

RESOLUTION NO. ZA-2024-024

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 1011 COLLEGE AVENUE, SANTA ROSA, APN: 180-800-062, FILE NO. CUP24-015

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on April 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 April 3, 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 PD (Planned Development) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code in that the proposed Mobile Vending business is a low intensity commercial use, which is consistent with the Policy Statement for Planned Development 0226;
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the General Plan Land Use designation is Office, which is intended for administrative, financial, business, professional, medical, and public offices. A Mobile Vending business is a conditionally permitted use within this land-use designation. Additionally, a food business would be useful to employees in the vicinity; as the nearest food option is approximately a half mile away.
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 mobile food truck is placed close to College Avenue and adjacent to the Druid Hall building, and there will be adequate parking available for the existing use. The proposed hours of operation are within those allowed pursuant to Zoning Code Table 2-6, and the Mobile Food Vending operator will have access to restrooms when in operation. The project has been conditioned to prohibit amplified sound;

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. Druid Hall is a rental venue, where the parking lot is under-utilized. The property is located within a fully developed area where emergency service and utilities 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 has been reviewed by the requisite City departments, and conditioned appropriately; 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. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
2. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
3. No exterior signs are approved with this permit. A separate sign permit is required.
4. No amplified sound is allowed without approval of a Special Event Permit from the Police Department.
5. No noise associated with the business shall occur before 6:00 a.m. or after 11:00 p.m.
6. Compliance the Noise Ordinance, City Code Chapter 17-16, for residential noise levels.
7. The Mobile Vending operator shall provide three trash bins for landfill, recycle, and compost, with instructions for what each is used for.
8. Compliance with the Zoning Code for Mobile Vending uses.

9. Mobile Vending staff shall have access to the restroom while the Mobile Food Vending is operating.
10. Shall remain in compliance with Mobile Food Vending 20-42.210

This Minor Conditional Use Permit is hereby approved on July 18, 2024, 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