

RESOLUTION NO. 2007-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE GRANTING CONDITIONAL USE PERMIT NO.2007-01 BY FIRST BAPTIST CHURCH

At a Regular Meeting of the Planning Commission of the City of Lemoore. duly called and held on April 9, 2007 at _____ p.m. on said day, it was moved by Commission member _____, seconded by Commission member _____ and carried that the following Resolution be adopted:

WHEREAS, The First Baptist Church has submitted a Conditional Use Permit to allow them to place two 24' x 40' portable classrooms; and

WHEREAS, The subject property is a 3.03 acre parcel located at the northwest corner of Bush Street and Willow Drive described as Assessor's Parcel No. 020-221-0263 and zoned R-1-7; and

WHEREAS, On the basis of the application, staff report, and the evidence submitted, the Planning Commission makes the following findings specified in Section 9-15B-2E of the Lemoore Municipal Code:

- a.) That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
- b.) That the proposed location of the conditional use is in accordance with the objectives of this Title and the purposes of the district in which the site is located.
- c.) That the proposed use will comply with each of the applicable provisions of this Title. (Ord. 7901 2-6-79 as amended, 1-1986) so long as the following conditions of approval are met;

WHEREAS, it is determined by the Lemoore Planning Commission that is Categorically Exempt under CEQA Article 19 Section 15301(e)(1); and

NOW, THEREFORE, BE IT RESOLVED that the Lemoore Planning Commission does hereby adopt Resolution No. 2007-06 approving the Categorical Exemption determination and the Conditional Use Permit No. 2007-01 / Site Plan Review No. 2007-01 to expire on April 09, 2008 with the following conditions of approval pertaining thereto:

1. The applicant shall comply with the State Department of Social Services with regards to the number of children permitted at the premises. If a new permit is required by the State Department, a copy of said permit shall be forwarded to the Community Development Department to be kept on record.
2. The portable classrooms will meet the minimum setback requirements under the R-1-7 (Single-Family Residential) zone district. Section 9-7B-6.3. The portable building will be inspected by the City's Building Department to ensure its safety and compliance with the Americans with Disability Act (ADA), and applicant will obtain a fire clearance from the City's Fire Marshall.
3. Lighting will need to be placed in and around the structures, suitable enough to meet and insure the safety of its occupants, and in such a manner as to not be a nuisance to the adjacent single-family residential neighborhoods.
4. The applicant will need to provide grading and drainage plans to the City Engineer for approval. The applicant will also need to provide plans for any utilities that will be provided to the portable units.
5. Minor modifications to and around the modular buildings shall be made as shown in the redlined Exhibits A and B.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on August 14, 2006, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

Kimberly Moss, Chairman

ATTEST:

Holly P. Smyth, Secretary

This resolution is subject to review by the City Council pursuant to Lemoore Municipal code Section 9-15-B-2G. The City council may affirm, reverse, or modify this resolution.

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, Holly P. Smyth, Secretary of the City of Lemoore’s Planning Commission, do hereby certify the foregoing Resolution of the Planning Commission of the City of Lemoore was duly passed and adopted at a Regular Meeting of the Planning Commission held on April 9, 2007.

DATED: _____, 2007

Holly P. Smyth, Secretary
Lemoore Planning Commission