

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
OCTOBER 10, 2024

PROJECT TITLE

Health/Fitness Facility (Planet Fitness)
Appeal

APPLICANT

Michael Twiss

ADDRESS/LOCATION

551 Summerfield Road

PROPERTY OWNER

George Arce Jr.

ASSESSOR'S PARCEL NUMBER

013-284-011

FILE NUMBERS

PRJ23-018 (CUP23-063)

APPEAL DATE

July 29, 2024

APPLICATION COMPLETION DATES

September 17, 2024

REQUESTED ENTITLEMENTS

Minor Conditional Use Permit

FURTHER ACTIONS REQUIRED

None

PROJECT SITE ZONING

Neighborhood Commercial (CN)

GENERAL PLAN DESIGNATION

Retail and Business Services

PROJECT PLANNER

Suzanne Hartman

RECOMMENDATION

Deny Appeal and Uphold Zoning
Administrator's Approval

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR AND MEMBERS OF THE PLANNING COMMISSION
FROM: SUZANNE HARTMAN, CITY PLANNER
PLANNING AND ECONOMIC DEVELOPMENT

SUBJECT: HEALTH/FITNESS FACILITY (PLANET FITNESS) APPEAL

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Zoning Administrator and the Planning and Economic Development Department that the Planning Commission, by resolution, deny the Appeal and uphold the Zoning Administrator's approval of a Minor Conditional Use Permit for a Health/Fitness Facility located at 551 Summerfield Road. The Zoning Administrator's action on the exterior design of the facility was not appealed.

BACKGROUND

1. Surrounding Land Uses

North: Neighborhood and General Commercial and Medium-Density Residential
South: Medium-Density Residential
East: Howarth Memorial Park
West: Low-Density and Medium-Density Residential

2. Existing Land Use – Project Site

The existing land use at 551 Summerfield Road is a movie theater, located within a shopping center.

3. Project History

September 26, 2023

The applicant submitted applications for a Minor Use Permit (MUP) and Minor Design Review for a health/fitness facility, to be located within the existing building at 551 Summerfield Road.

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April 25, 2024	A Notice of Public Meeting was distributed.
May 16, 2024	A Public Hearing request was received, and the item was continued to June 6, 2024, to allow for re-noticing.
May 21, 2024	A Notice of Public Hearing was distributed.
June 6, 2024	The Zoning Administrator held a public hearing and continued the item to July 18, 2024, a date certain, requesting that revisions be made to the building design.
July 18, 2024	The Zoning Administrator approved the MUP and Minor Design Review for the proposed fitness facility.
July 29, 2024	The subject Appeal application was submitted, prepared by Trinity Winslow, requesting that the Planning Commission grant an Appeal which would reverse the Zoning Administrator's decision to approve a MUP for the proposed use.
September 24, 2024	A Notice of Public Hearing for the Appeal was distributed.

ANALYSIS

1. Appeal

Summarized below are the Grounds for Appeal (identified as the “Grounds for Reversal of Findings” in the Appeal application) provided by the appellant; the full text of the appellant’s grounds are provided in Attachment 9 to this report:

Grounds 1: The project is not consistent with the Neighborhood Commercial (CN) zoning district.

Staff Response: A Health/Fitness Facility is proposed in an existing structure within the CN zoning district, which is currently operated as the Summerfield Cinemas (Theater/Auditorium). A Health/Fitness Facility is defined by the Zoning Code as a commercial, for profit, fitness center, gymnasium, or health and athletic club, which may include other indoor sports activities. Pursuant to [Zoning Code Table 2-6](#), which identifies allowed land uses and permit requirements for commercial zoning districts, a Health/Fitness Facility is permitted with an approved MUP in the CN district. It should be noted that a Theater/Auditorium is not permitted within the CN district. Because the existing theater use was established prior to the current Zoning Code and zoning district, it is legal, non-conforming. Pursuant to [Zoning Code Section 20-61.020\(D\), Loss of Non-Conforming Status](#), if the non-conforming theater use is discontinued for a continuous period of at least six months, the rights to the legal non-conforming status shall terminate, meaning that a new theater would not be able to occupy the space.

