

## **RESOLUTION NO. ZA-2024-010**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A MOBILE FOOD VENDING FOR THE PROPERTY LOCATED AT 1165 MONTGOMERY DRIVE SANTA ROSA, APN: 009-161-003, FILE NO. CUP23-023**

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on April 14, 2023; 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 dated received February 12, 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 and complies with all other applicable provisions of this Zoning Code and the City Code, including regulations applicable to Mobile Food Vending.
2. The proposed use is consistent with the General Plan land use designation of Public Institutional and any applicable specific plan in that the proposed mobile food vending facility is accessory to the existing cafeteria facility within the hospital located onsite.
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 mobile food vending facility is proposed to be located on the patio towards the north end of the property and will not affect vehicular or pedestrian traffic.
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 proposed mobile food vending facility will be located on an existing patio equipped with seating and access to a permanent restroom facility of the existing hospital.
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 permitted use with approval of a Minor Conditional Use Permit for this location and has been reviewed by applicable City of Santa Rosa

Departments. The project has been appropriately conditioned to prevent hazardous effects to the adjacent Santa Rosa Creek.

6. The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15304, the project is categorically exempt from CEQA because the mobile food vendor 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. The mobile food vendor shall take all necessary precautions to prevent and control trash and fluids from entering the creek area.
2. Comply with all conditions as specified by the attached Engineering Development Services Exhibit "A" dated June 21, 2023, attached hereto and incorporated herein.
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.

This Minor Conditional Use Permit is hereby approved on April 4, 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: \_\_\_\_\_  
MONET SHEIKHALI, ZONING ADMINISTRATOR

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

**EXHIBIT "A"  
June 21, 2023**

**Compass USA Food Truck  
MONTGOMERY DR (1165)  
CUP23-023**

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development 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. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans dated 05-10-2023:

**WATER AND WASTEWATER**

No permanent improvements shall encroach into any public utility easements.

Any public utilities shall be kept accessible for city maintenance access at all times.

**FIRE** (from Fire Department Memo dated June 19, 2023)

Parking arrangement shall not block Fire Department access per 2019 California Fire Code Chapter 5, Appendix D, and Santa Rosa Street design standards.

A Limited Term (annual) Propane permit shall be required prior to two days of beginning of operation.



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A. R. Jesús McKeag

PROJECT ENGINEER