

## BOARD OF ADJUSTMENT

1)

**I MOVE TO CONVENE AS THE BOARD OF ADJUSTMENT.**

2)

**I MOVE TO approve a conditional use permit request, submitted by Emily A. Davis for a Specialized instruction School DBA as Pacific Learning Center at 205 Harbor Drive as recommended by the Planning Commission and in accordance with the following conditions and findings and request that these conditions and findings be a part of the official record: *(NO NEED TO READ THEM)***

### Conditions:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request and in general conformance with the staffing and student ratio as presented.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report within 9 months and come in front of the Planning Commission for an annual review.
5. The Planning Commission, at its discretion, may schedule an additional public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

### Findings:

- 1a. Granting of the conditional use permit will not be detrimental to the public health, safety, and general welfare;
- 1b. Will not adversely affect the established character of the surrounding vicinity, because there is adequate parking;
- 1c. Will not be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located, specifically the adjacent parking lot;
2. That the granting of the proposed Conditional Use Permit is consistent and compatible with the intent of the goals, objectives and policies of the Comprehensive Plan and any implementing regulation, specifically Economic Goals and Policies 2.1 *To contribute to a stable, long-term, local economic base;*
3. That all conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced;

4. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard;
5. That the conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services, specifically nearby presence of municipality maintained roads;
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria.

**3)**

**I MOVE TO RECONVENE AS THE ASSEMBLY IN  
REGULAR SESSION**