

## **RESOLUTION NO. CUP21-080**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE TURNING POINT, CENTER POINT DRUG ABUSE ALTERNATIVE PROGRAM FOR THE PROPERTY LOCATED AT 790 SONOMA AVENUE, SANTA ROSA, APNS: 009-192-040 & 009-202-032**

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit for to operate a 50-bed Community Care facility within an existing vacant  $\pm$  11,000 square foot commercial building has been granted based on your project description and official approved exhibit dated September 13, 2021. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The proposed Community Care Facility is allowed within the Office Commercial (CO) zoning district per [Section 20-23.030](#), Table 2-6, through the approval of a Minor Conditional Use Permit and complies with all other applicable provisions of this Zoning Code and the City Code. The matter has been properly noticed as required by Zoning Code Section 20-52.050.E.2.a, and no request for a public hearing has been received;
- The proposed Community Care Facility is consistent with the General Plan land use designation of Office in that the General Plan allows community care uses in all land use designations except for the Motor Vehicles Sales District;
- The design, location, size and operating characteristics of the proposed Community Care Facility would be compatible with the existing and future land uses in the vicinity. The proposed use would occupy an existing vacant building without any exterior modifications, parking is available on site, and no additional parking space is needed. The Traffic Engineering Division has reviewed the project and determined the proposed use will not increase trips at this location. The site is located close to downtown, where the main transit center and other services are located. The community care facility will be staffed and monitored 24/7. The residents will be first admitted into the program from the main office at another location and transported to this facility. No walk-up services are available at this location.
- The site is physically suited for the type, density, and intensity of the proposed Community Care Facility, including access, utilities, and the absence of physical constraints. The Community Care Facility will occupy the existing building that is currently vacant in a location where all utilities and emergency services are available. All utilities are provided for the use, and no constraints have been identified for the proposed use;
- 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; and

- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for:

Class 1 exemption under Section 15301 in that the proposed project consist of alteration of existing private structure involving no expansion of the previous use.

Class 3 exemption under Section 15303 in that the proposed community care facility is converting and exiting structure from a commercial use to a residential use.

A Class 32 exemption under California Government Code Section 15332 (In-fill Development Projects) of the State CEQA Guidelines in that:

- The Project is consistent with Santa Rosa General Plan 2035 and the current City of Santa Rosa Zoning Code;
- The Project is located within City of Santa Rosa jurisdiction, on a project site of no more than five acres substantially surrounded by urban uses;
- The Project site has been previously developed and has no value as habitat for endangered, rare or threatened species;
- The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- The Project site is located in a developed area where it can be adequately served by all required utilities and public services.

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 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 a building permit 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.

6. Comply with Santa Rosa Engineering and Development Services conditions attached hereto and incorporated here as Exhibit "A", dated November 5, 2021.

This Minor Conditional Use Permit is hereby approved on this 18<sup>th</sup> day of November 2021, for the duration of use provided conditions are complied with and use has commenced within two years from approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: \_\_\_\_\_  
ANDY GUSTAVSON, ZONING ADMINISTRATOR