

RESOLUTION NO. ZA-2024-009

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A TATTOO AND BODY PIERCING SERVICES, A PERSONAL SERVICE (RESTRICTED) USE, FOR THE PROPERTY LOCATED AT 100 BURT ST, SUITE K, SANTA ROSA, APN: 044-091-046, FILE NO. CUP23-080

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on December 26, 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 December 27, 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 tattoo studio, a Personal Service (Restricted) Use (Project) is allowed within the CG – General Commercial (CG) zoning district with a Minor Use Permit (MUP) and complies with all other applicable provisions of this Zoning Code and the City Code in that tattoo and body piercing services were envisioned to be in General Commercial zoning designations, and the proposed tattoo and body piercing studio is surrounded by other similar commercial retail and service uses;
2. The proposed use is consistent with the Retail & Business Services General Plan land use designation and any applicable specific plan in that the Project will be located within an existing shopping center and will provide services for residents and visitors to the City;
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 no exterior changes are proposed, the Project is located within an existing commercial center and is surrounded by existing commercial uses, including shops, personal and business services, and restaurants, and the location has ample parking for each use;
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 site is fully developed as a commercial center where all necessary utility connections and emergency services are available. The site provides sufficient parking and circulation, and there is adequate site access available from Burt Street;

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 is a conditionally permitted use within the CG zoning district and will be replacing an existing commercial use within an existing commercial center, with no major exterior changes to the building or tenant space. The project has been reviewed and conditioned by all applicable City of Santa Rosa departments;
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 from CEQA because the project consists of only minor interior alterations to an existing structure and will not involve any expansion of the existing or 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 6:00 p.m. Monday through Friday and 9:00 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. A copy of the County Environmental Health Department permit approval will be required prior to building permit issuance.
7. All tattoo artists and body piercers performing body piercing in the facility shall register with the County Environmental Health Department.
8. The business operator shall, to the extent possible, prohibit customers, patrons or visitors from loitering near any neighboring business or in common areas of the center, who are not actively engaged in receiving services from, or reviewing the products and services available, at the Project site.
9. The operator shall control litter, debris, and trash on the sidewalk adjoining the premises and any portion of the parking lot under control of the operator.

This Minor Conditional Use Permit is hereby approved on April 4, 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: _____
MONET SHEIKHALI, ZONING ADMINISTRATOR