

**CITY OF LOMPOC  
PLANNING COMMISSION STAFF REPORT**



**MEETING DATE:** AUGUST 13, 2008  
**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** KEITH NEUBERT, PRINCIPAL PLANNER  
**RE:** CUP 99-04 – CONDITIONAL USE PERMIT RENEWAL

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**CONSENT CALENDAR:**

(All items listed under Consent Calendar are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Commission votes on the motion to adopt).

**CONSENT AGENDA ITEM NO 1.**

A request by Amanda Moore, representing the Agape House Church, for Planning Commission consideration of a renewal of Conditional Use Permit (CUP 99-04). The renewal will allow continued church operation at 437 North H Street, to May 25, 2011 (Assessor's Parcel Number: 87-241-11). The church is located in the Central Business (C-2) Zoning District. This action is exempt pursuant to the California Environmental Quality Act (CEQA).

**SCOPE OF REVIEW:**

The Planning Commission is being asked to consider:

- If the renewal is exempt from review pursuant to CEQA;
- If the Conditions of Approval are appropriate for the renewal; and
- If the required Findings of Fact can be made.

The Planning Commission has the authority to approve, conditionally approve, modify, or deny a Conditional Use Permit (LCC Section 8882(d)).

**RECOMMENDATION:**

Staff recommends that the Planning Commission:

Adopt Resolution No. 613 (08) approving the three-year renewal of CUP 99-04 to May 25, 2011, for the Agape House Church based on the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.

**BACKGROUND:**

- May 24, 1999 – Planning Commission adopted Resolution No. 97 (99) allowing the Agape House Church to occupy the facility at 437 North H Street.
- May 12, 2003 – Planning Commission adopted Resolution No. 277 (03) allowing continued church operation for three (3) years to May 24, 2005.
- October 10, 2005 – Planning Commission adopted Resolution No. 437 (05) allowing continued church operation for three (3) years to May 25, 2008.

**ANALYSIS:**

The property is located within a C-2 Zone and as noted in Section 8002.2 of the City Zoning Ordinance, Commission renewal of the CUP is required every three years. In addition to conditions imposed by the Planning Commission, the following standard conditions apply:

- ❑ *Proposed Church uses or activities shall not restrict the operation of any adjacent commercial use.*
- ❑ *The Planning Commission shall review for renewal all Conditional Use Permits for churches in the C-2 and PCD zones after a period of three years.*
- ❑ *The proposed church use shall be limited to existing buildings within the C-2 and PCD zones.*

The applicant has been working with staff to provide the necessary information to process the Conditional Use Permit renewal. Under previous approvals, the Agape House Church had occupied both 433 and 437 North H Street. 433 North H Street is no longer in use, leaving 437 North H Street as the only tenant space occupied by the Church. It is recommended that the expiration date for CUP 99-04 be extended to May 25, 2011.



**STAFF REVIEW:**

A Development Review Board meeting was not held for this request as it is an existing use and no internal or external changes are proposed.

**CUP RENEWAL:**

Ordinance No. 1421 (96) was adopted by the City Council in August of 1996 to allow churches in the C-2 and PCD zones subject to obtaining a CUP. The CUP is valid for a three (3) year period and then must be reviewed by the Planning Commission. There have been no complaints reviewed by the City regarding this use. A Condition of Approval is included which requires Planning Commission review of CUP 99-04 on or before May 25, 2011 (COA P1).

**NOTICING:**

On August 1, 2008:

- 1) Notice of the Public Hearing was published in the Lompoc Record;
- 2) Notices were mailed to property owners within 300 feet by US mail; and
- 3) The project site was posted by City staff.

**ENVIRONMENTAL DETERMINATION:**

The project is categorically exempt from review pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA). A Notice of Exemption will be filed for the project following the Commission action.

**APPEAL RIGHTS:**

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form; the fee is \$257.80.