[Zoning Code Section 20-23.020, Purposes of Commercial Zoning Districts](#), provides the following purpose for the CN zoning district:

“The CN zoning district is applied to areas within and adjacent to Residential neighborhoods appropriate for limited retail and service centers for convenience shopping. Uses in these centers are intended to provide for the day-to-day needs of local neighborhoods and workplaces, but not to be of such scope and variety as to attract substantial traffic volumes from outside the neighborhood. New development is encouraged to include both a residential and nonresidential component as noted by Section 20-23.030 (Commercial district land uses and permit requirements). The CN zoning district is consistent with and implements the Neighborhood Shopping Center land use classification of the General Plan.”

The appellant contends that the proposed Health/Fitness Facility is not allowed within the CN zoning district because the above noted purpose states that “uses in these centers are intended to provide for the day-to-day needs of local neighborhoods and workplaces, but not to be of such scope and variety as to attract substantial traffic volumes from outside the neighborhood”. While the appellant agrees that a Health/Fitness Facility is allowed within the CN zoning district with the approval of an MUP, they state that because the Planet Fitness business “is likely to be a large business” that it is likely to attract substantial traffic volumes from outside of the neighborhood.

Zoning Code Table 2-6 does not distinguish between large and small Health/Fitness Facilities. The Minor Use Permit would not be specific to the Planet Fitness business, it would allow a Health/Fitness Facility. The Zoning Code regulates land uses, not specific businesses or franchises. Further, the proposed Health/Fitness Facility use would provide a full fitness facility that would serve the day-to-day needs of those both living and working in the vicinity, as outlined in the CN zoning district description. The closest fitness locations to the proposed site offer classes, and not a full range of fitness options.

The appellant has not provided any evidence that a Health/Fitness Facility is likely to attract substantial traffic volumes from outside of the neighborhood. The applicant submitted a Trip Generation Assessment, dated November 21, 2023, which was reviewed by the City’s Traffic Engineering Division. As provided in the Assessment, the proposed use is expected to generate less than 50 peak trips in the peak AM or PM hours. As a result, no additional study was required. The report also concluded that the proposed use would result in a net decrease of 540 average daily trips. The Assessment, the trip generation was based on the Institute of Transportation Engineers (ITE) published rates for “health/fitness club” and “movie theater”. As noted above, the Zoning Code regulates land uses, not specific businesses. Similarly, it is appropriate for the Assessment to

analyze the impact of a “health/fitness club” and a “movie theater” published rates, rather than the specific Planet Fitness and Summerfield Cinemas.

Grounds 2: The project is not consistent with the Neighborhood Shopping Center land use classification.

Staff Response: Pursuant to the City’s [General Plan Land Use Diagram](#), the site at 551 Summerfield Road has a General Plan land use designation of Retail and Business Services. As stated in the City’s [General Plan 2035](#), in the Land Use and Livability Element, Neighborhood and Community Shopping Centers are identified with a symbol on the Land Use Diagram, which is a green star for existing centers and a red star for proposed centers. The subject shopping center does not have either a green or a red star on the Land Use Diagram, and as such, the General Plan Neighborhood Shopping Center designation does not apply to the subject site.

