

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA  
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL  
USE PERMIT FOR DRIVE-THROUGH RETAIL SALES FOR THE PROPERTY LOCATED  
AT 2000 SEBASTOPOL ROAD - FILE NUMBER CUP23-041

WHEREAS, an application was submitted requesting the approval of a Conditional Use Permit for drive-through retail sales operating from 7:00 a.m. to 11:00 p.m., to be located at 2000 Sebastopol Road, also identified as Sonoma County Assessor's Parcel Number 035-113-044; and

WHEREAS, on January 9, 2023, a neighborhood meeting was held, and on February 6, 2024, an additional informal meeting was held by staff at the request of neighbors, to receive comments and questions regarding the proposed drive-through; and

WHEREAS, on February 12, 2026, 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 zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. The CG (General Commercial) Zoning District permits drive-through retail uses with a Conditional Use Permit, and the proposed project, as designed and conditioned, complies with all applicable Zoning Code standards, including standards for drive-through retail and service facilities; and
- B. The proposed use is consistent with the General Plan in that the General Plan land use designation is Retail and Business Services, which is designated for retail and service enterprise, office, and restaurant uses. The proposed use supports goals and policies of the General Plan 2050, as it expands the range of services offered by the business and provides a convenient dining option to those who live, work, or visit Santa Rosa. Furthermore, the project is consistent with the Roseland Area/Sebastopol Road Specific Plan, which encourages the maintenance of existing businesses and the expansion of available services in the region; and
- C. The design, location, size, and operating characteristics of the proposed activity would be

compatible with the existing and future land uses in the vicinity. The project parcel consists of an existing restaurant use, and access will be taken from a driveway off of Sebastopol Road. The Focused Transportation Study, prepared by W-Trans, dated December 17, 2024 indicates that the drive aisle has a capacity of 10 vehicles. A queue management is a condition of project approval, which includes closure of the drive-through entrance once capacity is reached. Operation of the use will not result in significant noise impacts per the Noise Impact Study prepared by Yorke Engineering, dated November 2024. The project, as conditioned, provides adequate screening between the drive through aisle and residential uses to the south. Furthermore, the applicants' proposed hours of operation are from 7:00 a.m. to 11:00 p.m.; however, the project has been conditioned to close at 9:00 p.m. to ensure that the operating characteristics are compatible with the adjacent residential uses and will not potentially result in late night disturbances; and

- D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The project is located within a developed area where all utilities and services are available. Access to the drive-through will be taken from Sebastopol Road, vehicles will enter the drive-through aisle with the capacity for 10 vehicles, and the site plan depicts 15 new onsite parking spaces to be accessed from Kenmore Lane. The Transportation Study prepared by W-Trans, dated December 17, 2024, found that queuing would be adequately accommodated on-site and would not impact traffic on adjacent roadways. The project has been conditioned to implement the Queue Management Plan as a precaution against excessive queues forming in the drive-through aisle; and
- E. 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. The Traffic Study prepared by W-Trans, dated December 17, 2024, found no adverse impacts to the adjacent roadway with implementation of the queue management plan, and the 15 parking spaces to be appropriate for the use. Additionally, the Noise Impact Study prepared by Yorke Engineering, dated November 2024, found that any impacts related to construction or operational noise will be less than significant. As conditioned, the project would implement all applicable Best Management Practices set by the Bay Area Air Quality Management District, and the Air Quality Impact Analysis found all impacts to be less than significant. The condition of approval limiting the drive-through hours to 7 a.m. to 9:00 p.m. has been included to reduce disturbances to neighboring properties; and
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).
- Pursuant to CEQA Guidelines Section 15303, the project is categorically exempt because it involves the construction of a small commercial structure not exceeding 2,500 square feet in floor area, and does not involve the use of significant amounts of hazardous substances.

- Pursuant to CEQA Guidelines Section 15332, the project is categorically exempt because it is an in-fill project, and:

- i. The project is consistent with the Santa Rosa General Plan 2050 and the Zoning Code. The project is also consistent with the Santa Rosa General Plan 2035, which was in effect at the time the application was submitted. The site is zoned General Commercial, where drive-through retail sales are permitted with a Conditional Use Permit;
- ii. The project is located within city limits, on a site of not more than five acres substantially surrounded by urban uses. Properties to the north, east, and south are fully developed with commercial and residential uses;
- iii. The project site is partially developed and has no value as habitat for endangered, rare, or threatened species;
- iv. The project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The Transportation Study prepared by W-Trans, dated December 17, 2024, concludes that the project would result in a less-than-significant transportation impact on vehicle miles traveled. The Air Quality and Greenhouse Gas Analysis prepared by Yorke Engineering, dated November 1, 2024, found that the temporary construction emissions and projected changes in operational emissions would be less than significant. The Noise Impact Study, dated October 2025, found that operational noise impacts would not result in a significant change in daily average noise levels; furthermore, service delivery trucks will be limited to daytime hours, and screening will be provided along the drive-through aisle to reduce noise impacts.
- v. The project site is located in a developed area where it can be adequately served by all required utilities and public services. The site is partially developed with an existing restaurant, which is connected to City sewer and water.

