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Zoning Administrator Record of Action

Action Date: February 26, 2026
Appeal Status: Filing period closed; no appeal

AGENDA ITEM 3
File No.: UPE25-0046
Staff: L. King Cranston
Applicant: Applicant
Owner: Rueben Guerrero Cuevas
Prior Agenda: N/A, no prior hearing
CEQA Review: Exempt under CEQA Sections 15301 (Existing Facilities)
Proposal: Use Permit application to allow a Small Alcohol Beverage Retail Establishment for off-site consumption of beer and wine, within an existing commercial building. The applicant intends to operate this use within a convenience market, and will operate 7 days per week, from 7:00am-9:00pm, with 2 full time employees, on a 1.28-acre parcel
Recommend: Find the project exempt from CEQA and approve the use permit for a Small Alcohol Beverage Retail Establishment subject to attached Conditions
Location: 811 Irwin Ln Santa Rosa
APN: 060-030-047
District: Five
Zoning: Limited Commercial and combining zones for Scenic Resource and Valley Oak Habitat.

ZONING ADMINISTRATOR ACTION

Environmental Determination

- ☒ Exempt from the California Environmental Quality Act per §15301 (Existing Facilities)

Project Decision

- ☒ Approved subject to attached findings and conditions
☐ with modification (see comments)
☒ Subject to 10-day appeal period ending March 9, 2026

ZONING ADMINISTRATOR

Derik Michaelson, Planner III

March 9, 2026

Date

MODIFICATION

☒ N/A ☐ Findings ☐ Conditions ☐ Revisions to return

COMMENTS

n/a

ZONING ADMINISTRATOR FINDINGS

1. **General Plan Consistency.** The subject property is located within the Limited Commercial Land Use designation which accommodates retail sales and services for the daily self-sufficiency of local rural or urban neighborhoods or communities in keeping with their character. The proposed market is intended to serve the immediate neighborhood, and those nearby who commute along Occidental Road. The proposed use is compatible with the character of the area as there is sufficient residential uses in which this proposed use can serve.
2. **Zoning Consistency.**
 - a. The proposed project utilizes a legally established commercial building conforming to the required development standards for the LC (Limited Commercial) district.
 - b. The proposed use is consistent with the required provisions of the Sonoma County Zoning Code for allowing Small Alcoholic Beverage Retail Establishments (less than 10,000 square feet of floor area) pursuant to Section 26-88-195, as follows:
 - i. There are no properties that sell alcohol within one-half mile of the project site.
 - ii. Staff have reviewed data from the Sheriff Incident GIS map viewer which includes data after this application was received on August 18, 2025, until February 5, 2026, the date this letter was completed. A total of fourteen calls were received within a half-mile radius of the subject property. However, only six of these were criminal related, two of which were counts of fraud. The remaining eight incidents were non-criminal activities. It is believed this is below the county-wide average and therefore is consistent with the location requirements for this use.
 - iii. The proposed site plan and floor plan incorporate design features intended to reduce alcohol-related problems, such as nuisance impacts related to loitering. The existing building is an open design, which provides a high level of visibility. The project involves installation of seven interior surveillance cameras covering all corners inside the business, and five exterior surveillance cameras which monitors inside the building and the perimeter. Existing exterior lighting provides additional security on site.
 - iv. The site is not located within 1,000 feet of a sensitive use, including schools, day care centers, park and recreation facilities, places of religious assembly, and other alcoholic beverage retail establishments.
 - v. Staff have incorporated all required Operating Standards noted in Sec.26-88-195 into the conditions of approval for this project.
 - c. The subject property is located within the Scenic Resources combining district, specifically a Scenic Corridor associated with Occidental Road. The Scenic Corridor designation requires setbacks for new structural development, but does not apply to maintenance, restoration, reconstruction, or minor expansion of existing structures already located within the corridor. No expansion or new exterior modifications to the existing structure are proposed, and therefore this project complies with setback requirements and will not introduce any

new visual impacts to this Scenic Corridor along Occidental Road.

- d. The subject property is located within the Valley Oak Habitat combining district. The project does not propose any tree removal and therefore will not result in any impacts related to Valley Oak Habitat.

- 3. **Public Welfare.** Operation of the Small Alcoholic Beverage Retail Establishment will not under the circumstances of this case be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the area. The circumstances that support this finding include the following facts:

- a. The proposed Small Alcohol Beverage Retail Establishment is on an existing developed Limited Commercial zoned property adjacent to properties with both agricultural and residential uses. The project is compatible with this area because the use intends to serve the local community in which it is located.
- b. The project would not generate significant new vehicle trips or impact road functionality in this area.
- c. There is adequate existing onsite parking sufficient in serving the proposed use.
- d. The project would not include new construction or site grading. The project utilizes an already existing commercial building.
- e. The project does not propose any new construction, therefore it will have no impact in changing the visual character of this area.