[Zoning Code Section 20-23.020\(B\)](#) specifically states that the CN zoning district “is consistent with and implements the Neighborhood Shopping Center land use classification of the General Plan”. Similarly, [Zoning Code Section 20-20.020](#), Table 2-1, Zoning Districts, which shows the various zoning districts and their implementing General Plan land use designations, states that the implementing General Plan land use designation for the CN zoning district is “Mixed Use, Neighborhood Shopping Center”. As stated above, the Neighborhood Shopping Center designation is identified as a star on the General Plan Land Use Diagram, which does not apply to the subject site. Pursuant to the Land Use Diagram, the General Plan land use designation for the subject site is Retail and Business Services. While the sites CN zoning district is not the implementing district for the Retail and Business Services land use, as described in the General Plan and Zoning sections of this staff report (below), the proposed use of Health/Fitness Facility is allowed in the zoning district (with the approval of an MUP) and is consistent with Retail and Business Services. With that said, similar to the CN zoning district definition, the Neighborhood Shopping Center land use designation is intended for “retail and service enterprises providing shopping and services to satisfy the day-to-day needs of local neighborhoods and workplaces”. The General Plan regulates land uses, not specific businesses or franchises, and the proposed Health/Fitness Facility use would provide a full fitness facility that would serve the day-to-day needs of those both living and working in the vicinity. As such, the proposed use is consistent with the General Plan.

Grounds 3: There was no documentation, other than an unqualified traffic report, attached to the resolution to support the conclusion that the design, size, and operating characteristics of the proposed use would be compatible with the surrounding neighborhood and commercial uses. The appellant contends that the proposed use is not compatible.

Staff Response: The Health/Fitness Facility will be within an existing commercial plaza, surrounded by commercial uses that are compatible with the proposed use. The uses within the commercial plaza include restaurants and various service uses, such as a dry cleaner. A Health/Fitness Facility use would provide a fitness service that would be available to both workers in the surrounding area, as well as to local residents. The operations of the fitness facility would be consistent with other comparable fitness facilities within the City that are located in similar commercial shopping areas. All operations will be conducted inside of the existing commercial building, and there are no changes proposed to the existing building footprint or height of the structure.

The appellant contends that the proposed Planet Fitness is a large corporate gym that would be “incompatible with the existing businesses and neighborhoods, both in scale and design”. They also contend that “establishing a large corporate gym directly across the street from the park with the increased traffic flow, energy use, and looming overbearing façade design is completely inconsistent with current neighborhood design”. As mentioned, the Minor Use Permit would not be specific to the Planet Fitness business, it would allow a Health/Fitness Facility. The General Plan and Zoning Code regulate land uses, not specific businesses or franchises.

The project plans have been reviewed by City staff, including the Traffic Engineering Division and the Recreation and Parks Department. As stated above, the Trip Generation Assessment, dated November 21, 2023, submitted by the applicant and reviewed by City staff, concludes that the proposed Health/Fitness Facility would have a net decrease in daily trips from the existing theater use. It should also be noted that the Assessment was prepared by licensed engineer with Associated Transportation Engineers, a firm that specializes in engineering, planning, parking, signal systems, impact reports, bikeways and transit. The appellant has not provided any evidence that the Assessment is unqualified. Further, as demonstrated in the existing site photographs (Attachment 5) and the plan set elevations (Attachment 6), the proposed changes to the exterior of the existing building are minimal and demonstrate that the overall scale of the building is not proposed to change. Finally, as noted, the project was referred to the Recreation and Parks Department, and there is no evidence that the proposed Health/Fitness Facility would have a negative impact on Howarth Park.

Grounds 4: The data used in current trip generation assessment is outdated and does not reflect the exponential growth of Planet Fitness and substantial traffic volumes from outside the neighborhood.

Staff Response: As stated above, the Trip Generation Assessment, dated November 21, 2023, submitted by the applicant and reviewed by City staff, concludes that the proposed Health/Fitness Facility would have a net decrease in

daily trips from the existing theater use. The City's Traffic Engineering Division has reviewed the Assessment and has determined that it is adequate. Further, and as previously noted, the Minor Use Permit would not be specific to the Planet Fitness business, it would allow a Health/Fitness Facility. The General Plan and Zoning Code regulate land uses, not specific businesses or franchises.

