plan, once it has been approved, its provisions become law and supersede any contrary Sierra Madre Ordinances.

The only input the city has is before all the elements of the project have been approved by the City. Luckily, the Planning Commission has been applying its usual meticulous analysis to all parts of the requested entitlements, recognizing that once it has left their hands they will have no more review authority, except, possibly of the Tract Map. The City attorney has said that they will have at most 3 meetings to evaluate that map.

Its terms, house sizes, minimum and maximum lot coverage, grading, design standards, future alterations etc will be permanently set by the actual Specific plan document when approved by the City Council. All that can be done in the way of oversight, once the Specific Plan has been approved, is to ensure that development is done according to its own rules.

OVERSIGHT UNDER THE PROPOSED INITIATIVE

Under the proposed Initiative, the property would be rezoned Hillside Zone. Under the terms of the Initiative, ALL management and Oversight of any development on the parcel once rezoned would be under the purview of the City of Sierra Madre and its well crafted ordinances.

As with EVERY existing use on a rezoned property in the City, the Retreat Center would become a "Nonconforming use". Since it was legal when the property was rezoned it would be considered a "Legal, nonconforming use" Any changes requested would be governed by Sierra Madre's Nonconforming Use ordinance or, if built according to the new, Hillside zone, would be regulated under the ordinances governing that zone.

Our attorney’s analysis below explains the many avenues that Mater Dolorosa would have under our proposed ordinance to make any desired changes, all according to our City’s ordinances, and all with the oversight required by those applications

If any lot splits took place on the 2 acre parcels after they were purchased, under SB9, the permitted 2 housing units on the resulting one acre lots would be ministerially managed in accordance with Sierra Madre's new Lot Split Ordinance.

Our Attorney’s analysis of various avenues within our Initiative and the City’s ordinances that will allow City oversight of Development under our Initiative is below

Legal Analysis of Sierra Madre Non-Conforming Use Provisions Applied to Mater Dolorosa and Hillside Management Zone

Prepared by Beverly Grossman Palmer, Strumwasser & Woocher LLP for public distribution

Initiative Intent is to Permit Operation Consistent With Nonconforming Use Provisions

- “The intent of this Initiative is to permit the continued operation of the Mater Dolorosa Passionist Retreat Center without expansion, significant physical alteration, or change in use, as a nonconforming use.”
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- “It is the intent of the voters that any change of use of the Mater Dolorosa Property from its current use as the Mater Dolorosa Passionist Retreat Center must be consistent with the requirements of the Municipal Code governing the Hillside Residential Zone/Hillside Management Zone.”

Sierra Madre Municipal Code Regulation of Nonconforming Use (Chapter 17.56)

Any future changes by the Passionists would have to be consistent with the status as a legal nonconforming use.

Code Expressly Provides for Enlargement or Alteration of Nonconforming Use

The Sierra Madre Municipal Code does not entirely prohibit changes or enlargement of nonconforming structures, and allows the continuation and maintenance of those uses and

structures. A stated purpose of the chapter on nonconforming uses to “establish procedures and criteria for evaluating the allowable enlargement of specific nonconforming uses and structures.” (Sierra Madre Municipal Code (SMMC), § 17.56.010(4).)

Additional purposes include to “limit” the alteration, enlargement, or relocation of nonconforming structures in manner that would further increase the difference between existing nonconforming conditions and the current provisions of [the municipal code], and to allow for the “continuation and maintenance of specific nonconforming uses and structures.” (Id. at (5) & (3).)

The Code expressly acknowledges that the “area, space or volume” of a nonconforming use may be enlarged under the procedures set forth in the Code. Nonconforming uses may be “maintained and continued” without enlargement of “the area, space or volume occupied or devoted to the nonconforming use, except as allowed by this chapter” and a nonconforming structure may be maintained without physical change “other than necessary maintenance and repair, except as allowed by this chapter.” (SMMC, § 17.56.030 (emphasis added); see also SMMC 17.56.050 [“So long as a nonconforming use or structure exists upon a lot, no new use or structure may be constructed, established, or installed on the lot, except as allowed by this chapter.”])

2 Code-Required Process for Enlargement of Nonconforming Use or Structures

The Code provides as to alteration or additions to nonconforming uses and structures that “nothing in this chapter shall be deemed to prevent the construction, enlargement, expansion extension, or reconstruction (hereafter referred to as ‘work’ of a nonconforming use or structure” if the work proceeds according to the Code. (SMMC, § 17.56.080.)

Alteration or Enlargement of Use: Alteration or enlargement of nonconforming use requires a “minor conditional use permit.” The new use must comply with “the performance standards and applicable development standards” of the Hillside Management Zone. (SMMC, §17.56.080(F).)

Alteration or Enlargement of Structures: A nonconforming structure may be altered or enlarged if it obtains a variance under Municipal Code chapter 17.60. “Alteration and enlargement may occur, but only in compliance with the current applicable development standards.” The enlargement would have to comply with Hillside Management Zone development standards. (SMMC, § 17.56.080(E).)

A conforming use may be established on the same lot as a non-conforming use. (SMMC, §17.56.080(G).)

Hillside Management Zone Permissible Uses

The Hillside Management Zone allows for all uses permitted in the R-1 District with a Hillside

Development Permit. (SMMC, § 17.52.070(C)(1) [“The following uses of land shall be allowed subject to the granting of a hillside development permit in compliance with this chapter: “Any primary or accessory use permitted in the R-1 one-family residential zone (as set forth in Section 17.20.020 and 17.60.030)”].)

