

RESOLUTION NO. _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A MAJOR CONDITIONAL USE PERMIT FOR ALCOHOLIC BEVERAGE SALES FOR OFF-SITE CONSUMPTION AND EXTENDED HOURS OF OPERATION (6:00 A.M. TO 12:00 A.M., SEVEN DAYS PER WEEK) LOCATED AT 1478 GUERNEVILLE ROAD – FILE NUMBER PRJ24-014 (CUP24-027)

WHEREAS, on June 3, 2024, project applications were submitted to the Planning and Economic Development Department for a Major Conditional Use Permit to allow alcoholic beverage sales for off-site consumption and extended hours of operation in conjunction with a permitted neighborhood-serving market use to be located at 1478 Guerneville Road, also identified as Sonoma County Assessor’s Parcel Number 041-043-056; and

WHEREAS, the project includes a request for extended hours of operation for the retail market use, defined by the Zoning Code as operation between 11:00 p.m. and 6:00 a.m., and proposes hours of operation from 6:00 a.m. to 12:00 a.m., seven days per week; and

WHEREAS, a Notice of Application for the proposed project was mailed to surrounding property owners and tenants on July 5, 2024, in accordance with the noticing requirements of the Zoning Code; and

WHEREAS, a Neighborhood Meeting was held on September 9, 2024, at which project information was presented and members of the public were provided with an opportunity to ask questions and express concerns regarding the proposed use, including alcohol sales, site circulation, parking, security, and compatibility with surrounding uses; and

WHEREAS, the proposed project has been reviewed in compliance with Zoning Code Section 20-42.034 (Alcoholic Beverage Sales), which establishes specific criteria for review in connection with applications for the sale of alcoholic beverages, and the project has been conditioned to remain in compliance; and

WHEREAS, at the time the application was submitted and the Neighborhood Meeting was held, the project site was zoned PI (Public and Institutional); and

WHEREAS, on November 4, 2025, the City Council adopted the Santa Rosa General Plan 2050 Zoning Code and Zoning Map Implementation Package, which rezoned the subject property from PI (Public and Institutional) to TV-M (Transit Village–Mixed); and

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed use is allowed within the applicable TV-M (Transit Village–Mixed) zoning district, which is consistent with the General Plan land use designation. A neighborhood-serving market with the sale of alcoholic beverages for off-site consumption and extended hours of operation from 6:00 a.m. to 12:00 a.m., seven days per week, is allowed within the TV-M zoning district subject to approval of a Major Conditional Use Permit. The project has been reviewed for compliance with applicable provisions of the Zoning Code, including Section 20-42.034 (Alcoholic Beverage Sales), and the City Code, subject to the Conditions of Approval; and
- B. The proposed use is consistent with the Santa Rosa General Plan 2050 and the North Santa Rosa Station Area Specific Plan, which encourages neighborhood-serving retail uses within walking distance of housing and transit. The site is designated Transit Village Mixed Use and is located within an Area of Change, where neighborhood-serving commercial uses are anticipated. The underlying market use is consistent with the land use designation, and the discretionary components of this request. Alcohol sales and extended hours are evaluated and conditioned to ensure consistency with applicable General Plan policies; and
- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with existing and future land uses in the vicinity. The project is located along a commercial corridor and operates within an existing building footprint. Public concerns raised during outreach are addressed through site design, circulation improvements, operational limitations, and security measures included as conditions of approval. With the imposed conditions of approval, the proposed alcohol sales and extended hours will not materially increase intensity of use beyond what is typical for a neighborhood-serving market in this zoning district; and
- D. The site is physically suitable for the type, density, and intensity of the proposed use, including access, parking, and utilities. The revised site circulation provides vehicle entry from Guerneville Road with an exit onto Herbert Lane, which improves internal circulation, reduces vehicular conflicts, and enhances overall site safety while avoiding the need for off-site roadway improvements. Although the project proposes 17 on-site parking spaces, fewer than the minimum that would otherwise apply under Zoning Code Chapter 20-36, the site remains physically suitable for the proposed use because State law (Assembly Bill 2097; Government Code Section 65863.2) prohibits the City from imposing minimum automobile parking requirements for this transit-adjacent site. The revised circulation pattern and site layout support safe and efficient operation consistent