The Assessment uses two different references regarding the trip generation for the proposed use. The trip generation for the Peak Hour calculations references the most current version of the ITE Trip Generation Manual (the 11th edition published in September 2021). Under the Health/Fitness Facility rates, the manual lists AM and PM peak hour rates, but a daily rate is not available or published in the ITE Trip Generation Manual 11th edition. Because of this, the Assessment used the San Diego Association of Government (SANDAG) Trip Generation, April 2002, as a comparison to provide a daily rate for a Health/Fitness Facility rate. From the City's perspective, using this rate was reasonable. The ratio between the PM peak hour rate of the prior movie theater use, versus the PM peak hour rate of the proposed Health/Fitness Facility, is nearly the same as the ratio between the daily rates of the two uses. This validated the reasonableness of using the SANDAG daily rate.

Additionally, the peak hour rates are what the City uses to determine if a more in depth traffic study is required. In this case, the impact on the City network is shown to be less than the prior use of a movie theater at this location. As such, the Assessment documenting this is what is required.

Grounds 5: Granting the permit at this location would have a long-term effect that is injurious or detrimental to the public interest, safety and convenience of the Lakeside District by injecting a large corporate presence into the district in the long term, which would have an immediate negative effect on the current small business owners and neighbors. This type of corporate business development does not belong in the Lakeside District.

Staff Response: The Zoning Code does not prohibit chain or corporate businesses within the City, including at the subject site. As discussed in the General Plan section of this report below, the proposed use implements several General Plan goals and policies by providing a range of commercial services that are easily accessible, and within walking distance, for people who live and work in Santa Rosa. No evidence has been provided to corroborate the appellants statement that the proposed Health/Fitness Facility would have a negative effect on the current businesses within the center.

Grounds 6: The project is not in compliance with the California Environmental Quality Act (CEQA) and should receive a full independent review from an outside environmental service to ascertain if it is truly categorically exempt from CEQA.

Staff Response: The appellant contends that the project is not exempt from CEQA, and specifically calls out the following exemptions that were included in Zoning Administrator Resolution No. ZA-2024-019:

- **CEQA Section 15301, Existing Facilities.**

The appellant contends that the proposed alterations to the existing structure would be major, not minor, given the state of the structure. Specifically, the construction to upgrade the building to current codes would likely not be minor and may cost more than what was estimated by the applicant. They also state that work to add locker rooms, showers and additional restroom facilities will have an impact on water usage, and will increase sewage and strain the current plumbing infrastructure and underground water and pipes, necessitating a full report on the environmental impacts.

CEQA Section 15301 exempts from CEQA a project that “consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” Section 15301 does not limit its applicability to projects based upon whether the alteration is defined as “major” or “minor”, but rather provides examples of the types of projects that fall under this exemption with the caveat that the list of are “not intended to be all inclusive.” Some of the projects presumed to fall under this exemption include, but are not limited to:

- Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.
- Additions to existing structures provided the addition will not result in an increase of more than 2,500 square feet or 10,000 square feet, depending on the location of the project.
- Interior or exterior alterations involving such things as interior partitions, plumbing and electrical conveyances.

The use of the building is proposed to change from a movie theater to a health/fitness facility. Such a change in use has been determined to not be an expansion of the existing use, as the footprint and height of the existing structure will not change, and as documented in the Trip Generation Assessment, dated November 21, 2023, the proposed health/fitness facility would have a net decrease in daily vehicular trips from the existing theater use. While the building would be required to be brought up to current codes, the cost of construction is not relevant to the

CEQA determination, and the renovation would be to accommodate the proposed new use, not to eliminate an environmental hazard. Further, the City's Engineering and Development Services Division and Water Department have both reviewed the proposed plans and provided conditions of approval related to water and wastewater, ensuring that the proposed project will meet City's standards.

- **CEQA Section 15303, New Construction or Conversion of Small Structures.**

CEQA Section 15303 exempts from CEQA a project that "consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure." This exemption includes a list of examples, including "commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such uses".

The appellant contends that because the building is over 10,000 square feet, the exemption does not apply.

As shown on page 2 of the plan set (Attachment 6), the existing building is 14,671 square-feet in size. Staff agrees that because the building exceeds the CEQA threshold of 10,000 square-feet the project does not qualify for an exemption based on CEQA Section 15303. As such, this exemption has been removed from the draft Planning Commission resolution attached to this report.

