

ZA ORDER NO. 04-24

**OFFICE OF THE ZONING ADMINISTRATOR,
CITY OF SAN RAMON APPROVING
MINOR USE PERMIT 2024-0004**

**Applicant: Bishop Ranch (Mr. Harv Singh)
Property Owner: Aeonian Partners
Project Name: San Ramon Farmer's Market at City Center**

WHEREAS, on July 8, 2019, the Zoning Administrator approved a Minor Use Permit (MUP 19-501-006) to re-locate, as an alternative location (not an additional location), the existing year-round San Ramon Farmer's Market from Bishop Ranch 3 (2641 Camino Ramon) to the south-east corner of the City Center property in the parking lot located at 6000 Bollinger Canyon Rd. (APN: 213-133-101); and

WHEREAS, on November 12, 2020, the Zoning Administrator approved the Applicant's request to relocate the existing approved location of the San Ramon Farmer's Market located at 6000 Bollinger Canyon Road (City Center) to the southwest corner of the subject property near Bollinger Canyon Road and Sunset Drive; and

WHEREAS, on March 22, 2024, the Applicant submitted an application requesting approval of a Minor Use Permit Application (MUP 2024-0004) to expand operations of the San Ramon Farmer's Market days of operation to include Tuesdays in addition to Saturday; and

WHEREAS, the Zoning Administrator has determined that the proposed San Ramon Farmer's Market is classified as a Farmer's Market - Ongoing land use as defined in the Zoning Ordinance because the use will operate year-round on Saturdays, and from May 7th to November 26th on Tuesdays, as a temporary site for outdoor sales of food and farm produce in compliance with the California Food and Agriculture Code; and

WHEREAS, Zoning Ordinance Table 2-6 requires approval of a Minor Use Permit for the proposed Farmer's Market - Ongoing land use in the CCMU (City Center Mixed Use) Zoning District; and

WHEREAS, the Minor Use Permit application is intended to regulate the design, location, size, and operating characteristics of the proposed Farmer's Market to be compatible with the mix of uses on the subject property and in the surrounding area; and

WHEREAS, on April 17, 2024, the subject application was deemed to be complete by the Planning Services Division; and

WHEREAS, pursuant to Section 15301 (Existing Facilities) of the Guidelines for the California Environmental Quality Act (CEQA) of 1970, as amended, this application is categorically exempt because the Project would establish the proposed Farmer's Market within the

existing development parking lot area involving no expansion and temporary use of the existing parking lot area; and

WHEREAS, pursuant to Sections D6-28.E and D7-24 of the Municipal Code of the City of San Ramon, a Public Notice was duly noticed on April 19, 2024; and

WHEREAS, no written requests for a public hearing were received by the Planning Services Division; and

WHEREAS, the proposed Minor Use Permit is consistent with the requirements of Section D6-28 (Use Permits and Minor Use Permits) of the Municipal Code of the City of San Ramon; and

NOW, THEREFORE, BE IT RESOLVED that the Zoning Administrator does hereby make the following findings based on the all the evidence in the record (including but not limited to all application materials and written comments received by the City):

1. Regarding the Minor Use Permit:

- a. The recitals above are true and correct and are incorporated herein by reference; and
- b. That the proposed Farmer's Market operation, as conditioned, is classified as a Farmer's Market - Ongoing land use and is consistent with the Zoning Ordinance because the land use is allowed with approval of a Minor Use Permit in the CCMU (City Center Mixed Use) Zoning District, the parking requirements for the proposed Farmer's Market operation are provided through the shared parking agreements with the City Center development, and the proposed use complies with all other applicable provisions of the Zoning Ordinance, and the Municipal Code; and
- c. The proposed Farmer's Market operation, as conditioned, is consistent with the General Plan land use designation (City Center Mixed Use) and the CCMU (City Center Mixed Use) Zoning District, and other applicable General Plan policies, because the proposed use contributes to a compatible mix of services and retail uses on the subject property and in the surrounding area, and the proposed use is consistent with General Plan which seeks a cohesive mix of uses with an arts, entertainment, and lifestyle focus at the City Center development; and
- d. The design, location, size and operating characteristics of the proposed Farmer's Market operation, as conditioned, is compatible with the existing and future land uses in the vicinity because the use is consistent with the operating characteristics of the surrounding retail and commercial land uses, and the conditions of approval limit size of the Farmer's Market to the identified area, limit the days and hours of operation, and limit the number of vendors; and
- e. The site is physically suitable for the type, density, and intensity of the proposed Farmer's Market operation, as conditioned, because the subject property, including access, utilities, and the absence of physical constraints, would utilize existing site improvements without

adding to the demand for access or utilities beyond what is typical of the surrounding uses; furthermore, the proposed land use is consistent with the surrounding retail and commercial land uses because the operation is consistent with General Plan which seeks a cohesive mix of uses with an arts, entertainment, and lifestyle focus at the City Center development, the parking requirements for the proposed Farmer's Market operation are provided through the shared parking agreements with the City Center development, furthermore, the conditions of approval limit size of the Farmer's Market to the identified area, limit the days and hours of operation, and limit the number of vendors; and