**ATTACHMENTS:**

- 1) [Draft Resolution No. 613 \(08\) and Conditions of Approval](#)
- 2) [Planning Commission Resolution No. 97 \(99\), 277 \(03\), 437 \(05\)](#)

Staff Report has been reviewed and approved for submission to the Planning Commission			
<b>Arleen T. Pelster, AICP Community Development Director</b>	<b>Date</b>	<b>Lucille T. Breese, AICP Planning Manager</b>	<b>Date</b>

**RESOLUTION NO. 613 (08)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING RENEWAL OF A CONDITIONAL USE PERMIT TO ALLOW THE AGAPE HOUSE CHURCH TO CONTINUE OPERATION AT 437 NORTH H STREET (CUP 99-04)**

**WHEREAS**, a request was received from Amanda Moore, representing the Agape House Church, for Planning Commission consideration of a renewal of Conditional Use Permit – CUP 99-04. The renewal will allow continued church operation at 437 North H Street to May 25, 2011 (Assessor Parcel Number 87-241-11); and

**WHEREAS**, the request was considered by the Planning Commission at a duly-noticed public meeting on August 13, 2008; and

**WHEREAS**, at the meeting of August 13, 2008, \_\_\_\_\_ was present and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of August 13, 2008, \_\_\_\_\_ spoke in favor of, and \_\_\_\_\_ spoke in opposition to the project; and

**WHEREAS**, this project is categorically exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposed church operation, as conditioned, meets the requirements of the Lompoc City Code and is consistent with the applicable policies and development standards, therefore it can be found that:

- A. The proposed use, as conditioned, is consistent with the applicable policies and development standards set forth in Lompoc City Code Section 8002.
- B. The site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, parking, loading, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- C. The conditions stated in the decision are deemed necessary to protect the public health, safety, and welfare.

- D. The site of the proposed church operation relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- E. The proposed church operation will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

**SECTION 2:** Based upon the foregoing, CUP 99-04 is renewed as proposed on August 13, 2008, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing resolution, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, was adopted at the regular Planning Commission meeting of August 13, 2008 by the following vote:

**AYES:**

**NOES:**

\_\_\_\_\_  
Arleen T. Pelster, AICP, Secretary

\_\_\_\_\_  
Jack Rodenhi, Chair

Attachment: [Exhibit A - Conditions of Approval](#)

**CONDITIONS OF APPROVAL  
CUP 99-04 – AGAPE HOUSE CHURCH  
437 NORTH H STREET (APN: 87-241-11)**

The following Conditions of Approval apply to the renewal of the Agape House Church located at 437 North H Street as reviewed by the Planning Commission on August 13, 2008.

**I. PLANNING**

**Planning - General Conditions**

- P1. This Conditional Use Permit (CUP 99-04) shall be reviewed by the Planning Commission for renewal on or before May 25, 2011.
- P2. The conditions hereby imposed are in addition to the conditions imposed in Planning Commission Resolution No. 97 (99), Planning Commission Resolution No. 277 (03), and Planning Commission Resolution No. 437 (05). In the case of any conflicts, the conditions listed herein shall prevail.
- P3. All applicable provisions of the Lompoc City Code are made part of these conditions of approval, as if fully contained herein.
- P4. All of the conditions shall be consented to in writing by the applicant.
- P5. This Conditional Use Permit may be reviewed and reconsidered by the Planning Commission at any time for the purpose of imposing new conditions to mitigate a nuisance or to revoke the permit to abate a nuisance.
- P6. Planning Commission Resolution No. 613 (08) and 437 (05) with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara.
- P7. The use shall not be conducted in a manner which will result in adverse impacts upon neighboring properties.

I, Amanda Moore, representing the Agape House Church, as applicant, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the renewal of Conditional Use Permit 99-04. As applicant, I agree to comply with these conditions and all other applicable laws and regulations at all times.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

**RESOLUTION NO. 97 (99)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE AGAPE HOUSE TO OPERATE A CHURCH AT 437 NORTH H STREET**

**WHEREAS**, a request was submitted by Pastor Jeff Sherrill, representing The Agape House for Planning Commission consideration of a Conditional Use Permit (CUP 99-04) to operate a church in an existing facility located at 437 North H Street (APN: 87-241-11); and

**WHEREAS**, the matter was considered by the Planning Commission a duly-noticed public meeting on May 24, 1999; and

**WHEREAS**, at the meeting of May 24, 1999, Pastor Jeff Sherrill, applicant, was present on behalf and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of May 24, 1999, no one else spoke in favor of, or in opposition to, the proposal; and