- **CEQA Section 15183, Projects Consistent with a Community Plan, General Plan, or Zoning.**

The appellant alleges the Section 15183 exemption cannot be applied to the proposed project because, following "the 2017 Tubbs Fire and later fires, the air quality has been widely reported as full of toxins that have infiltrated ground water use systems and building structures including exteriors and interiors...[and]...this toxic air has been proven to impact the health of people throughout the impact zones" The appellant concludes that "this unknown environmental impact needs to be studied fully to understand what toxic materials may have landed in and on the 551 Summerfield site".

Section 15183 is a statutory exemption, which provides as follows: "CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental

review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” Because Section 15183 does not define the term “peculiar”, the courts have interpreted the term to refer to an impact belonging exclusively or especially to the project or characteristic of only the project. The Project is consistent with the Retail and Business Services development density/intensity standards that are established by the Santa Rosa General Plan 2035 and the General Plan 2035 EIR was certified in 2009. The Retail and Business Services land use designation allows retail and service enterprises, offices, and restaurants. [

The General Plan EIR analyzed the potentially significant environmental impacts, including air quality impacts, that could result from implementation of the General Plan, including development of commercial or neighborhood uses on the project site and concluded that all impacts are less than significant after mitigation. The project will implement all applicable mitigation measures identified in the General Plan EIR, as reflected in the proposed conditions of approval. In addition, appellant’s arguments amount to speculation about potential air quality impacts to the project site caused by pollution from past wildfires, not environmental impacts from the proposed project. CEQA generally applies to a project’s impact on the environment, not the environment’s impact on the project. Finally, CEQA case law has established that public controversy and lay testimony about “peculiar” impacts that might arise from a project do not constitute substantial evidence sufficient to require further environmental review under Section 15183. In other words, decisionmakers cannot err on the side of requiring environmental review simply because a project is controversial. If substantial evidence demonstrates a project’s environmental effects were studied in the prior general plan EIR or can be addressed through uniform policies and procedures, as is the case in the subject project application, CEQA does not permit the lead agency to require an EIR, mitigated negative declaration or other additional environmental review. (Hilltop Group Inc. v. County of San Diego). While the 2017 and 2020 wildfires took place after the General Plan 2035 EIR was certified in 2009, they did not directly impact the subject site (there were no structures damaged or destroyed by the fires). The City is currently in the process of updating the current General Plan, which will include a new EIR. The appellant raises concerns about air quality and ground water as a result of the wildfires, which is not an issue specific to this site, and would not be a result of the proposed project. As noted above, the purpose of CEQA is to consider the environmental effects of a proposed activity. The proposed activity at 551 Summerfield Road is a Health/Fitness Facility, not the wildfires. The update to the General Plan 2035, and its associated EIR, will address natural hazards, including the wildfires, on a Citywide basis. Consideration of the proposed Health/Fitness Facility, to be located within an existing building, is whether the use is “consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified” and therefore exempt from further environmental review. As noted in this staff report,

and in the attached draft Planning Commission resolution, staff finds that the project is consistent with the development density established by the General Plan 2035 for this site, for which an EIR was certified.

It should also be noted that, pursuant to Municipal Code Section 17-04.030, Appeals, “any appeal from a [CEQA] decision by the Planning Commission shall be heard and determined by the City Council.” As such, while any decision by the Planning Commission on the appeal of the Minor Use Permit is final, the Planning Commission’s determination on the CEQA determination is appealable to the City Council.

2. General Plan

The [General Plan](#) addresses issues related to the physical development and growth of Santa Rosa and guides the City's planning and zoning functions. The General Plan Land Use designation for the site is Retail and Business Services, which allows retail and service enterprises, offices, and restaurants.

