

RESOLUTION NO. ZA-2024-021

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A PERSONAL SERVICES – RESTRICTED USE (TATTOO SHOP) FOR THE PROPERTY LOCATED AT 317 D STREET, SANTA ROSA, APN: 009-011-014, FILE NO. CUP24-010

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on March 4, 2024; and

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 March 4, 2024; 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, Core Mixed-Use, and complies with all other applicable provisions of this Zoning Code and the City Code in that Personal Services (Restricted) land-uses are permitted within this land-use zoning designation with the approval of a Minor Conditional Use Permit;
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the proposed tattoo shop furthers the Core Mixed-Use General Plan Land-use designation through offering a vital mix of retail and office space while also activating the Courthouse Square area;
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 in that the property is located within the Downtown Station Area where there is no minimum parking requirement; however, the site is placed near a public parking garage and public surface parking lot; the proposed hours of operation are allowed by right pursuant to Zoning Code Table 2-6; and there are no exterior changes are proposed;
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 site is fully developed as a commercial center where all utility connections and emergency services are available. The site is within the Downtown Station Area Specific plan, where there is no minimum parking requirement; however, the site is placed near a public parking

garage and public surface parking lot. Pedestrians may access the site from 4th or 5th street;

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 a conditionally permitted use within the CMU zoning district and, will reoccupy a existing commercial space. The project has been reviewed and conditioned by all requisite City of Santa Rosa departments;
6. The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15301, the project is categorically exempt from CEQA because the project consists of only minor interior alterations to an existing structure and will not involve any expansion of the existing of 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. Obtain building permits for the proposed project.
2. Construction hours shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday. No construction is permitted on Sunday or 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. A copy of County Environmental Health Department permit approval will be required prior to building permit issuance.
7. All tattoo artists and body piercers performing body piercing in the facility shall register with the County Environmental Health Department.

This Minor Conditional Use Permit is hereby approved on June 6, 2024, 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: _____
KRISTINAE TOOMIANS, ZONING ADMINISTRATOR