

**RESOLUTION NO. ZA-2022-065**

**RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW MOBILE FOOD VENDING FOR THE PROPERTY LOCATED AT 1400 FARMERS LANE, SANTA ROSA, APN: 014-422-005, FILE NO. CUP22-043**

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 date stamped received on October 26, 2022 and official approved exhibit date stamp received August 1, 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 site is classified as a Commercial Planned Development which allows Mobile Food Vending with approval of a Minor Conditional Use Permit, and the proposed use complies with the mobile food vending requirements outlined in Zoning Code Section 20-16.130; and
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the proposed mobile food vending is designated Retail and Business Services under the General Plan, which is intended to allow retail and service enterprises, offices, and restaurants. In addition, the proposed use implements General Plan Policy EV-A-5, which is to maintain diversity in the types of jobs available in Santa Rosa to lessen the impact of economic cycles; and
3. The design, location, size and operating characteristics of the proposed mobile food vendor would be compatible with the existing and future land uses in the vicinity in that the design is not anticipated to be distracting to passing motorists based on the proposed site of the mobile food vendor, the proposed location is on private property, and the size of the proposed use is not anticipated to inhibit the surrounding business; and
4. The site is physically suited for the type, density, and intensity of the proposed mobile food vendor, including access, utilities, and the absence of physical constraints in that: the project is proposed on fully developed private property and commencement of the use will not require building permits. In addition, the site has utilities available; is easily accessible by pedestrians and motorists; and is greater than 200 feet from other approved mobile food vendors. Further, in compliance with Zoning Code Section 20-16.130, the

site will provide access to a permanent restroom facility within 200 feet of the use during all hours of operation; 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 the project is permitted with a Minor Conditional Use Permit in this commercially developed location and has been reviewed and conditioned by all applicable City of Santa Rosa Departments;
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 4 exemption under CEQA Guidelines Section 15304 in that the mobile food vending use is a minor temporary use of land, having negligible or no permanent effects on the environment.

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. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
2. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
3. All signage shall be located on the vending equipment and is subject to the requirements of Chapter 20-38 (Signs).
4. Parking arrangement shall not block Fire Department access per 2019 California Fire Code Chapter 5, Appendix D, and Santa Rosa Street design standards.
5. A Limited Term (annual) Propane permit shall be required prior to two days of beginning of operation.
6. No permanent improvements shall encroach into any public utility easements.
7. Any public utilities shall be kept accessible for city maintenance access at all times.
8. Only one Mobile food vendor shall be present on the site at a time.
9. A mobile food facility permit for mobile vehicles is required to store, prepare, package, serve or vend food. A review and approval of the equipment/building plans and site operating conditions are required prior to issuance and to maintain a mobile food facility permit to operate.
10. The mobile food facility shall be operated within 200 feet travel distance of an approved and readily available toilet and handwashing facility to ensure that

restroom facilities are available to facility employees whenever the mobile food facility is stopped to conduct business for more than a one-hour period.

11. After the permitted hours of operation, all mobile vending equipment, including the mobile unit itself and trash, recycling, and composting receptacles, shall be stored off-site or within an approved, enclosed structure on-site.
12. Mobile vendors operating within a parking lot shall not inhibit traffic or circulation. The applicant shall insure adequate on-site parking for the mobile food vending use during its approved operating hours per Santa Rosa Zoning Code §20-42.210.D.12.
13. No mobile food vendor shall sell alcoholic beverages.
14. Mobile vendors cooking food shall maintain a fire extinguisher at the vending location at all times.
15. No mobile vendor shall use, play or employ any sound outcry, amplifier, loudspeaker, radio or any other instrument or device for the production of sound in connection with the promotion of a vending operation.
16. Outdoor music is not permitted based upon the project's physical relationship to nearby residential uses.
17. Mobile vendor shall maintain their immediate sales location in a clean and hazard free condition.
18. Mobile vendor shall maintain covered garbage, recycling, and composting container(s) immediately adjacent to the vending location for use by customers.
19. Hours of operation for the mobile food vending are limited to 10:00 AM to 11:00 PM, daily.
20. Four parking spaces, indicated on the plans, must be used as dedicated parking for the mobile food vendor.
21. The mobile food vendor shall be located as indicated on the plans date stamped received on August 1, 2022.

This Minor Conditional Use Permit is hereby approved on November 3, 2022, 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