

## **RESOLUTION NO. ZA-2023-011**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A FARMERS' MARKET EVENT WITH EXTENDED DATES FOR THE PROPERTY LOCATED AT 1501 FARMERS LANE, SANTA ROSA, APN: 014-561-005, FILE NO. CUP22-030**

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 extension of farmer's market dates is based on the project description and official approved exhibit date stamp received April 29, 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;

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 farmer's market use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code, and per Zoning Code [Section 20-52.040\(H\)\(3\)](#), a Conditional Use Permit is required for activities that would exceed the allowed terms identified under [Section 20-52.040\(D\)\(3\)](#);
2. The proposed date extensions for the farmer's market are consistent with the General Plan and any applicable specific plan in that the project site is designated as Retail/Med Residential under the General Plan, which is intended to allow mixed uses of retail and residential, the temporary event is a farmers' market that fits the General Plan. In addition, the farmer's market implements General Plan Policy LUL-I-1 to provide a range of commercial services that are easily accessible and attractive, that satisfy the needs of people who live and work in Santa Rosa and that also attract a regional clientele, implements General Plan Policy EV-A-5 to maintain diversity in the types of jobs available in Santa Rosa to lessen the impact of economic cycles, and also implements General Plan Policy EV-B to facilitate the retention and expansion of existing businesses and provide sufficient land for business expansion and attraction of new employers that utilize the area's existing labor pool;
3. The design, location, size, and operating characteristics of the farmer's market with extended dates would be compatible with the existing and future land uses in the vicinity in that Temporary Event with Extended Dates for a Farmers Market fits within the zoning of the Commercial Planned Development and fits the current land uses on the site which are General Retail, Restaurants, Personal Services, and Office – Business Services;

4. The site is physically suited for the type, density, and intensity of the farmer's market including access, utilities, and the absence of physical constraints in that the proposed project will be located entirely within an existing commercial area designed for commercial uses. The applicant for the farmer's market provided a traffic study conducted by W-Trans that concludes the project will not contribute to peak travel hours as it will be conducted between 8:30 AM to 1:00 PM on Saturdays and 9:00 AM to 1:00 PM on Wednesdays and will have a less-than-significant impact on Vehicle Miles Traveled (VMT).

The project site is located on a portion of the parking lot. The parking lot has a total of 434 parking spaces, including 11 Accessible Parking Spaces, utilized by all of the businesses located on the parcel. The current uses need 361 Parking Spaces at minimum and eight of which need to be Accessible Parking Spaces.

The traffic study conducted by W-Trans also found that the existing parking lot is adequate for parking demands. The proposed project's hours of operation is also conducted in a manner that does not conflict with a majority of the uses on the site. A review of the surrounding businesses' hours of operations found that a majority of the businesses open near the end of the farmers market hours of operations or after it has already closed. This allows for the farmers market to utilize the existing parking spaces for event space and use the existing parking spaces for its required parking spaces.

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 permitted with a Minor Conditional Use Permit in this commercially developed location and has been reviewed and conditioned by all applicable City of Santa Rosa Departments and outside agencies;
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 exemption under CEQA Guidelines Section 15301 in that the project will be operating on the existing parking area as a temporary use, the project site is less than 10,000 square feet and will use existing public services and facilities and is not in an environmentally sensitive area. The project qualifies for a Class 4 exemption under CEQA Guidelines Section 15304(e) in that it will be a minor temporary use of land having negligible effects on the environment;
7. In accordance with Section 20-52.040(H)(3), applicants for activities that would exceed the allowed terms identified in 20-52.040(D), allowed temporary activities, shall file for a Conditional Use Permit, rather than a Temporary Use Permit, in compliance with Section 20-52.050. The project will be increasing beyond the allowable seven consecutive days, or six two-day weekends, within a 12-month period. The temporary event will be operating twice a week every week on Wednesdays from 9:00 AM to 1:00 PM and Saturdays from 8:30 AM to 1:00 PM.

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. Each site occupied by a temporary activity shall be cleaned of debris, litter, or other evidence of the temporary activity on completion or removal of the activity;
5. All existing Fire Lane routes must be maintained and not be obstructed by vehicles or market tables/vendors;
6. All on-site fire hydrants and/or fire department connections (FDCs) must remain unobstructed and accessible for fire department use;
7. If, at any time, there are any food-related vendors that will be operating out of the market that utilize propane for cooking, they will be required to obtain and maintain an annual propane operational permit from the Fire Department; and
8. Maintain proper permitting with Sonoma County Environmental Health.

This Minor Conditional Use Permit is hereby approved on January 19, 2023, 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: \_\_\_\_\_  
SUSIE MURRAY, ZONING ADMINISTRATOR