

## RESOLUTION 2017-21

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA DISAPPROVING A CONDITIONAL USE PERMIT (CUP 2017-82) FOR A MEDICAL CLINIC AT 301 THIRD STREET. (APN 002-160-003) APPLICANT: MANDISA SNODEY

**WHEREAS**, the Planning Commission received a request for a conditional use permit for a medical clinic at 301 Third Street at their regular meeting on August 1<sup>st</sup>, 2017; and

**WHEREAS**, the Historic Resources Board reviewed and discussed the project staff report and received oral comments and public testimony on the project at their regular meetings on August 1<sup>st</sup>, 2017, and recommended that the Planning Commission disapprove a Conditional Use Permit for a medical clinic at 301 Third Street; and

**WHEREAS**, the Planning Commission found that the presence of multiple licensed physicians seeing patients and providing recommendation services constitutes a “medical clinic,” and

**WHEREAS**, in the use matrix in San Juan Bautista Municipal Code §11-02-050, “Medical clinics and laboratories” are considered to be conditional uses, which require a conditional use permit; and

**WHEREAS**, the intent of a use permit, stated in San Juan Bautista Municipal Code §11-20-010, is “to allow certain land uses, identified in this Title, which have characteristics that may render them appropriate to some sites and situations, but not to others;” and

**WHEREAS**, San Juan Bautista Municipal Code §11-20-020 gives the Planning Commission the authority to “approve, approve with conditions, or disapprove a use permit;” and

**WHEREAS**, the Planning Commission has found, based on substantial evidence in view of the whole record, that:

- (A) That the use is not necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, zoning ordinance, and the economic, social and environmental status of the City;
- (B) That the use will not be properly related to other uses, transportation facilities, and other public facilities in the area, and could cause undue environmental impacts relating to noise, odor, pollution, etc.; and

(C) That the use could adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the City and its residents; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista hereby disapproves a Conditional Use Permit (CUP 2017-82) for a medical clinic at 301 Third Street.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 1<sup>st</sup> day of August, 2017, by the following vote:

**AYES:** Hopper, Moore, Boyd

**NOES:** None

**ABSENT:** Freels, Franco

**ABSTAIN:** None

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Chairman John Hopper

**ATTEST:**

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Trish Paetz, Deputy City Clerk