

RESOLUTION NO. ZA-2024-015

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A MOBILE FOOD VENDING OPERATION FOR THE PROPERTY LOCATED AT 175 SEBASTOPOL SANTA ROSA, APN: 125-122-005, FILE NO. CUP23-070

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on October 25, 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 date stamp received October 25, 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 applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code in that the applicant provided a site plan with covered garbage, recycling, and compost containers. Additionally, Mobile Food Vending is allowed within the Station Mixed-Use zoning district with the approval of a Minor Conditional Use Permit;
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the Station Mixed-Use land use designation is intended to provide for a range of visitor serving uses, including retail and restaurants in proximity to the SMART station. Additionally, no minimum parking is required since the parcel is located within the Downtown Station Area Plan;
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 truck would provide an alternative food source, the lot has adequate space to accommodate a food truck; and, while there is no minimum parking requirement because the use will be located within the boundary of the Downtown Station Area, there are several parking areas available to customers;
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 food truck will be outside of the vision triangle, will provide trash receptacles for landfill, compost, and recycling, will provide a dining area;

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 truck decals are not too distracting for motorists, and granting this permit would help the parcel meet the mixed-use goals of the land-use designation; and
6. The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15304, the project is categorically exempt from CEQA because it involves a temporary use having negligible or no permanent effects on the environment and does not propose any grading or removal of vegetation.

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. 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.
2. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
3. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
4. No exterior signs are approved with this permit. A separate sign permit is required.
5. Remain in compliance with Zoning Code Section 20-42.210, Mobile Food Vending.
6. Staff shall have access to the restroom while the Mobile Food Vending is operating.

This Minor Conditional Use Permit is hereby approved on May 2, 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, ZONING ADMINISTRATOR

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"
01/11/2024

Taqueria El Grullense Food Truck
175 Sebastopol Road
CUP23-070


- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Engineering Development Services Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received **October 25, 2023**:

WATER AND WASTEWATER

1. No permanent improvements shall encroach into any public utility easements.
2. Any public utilities shall be kept accessible for city maintenance access at all times.

FIRE – (from Mike Johnson dated December 8, 2023)

3. Parking arrangement shall not block Fire Department access per 2019 California Fire Code Chapter 5, Appendix D, and Santa Rosa Street design standards.
4. A Limited Term (annual) Propane permit shall be required prior to two days of beginning of operation.



01/11/2024
CLEVE GURNEY, PE - EDS SUPERVISING ENGINEER

**DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
ENGINEERING DEVELOPMENT SERVICES**

**EXHIBIT "A"
01/11/2024**

**Taqueria El Grullense Food Truck
175 Sebastopol Road
CUP23-070**

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Engineering Development Services Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received **October 25, 2023**:

WATER AND WASTEWATER

1. No permanent improvements shall encroach into any public utility easements.
2. Any public utilities shall be kept accessible for city maintenance access at all times.

FIRE – (from Mike Johnson dated December 8, 2023)

3. Parking arrangement shall not block Fire Department access per 2019 California Fire Code Chapter 5, Appendix D, and Santa Rosa Street design standards.
4. A Limited Term (annual) Propane permit shall be required prior to two days of beginning of operation.



01/11/2024

CLEVE GURNEY, PE - EDS SUPERVISING ENGINEER