

RESOLUTION NO. ZA-2023-037

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW BODY PERICING SERVICES FOR THE PROPERTY LOCATED AT 452 B STREET, SANTA ROSA, APN: 010-044-019, FILE NO. CUP23-005

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on January 24, 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 January 24, 2023; 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 Core Mixed Use (CMU) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code, in that personal services (restricted) are permitted within the CMU zoning district by obtaining a Minor Conditional use Permit; and
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the subject property is located within the Core Mixed Use General Plan Land Use designation and body piercing services are an allowable use; 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 in that The Dungeon is an existing retail store that was established in 2006; 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 proposed body piercing services do not involve the enlargement of the existing structure and in that the project site is located within the Downtown Station Area and no minimum parking is 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 in that the proposed use shall be held within the existing commercial building; and

6. The project has been found in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 exemption under CEQA Guidelines Section 15301 in that the site is entirely developed and the proposed use would involve a negligible expansion of the existing commercial 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. All body art facilities are required to be permitted by Environmental Health prior to performing body art. All body art facilities are required to submit an application and plans for review and approval by Environmental Health prior to issuance of a health permit. Upon approval and inspection, Environmental Health will issue a permit allowing the performance of body art at the facility. In addition, all artists performing body art in the facility are required to register with Environmental Health.

This Minor Conditional Use Permit is hereby approved on July 6, 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