

## **RESOLUTION NO. ZA-2022-066**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT FOR A MERCEDES-BENZ OF SANTA ROSA VEHICLE STORAGE FACILITY TO ALLOW A SURFACE VEHICLE STORAGE LOT AT 0 COORS COURT, SANTA ROSA, ASSESSOR'S PARCEL NO. 043-134-047, FILE NO. CUP22-012**

WHEREAS, on February 10, 2022, an application for a Minor Conditional Use Permit was submitted to the Planning and Economic Development Department requesting approval to develop an approximately 1.18-acre parcel into a vehicle storage facility, for approximately 90 vehicles; 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 stamped received on September 13, 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; and

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 vehicle storage use is consistent with the General Plan land use designation of Light Industry, which accommodates light industrial, warehousing and heavy commercial uses, including vehicle related (storage, repair, sales, etc.) uses. The vehicle storage use is also consistent with the Roseland Area / Sebastopol Road Specific plan in that it supports economic development with a locally owned business, offering local jobs; and
2. The vehicle storage use is allowed within the Light Industrial (IL) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. Pursuant to Zoning Code Table 2-10, a vehicle storage facility is permitted with a Minor Conditional Use Permit, and the project as designed and conditioned meets the applicable development standards; 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 site is surrounded by commercial uses, including vehicle sales to the east along Dowd Drive. City staff have reviewed the project plans to ensure adequate circulation and the project has been conditioned appropriately; 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. Vehicle sales is the predominant use in this area, commonly referred to as “Auto Row”. The property is located in a developed area where all required utilities and services are available; 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. The area is designated as Light Industry on the General Plan Land Use Diagram, where vehicle-related uses, including repair and storage, are anticipated. Moreover, there are several similar vehicle-storage lots in the vicinity; and
6. The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction project; and
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a streamlining measure pursuant to CEQA Section 15183. A consistency analysis, prepared by the applicant, dated January 21, 2022 (revised June 7, 2022), concluded that the proposed plan is consistent with both the Roseland Area / Sebastopol Road Specific Plan and General Plan 2035. The analysis further concluded that “the Project will implement all applicable mitigations set forth in the Mitigation Monitoring and Reporting Program as well as the mitigations for potential significant effects which are peculiar to the project”. There are wetlands onsite, for which mitigation credits have already been purchased; and

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. The project shall be subject to Design Review concurrent with building and grading permits.
3. Prior to issuance of grading permits, the applicant shall provide evidence that permit requirements have been met for the Army Corps of Engineers and the Regional Water Quality Control Board.
4. Compliance with all conditions listed on Engineering Development Services Exhibit A, prepared by Cleve Gurney, dated October 25, 2022, attached hereto and incorporated herein.

5. 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. Saturday. No construction is permitted on Sunday or holidays.
6. No exterior signs are approved with this permit. A separate sign permit is required.
7. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
8. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.

This Minor Conditional Use Permit to construct a vehicle storage lot, 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

Attachment: Engineering Development Services Exhibit A, dated October 17, 2022