- 4. **Environmental Determination.** The proposed request for a Small Alcohol Beverage Retail Establishment for off-site consumption is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the Provisions of Title 14 of the California Code of Regulations, Section 15301 (Existing Facilities) of the CEQA Guidelines which provides for reuse of existing facilities which involve negligible expansion of existing or former uses. No exceptions listed under Section 15300.2 apply. There is no reasonable possibility that the project would have a significant effect on the environment.

ATTACHMENTS

- 1. Final Conditions of Approval

SONOMA COUNTY ZONING ADMINISTRATOR

Final Conditions of Approval

Staff:	Levan King Cranston	Date:	February 26, 2026
Applicant:	Ruben Guerro Cuevas	File No.:	UPE25-0046
Owner:	Ruben Guerro Cuevas	APN:	060-030-047
Address:	811 Irwin Ln Santa Rosa CA 95401		

Project Description: The applicant has requested a use permit to allow a Small Alcohol Beverage Retail Establishment for off-site consumption, operating 7 days per week between the hours of 7:00am-9:00pm, with a maximum of 2 employees per shift, within an existing 2,933-square foot commercial building on a 1.28-acre parcel west of Santa Rosa, specifically located at 811 Irwin Ln, a property zoned Limited Commercial. No exterior modification to the existing building, or parking area are proposed as part of this Use Permit application. Bathrooms to serve this use are strictly for employees only and will not be accessible to the public.

Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.

PERMIT SONOMA BUILDING:

"Compliance with the conditions below have been verified" BY _____ DATE _____ Permit Sonoma Building Division at 707-565-2095.

1. If any modifications to the existing structure on site are to occur in the future, the applicant shall apply for and obtain building related permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
2. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.
3. The business operator shall post a sign that includes the phone number for a current job manager for the benefit of neighbors. The job manager can be contacted if there are any problems associated with the construction process site such as dust, storm water runoff, hours of operation, equipment noise, traffic issues or lack of compliance with any project conditions of approval.

PERMIT SONOMA PLANNING:

"Compliance with the conditions below have been verified" BY _____ DATE _____ Contact Permit Sonoma Planning Division at (707) 565-1900.

4. This Use Permit allows for a Small Alcoholic Beverage Retail Establishment operating 7 days per week between the hours of 7:00am-9:00pm, for off-site consumption only.
5. This Use Permit (UPE25-0046) shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met.
6. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.

All exterior lighting shall be "Dark-sky" compliant and fully shielded to avoid nighttime light pollution.

Reference can be made to the International Dark Sky Association website for guidance on

exterior lighting: www.darksky.org. All exterior lighting shall be downward facing, located at the lowest possible point to the ground to prevent spill over onto adjacent properties, glare, nighttime light pollution and unnecessary glow in the rural night sky. Light fixtures shall not be located at the periphery of the property and shall not wash out structures on any portions of the project site. Security lighting shall be put on motion sensors. Flood lights and uplights are not permitted. Luminaries shall have a maximum output of 1000 lumens per fixture. Total illuminance beyond the property line, created by simultaneous operation of all exterior lighting, shall not exceed 1.0 lux. Color temperature of exterior light sources shall be 3000 Kelvin or lower.

7. Grading/Building Permits: If any modifications to the existing structure on site are to occur in the future, the applicant/operator shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications. All building and/or grading permits shall have the following note printed on plan sheets:
 - a. "In the event that archaeological resources, such as pottery, arrowheads, midden or culturally-modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the vicinity of the find and County Permit Sonoma -Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to Permit Sonoma. Permit Sonoma staff may consult and/or notify the appropriate Tribal Representative from Tribes known to Permit Sonoma to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone, or other cultural materials, such as charcoal, ash, and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions, whereas typical mortuary resources are represented by human skeletal remains. When contacted, a member of Permit Sonoma Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. Permit Sonoma may refer the mitigation/protection plan to the designated Tribal Representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by Permit Sonoma Project Review staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant's sole expense.

If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and Permit Sonoma staff, the County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code will be followed."
 - b. Building/grading permits shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading, and improvement plans.
8. Permit Processing and Development Fees. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. No grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
9. CEQA Filing Fee. Within five working days after project approval, the applicant shall pay a mandatory Notice of Exemption filing fee of \$50.00 (or the latest fee in effect at the time of payment) for County Clerk processing. The fee will be charged against the project At-Cost deposit account and billed to the applicant, unless the applicant requests an alternate payment method, such as a check made out to the Sonoma County Clerk and submitted to Permit Sonoma in advance of the fee due date. NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.

