

## **RESOLUTION NO. ZA-2023-051**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW OUTDOOR STORAGE FOR THE PROPERTY LOCATED AT 3300 AND 3304 INDUSTRIAL DRIVE, SANTA ROSA, APNS: 015-670-038 & 015-670-039, FILE NO. CUP23-035 (PRJ23-005)**

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on June 8, 2023 requesting approval to develop an approximately 1.28-acre site into a vehicle storage facility, for approximately 124 vehicles; 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 official approved Architectural Site Plan exhibit date stamp received August 23, 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 vehicle storage use is allowed within the Light Industrial (IL) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. Pursuant to Zoning Code Table 2-10, a vehicle storage facility is permitted with a Minor Conditional Use Permit in the subject IL zoning district, and the project as designed and conditioned meets the applicable development standards; and
2. The vehicle storage use is consistent with the General Plan land use designation of Light Industry, which accommodates light industrial, warehousing and heavy commercial uses, including vehicle related (storage, repair, sales, etc.) uses; 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 site is surrounded by industrial and commercial uses, including the associated TESLA vehicle sales to the east along Airway Drive. City staff have reviewed the project plans to ensure adequate circulation and the project has been conditioned appropriately; 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. The property is located in a developed commercial and industrial area where all required utilities and services are available; 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 area is designated as Light Industry on the General Plan Land Use Diagram, where vehicle-related uses, including repair and storage, are anticipated; and

6. The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction project; and
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 32 exemption pursuant to CEQA Guidelines Section 15332. 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, in that the General Plan envisioned commercial development of the site, and the development is consistent with development standards required.

The site is located within city limits on a project site of no more than five acres, substantially surrounded by urban uses pursuant to Public Resource Code Sections 21072 and 21061.3. Further, the site has not been identified as habitat for endangered, rare or threatened species in City mapping data including the Santa Rosa General Plan 2035 Environmental Impact Report.

In addition, approval of the project is not anticipated to result in any significant effects relating to traffic, in that the proposed use is an accessory storage area for TESLA vehicle sales located east of the project site. The project is required to operate within acceptable noise levels as listed in the General Plan and the City's Noise Ordinance. Impacts to air quality and water quality are expected to be less than significant based on the project's consistency with the City's Climate Action Plan. Further, based on the City Engineering Division's review of the project plans and Stormwater Plan prepared by Brelje & Race Consulting Engineers, and dated received October 6, 2023, impacts related to stormwater and drainage will be less than significant.

The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2.) This determination is based on the previous grading of the proposed site, and the development primarily being located on the flat portion of the site and substantially surrounded by development.

Additionally, pursuant to CEQA Guidelines Section 15183, the project is consistent with the City's General Plan and Zoning, which envisioned the commercial development of the Light Industry area. Therefore, no further environmental review is required.

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 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 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.

This Minor Conditional Use Permit is hereby approved on November 2, 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