

RESOLUTION NO. 5378 (07)

A Resolution of The Council of the City of Lompoc, County of Santa Barbara, State of California, Denying the Appeal submitted by Eileen Negas, et al., and Mary Anne Rios, of the Planning Commission Approval of a Conditional Use Permit (Planning Division File No. CUP 06-09)

WHEREAS, the Planning Commission held a duly noticed public hearing on November 13, 2006 for consideration of a Conditional Use Permit (CUP 06-09), allowing Good Samaritan Services, Inc. (GSSI) to operate a transitional shelter for drug and alcohol recovery with on-site treatment housing, a thrift store, and a day care at 608 West Ocean Avenue in the Convenience Center (CC) Zoning District;

WHEREAS, after considering the staff report, hearing testimony from the applicant and the public, the Planning Commission adopted Resolution No. 533 (06) approving the request for a Conditional Use Permit at 608 West Ocean Avenue (Assessor Parcel Number 91-092-18); and,

WHEREAS, a timely appeal of the Planning Commission action was filed by Eileen Negas, et al., and Mary Anne Rios, for City Council review and consideration of the Conditional Use Permit approval; and

WHEREAS, the City Council held a duly noticed public hearing on January 2, 2007 to consider the staff report and to hear testimony from the appellant, the applicant, and members of the public.

NOW, THEREFORE, THE CITY COUNCIL RESOLVES AND DETERMINES AS FOLLOWS:

SECTION 1. Based upon the staff reports and the testimony received at the public hearing of the appeal of CUP 06-09, the City Council finds that the Planning Commission's approval of the Conditional Use Permit was:

- a) Supported by the evidence presented and that the proposed use, as conditioned, meets the requirements of the Lompoc City Code and is consistent with the applicable policies and development standards;
- b) Afforded adequate public notice in accordance with State Law;
- c) Based upon factual technical information; and
- d) Consistent with the standards of the General Plan and the Zoning Ordinance.

SECTION 2. Based upon the foregoing, the appeal is denied, and the Planning Commission's action of November 13, 2006 is hereby upheld.

SECTION 3. Judicial review of this decision shall be governed by the time limits of Code of Civil Procedure Section 1094.6.

SECTION 4. This Resolution is effective upon adoption.

The foregoing Resolution was proposed by Councilmember _____, seconded by Councilmember _____, and duly passed and adopted by the City Council of the City of Lompoc at its regular meeting on January 16, 2007 by the following electronic vote:

AYE: Councilmember(s):

NO: Councilmember(s):

ABSENT: Councilmember(s):

Dick DeWees, Mayor
City of Lompoc

ATTEST:

Donna Terrones, City Clerk
City of Lompoc