

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 EXTENDED HOURS OF OPERATION FOR A DRIVE-THROUGH COFFEE SHOP AT 2249 SANTA ROSA AVENUE, APN: 043-062-015, FILE NO. PLN26-0049

WHEREAS, on January 26, 2026, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department to allow extended hours of operation for a proposed drive-through coffee shop at 2249 Santa Rosa Avenue (Project); and

WHEREAS, the Project consists of a request to allow extended hours of operation from 5:00 a.m. to 11:00 p.m., seven days a week, for a proposed drive-through coffee shop on an existing developed commercial site with existing drive-through service; and

WHEREAS, the proposed building modifications, drive-through reconfiguration, landscaping, pedestrian access improvements, and associated site improvements are reviewed under the related Minor Design Review for File No. PLN26-0049; and

WHEREAS, a Minor Conditional Use Permit is required to allow extended hours of operation for the proposed drive-through coffee shop; and

WHEREAS, the Project site is developed with an existing KFC restaurant with drive-through service and associated parking, circulation, lighting, and landscaping improvements; and

WHEREAS, the Zoning Administrator has completed review of the Minor Conditional Use Permit application to allow extended hours of operation for the proposed Project described above; and

WHEREAS, the Minor Conditional Use Permit approval is based on the project description and approved exhibits date-stamped received June 8, 2026, and EDS Exhibit received dated July 21, 2026; and

WHEREAS, the matter was properly noticed in compliance with Section 20-52.050.E.2.a, and the notice stated that the Zoning Administrator would decide whether to approve or deny the Minor Conditional Use Permit application on August 13, 2026, unless a public hearing was requested in writing before that date; and

WHEREAS, no timely request for a public hearing was received before the noticed decision date; and

WHEREAS, the Zoning Administrator considered the application, staff analysis, approved exhibits, public comments, if any, and all evidence in the record before taking action on the application;

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 the Zoning Code and City Code, in that the Project site is located in the CG (General Commercial) zoning district. The Minor Conditional Use Permit is requested only to allow extended hours of operation from 5:00 a.m. to 11:00 p.m. for a drive-through coffee shop use that is permitted by right in the CG zoning district. Extended hours of operation may be allowed with approval of a Minor Conditional Use Permit. The proposed drive-through coffee shop would operate on an existing developed commercial site with existing drive-through service, parking, circulation, lighting, and landscaping improvements, and the Project has been conditioned to comply with applicable City requirements; and
2. The proposed use is consistent with the General Plan, in that the Project site has a General Plan land use designation of Retail and Business Services, which allows retail and service enterprises, offices, and restaurants. The Project would allow extended hours of operation for a proposed drive-through coffee shop on an existing developed commercial site along the Santa Rosa Avenue commercial corridor. The Project is consistent with General Plan Policy 2-5.1, which encourages growth of existing business clusters as well as new, diverse industries and job types throughout Santa Rosa, and Action 2-8.1, which supports a range of business and commercial services that are easily accessible and attractive and satisfy the needs of people who live and work in Santa Rosa. As conditioned, the Project will provide a convenient commercial service while maintaining compatibility with surrounding uses through conditions related to hours of operation, queue management, circulation, lighting, landscaping, and site maintenance; and
3. The design, location, size, and operating characteristics of the proposed use are compatible with existing and future land uses in the vicinity, in that the Project site is located within an established commercial corridor and is surrounded by commercial, service, lodging, and auto-oriented uses, including an existing drive-through restaurant in the immediate vicinity. The Project would replace an existing drive-through restaurant use with a drive-through coffee shop and would maintain access from Santa Rosa Avenue and Commercial Court. The approved hours of operation, Queue Management Plan, lighting standards, landscaping, and site maintenance conditions will support compatibility with nearby uses and help ensure that the use operates in a safe and orderly manner; and
4. The site is physically suitable for the type, density, and intensity of the proposed use, including access, utilities, and the absence of physical constraints, in that the Project would allow extended hours of operation for a drive-through coffee shop use that is permitted by right in the CG zoning district. The Project would occupy an existing developed commercial site with existing access, parking, drive-through circulation, utilities, and frontage improvements. The Traffic Memo prepared by Fehr & Peers, dated July 7, 2026, evaluated vehicle miles traveled, trip generation, queuing, site operations, sight distance, and parking. The Project has been conditioned to implement the approved Queue Management Plan at all times and to revise the plan if recurring queueing, circulation, or access conflicts occur; and
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 that the Minor Conditional

Use Permit is limited to extended hours of operation from 5:00 a.m. to 11:00 p.m. for a drive-through coffee shop use that is permitted by right in the CG zoning district. The Project is located on an existing developed commercial site within an established commercial corridor and has been reviewed by City departments and conditioned to operate in a safe and orderly manner. Conditions of approval require compliance with the approved hours of operation, implementation of the approved Queue Management Plan, maintenance of circulation and access, compliance with outdoor lighting standards, and maintenance of landscaping and site improvements; and

6. The proposed Project has been reviewed in compliance with the California Environmental Quality Act. The Project is categorically exempt pursuant to CEQA Guidelines Section 15301, Existing Facilities, in that the Project involves the permitting and minor alteration of an existing developed commercial site previously occupied by a drive-through restaurant, including operation of a drive-through coffee shop with extended hours, drive-through reconfiguration, building modifications, landscaping, parking, pedestrian access, lighting, and associated site improvements, with negligible or no expansion in the nature or degree of the existing or former commercial use. The Project is also categorically exempt pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures, in that the Project includes a small commercial structure not exceeding 2,500 square feet in floor area and does not involve the use of significant amounts of hazardous substances. None of the exceptions to the use of a categorical exemption set forth in CEQA Guidelines Section 15300.2 apply.