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with the neighborhood-serving nature of the use. The site is served by existing public utilities and emergency services, and no physical constraints have been identified that would preclude the proposed use; and

- E. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare. The proposed alcohol sales and extended hours, as conditioned, are not anticipated to result in nuisance conditions or be detrimental to public health, safety, or welfare. Conditions of approval requiring lighting, surveillance, on-site management presence, and monitoring of exterior areas are intended to minimize loitering and protect nearby residential uses; and
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and is categorically exempt pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures). The project involves reuse of an existing commercial building with minor on-site improvements. No exceptions to the categorical exemptions apply pursuant to CEQA Guidelines Section 15300.2.

BE IT FURTHER RESOLVED, that after further consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-42.034 (Alcoholic Beverage Sales), the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed sale of alcoholic beverages for off-site consumption would serve public convenience in that the alcohol sales are accessory to a permitted neighborhood-serving market use located within the TV-M (Transit Village–Mixed) zoning district. The project site is designated Transit Village Mixed Use in the Santa Rosa General Plan 2050 and is located within an Area of Change. The market is intended to serve nearby multi-family residential developments, employees, and transit users within walking distance of the North Santa Rosa SMART Station. The alcohol sales are ancillary to the primary grocery and prepared food sales and do not constitute a standalone liquor store. The Commission finds that the availability of grocery goods and limited accessory alcohol sales within walking distance of surrounding housing supports complete neighborhood objectives and serves a local convenience function.
- B. The project was referred to the Santa Rosa Police Department as part of interdepartmental review. Based on departmental experience and familiarity with the reporting district, Police indicated that the surrounding area would not be characterized as a high-crime area relative to other parts of the City and did not express concerns regarding the proposed accessory alcohol sales at this location. Police further noted that environmental design measures such as lighting, surveillance cameras, and active site management can assist in reducing nuisance activity and supporting public safety when properly maintained.
- C. Based on coordination with the California Department of Alcoholic Beverage Control (ABC), the area is not considered over-concentrated with respect to alcohol licenses for

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the proposed license type, and a Public Convenience or Necessity determination is not required by ABC for issuance of the license. Final determination regarding license issuance remains under ABC authority.

- D. The Planning Commission considered information provided by the Santa Rosa Police Department regarding conditions in the surrounding project vicinity, including law enforcement activity data and input from departmental staff familiar with the area. The Police Department indicated that it does not prepare comparative high- or low-crime area designations or identify alcohol-related incidents in its reporting systems. Based on departmental experience and familiarity with the area, Police did not express concerns that the proposed accessory alcohol sales would create public safety issues at this location. The project incorporates operational and environmental design measures intended to minimize nuisance activity and enhance site visibility and control, including exterior lighting, surveillance cameras, and active on-site management.
- E. The project site is located along the Guerneville Road commercial corridor and is surrounded by a mix of multi-family residential and commercial uses. There are no day care centers, public parks, or schools located immediately adjacent to the site. The Commission finds that the proximity to residential uses is addressed through the Conditional Use Permit process and the imposed operational conditions intended to ensure compatibility, particularly during evening hours.
- F. The site plan and operational characteristics incorporate features intended to assist in reducing alcohol-related problems, including open visibility within the store, enhanced exterior lighting, monitored security cameras, active on-site management presence, and a revised parking lot circulation pattern that reduces vehicular conflicts and discourages congregation. These features promote natural surveillance, improve site control, and reduce opportunities for loitering and nuisance behavior. Compliance with these measures is required through conditions of approval.

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for the sale of alcoholic beverages for off-site consumption and extended hours of operation from 6:00 a.m. to 12:00 a.m., seven days per week, for a neighborhood serving market to be located at 1478 Guerneville Road, is approved subject to each of the following conditions:

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

GENERAL:

- 1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.