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposed church operation, as conditioned, meets the requirements of the Lompoc City Code and is consistent with the applicable policies and development standards, therefore it can be found that:

- A. The site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, parking, loading, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- B. The conditions stated in the decision are deemed necessary to protect the public health, safety, and welfare.
- C. The site of the proposed church operation relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- D. The proposed church operation will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

**SECTION 2.** Pursuant to Public Resources Code Section 21089 and Section 15074 of the California Environmental Quality Act Guidelines, the Initial Environmental Study and Negative Declaration which have been prepared for the proposal show no substantial evidence that the project may have a significant effect on the environment, and therefore it can be found that:

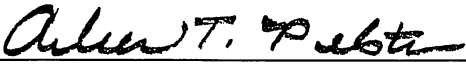
- F. The proposed church operation, as conditioned, does not have a significant effect on the environment; and
- G. Any effect of the proposed use upon fish and wildlife is de minimis and therefore no filing fee is required pursuant to the Fish and Game Code Section 711.4.

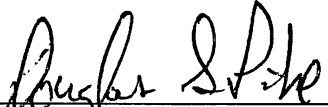
**SECTION 3.** Based upon the foregoing CUP 99-04 is approved as proposed on May 24, 1999, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing Resolution, on motion by Commissioner Gabel, seconded by Commissioner Beck, was adopted at the regular Planning Commission meeting of May 24, 1999 by the following vote:

**AYES:** Commissioners Gabel, Beck, Jameson, Rodenhi, Pike

**NOES:** None

  
\_\_\_\_\_  
Arleen T. Pelster, AICP, Secretary

  
\_\_\_\_\_  
Douglas S. Pike, Chair

Attachment: Exhibit A - Conditions of Approval

**CONDITIONS OF APPROVAL**

The following Conditions of Approval apply to the plans to allow The Agape House operate a church at 437 North H Street as reviewed by the Planning Commission on May 24, 1999.

**I. PLANNING****Planning - General Conditions**

- P1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.
- P2. The applicant is advised that certain fees and charges will be collected by the City prior to issuance of building permits and/or prior to issuance of certificates of occupancy.
- P3. These conditions of approval shall be noted on the construction drawings filed for any building permits, including the Planning Commission resolution number and the applicant's signed affidavit agreeing to comply with the conditions.
- P4. All revisions made by the Planning Commission and specified in the planning conditions of approval shall be shown on a revised site plan, which shall be reviewed by the Planning Division prior to submittal of construction drawings.
- P5. Minor changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the City Planner and approved if acceptable. Major changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Commission and approved if acceptable.
- P6. Prior to the installation of any signage or sign related construction the applicant shall obtain all appropriate permits.
- P7. Applicant shall defend, indemnify, and hold harmless the City of Lompoc and its agents, officers, and employees from any claim, action, or proceeding brought within statutory time periods against the City and/or its agents, officers, and employees to attack, set aside, void, or annul any approval by the City Concerning the project. The City shall promptly notify the applicant of any claim, action, or proceeding, and the City shall cooperate fully in the defense.
- P8. No outside vending machines, except fully enclosed newspaper racks, shall be allowed on site.

## Planning - Conditional Use Permit Conditions

- P10. The right to use an occupancy permit shall be contingent upon the fulfillment of any general and special conditions imposed by the conditional use permit procedure.
- P11. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns and a covenant to the effect may be required.
- P12. All of the conditions shall be consented to in writing by the applicant.
- P13. The resolution granting the application, together with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara.
- P14. The use permit granted is conditioned upon the rights or privileges acquired thereby being utilized within one year after the effective date of approval, and should the rights or privileges authorized hereby fail to be executed or utilized within said year, or when a building permit has not been issued within said year, or when some form of work is involved which has not actually commenced within said year, or if so commenced, is null and void; unless such permit has not been utilized or such construction work started or completed within such one year period by reason of delays caused by the City in approving plans, in which event the City Planner shall grant and record a commensurate extension. The Planning Commission may, at its discretion, and with the consent or upon request of the permittee, for any cause, grant a reasonable extension of time in addition to the one (1) year period hereinabove provided. Such a request for extension shall have been filed with the Secretary of the Planning Commission fifteen (15) days prior to the expiration of the one (1) year.
- P15. This Conditional Use Permit may be reviewed and reconsidered by the Planning Commission at any time for the purpose of imposing new conditions to mitigate a nuisance or to revoke the permit to abate a nuisance.
- P16. Hours of operation for church activity are limited to:
- |            |                     |
|------------|---------------------|
| Sunday:    | 11:00 am to 1:00 pm |
| Wednesday: | 6:30 pm to 9:00 pm  |

