

RESOLUTION NO. PC-2005-26

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF ROCKLIN APPROVING A USE PERMIT
(Pacific Center Business Center / U-2004-13)

The Planning Commission of the City of Rocklin does resolve as follows:

Section 1. The Planning Commission of the City of Rocklin finds and determines that:

A. This use permit entitlement allows the operation of light automotive repair type uses within the Pacific Center Business Center (APN 010-191-059) as defined in the Rocklin Municipal Section 17.04.036 Automobile repair shop (light). "Automobile repair shop (light)" means a business engaged primarily in maintenance and light repair of automobile vehicles including but not limited to oil changes, lubrication, tire repair and sales, smog checking, muffler replacement, transmission repair, brake shops, tune-up shops, auto glass replacement, and radiator shops (maintenance and replacement only). These uses involve maintenance and part replacement only. Auto body repair and painting are not included in this definition. (Ord. 650 § 3, 1991)

B. A mitigated negative declaration of environmental impacts has been approved for this project via Planning Commission Resolution No. PC-2005-25

C. The establishment, maintenance, and operation of the proposed uses and buildings or structures will not, under the circumstances of this particular case, be detrimental or injurious to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, to property and improvements in the neighborhood, or to the general welfare of the City.

D. The establishment, operation, and maintenance of the uses and buildings or structures is consistent with the goals, policies, and land use designations in the General Plan and with all zoning standards, regulations, and restrictions applicable to the property.

Section 2. The conditional use permit for (Pacific Center Business Center / U-2004-13) is hereby approved as depicted and further described in Exhibit A of the concurrent design review, DR-2004-09, approved via Planning Commission Resolution PC-2005-28 and included therein, subject to the conditions listed below. Unless expressly stated otherwise, the applicant/developer shall be solely responsible for

satisfying each condition and the conditions must be satisfied prior to issuance of the building permit, or issuance of certificate of occupancy as determined by the Director of Community Development.

The approved Exhibit A shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibit A shall be controlling and shall modify Exhibit A. All other plans, specifications, details, and information contained within Exhibit A shall be specifically applicable to the project and shall be construed as if directly stated within the condition for approval.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Authorized Uses

This use permit entitlement allows any use within the Pacific Center Business Center (APN 010-191-059), without the need for an additional conditional use permit, that the Community Development Director determines to be consistent with the definition of light automotive repair type uses as defined in the Rocklin Municipal Section 17.04.036 Automobile repair shop (light). "Automobile repair shop (light)" means a business engaged primarily in maintenance and light repair of automobile vehicles including but not limited to oil changes, lubrication, tire repair and sales, smog checking, muffler replacement, transmission repair, brake shops, tune-up shops, auto glass replacement, and radiator shops (maintenance and replacement only). These uses involve maintenance and part replacement only. Auto body repair and painting are not included in this definition. (Ord. 650 § 3, 1991)

2. Maintenance

- a. The property owner shall remove within 72 hours all graffiti placed on any fence, wall, existing building, paved area or structure on the property consistent with the provisions of Rocklin Municipal Code Section 9.32. Prior to removal of said graffiti, the property owner shall report the graffiti vandalism to the Rocklin Police Department.
- b. The project, including but not limited to paving, landscaping, structures, and improvements shall be maintained by the property owners, to the standard of similarly situated properties in equivalent use zones, to the satisfaction of the Community Development Director.

3. Validity

- a. This approval shall expire in two years from the date of approval unless prior to that date a building permit has been issued or a time extension has been approved.
- b. This conditional use permit shall not be considered as valid unless and until the concurrent design review, DR-2004-09, and tentative parcel map, DL-2004-07, have been approved.

PASSED AND ADOPTED this 15th day of February, 2005, by the following roll call vote:

AYES:	Commissioners:	Menth, Coleman, Sully, Weibert & Shirhall
NOES:	Commissioners:	None
ABSENT:	Commissioners:	None
ABSTAIN:	Commissioners:	None


Chairman

ATTEST:

Secretary

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EXHIBIT A

(Description of use, plans, etc.)