This approval is granted based on the applicability and validity of the conditions of approval set forth below. If any condition is determined to be invalid, this approval would not have been granted without the imposition of other conditions necessary to achieve the purposes and intent of this approval. The Project shall comply with all conditions of approval and shall be constructed, operated, and maintained in substantial compliance with the approved project description, plans, and exhibits. Additional permits and fees may be required. **It is the responsibility of the applicant to obtain all required permits and demonstrate compliance with the conditions of approval.**

Conditions of Approval

1. Obtain building permits for the proposed project prior to start of any work. The building permit must be finalized prior to occupancy.
2. Provide a geotechnical investigation and soils report with the building permit application. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving and foundation design recommendations.
3. Ensure the trash enclosure area has the appropriate receptacles for trash, green waste, and recycling.
4. Provide (with your building permit application) the completed storm water LID determination worksheet.

5. Ensure all protected, heritage, and street trees near the property line with trunks on adjacent properties but drip lines or root zones on the subject property are properly notated on the plans, and provisions are specified to ensure compliance with the City of Santa Rosa Tree Ordinance. <https://ecode360.com/42965883#42965883>
6. Ensure a mop sink is provided for the proposed occupancy.
7. Provide CALGreen documentation with the permit application.
8. Provide evidence of County Health Department approval with your building permit application.
9. Provide your project J number (from the Bay Area Air Quality District) with your building permit application.
10. The Project shall be operated and maintained in substantial compliance with the approved exhibits, project description, and supporting materials dated June 8, 2026, except as modified by these conditions of approval.
11. The Project shall comply with all applicable federal, state, and local laws, codes, ordinances, standards, policies, and fees in effect at the time of building permit, encroachment permit, grading permit, occupancy, business operation, or other applicable permit review. Failure to comply may result in issuance of a citation, modification, or revocation of approval.
12. Before commencing the approved use or work, the applicant shall obtain all applicable approvals, permits, clearances, and inspections from City departments and outside agencies, including building, grading, encroachment, Fire Department, Water, Engineering Development Services, Environmental Health, and other agency approvals, as applicable.
13. The Project shall comply with the Minor Design Review approval for building modifications, drive-through reconfiguration, landscaping, pedestrian access improvements, and associated site improvements.
14. The approved hours of operation shall be 5:00 a.m. to 11:00 p.m., seven days a week. Any expansion of hours beyond those approved by this Minor Conditional Use Permit shall require additional Planning review and approval.
15. Under Cal. Code Regs. Tit. 13, § 2485, delivery trucks shall comply with applicable idling restrictions and shall not idle longer than necessary for safe loading and unloading.
16. The operator shall comply with the approved Queue Management Plan, attached hereto as Exhibit B and incorporated herein by this reference, at all times. The drive-through lane is designed to hold a maximum of 12 vehicles, and the operator shall actively monitor the queue during peak hours. If the queue reaches 12 vehicles, employees shall implement the traffic management procedures described in the approved Queue Management Plan, including use of the designated pull-forward spaces and internal on-site stacking areas. Drive-through queues shall be actively managed so that vehicles do not block Santa Rosa

Avenue, Commercial Court, public sidewalks, driveways, drive aisles needed for emergency access, or required accessible routes. If the Planning and Economic Development Department determines that recurring queueing, circulation, or access conflicts are occurring, the operator shall submit a revised Queue Management Plan for review and approval by the Planning and Economic Development Department, in consultation with Transportation and Public Works, and shall implement any additional measures required to address the issue.

17. Any change to the approved Project, use, operations, hours, site plan, floor plan, parking/loading layout, pedestrian access, bicycle parking, drive-through configuration, queue management design, or approved exhibits shall be submitted to the Planning and Economic Development Department for review before implementation. Additional review or approval may be required.
18. No signs are approved as part of this entitlement. A separate sign permit is required for all signs unless expressly exempt under the Zoning Code. Any signage shown on the project plans is conceptual only and shall not be installed unless separately approved through a sign permit or determined by the Planning and Economic Development Department to be exempt from sign permit requirements.
19. Exterior lighting shall comply with Zoning Code Section 20-30.080, Outdoor Lighting. Lighting shall be shielded and directed to avoid glare, nuisance, or spillover onto adjacent properties or the public right-of-way, to the satisfaction of the Planning and Economic Development Department.
20. All landscaping, screening, exterior materials, trash enclosure improvements, pedestrian improvements, lighting, parking areas, drive aisles, and other site improvements shown on the approved plans shall be installed and continuously maintained in a healthy, attractive, clean, and functional condition. Dead or dying plant materials shall be replaced with healthy specimens as necessary.
21. The Project shall comply with City Code Chapter 17-16, Noise.
22. The Project shall comply with City Code Chapter 21-08, Public Art, as applicable.
23. The Project shall comply with City Graffiti Abatement Program Standards for Graffiti Removal pursuant to City Code Section 10-17.080.
24. The Project shall comply with all conditions specified in Engineering Development Services Exhibit A, dated July 21, 2026, attached hereto and incorporated herein by this reference.

This Minor Conditional Use Permit is hereby approved on August 13, 2026. This approval shall automatically expire 24 months from the approval date unless the approval is exercised or an extension of time is approved before the expiration date in compliance with Zoning Code Section 20-54.050. This approval is subject to appeal within ten (10) calendar days from the date of approval.

APPROVED: _____
CONOR MCKAY, ZONING ADMINISTRATOR

Exhibit A – Engineering Development Services Exhibit “A,” dated July 21, 2026
Exhibit B – Queue Management Plan