## II. BUILDING

### Building - General Conditions

- B1. Project shall comply with the most recent adopted City and State building codes.
- a. No building shall be used or occupied, and no change in the existing occupancy classification of a building or portion thereof shall be made unless the building is made to comply with the requirements of the Building Code.
- B2. Plans shall be submitted by a California licensed architect and/or engineer.
- B3. Any new construction shall not reduce the structural integrity of existing buildings or structures.
- B4. Any new construction shall not reduce the required light and ventilation requirements as required by the Uniform Building Code.
- B5. Exits, exit signs, and emergency lighting shall comply with the most recent adopted Building Code.
- B6. The Title Sheet of the plans shall include:
- a. Occupancy group
- b. Description of use
- c. Type of construction
- d. Height of the building
- e. Floor area of building(s)
- B7. California disabled access regulations shall be incorporated within the plans, clearly showing compliance.
- B8. Any demolition shall comply with A.P.C.D. regulations, and acquire any required permits for the demolition.
- B9. California Building Code (T-24) requires that all existing buildings and facilities, when alterations, structural repairs, change of use, or additions are made to such buildings or facilities shall comply with all provisions of Division I, Chapter 11, T-24.
- B10. Restroom facilities shall be made to comply with the most recent adopted Building Code and State Disability Regulations.

### **III. FIRE**

- F1. Assumed use (church services) and size of the large room indicate an occupant load of approximately 90 people.
- A. Two exits are required from the main room.
- B. In the present building configuration, one exit will have to be to the corridor:
- 1) The corridor will have to be a minimum of 44 inches in width.
  - 2) The corridor will have to be one-hour fire-resistive construction.
  - 3) All doors opening into the corridor will have to be minimum 20 minute rated assemblies, smoke and draft tight, self-closing or automatic closing by actuation of a smoke detector.
  - 4) Illuminated or approved self-luminous exit signs need to be provided to indicate the direction of egress.
  - 5) The corridor will need additional illuminated or approved self luminous floor-level exit signs and path marking.

### **IV. PARKS & URBAN FORESTRY -- No project specific conditions**

### **V. AVIATION/TRANSPORTATION**

- A1. Bicycle racks to accommodate four (4) bicycles shall be provided on site. The location of the bicycle racks shall be approved by the Planning Division prior to project completion.

### **VI. ENGINEERING -- No project specific conditions**

### **VII. SOLID WASTE -- No project specific conditions**

### **VIII. ELECTRIC**

#### **GENERAL CONDITIONS**

- EL1 The Developer shall sign a line extension agreement and pay all costs for the City to furnish and install electric power lines to and within the proposed development. These costs shall include all labor, labor overhead, material, material handling charge and equipment/vehicle rental necessary for the City to extend the City's electric distribution system to serve the project.

- EL2 The Developer shall provide a single line diagram showing voltage, phase, load requirements and size of planned switchboard.

Three-phase electric services up to 200 Amps shall have 7-jaw meter sockets. Three-phase electric services above 200 Amps shall have 13-jaw meter sockets and provisions for a test switch and for current transformers.

The main switchboard shall conform to Electric Utility Service Equipment Requirements approved by the City of Lompoc.

The developer shall pay the Meter Installation Fee prior to the issuance of the building permit.

- EL3 Electric meters and main disconnect switches shall be located on the exterior of the building, or in an enclosure opening only to the exterior of the building. Meter enclosures shall be accessible at all times to Electric Division personnel. If the enclosure is to be locked, the lock shall be keyed to Schlage Lock No. C38587.