10. Workforce Housing. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to Section 26-89-045 of the Sonoma County Code. No grading or building permits shall be issued until Workforce Housing Requirements have been met. Internal tenant improvements are not subject to Workforce Housing Requirements.

OPERATING STANDARDS

11. Small alcoholic beverage retail establishments shall comply with the operating standards found in Section 26-88-195(c) of the Sonoma County Zoning Code.

PERMIT SONOMA PROJECT HEALTH REVIEW:

"Compliance with the conditions below have been verified " BY _____ DATE _____ Contact Permit Sonoma Health at (707) 565-1900.

Septic

12. Prior to building permit is issued and/or the use permit is vested, applicant must submit a letter and picture to address restroom usage. A clear and visible sign stating "Restroom for Employee Use Only" must be displayed at the entrance of the restroom. Additionally, the applicant must ensure that visitors do not use the employee-designated restroom.

PERMIT SONOMA FIRE PREVENTION

"Compliance with the conditions below have been verified" BY _____ DATE _____ Contact Permit Sonoma Fire Prevention at (707) 565-2361.

13. The subject property must be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations prior to occupancy of the buildings and use of the property without written approval by the fire code official.
 - a. A fire inspection shall be conducted by the Sonoma County Fire Prevention Division to determine if the subject property is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
 - b. The Sonoma County Fire Prevention Division may charge and collect a fee for the inspection in an amount, as determined by the county, sufficient to pay its costs of that inspection.

Operational Permits

14. Applicable Fire Code operational permits shall be obtained prior to the initiation of any activity where an operational permit is required by the California Fire Code as adopted and amended by Sonoma County Fire Safety Ordinance.
15. An annual fire safety inspection is required for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay its costs of that inspection.

Emergency Planning and Response

16. The facility operator shall develop an emergency response plan consistent with Chapter 4 of the California Fire Code as adopted and amended by Sonoma County Fire Safety Ordinance. Fire safety plans, emergency procedures, and employee training programs shall be approved by the fire code official.

Access

17. To facilitate locating an emergency and to avoid delays in response; all existing and newly constructed or approved roadways and buildings whether public or private shall provide for safe access for emergency fire apparatus and civilian evacuation concurrently, and shall provide

unobstructed traffic circulation during an emergency, and shall be constructed and maintained as required by Sonoma County Sonoma County Fire Safety Ordinance

Water Supply

18. Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the California Fire Code as adopted and amended by Sonoma County Fire Safety Ordinance.
 - a. Fire hydrants shall be installed as required by the California Fire Code as adopted and amended by Sonoma County Fire Safety Ordinance.
 - b. Emergency water supply for fire suppression may be provided in a naturally occurring or manmade containment structure for projects not served by a municipal water system, as long as the specified quantity and delivery rate is immediately provided.

Vegetation Management

19. Vegetation clearance around buildings in LRA shall comply with Title 19 §3.07

Occupancy

20. Prior to occupancy, written approval that the required improvements have been installed shall be provided to Permit Sonoma from the County Fire Marshal/Local Fire Protection District.

GENERAL CONDITIONS OF APPROVAL

"Compliance with the conditions below have been verified" BY _____ DATE _____ Contact Permit Sonoma Planning Division at (707) 565-1900.

21. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule, or regulation shall be a violation of the Use Permit, subject to revocation or modification.
22. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of Permit Sonoma. Such changes may require a new or modified Use Permit and additional environmental review.
23. This permit shall be subject to revocation or modification by the Zoning Administrator if: (a) the Zoning Administrator finds that there has been noncompliance with any of the conditions or (b) the Zoning Administrator finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.
24. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full.
25. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation.
26. Any proposed modification, alteration, and/or expansion of the use authorized by this use permit shall require the prior review and approval of Permit Sonoma, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review, if warranted.
27. The Director of Permit Sonoma is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to Permit Sonoma demonstrating that the condition(s) is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. Permit Sonoma shall consult with affected departments and

agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by Permit Sonoma are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from Permit Sonoma, and shall not affect the original permit approval date or the term for expiration of the permit.

The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state, and federal regulations.

28. This permit may be subject to revocation or modification by the Zoning Administrator if: (a) the Zoning Administrator finds that there has been noncompliance with any of the conditions or (b) the Zoning Administrator finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.