

RESOLUTION NO. ZA-2023-039

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW VEHICLE SALES FOR THE PROPERTY LOCATED AT 3286 AIRWAY DRIVE SANTA ROSA, APN: 015- 690-032, FILE NO. CUP23-002

WHEREAS, a Minor Conditional Use Permit application was submitted to the Planning and Economic Development Department on December 12, 2022; 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 vehicle sales use are based on the project description and plans submitted to the Planning and Economic Development Department on December 12, 2022; 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 Light Industrial (IL) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code in that the proposed use is allowed within the IL zoning district by obtaining a Minor Conditional Use Permit; and
2. The proposed use is consistent with the General Plan and any applicable specific plan in that in that the project site is designated Light Industry on the General Plan Land Use diagram which is envisioned to accommodate light industrial and heavy commercial uses including auto repair and various retail operations. The site is not within a specific plan area; and
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 project site is located within an area predominantly used for industrial uses and ingress and egress to the site has been analyzed in the Transportation Impact Study (TIS), prepared by W-Trans, dated June 22, 2023, and the project has been conditioned in accordance with the TIS recommendations; and
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 a Transportation Impact Study, prepared by W-Trans, dated June 22, 2023, determined that the proposed parking supply of 96 on-site parking spaces would satisfy the City's Code requirements

and that access to the site would remain safe and adequate with vegetation management and the addition of no-parking striping; 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 which the property is located in that the project site is surrounded by industrial and commercial businesses; and
6. The project has been found in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 exemption under CEQA Guidelines Section 15301 in that the site is entirely developed and the proposed use would involve a negligible expansion of the existing 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. 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. Five long-term bicycle storage spaces should be provided on-site to satisfy the Santa Rosa Municipal Code requirement for bicycle parking.
4. South of the project driveway on Airway Drive, the curb should be painted red for a distance of 40 feet to eliminate parking and provide adequate visibility.
5. Vegetation south of the project driveway on Airway Drive should be maintained such that trees and vegetation are trimmed to a minimum height of seven feet.

This Minor Conditional Use Permit is hereby approved on July 20, 2023, 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: _____
SUSIE MURRAY, ZONING ADMINISTRATOR