

RESOLUTION NO. 2012-10

A RESOLUTION OF THE LEMOORE PLANNING COMMISSION APPROVING ZONE VARIANCE #2012-02 FOR DIOCESE OF FRESNO EDUCATION CORPORATION FOR FLEXIBILITY FROM THE SIGN ORDINANCE

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on July 23, 2012 at 7:00 p.m. on said day, it was moved by Commission member _____, seconded by Commission member _____ and carried that the following Resolution be adopted:

WHEREAS, Diocese of Fresno Education Corporation has submitted an application for variance to allow flexibility from Tables 9-5F-5-B1 and 9-5F-5-B2 and Section 9-5F-4-B.6.d of the new 2012 Zoning Code to allow a combined wall and electrical reader board sign at 884 N. Lemoore Avenue; and

WHEREAS, The code currently allows for one (1) building attached sign or wall sign per establishment with a maximum 40 square feet in area and maximum height to roofline, for special districts and does not allow electric changeable copy signs in the CF (Community Facilities) zone district; and

WHEREAS, City staff report was prepared and a public hearing conducted; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore does hereby:

- I Find that as per Section 9-2B-16 there are special circumstances applicable to the property (e.g. location, shape, size, surroundings, topography, or other conditions), so that strict application of this zoning code denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district;
- II Impose conditions to ensure that the variance does not grant special privileges inconsistent with the limitations on other properties in the vicinity and the zoning district in which the property is located.
- III Approve a Categorical Exemption for Zone Variance No. 2012-02
- IV Approve a sign variance with modifications as shown in Exhibit B with the following conditions of approval pertaining thereto:
 1. The applicant will need to submit a letter signed and dated voiding any sign approval with this new request for a combined sign.
 2. Any changes to the attached approvals will need to be resubmitted and fees paid for processing by this department.
 3. Electric (digital) changeable copy signs shall not change message more than one time every seven (7) seconds, intensity shall be adjusted between day and night hours to not be a safety or nuisance hazard, and full animation that incorporates blinking, flashing, or fluttering lights, or other illuminated devices that have a changing light intensity, brightness, or multi-colored lights shall not be used. Light sources shall utilize energy-efficient fixtures to the greatest extend possible and shall comply with title 24 of the California code of Regulations.

4. Building Department must be contacted at (559) 924-6730 or in person at 711 Cinnamon Drive in Lemoore prior to the installation of any signs to obtain any necessary approval and building permits. The installation of all signs shall be per City standards and as per building codes.
5. The Sign Company must contact the Business License Department at (559) 924-6710 or in person at 119 Fox Street to obtain any necessary business licenses prior to the installation of any signs.
6. Signs and sign structures shall be constructed, operated and maintained in such a manner as to comply with all applicable Federal, State and Local statutes, ordinances and regulations. Every sign and all its associated parts, portions and materials shall be kept neatly painted, clean and free of rust and corrosion, as determined by the City. Any missing copy, malfunctioning light, crack, tearing, fading, broken surface or other not maintained, deteriorated or damaged portion of a sign shall be repaired or replaced within thirty (30) days following notification from the City.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on _____ 2012, by the following votes:

AYES:

NOES:

ABSTAINING:

ABSENT:

APPROVED:

Ronald E. Meade, Chairman

ATTEST:

Holly P. Smyth, Secretary

CERTIFICATE

**STATE OF
CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)**

**I, Holly P. Smyth, Secretary of the City of Lemoore’s Planning
Commission, do hereby certify the foregoing Resolution of the Planning
Commission of the City of Lemoore was duly passed and adopted at a
Regular Meeting of the Planning Commission held on _____2012.**

DATED: _____, 2012

**Holly P. Smyth, Secretary
Lemoore Planning Commission**