Permitted by-right uses include remodels or additions onto “existing, legal, primary structures;” and “an accessory structure or any combination of accessory structures.” (SMMC, §§ 17.52.070(C)(5) & (6).)

With a conditional use permit, the R-1 District allows “churches, temples, and other places of worship;” “educational institutions;” “open air theaters;” “fraternity;” and certain licensed residential care facilities for the elderly under state law. (This is a partial list; see SMMC 17.60.030 (A) [conditional uses, all zones except OS and R-C zones].) “Churches, temples and other places of worship,” are listed as authorized by conditional use permit “provided they shall be excluded from the C (commercial) zone.” (Ibid.)

Conclusion: Multiple Routes Exist for this Place of Worship to Operate and Alter Its Existing Uses and Structures

Any conforming use in the Hillside Management Zone could be established on the lot along with the Passionists; it would have to comply with Hillside Management Zone development standards. “Churches, temples, and other places of worship” are conditionally permitted uses in all residential zones, including the Hillside Management Zone. The Passionists can therefore seek a conditional use permit to construct or expand in connection with their operation as a “place of worship.”

The Passionists can expand their “use” of the lot as long as they obtain a minor conditional use permit and comply with the performance and development standards of the underlying zone. It is unclear what “performance standards” means as that term is not used elsewhere in the zoning code.

Existing structures could be altered or enlarged by the variance procedure, though this requires making specific findings. (SMMC, §§ 17.060.010 & 17.060.020.)

In addition, the Hillside Management Zone allows additions to existing legal structures, which is another way the Passionists could argue that they are permitted to construct an addition.

Moreover, accessory structures are permitted in the Hillside Management Zone. “Accessory” is defined as a building with use “subordinate to, and the use of which is incidental to, that of the main building, structure, or use on the same lot.” The Passionists could construct additional facilities as accessory uses so long as the development is consistent with the Hillside Management Zone.

From: [REDACTED]
To: [Rachelle Arizmendi](#); [Gene Goss](#); [Edward Garcia](#); [Robert Parkhurst](#); [Kelly Kriebs](#); [Public Comment](#)
Subject: Analysis of City oversight of both the Meadows Project and the People's Initiative
Date: Tuesday, July 12, 2022 1:41:15 PM
Attachments: [CC analysis City's review authority under both projects.pdf](#)

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

To the City Council,

Council Member Robert Parkhurst had asked that the City Attorney's report to the City Council show the oversight authority of the City under both the Meadows Specific Plan and the Ordinance proposed by the People's initiative to rezone the "Monastery" parcel to Hillside Zone.

Our analysis and the supporting information included in Protect Sierra Madre's attorney's analysis are attached .

Barbara Vellturo
Protect Sierra Madre
Steering Committee

July 10, 2022

To: Mayor Goss and the Sierra Madre City Council

Given the recently announced \$10 million library grant I wonder if there is a simple solution to the Meadows development project citizen concerns.

Let me suggest the library grant money be used to build a new library with parking and adjacent to this a family park with a skateboard facility. This could be built on the lowest portion of the Mater Dolorosa Monastery property.

Above the new library and park the Meadows development project could then be implemented with fewer homes behind an entry wall and gate.

The old library property could be sold at a profit to a developer to be used to build a new apartment or condominium.

Sincerely,



Tom Arndt

Submitted 07-12-2022 4:25 PM

July 12, 2022

To: Mayor Goss and Sierra Madre City Council

This addendum to my letter submitted this morning to Jose Reynoso, City Manager, requests cancellation of my submitted suggestion because of my not having a clear understanding of the Library Grant and the project as a whole.

Sincerely



Tom Arndt

July 5, 2022

To: Gene Goss

From: Diana Wright

Re: Input for next City Counsel Meeting, Public Input

Topic: Bear activity

I primarily live alone, but my blind son regularly visits for days on end. My property is adjacent to the open space owned by the city.

Bears are now becoming more aggressive, and are no longer even slightly afraid of humans. They regularly den under the deck of the house on Churchill that overlooks the city owned property on Woodland.

They have recently climbed over my fence and attempted to get in through my glass back door, and were only scared off by an airhorn and me loudly banging a spoon on a pan. But they only moved off slowly, very nonchalantly, despite my dog barking ferociously from indoors. The bears have easy access over the fence we share between my property and the city owned property.

It is time now for a more robust series of action. Mandated bear proof trashcans will help of course, but I fear for the lives of young children (and people walk routinely down Woodland with strollers) should they come between a mama bear and cubs. This has got to stop. NOW!! I'm alerting for every noise in my yard. I can no longer tolerate this current level of preparedness to deal with the bears from the city of Sierra Madre and the Fish and Wildlife Department.

Please, please before someone is hurt, take further action, including more intense hazing combined with strict trashcan mandates and other measures.

Also, we cannot allow the new law to put edibles in green trashcans; it will only increase our bear problem.

I respectfully request an electrified (stun only) fence be erected, by me at my expense, between my property and the city owned property. No humans would be injured by this action, but it might slow down the bears and provide further discouragement. My son and I are becoming prisoners in my own home.

Respectfully submitted,

Diana Wright

