

RESOLUTION NO. ZA-2024-029

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A CHILD DAY CARE CENTER FOR THE PROPERTY LOCATED AT 4295 MONTGOMERY DRIVE SANTA ROSA, APN: 013-012-006, FILE NO. CUP24-026

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on June 3, 2024; 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 May 31, 2024; 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 proposed project is located in an area zoned General Commercial (CG) and a child day care center is permitted in the CG zone with a Minor Conditional Use Permit;
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the child day care center implements the General Plan goal of expanding child care services to meet the existing and future needs of Santa Rosa (YF-B). The site is not within a specific plan area;
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 child day care center is proposed within an existing building, surrounded by commercial and residential uses. The applicant has provided a traffic circulation plan showing the circulation, car access, and the location of drop-off. Further, the applicant's project description states that pick-up and drop-off times are staggered to reduce congestion. City staff, including the Fire Department, Engineering Development Services, Building, and Planning have reviewed the project materials and conditioned the project appropriately;
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 day care center is proposed in an existing building, which has access from the main arterial, and utilities and emergency services are available;
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 was reviewed by the Fire, Engineering, and Building departments, and no issues were raised. Further, the use will be located within an existing building, the property is fenced;

6. The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15301, the project is categorically exempt because the project is utilizing an existing facility, and there is no expansion of the former 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. Obtain building permits for the proposed project.
2. Construction hours shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday and 9:00 a.m. to 4:00 p.m. Saturday. No construction is permitted on Sunday and/or 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 September 19, 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