

RESOLUTION NO. ZA-2024-027

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW EXTENDED HOURS OF OPERATION AT A HEALTH/FITNESS FACILITY FOR THE PROPERTY LOCATED AT 1415 FULTON ROAD, SUITE 221, SANTA ROSA, APN: 157-050-012, FILE NO. CUP24-028

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on June 5, 2024; and

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Conditional Use Permit application to allow extended hours of operation for a fitness center; and

WHEREAS, the Minor Conditional Use Permit approval to allow extended hours of operation is based on the project description and official approved exhibit dated received June 5, 2024; and

WHEREAS, the extended hours of operation are for a Health/Fitness Facility use, which is permitted by right in the CG (General Commercial) zoning district; 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. Pursuant to Zoning Code Table 2-6, hours of operation can be extended through 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 extended hours of operation support the Retail and Business Services land use designation, which is intended for regional centers comprised of retail and service enterprises. The site is not within a specific plan area; 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 subject site is within an existing building/shopping center, and the fitness facility is permitted by right. The 24-hour operation of the use will provide additional activity in the project vicinity outside regular business hours; 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 in that the extended hours of operation will be for a fitness facility inside an existing building located in a

shopping center that was previously used as a retail store. The shopping center has enough parking spaces to accommodate a 24-hour operation;

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 24-hours fitness facility will only be accessible to members who can unlock the doors. The facility operating 24 hours will not affect any residential uses, as it is separated by roads and a creek from adjacent residential areas;
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 because it is located within an existing structure with no expansion of the existing 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. 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.

This Minor Conditional Use Permit is hereby approved on September 5, 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