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2. All work shall be completed in substantial conformance with the final approved plans, dated January 26, 2026, except as may be modified by these Conditions of Approval.
3. The address shall be displayed in a prominent location on the street side of the property. The numbers shall be no less than 6-inches in height and shall be of a contrasting color to the background to which they are attached. The address shall be illuminated during hours of darkness per City "Premises Identification" requirements.
4. Compliance with applicable provisions of Zoning Code Section 20-42.034, Alcohol Beverage Sales.
5. Compliance with Zoning Code Section 20-30.080, Outdoor Lighting.
6. Compliance with State of California Alcoholic Beverage Control (ABC) for the duration of the use.
7. Any change in ABC license type or a substantial physical change or character of premises as defined in Title 4 of the California Code of Regulations Section 64.2(b), requires a new Conditional Use Permit to continue operation.
8. Hours of operation are from 6:00 a.m. to 12:00 a.m. Any extension of these hours requires compliance with permit requirements set forth in the Zoning Code.
9. The permittee shall not permit loitering on the premises or in adjacent areas under its control. The operator shall monitor the exterior of the business during operating hours and shall request individuals engaging in nuisance activity to leave the premises.
10. The operator shall maintain the premises and adjacent frontage free of litter and debris at all times. Trash receptacles shall be provided and regularly serviced.
11. Security cameras covering interior and exterior areas shall be maintained in operable condition at all times during business hours. Recorded footage shall be retained for a minimum of 30 days and made available to law enforcement upon request.

EXPIRATION AND EXTENSION:

12. This Conditional Use Permit shall expire 24 months from the date of approval if not exercised. If construction has not begun or if an approved use has not commenced within twenty-four (24) months from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
13. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

ENGINEERING CONDITIONS:

14. Compliance with all conditions as specified by the attached Engineering Conditions of

Approval dated December 23, 2025, attached to this resolution as Exhibit A and made a part of herein.

PLANNING DIVISION:

15. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080),

16. PROJECT DETAILS:

- A. All project details shall be in accordance with the restrictions and limitations of the City Zoning and Uniform Building Codes, as well as the City's Design Review Guidelines.
- B. The design of all fencing, sound walls, carports, trash enclosures, and similar accessory site elements shall be compatible with the architecture of main buildings and shall use similar materials. The design must be approved by the Planning Division prior to issuance of a building permit.
- C. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architecturally design element approved by the Design Review Board or Planning Division.
- D. All outdoor storage of materials or refuse bins/cans shall be maintained within a completely screened structure or area. The design of the screened structure or area shall be approved by the Planning Division prior to issuance of a building permit.

17. LANDSCAPING:

- A. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
- B. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.
- C. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.

18. LIGHTING:

- A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.
- B. Light sources shall be concealed from public view.

- C. All lighting shall be directed toward the subject property and away from adjacent properties.
- D. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.

19. PARKING:

- A. The parking lot shall be constructed to City standards.
- B. The parking lot shall be provided with concrete curbing around all planter areas unless specifically approved by the Department of Community Development in some other fashion.
- C. The parking lot shall be striped according to City standards and all handicapped and compact spaces shall be identified and marked accordingly.
- D. Bicycle parking shall be provided in accordance with Zoning Code requirements. The location and number of spaces shall be shown on the site plan submitted for issuance of a building permit.

20. SIGNING:

- A. A planning sign permit application is required for all signs.
- B. Sign permit approval shall be obtained prior to application for a building permit.
- C. Building permits for sign installations shall be separate permits from other building permits issued for construction.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission finds and determines that this entitlement would not be granted but for the applicability and validity of each of the above conditions of approval, and that if any condition is determined to be invalid or unenforceable, the Commission would have imposed other valid conditions to achieve the purposes and intent of this approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 12th day of March 2026 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
CHAIR

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ATTEST: _____
EXECUTIVE SECRETARY

