

RESOLUTION NO. INSERT ZA RESO NO.

**RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA
APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A MOBILE FOOD
FACILITY WITH EXTENDED HOURS OF OPERATION FOR THE PROPERTY
LOCATED AT 500 SEBASTOPOL ROAD, SANTA ROSA, APN: 125-162-024, FILE NO.
CUP24-057**

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on November 4, 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, pursuant to Zoning Code Section 20-23.030, Commercial district land uses and permit requirements, extended hours of operation beyond the hours of 6:00 a.m. to 11:00 p.m. may be allowed within the CG zoning district with an approved Minor Conditional Use Permit; 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 March 6, 2025; 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 Mobile Food Facility use is allowed at the project site pursuant to Zoning Code Section 20-42.210, and the project is required to comply with all standards listed in Section 20-42.210, including location and design criteria.
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the Retail and Business Services General Plan land use designation encourages retail and visitor supporting land uses such as the Mobile Food Facility use proposed by this project. The site is located proximate to single-family and multifamily housing sites, and provides an alternative eating option for families. Additionally, the project is located within the Roseland Area/Sebastopol Road Specific Plan and supports the plan's goals and policies, such as encouraging local small-scale businesses that celebrate the area's uniqueness and promoting economic activity that creates jobs and supports local businesses.

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 design is not distracting to passing motorists, the proposed location is on private property within a commercially zoned area on Sebastopol Road, and the size of the proposed use does not inhibit the surrounding businesses.
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 project is located on private property, is in a fully developed area where all City services and utilities are available, and is easily accessible by pedestrians, cyclists, and motorists. The applicant has provided a Restroom Use Agreement allowing employees to use the restrooms within the existing building onsite, and the project site provides sufficient parking.
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 use is permitted with a Minor Conditional Use Permit, and has been reviewed and conditioned by appropriate or requisite City staff, including Planning, Building, and Engineering.
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 the Mobile Food Facility use is a minor, temporary use of land having negligible or no permanent effects on the environment.

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 conditions of approval as set forth in Engineering Development Services Exhibit "A", dated November 5, 2024, attached hereto and incorporated herein.
2. Hours of operation shall be limited to 5:00 a.m. to 12:00 a.m.
3. Any seating provided will need to have accessible seating included.
4. An accessible route must be provided from the accessible parking and public way to the food truck/dining table locations. The route is to be separated from the vehicular way per California Building Code 11B-250, and shall not require those parking in accessible parking spaces to walk behind other parking spaces.
5. Arrangement shall not block Fire Department access per 2022 California Fire Code Chapter 5, Appendix D, and Santa Rosa Street design standards.

6. A Limited Term (annual) Propane permit shall be required prior to two days of beginning of operation.
7. A mobile food facility permit for mobile vehicles from the Sonoma County Department of Health Services is required to store, prepare, package, serve or vend food. A review and approval of the equipment/building plans and site operating conditions are required prior to issuance and to maintain a mobile food facility permit to operate. A restroom agreement will be required for both mobile food facilities.
8. All Mobile Food Facility equipment, including the mobile unit itself and any associated onsite dining furniture, shall be located on the site as shown on the approved drawings and shall be placed to not impede future access to the building and remaining parking on site.
9. Remain in compliance with Zoning Code regulations for Mobile Food Facilities, pursuant to City Code Chapter 20-42.210.
10. Compliance with the Noise Ordinance, City Code Chapter 17-16.
11. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
12. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.

This Minor Conditional Use Permit is hereby approved on May 15, 2025, 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: _____
CONOR MCKAY, ZONING ADMINISTRATOR

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"
11/5/2024

Tacos Al Carbon Mobile Food Vending
500 Sebastopol Road
CUP24-057

- 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 **November 4, 2024**:

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.



11/5/2024

CLEVE GURNEY, PE
DEPUTY DIRECTOR ENGINEERING DEVELOPMENT SERVICES