- f. Granting the minor use permit for the proposed Farmer's Market operation, as conditioned, would not be detrimental to the public health, safety, or welfare of the persons residing or working in the subject neighborhood, or materially detrimental or injurious to property or improvements in the vicinity and zone which the property is located because the proposed Farmer's Market operation is consistent with the surrounding retail and commercial land uses and is consistent with the General Plan land use designation (City Center Mixed Use) and the CCMU (City Center Mixed Use) Zoning District which allow for a compatible mix of uses in the area, the proposed use is consistent with General Plan which seeks a cohesive mix of uses with an arts, entertainment, and lifestyle focus at the City Center development; furthermore, the conditions of the conditions of approval limit the size of the Farmer's Market to the identified area, limit the days and hours of operation, and limit the number of vendors.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Zoning Administrator does hereby approve the Minor Use Permit application (MUP 2024-0004) with Zoning Administrator Order No. 04-24 to allow a Farmer's Market - Ongoing land use based on the findings and evidence in the record, subject to the attached Conditions of Approval referenced as Exhibit A.

Date Approved: May 1, 2024

Debbie Chamberlain,
Zoning Administrator

Date Effective: May 11, 2024

Attachments:

Exhibit A: Conditions of Approval

EXHIBIT A

ZA ORDER NO. 04-24 CONDITIONS OF APPROVAL MINOR USE PERMIT 2024-0004

San Ramon Farmer's Market at City Center
6000 Bollinger Canyon Road
(APN: 213-133-101)

Planning Services Division

Special Conditions:

1. The granting of this Minor Use Permit (MUP 2024-0004) to allow the expansion of operations to include Tuesdays in addition to Saturdays an approximate 16,000 square foot outdoor parking lot area located in the south-east corner of the City Center property at 6000 Bollinger Canyon Rd. (APN: 213-133-101), shall be in substantial conformance with the written project statement and project plans date-stamped "Received May 13, 2019", unless modified by the conditions contained herein. Any additional or modified operations shall be reviewed and approved by the Zoning Administrator.
2. The proposed hours of operation for the Farmer's Market – Ongoing land use shall be on Saturdays (year-round) from 9:00 a.m. to 1:00 p.m. with set-up and take-down from 6:00 a.m. to 4:00 p.m. and on Tuesdays (May 7th to November 26th) from 10:00 a.m. to 2:00 p.m. with set-up and take-down from 8:00 a.m. to 3:00 p.m.
3. The Farmer's Market land use shall operate with up to 48 vendors and a food court area within the identified approximate 16,000 square foot outdoor parking lot area. Additional vendors and/or area shall be reviewed and approved by the Zoning Administrator.
4. Temporary signage shall be limited to Saturdays and Tuesdays only with a maximum of seven (7) market flags located on the subject property and six (6) A-Frame directional signs on the subject property only. The proposed six (6) A-Frame directional signs shall not be located on off-site private property or within the public right-of-way. Additional signage and/or sign locations shall be reviewed and approved by the Zoning Administrator.
5. Prior to operation, the applicant shall obtain an Annual Operational Permit from the San Ramon Valley Fire Protection District.

Standard Conditions:

6. Prior to operation, the Applicant shall obtain all required building permits from the Building and Safety Services Division.
7. The approval(s) authorized by this action shall expire if the required permits are not issued, and construction initiated within a one-year period from the effective date, unless the Project has been legally established as determined by the Planning Services Division. A time extension may be granted in accordance with Section D6-34 of the Zoning Ordinance.
8. Failure of the Applicant to implement, follow and adhere to these conditions may result in revocation hearing proceedings or modification of the project before the Zoning Administrator or Planning Commission.
9. Within 60 days of the effective date of the project approval or prior to Building Permit issuance, whichever is earlier, the Applicant shall pay all outstanding permit review fees for City services incurred prior to project approval by the Zoning Administrator.
10. Any changes to the operation, additional activities, and/or approved plans, other than those required by these conditions, require prior City review and approval. The Zoning Administrator shall determine the appropriate review authority for any revision or modification to the Project. Minor changes may be approved by the Zoning Administrator.
11. All construction activities shall be limited to the hours of 7:30 a.m. to 7:00 p.m. on weekdays and 9:00 a.m. to 6:00 p.m. on weekends. The City may impose more restrictive construction days/hours if determined to be necessary to protect the public welfare and safety.
12. This Minor Use Permit (MUP 2024-0004) is not transferable to another suite or property within the City.
13. The Applicant and all Farmer's Market vendors shall maintain an active City Business License.
14. The Zoning Administrator may impose additional operating conditions and restrictions upon the proposed land use to ensure the public health, safety, or welfare. If necessary, The Zoning Administrator may modify or add conditions of approval to mitigate such impacts (i.e. parking) or may refer the land use permit to the Planning Commission.

Contra Costa Mosquito & Vector Control District

Special Condition:

15. Farmer's market vendors shall not provide conditions conducive to the production, attraction, or harborage of disease vectors. Water runoff from any vendor or other use of the property shall not result in the creation of standing water that is suitable breeding habitat for mosquitos. Special care should be taken to limit stagnant water in any catch basin, water treatment facility, or container used during the weekly events. Vendors shall thoroughly clean-up produce, leftover food, garbage, etc. to reduce the appeal of the site to rodents in order to discourage the production, attraction, and/or harborage of disease vectors.