Exhibit A

**DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
ENGINEERING DEVELOPMENT SERVICES**

**EXHIBIT "A"
December 23, 2025**

**MD Market
1478 Guerneville Road
CUP24-027**

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Engineering Development Services Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. Per City Code Section [18-12.015](#) (C), all properties including multifamily residential, commercial and industrial parcels shall be subject to public improvement and dedication requirements when the value of any proposed building or site improvement exceeds \$200,000.00. A formal review of the valuation will commence during review of the building permit application. If the valuation is determined to be above the \$200,000 threshold, the project may be required to install or modify public improvements such as sidewalks, curb and gutter, pedestrian ramps, driveway approaches, planter strips and bike lanes. Additional right-of-way and easement dedications may also be required to support the current or future expansion of the roadway in order to meet adopted City Standards, General Plan requirements or area specific plans. Contact the Engineering Division of the Planning and Economic Development Department at 707-543-3200 to discuss specific requirements.
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans/reports received October 1, 2025:

PUBLIC STREET IMPROVEMENTS

1. It is recommended that any non-standard sidewalk sections and driveway approaches along the property's frontage be upgraded to the current standard in order to ensure a compliant path of travel within the public right-of-way or public easements and to mitigate any potential trip hazards. Per City Code Section 13-32.020, the abutting property owner shall maintain the sidewalk in a manner that avoids creating a dangerous situation for the property owner and any members of the public utilizing the corridor
2. An Encroachment Permit shall be obtained prior to issuance of the building permit. Any improvements proposed or required, within the public right shall be reviewed and approved with the Encroachment Permit application. Only

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Construction plans submitted with the Encroachment Permit Application are final plans and shall be approved for construction. Contact Engineering Development Services at 543-3200, located at 100 Santa Rosa Avenue, Room 5, as soon as possible to begin Encroachment Permit application processing. Encroachment Permit application processing may take 4-6 weeks. Submit plans prepared by a licensed civil engineer showing all work in the public right of way, or in public easements, including all work on public utilities (water meter boxes, sewer lateral cleanouts, backflow devices, etc.)

TRAFFIC

3. Provide sufficient line of sight so a vehicle exiting the project shall not impede or cause the oncoming traffic on to radically alter their speed, based on Table 201.1 of the Caltrans' Highway Design Manual. Tree canopies shall be maintained at least 7-feet off the ground and landscaping shall be maintained at maximum 36" height within the stopping site. Install "No parking" signs and paint the curbs red within the site distance areas.
4. Avoid installation of any physical features (signs, landscaping, mailboxes, etc.) along the Guerneville Road and Herbert Lane frontage of the parcel within the traffic site distance triangles. Landscaping shall be maintained to be no more than 36" in height for low vegetation and tree canopies shall be maintained at 7-foot minimum height along the site triangle by the owner.
5. Comply with current standards for parking lot and accessible stall dimensions and signage. Submit an on-site sign and striping plan for the new parking lot improvements at first review. Submit parking lot and street lighting plans for review and approval. Lighting shall meet minimum lighting requirements.
6. The project Applicant shall be responsible for repairing/removing any debris, damage, or deterioration occurring to existing local streets and/or private driveways as a direct result of construction activity related to installation of the improvements (grading, street construction, utility installation, etc.). Required repair shall involve patching, cleaning, sealing, or overlaying affected areas as appropriate to return Guerneville Road and Herbert Lane to as good as condition as it was in prior to construction. If the project Applicant does not act prudently in a timely manner, the City shall, at its discretion, perform the correction and charge the owner/subdivider for all costs and overhead incurred.
7. There is potential for conflict between drivers entering the project site and northbound drivers on Herbert Lane, particularly given the proximity of the traffic signal at Guerneville Road/Coffey Lane-Herbert Lane. The applicant shall either
 - a. Install a median curb and flexible post system to require southbound

drivers to pass the site and use the cul-de-sac bulb to U-turn and approach the site in the northbound direction, adding “KEEP CLEAR” pavement markings in the northbound lane to provide space for inbound drivers to enter without conflicts from queued vehicles, or

- b. Reverse the directionality of the parking lot such that drivers enter on Guerneville Road and exit onto Herbert Lane.

BUILDING

8. Obtain a building permit for the proposed project.

STORM WATER COMPLIANCE

9. Note on the plans submitted with the building permit application that “no debris, soil, silt, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, shall be allowed to enter into or be placed where it may be washed by rainfall into the storm drain system. When operations are complete, any excess material or debris shall be removed from the work area.”
10. As applicable, the developer’s engineer shall comply with all requirements of the latest edition of the City Storm Water Low Impact Development Technical Design Manual.

