

## RESOLUTION NO. ZA-2024-031

### RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A CHILD DAY CARE CENTER FOR THE PROPERTY LOCATED AT 1620 SONOMA AVENUE, SANTA ROSA, APN: 014-142-052, FILE NO. CUP24-037

WHEREAS, on January 23, 2018, a Minor Conditional Use Permit application was submitted, proposing to operate a child day care facility for up to 12 clients. A Minor Conditional Use Permit was granted; and

WHEREAS, a Minor Conditional Use Permit application for a child day care center was submitted to the Planning and Economic Development Department on July 1, 2024; and

WHEREAS, [Zoning Code Section 20-16.060](#) states that Child Day Care Centers are permitted with a Minor Use Permit within the Rural Residential (RR), Single-Family Residential (R-1), Medium Density Multi-Family Residential (R-2), Multi-Family Residential (R-3) Districts and associated residential Planned Development Districts Citywide; 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 child day care center, (Bilingual Child Development Center), with 15 or more clients, is based on the project description and official approved plans date stamp received July 1, 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 R-2 (Low-Density Residential) zoning district by obtaining a Minor Conditional Use Permit, according to [Zoning Code Section 20-23.030, Table 2-6](#). The R-2 zoning district is intended for areas of the City appropriate for residential neighborhoods with medium and higher residential densities, to provide home rental and ownership opportunities, and to provide a full range of choices in housing types to improve access to affordable housing. Although the R-2 zoning district is mainly dedicated to residential uses, some general commercial services and other various commercial uses are permitted within this zoning district. A child day center is considered a general commercial service; and
2. The proposed use is consistent with the Low Residential General Plan Land Use Designation. There is a significant demand for private and public childcare programs and services in Santa Rosa. This is due to the growth of the city, as well as to demographic

trends such as the increase of two-income and single parent families. The City of Santa Rosa recognizes this demand and the importance of available, affordable, quality childcare for the health and well-being of the community. The project site complies with the General Plan, which states that childcare services should be located in residential neighborhoods; 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 proposed child day care center will be operating within a portion of the existing structure, with sufficient access to onsite and offsite parking. The use proposes to operate during normal business hours, which are from 6:00 AM to 6:00 PM; 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 constraint. The proposed child day care center will operate within an existing structure and the plans have been reviewed by City staff, including the Fire Department, Engineering Development Services and the Building Department, and the project has been conditioned appropriately in terms of public safety. The Traffic Engineering Department determined that the project scope will not attract substantial traffic volumes from outside the neighborhood and therefore a Trip Generation Assessment is not required; 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 child care center consists of minor changes to the existing use of the project site and the plans have been reviewed by City staff, including the Fire Department, Engineering Development Services, Traffic Engineering and the Building Department, and the project has been conditioned appropriately in terms of public safety; and
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA):
  - Pursuant to CEQA Guidelines Section 15301, the project is categorically exempt because it involves only minor alterations to an existing facility.
  - Pursuant to CEQA Guidelines Section 15332, the project qualifies for a categorical exemption as in-fill development.
    - The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
    - The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
    - The project site has no value, as habitat for endangered, rare or threatened species.
    - Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
    - The site can be adequately served by all required utilities and public services.

- Pursuant to CEQA Guidelines Section 15183, the project qualifies is statutorily exempt because it is consistent with the General Plan 2035 for which an Environmental Impact Report was certified by Council in 2009.

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. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
2. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
3. No exterior signs are approved with this permit. A separate sign permit is required.
4. Obtain building permits for the proposed project.
5. Obtain additional clearance forms from the Fire Department.
6. 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.

This Minor Conditional Use Permit is hereby approved on October 3, 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