Applicable General Plan goals and policies include:

- **LUL-I-1:** Provide a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attracts a regional clientele.
- **LUL-I-3:** Allow neighborhood centers that include small grocery stores, cleaners, and similar establishments, where they can be supported, within walking distance of residential uses. Ensure that neighborhood centers do not create unacceptable traffic or nuisances for residents due to the hours and nature of their operation and are designed to facilitate walking and bicycling.
- **EV-A-5:** Maintain diversity in the types of jobs available in Santa Rosa to lessen the impact of economic cycles.

A Health/Fitness Facility implements the General Plan by providing an amenity that caters to diverse age groups, meets the interests of specific activity groups, and aligns with creating a vibrant and inclusive community where health/fitness opportunities are accessible to everyone, and provides local employment opportunities.

3. Zoning

The [Zoning Code](#) implements the goals and policies of the General Plan by classifying and regulating the use of land and structure development within the City. The zoning district for the subject site is Neighborhood Commercial (CN), which is consistent with the General Plan land use designation of Retail and

Business Services. Health/Fitness Facilities are permitted within this zoning district by obtaining a Minor Use Permit.

Zoning Code Section 20-52.050 discusses Minor Use Permits and Conditional Use Permits and provides a process for reviewing land use activities to evaluate whether the use is suitable in the proposed location. Prior to acting on the requested Minor Use Permit, the review authority must first make the following findings:

- 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;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- 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).

As demonstrated in the draft resolution, staff's analysis has concluded that all required findings can be met.

4. Summary of Public Comments

Prior to the Appeal, this Minor Use Permit application received several public comments. To summarize, the comments received by City staff revealed concern over the loss of the existing movie theater and that the proposed tenant, Planet Fitness, is a large "big box" corporation that detracts from the community-focused independent small district that the current businesses have maintained.

The proposed use is in compliance with the Zoning Code, which regulates land uses, not specific businesses. Specifically, Zoning Code Table 2-2 shows that Fitness/Health Facilities are permitted in Neighborhood Commercial zoning districts by obtaining approval of a Minor Use Permit and staff analysis, included

in this staff report and the attached draft resolution, has concluded that all findings can be made.

5. Public Improvements

For a comprehensive list of on- and off-site improvements, refer to the attached Exhibit A, provided by Engineering Development Services, dated April 23, 2024.

FISCAL IMPACT

Denial of the Appeal and approval of the Minor Use Permit will not impact the General Fund.

ENVIRONMENTAL IMPACT

As shown in the draft resolution attached to this report, the project has been found in compliance with the California Environmental Quality Act (CEQA) under the following CEQA Guidelines sections:

- a. CEQA Guidelines Section 15301, the project is categorically exempt because it involves a change of use and minor alterations to an existing facility.
- b. CEQA Guidelines Section 15332, the project qualifies for a categorical exemption as in-fill development.
- c. CEQA Guidelines Section 15183, the project is statutorily exempt from CEQA because it is consistent with the General Plan 2035 for which an Environmental Impact Report was certified by Council in 2009.

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.)

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On July 18, 2024, the Zoning Administrator (ZA) held a public hearing and approved a Minor Use Permit and Minor Design Review Permit for the Project. The Zoning Administrator concluded that all findings could be met as demonstrated on the attached Resolution No. ZA-2024-019.

PUBLIC NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to

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surrounding property owners and occupants, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

LEVINE ACT

This project is subject to the Levine Act (Gov. Code Section 84308) which prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$250 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the FPPC website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html.

ISSUES

There are no unresolved issues regarding this project.

ATTACHMENTS

- Attachment 1: Disclosure Form
- Attachment 2: Location Map
- Attachment 3: Project Description
- Attachment 4: Trip Generation Assessment
- Attachment 5: Existing Site Photos
- Attachment 6: Plan Set
- Attachment 7: Zoning Administrator Resolution No. ZA-2024-019
- Attachment 8: Zoning Administrator Meeting Public Correspondence
- Attachment 9: Appeal Application
- Attachment 10: Appellant Presentation
- Attachment 11: Public Comments Received as of October 3, 2024

Resolution with Engineering Development Services Exhibit A (conditions of approval)

CONTACT

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