STORM DRAINAGE

11. Any needed drainage facilities and drainage easements shall be provided to the satisfaction of the City Engineer and shall be designed per the Sonoma County Water Agency’s Flood Control Design Manual and the City of Santa Rosa Design and Construction Standards at the developer’s expense.

WATER AND WASTEWATER

12. Demand fees shall be required and shall be determined after review of the building permit application. Water, irrigation and sewer demand processing and meter installation fees shall be paid prior to the issuance of any Building Permit. The applicant may contact Water Engineering Services at watereng@srcity.org to determine estimated fees and shall be determined at first Building Plan review.
13. The existing water service shall be sized to support any additional fire and domestic demand. If the building is not served by an automatic fire sprinkler system, it is possible that the proposed tenant improvement will require the installation of fire sprinklers within the building and a dedicated fire service per

City Standard 880. All modifications to the existing water system shall be performed under an encroachment permit. The water service size shall be determined based on flow calculations submitted by the sprinkler designer.

14. Properties currently protected by automatic fire protection systems may have backflow devices on the dedicated fire service that do not meet current standards. All dedicated fire services shall be protected with a double detector check device per City Standard 880. Existing fire services protected by a single check device may require an upgrade per City Standard 880 as part of the tenant improvements. Contact Water Engineering Services at 707-543-4200 or email watereng@srcity.org to determine the existing backflow type and to understand the specific requirements that will be placed on the building permit application. Any upgrades to the backflow device shall be installed under an encroachment permit.
15. If the project involves the addition of a new fire service or modifications to an existing service, an approved Fire permit for the onsite dedicated fire line shall be obtained prior to issuance of the encroachment permit for the backflow device. The onsite permit application and plan should be submitted to the Fire Department prior to applying for the encroachment permit
16. A sewer cleanout per City Standard 513/513A must be installed on the existing sewer lateral if one does not already exist. The location of the cleanout must be shown on the utility plan submitted with the building permit application. The type of cleanout and the placement shall be based on the depth of the existing lateral. The installation of the clean out must be performed under an encroachment permit.
17. All irrigation and domestic services shall be protected with a reduced pressure backflow device per City Standard 876. Backflow additions or upgrades shall be required as part of the building permit review. The location of all existing or proposed backflow devices shall be shown on the utility plan submitted with the building permit application.
18. If additions or modifications to the existing landscaping are proposed under the building permit application, a dedicated irrigation meter shall be installed to serve the existing or proposed landscaping if one does not already exist.
19. If additional fire lines and water meters are required, Santa Rosa Water may require all individual existing and new water services to be consolidated and installed as a combination service per City Standard 870. Consolidation shall require the abandonment of any unused water services at the main. This determination will be made during review of the building permit application.
20. Any additions or modifications to the existing landscaping shall be consistent with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City

Council, Ordinance 4051, on December 1, 2015. Landscape plans will be reviewed during the building permit stage to determine compliance with the ordinance.

21. No plumbing for landscape irrigation or any other use shall cross lot lines without an easement or recorded merger in place.

FIRE

22. Fire service features for buildings, structures and premises shall comply with all City adopted building standards, California Code of Regulations Title 24 Building Standards and Santa Rosa City Code.

RECREATION & PARKS

23. Street trees shall be installed and planted by the developer along the project frontage(s). Selection shall be made from the City's approved master plan list and approved by the City Parks Department. Planting shall be completed in accordance with City "Standards and Specifications for Planting Parkway Trees." Contact the Recreation & Parks Department Office at (707) 541-3770 for copies of the master street tree list. This declaration shall be added to the General Notes of the improvement plans.
24. Property owners shall be responsible for the irrigation and maintenance of the street trees and the maintenance of the planter strips in front of and alongside of their project for perpetuity.



12/23/2025

CLEVE GURNEY, PE – DEPUTY DIRECTOR DEVELOPMENT SERVICES

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