

RESOLUTION NO. ZA-2024-018

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW THE CONTINUED OPERATION OF A SPORTS AND ACTIVE RECREATION FACILITY, INCLUDING MULTI-USE SPORT COURTS, FOR THE PROPERTY LOCATED AT 2777 4TH STREET SANTA ROSA, APN: 181-180-005, FILE NO. CUP23-066

WHEREAS, per Zoning Code [Section 20-54.070](#), a permit or approval (e.g., Conditional Use Permit, Temporary Use Permit, Variance, etc.) granted in compliance with this Zoning Code shall continue to be valid upon a change of ownership (e.g., of the site, structure, or use that was the subject of the permit or approval application), provided that the use remains in compliance with all applicable provisions of this Zoning Code and any conditions of approval, and the approved use does not cease on the property for six months or more; and

WHEREAS, per Zoning Code [Section 20-70.020](#), a Sports and Active Recreation Facility is defined as a public and private facility for various outdoor sports and other types of recreation, where the facilities are oriented more toward participants than spectators. Examples include:

- tennis and other sport courts
- athletic/sports fields (e.g., baseball, football, softball, soccer)
- health and athletic club outdoor facilities
- swimming pools
- skateboard parks; and

WHEREAS, on August 25, 1987, Conditional Use Permit and Design Review applications were approved for a two-story tennis and health club and childcare facility; and

WHEREAS, on July 7, 1988, Conditional Use Permit and Design Review applications were approved for a 10,190 square foot tennis club building; and

WHEREAS, on February 9, 1989, a Conditional Use Permit application was approved for a new basketball court and jogging track; and

WHEREAS, on March 3, 1989, Conditional Use Permit and Design Review applications were submitted to the City to include two racquetball courts and revise the location of the basketball court. The application was withdrawn later; and

WHEREAS, on August 22, 1996, a Conditional Use Permit application was approved by the Planning Commission for the addition of a 37-room hotel wing, a 3,548-square foot expansion of the health club building, and 87 new parking spaces; and

WHEREAS, on August 18, 2003, Conditional Use Permit and Design Review applications were approved for a new squash court, exercise room, and 14 new parking spaces; and

WHEREAS, on June 2, 2004, a Design Review application was approved for a new lap pool, 15 new parking spaces, and a 4-foot fence; and

WHEREAS, on December 5, 2022, a complaint was received for the installation of an outdoor tent covering a tennis court and loud noise related to pickleball activities, resulting in the opening of a code violation case, File No. CE22-1216; and

WHEREAS, On October 16, 2023, the Director of Planning & Economic Development approved a Design Review application to install tarps (noise reduction curtains) on the existing fences adjacent to the tennis courts; and

WHEREAS, on October 16, 2023, the applicant submitted a Minor Conditional Use Permit to convert two existing tennis courts into eight pickleball courts; and

WHEREAS, a Notice of Application was mailed on November 15, 2023, to property owners and occupants within 600 feet of the project site;

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 continued operation of a Sports and Active Recreation Facility, including multi-use sport courts, based on the project description and official approved exhibit dated received October 16, 2023; and

WHEREAS, the matter has been properly noticed as a public hearing pursuant to the City Code Chapter 20-66, as requested by the applicant.

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. The Sport and Active Recreational Facility use was established in this location in 1987 and has continued without interruption. The current proposal is to convert two existing tennis courts into eight pickleball courts, which will be similar to other outdoor recreational activities on the site, and the project has been conditioned to remain in compliance with the Noise Ordinance, City Code Chapter 17-16.
2. The proposed use is consistent with the General Plan and any applicable specific plan. The site is zoned PD56-001 (Planned Development) with approved commercial uses consistent with the Retail and Business Services General Plan Land Use designation. The health club has received approvals for both indoor and outdoor recreational activities, and the conversion of tennis courts to outdoor sports courts aligns with the existing uses.
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 would continue

to be used as a Sports and Active Recreation Facility. Two tennis courts will be converted into pickleball courts. The proposed hours of use will be consistent with the historical use. The number of parking spaces on the site is sufficient for the existing use and meets the zoning code parking demand per [Section 20-36.040, Table 3-4](#).

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 has been an established Sports and Active Recreation Facility since 1987, and the change from tennis courts to pickleball courts remains within the footprint of the existing courts. Physical improvements are limited to the replacement of tennis court nets with pickleball court nets and supporting posts, and adequate parking is available for daily use in the facility.
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 continued use of the Sports and Active Recreation Facility is in alignment with the originally approved uses for the site. There is adequate parking available on the site, and the proposed pickleball courts will be placed within the footprint of two existing tennis courts on the site. An acoustic sound barrier (tarp) will be installed on the existing fences. A letter prepared by JMC Lighting LLC, submitted on April 1, 2024, states that “incorporating noise barriers ranging from 11.1 feet in height would reduce noise levels below the standards established by the City of Santa Rosa City Code.” The project has also been conditioned to remain in compliance with the Noise Ordinance, City Code Chapter 17-16.
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 it involves minor alterations to existing tennis courts. Pursuant to Section 15303, the project is again categorically exempt from CEQA because it consists of adding small structures.

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 5:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturdays. No construction is permitted on Sundays and 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. The use of the eight courts for pickleball cannot begin until the tarps (noise reduction curtains) have been installed.
7. Use of the eight pickleball courts shall be limited to the hours between sunrise and sunset and, in no case, earlier than 9 a.m. or later than 7 p.m., or dusk, whichever is more restrictive, seven days a week.
8. Future changes shall remain consistent with the Sport and Active Recreation Facility land use as defined by the Zoning Code Glossary.
9. All onsite activities shall comply with the City of Santa Rosa Noise Ordinance, City Code Chapter 17-16.
10. The future addition of any outdoor light shall comply with the permitting requirements of the Zoning Code.
11. Resort members shall use the sound dampen paddles to help mitigate noise further.

This Minor Conditional Use Permit is hereby approved on May 16, 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*
Kristinae Toomians (Jun 4, 2024 09:28 PDT)
KRISTINAE TOOMIANS, ZONING ADMINISTRATOR

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Final Audit Report

2024-06-04

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