- EL4 The Developer shall provide all necessary trenching and backfilling to Electric specifications. This shall include trenching for primary cable, secondary cable, street light wiring and associated vaults and boxes. The developer shall provide transformer pads as required. The project shall be at final grade prior to trenching for installation of underground electric facilities.

- EL5 The Developer shall furnish and install the service wire and conduit from the service panel to the transformer or secondary box. Upon approval of the building inspector, the City shall make the final connections to the transformer and energize the transformer.

## **IX. WATER**

### **GENERAL CONDITIONS**

- W1. The facility must comply with plumbing cross-connection control standards as required by City ordinance and State law for the protection of water supplies.

## **X. WASTEWATER**

### **SPECIAL REQUIREMENTS**

- WW1. A grease trap will be required if kitchen is to have commercial size appliances. Appendix H of Uniform Plumbing Code.



**RESOLUTION NO. 277 (03)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING RENEWAL OF A CONDITIONAL USE PERMIT TO ALLOW THE AGAPE HOUSE TO CONTINUE OPERATION AT 437 NORTH H STREET (CUP 99-04)**

**WHEREAS**, a request was submitted by Jeff Sherrill, representing the Agape House, for Planning Commission consideration of a renewal of Conditional Use Permit – CUP 99-04. The renewal will allow continued church operation at 437 North H Street to May 24, 2005, (Assessor Parcel Number: 87-241-11); and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on May 12, 2003; and

**WHEREAS**, at the meeting of May 12, 2003, no one spoke in favor of, or in opposition to, the proposal; and

**WHEREAS**, this project is categorically exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposed church operation, as conditioned, meets the requirements of the Lompoc City Code and is consistent with the applicable policies and development standards, therefore it can be found that:

- A. The proposed use, as conditioned, is consistent with the applicable policies and development standards set forth in Lompoc City Code Section 8002.
- B. The site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, parking, loading, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- C. The conditions stated in the decision are deemed necessary to protect the public health, safety, and welfare.

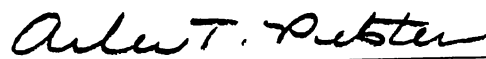
- D. The site of the proposed church operation relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- E. The proposed church operation will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

**SECTION 2:** Based upon the foregoing, CUP 99-04 is renewed as proposed on May 12, 2003, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing resolution, on motion by Commissioner Harman, seconded by Commissioner Ruhge, was adopted at the regular Planning Commission meeting of May 12, 2003 by the following vote:

**AYES:** Commissioners Harman, Ruhge, Rodenhi, Shoemaker, Fink

**NOES:** None

  
Arleen T. Pelster, AICP, Secretary

  
Jack Rodenhi, Chair

Attachment: Exhibit A - Conditions of Approval

CONDITIONS OF APPROVAL  
CUP 99-04 THE AGAPE HOUSE  
437 NORTH H STREET - APN: 87-241-11

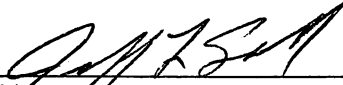
The following Conditions of Approval apply to the renewal of The Agape House located at 437 North H Street as reviewed by the Planning Commission on May 12, 2003.

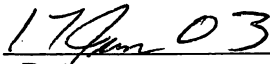
I. PLANNING

Planning - General Conditions

- P1. This Conditional Use Permit (CUP 99-04) shall be reviewed by the Planning Commission for renewal on or before May 24, 2005.
- P2. The conditions hereby imposed are in addition to the conditions imposed in Planning Commission Resolution No. 97 (99). In the case of any conflicts, the conditions listed herein shall prevail.
- P3. All applicable provisions of the Lompoc City Code are made part of these conditions of approval, as if fully contained herein.
- P4. All of the conditions shall be consented to in writing by the applicant.
- P5. This Conditional Use Permit may be reviewed and reconsidered by the Planning Commission at any time for the purpose of imposing new conditions to mitigate a nuisance or to revoke the permit to abate a nuisance.
- P6. Planning Commission Resolution No. 277 (03) with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara
- P7. The use shall not be conducted in a manner which will result in adverse impacts upon neighboring properties.

I, Jeff Sherrill, representing The Agape House, as project representative, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the renewal of Conditional Use Permit 99-04. As the project representative, I agree to comply with these conditions and all other applicable laws and regulations at all times.