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 drive-through retail sales to be located at 2000 Sebastopol Road, is approved subject to each of the following conditions:

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

**GENERAL:**

Resolution No. \_\_\_\_\_

1. Compliance with the procedures described in Exhibit A, “Queue Management Plan”, attached hereto and incorporated herein.
2. Compliance with all applicable Best Management Practices as listed in Exhibit B, Table 4 of the Air Quality and Greenhouse Gas Analysis by Yorke Engineering, dated November 1, 2024, attached hereto and incorporated herein.
3. 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.
4. All work shall be done according to the final approved plans date stamp received December 12, 2024.

**EXPIRATION AND EXTENSION:**

5. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
6. 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.

**BUILDING DIVISION:**

7. Obtain building permits for the proposed project.
8. Provide a geotechnical investigation and soils report with the building permit application. The investigation shall include subsurface exploration, and the report shall include grading, drainage, paving and foundation design recommendations.

**ENGINEERING DIVISION:**

9. Plans submitted for final Design Review shall include a Preliminary Drainage Report and a Preliminary Storm Water Low Impact Development Submittal.

**PLANNING DIVISION:**

10. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m., Monday through Sunday.
11. Construction hours shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Friday, and 9:00 a.m. to 5:00 p.m. Saturday. Noise generating activities shall cease at 5:00 p.m. No construction is permitted on Sundays or holidays.

Resolution No. \_\_\_\_\_

12. Large service and delivery trucks shall only be permitted to the site between the hours of 8:00 a.m. to 7:00 p.m.
13. Minor Design Review approval is required prior to issuance of a building permit.
14. The site plan, as submitted for issuance of a building permit, shall be the same as that approved by the Zoning Administrator by the Minor Design Review resolution. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
15. Plans submitted for Minor Design Review shall include the following:
  - A. Two short-term bicycle parking spaces, in compliance with Zoning Code Section 20-36.090, Bicycle Parking Requirements and Design Standards.
  - B. Plans for outdoor lighting in compliance with Zoning Code Section 20-30.080. Include photo specifications of the proposed lighting.
  - C. A details sheet for the proposed screening.
    - i. The screening proposed to the north of the drive aisle shall be a solid fence at least four feet in height. Hedges shall not be used for screening and noise mitigation.
    - ii. An additional solid fence shall be provided to the south of the drive aisle, at least six feet in height.
16. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
17. 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, subject to Design Review.
  - 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.

Resolution No. \_\_\_\_\_

18. LANDSCAPING:

- A. Landscape plans shall be submitted for Design Review, in compliance with Zoning Code Chapter 20-34, Landscaping Standards.
- B. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.

19. 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.

20. 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.

21. SIGNING:

- A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
- B. A planning sign permit application is required for all signs.
- C. Sign permit approval shall be obtained prior to application for a building permit.

- D. Building permits for sign installations shall be separate permits from other building permits issued for construction.
  - E. Building permits for sign installations shall be separate permits from other building permits issued for construction.
22. NATURAL RESOURCES:
- A. Advisement. The applicant, its successors, heirs, assigns or transferees are advised in writing that this approval or permit prior to the start of any construction may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies. The applicant shall acknowledge in writing receipt of the above advisement.
  - B. Mitigation requirement. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Community Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.
  - C. Power to stop work if violation occurs. Nothing in this approval shall prevent the City of Santa Rosa from exercising its power to stop work in instances where a violation of state or federal law is brought to the City's attention.
  - D. No building or grading permit of any type shall be issued by the City until a required federal or state, as applicable, clearance or authorization, with or without conditions, has been filed with the City.

## **FIRE DEPARTMENT**

- 23. 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](#).

BE IT FURTHER RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid,

Resolution No. \_\_\_\_\_

this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 12<sup>th</sup> day of February, 2026 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: \_\_\_\_\_  
KAREN WEEKS, CHAIR

ATTEST: \_\_\_\_\_  
JESSICA JONES, EXECUTIVE SECRETARY

Attachments

Exhibit A: Queue Management Plan

Exhibit B: Air Quality Best Management Practices