

RESOLUTION NO. ZA-2023-002

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A PERSONAL SERVICES – RESTRICTED LAND USE CONSISTING OF A TATTOO STUDIO FOR THE PROPERTY LOCATED AT 105 MONTGOMERY DRIVE SANTA ROSA, APN: 009-093-010, FILE NO. CUP22-065

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Conditional Use Permit application to allow the proposed use for the project described above; and

WHEREAS, the Minor Conditional Use Permit approval to allow the proposed use is based on the project description and official approved exhibit date stamp received October 12, 2022; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.050.F, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code in that the property is zoned CG (General Commercial) and Zoning Code Section [20-23.030, Table 2-6](#) requires a Minor Conditional Permit for the operation of a *Personal Services –Restricted* land use for properties zoned General Commercial; and
2. The proposed use is consistent with the General Plan in that the property's General Plan Land Use designation of Retail and Business Services is intended for a range of commercial services which supports the operation of *Personal Services (Restricted) land uses*; and
3. The design, location, size and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity. The proposed tattoo parlor is located within an existing commercial building and would operate Tuesday through Saturday, 11:00 A.M.-6:00 P.M; and
4. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints, in that the studio is located entirely within an existing commercial structure. Pursuant to Zoning Code Section 20-36.040(C)(2), no additional parking is required when a building's use changes to a new use that is not enlarging the space in which the use is located nor increasing intensity. This site previously used on-street parking surrounding the project site. The applicant is proposing to see clients on an appointment-only basis and will only work with one client at a time; and

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located in that there is only one employee (the owner) and the parlor does not remain open past 6:00 P.M; and
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 exemption under CEQA Guidelines Section 15301 in that the project is located within an existing structure involving a negligible expansion of an existing use.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

Conditions of Approval

1. A building permit is required for all on site demolition, construction, and/or change of use.
2. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
5. No exterior signs are approved with this permit. A separate sign permit is required.
6. Applicant must obtain permit from County Environmental Health Department.

This Minor Conditional Use Permit is hereby approved on January 5, 2023, for the duration of the use provided that conditions are complied with and that the use has commenced within 24 months from the approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
SHARI MEADS, ZONING ADMINISTRATOR