

RESOLUTION NO.: 06-066

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 06-005
FOR A CHURCH USE LOCATED AT 821 PINE STREET
APN: 009-154-008, APPLICANT – CRISTEN DECIOUS**

WHEREAS, Conditional Use Permit (CUP) 06-005 has been filed by Cristen Decious; and

WHEREAS, CUP 06-005 is a proposal to establish a church with office and retail uses; and

WHEREAS, the church requests to be permitted to conduct regular services for up to 100 persons on Sunday mornings (between 9 am and 12 pm), and on Sunday and Wednesday evenings (6 to 9 pm), and to conduct one week per year of evening (Bible Study) meetings, and twice a year allow three evenings for special events; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 22, 2006 to accept public testimony on this Conditional Use Permit application; and

WHEREAS, the proposed church use supports the intent of the General Plan and the 2006 Economic Strategy by providing retail and office uses and pedestrian activity in the downtown; and

WHEREAS, the church complies with the downtown parking regulations in the Zoning Code with approval of Joint Use Parking per Section 21.22.130 to allow up to 16 vehicles to park in spaces in the near vicinity; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received the Planning Commission finds that the proposed use will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City required in the standard and specific Conditions of Approval below; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 06-005 and Joint Use Parking per Section 21.22.130 of the Zoning Code, subject to the following conditions:

STANDARD CONDITIONS

1. The project shall be operated in substantial conformance with the following conditions established by this resolution:
2. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.

3. This CUP 06-005 is valid for a period of two (2) years from approval. Unless a business license has been issued the approval of CUP 06-005 shall expire on August 22, 2008. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
4. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
5. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
6. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDITIONS

7. A sign permit shall be required prior to installation of any signs, and shall be reviewed and approved by the Development Review Committee.
8. The church may be allowed to occupy up to 1,600 sq. ft. with 100 seats, the retail area may occupy up to 1,600 sq. ft., and the office may be allowed to occupy up to 1,505 sq. ft. of the total area.
9. No other uses, including daycare or a school shall be permitted.
10. The Planning Commission may reconsider this Conditional Use Permit one year from the date of approval, to determine compatibility with other uses and assess parking impacts in the vicinity, or sooner if requested.

PASSED AND ADOPTED THIS 22nd day of August, 2006 by the following Roll Call Vote:

AYES: Commissioners Steinbeck, Holstine, Johnson, Menath and Chair Hamon
NOES: Commissioners Flynn and Withers
ABSENT: None
ABSTAIN: None



CHAIRMAN JOHN HAMON

ATTEST:



RON WHISENAND, PLANNING COMMISSION SECRETARY.