  
Name

  
Date

**RESOLUTION NO. 437 (05)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING RENEWAL OF A CONDITIONAL USE PERMIT ALLOWING THE AGAPE HOUSE TO CONTINUE OPERATION AT 437 NORTH H STREET AND APPROVING THE EXPANSION TO 433 NORTH H STREET (CUP 99-04)**

**WHEREAS**, a request was submitted by Michael and Amanda Moore, representing the Agape House, for Planning Commission consideration of a renewal of Conditional Use Permit – CUP 99-04. The renewal will allow continued church operation at 437 North H Street (Assessor Parcel Number: 87-241-11) to May 25, 2008, and permit the expansion of church facilities to include the approximately 250 square foot suite located at 433 North H Street (Assessor Parcel Number: 87-241-11); and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on October 10, 2005; and

**WHEREAS**, at the meeting of October 10, 2005, no one spoke in favor of, or in opposition to, the proposal; and

**WHEREAS**, this project is categorically exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposed church operation, as conditioned, meets the requirements of the Lompoc City Code and is consistent with the applicable policies and development standards, therefore it can be found that:

- A. The proposed use, as conditioned, is consistent with the applicable policies and development standards set forth in Lompoc City Code Section 8002.
- B. The site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, parking, loading, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- C. The conditions stated in the decision are deemed necessary to protect the public health, safety, and welfare.

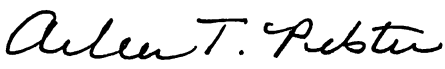
- D. The site of the proposed church operation relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- E. The proposed church operation will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

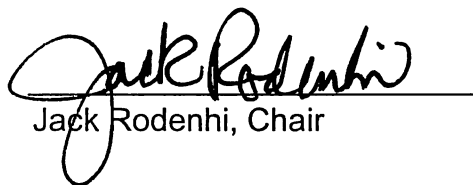
**SECTION 2:** Based upon the foregoing, CUP 99-04 is renewed as proposed on October 10, 2005, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing resolution, on motion by Commissioner Fink, seconded by Commissioner Grames-Lyra, was adopted at the regular Planning Commission meeting of October 10, 2005 by the following vote:

**AYES:** Commissioners Harman, Grames-Lyra, Fink, Ruhge, Rodenhi

**NOES:** None

  
\_\_\_\_\_  
Arleen T. Pelster, AICP, Secretary

  
\_\_\_\_\_  
Jack Rodenhi, Chair

Attachment: Exhibit A - Conditions of Approval

**FINAL CONDITIONS OF APPROVAL  
CUP 99-04 THE AGAPE HOUSE  
437 and 433 NORTH H STREET - APN: 87-241-11**

The following Conditions of Approval apply to the renewal of The Agape House located at 437 and 433 North H Street as reviewed by the Planning Commission on October 10, 2005.

**I. PLANNING**

**Planning - General Conditions**

- P1. This Conditional Use Permit (CUP 99-04) shall be reviewed by the Planning Commission for renewal on or before May 25, 2008.
- P2. The conditions hereby imposed are in addition to the conditions imposed in Planning Commission Resolutions No. 97 (99) and No. 277 (03). In the case of any conflicts, the conditions listed herein shall prevail.
- P3. Hours of operation for all church related activity are limited to:
  - Sunday: 9:00 a.m. to 2:00 p.m.
  - Wednesday: 6:30 p.m. to 9:00 p.m.
- P4. All applicable provisions of the Lompoc City Code are made part of these conditions of approval, as if fully contained herein.
- P5. All of the conditions shall be consented to in writing by the applicant.
- P6. This Conditional Use Permit may be reviewed and reconsidered by the Planning Commission at any time for the purpose of imposing new conditions to mitigate a nuisance or to revoke the permit to abate a nuisance.
- P7. Planning Commission Resolution No. 437 (05) with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara
- P8. The use shall not be conducted in a manner that will result in adverse impacts upon neighboring properties.

I, Amanda Moore, representing The Agape House as project representative, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the renewal of Conditional Use Permit 99-04. As the project representative, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Amanda M. Moore  
Name

28 Oct 05  
Date