

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
MARCH 13, 2025

PROJECT TITLE

Dutton Avenue Development Project

ADDRESS/LOCATION

3150 Dutton Avenue

ASSESSOR'S PARCEL NUMBER

APN 043-133-013

APPLICATION DATE

September 25, 2024

REQUESTED ENTITLEMENTS

General Plan Amendment and Zoning
Map Amendment

PROJECT SITE ZONING

Existing: R-3-18 (Multi-Family Residential)

Proposed: General Industrial (IG)

PROJECT PLANNER

Hana Michaelson

APPLICANT

Mark Garay

PROPERTY OWNER

Mark Garay

FILE NUMBER

PRJ24-019 (GPAM24-002, REZ24-002)

APPLICATION COMPLETION DATE

January 8, 2025

FURTHER ACTIONS REQUIRED

City Council action on General Plan
Amendment and Zoning Map Amendment

GENERAL PLAN DESIGNATION

Existing: Medium Density Residential

Proposed: General Industry

RECOMMENDATION

Recommend approval to City Council

Agenda Item # 11.1 (a)
For Planning Commission Meeting of: March 13, 2025

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE PLANNING
COMMISSION
FROM: HANA MICHAELSON, CONTRACT PLANNER
PLANNING AND ECONOMIC DEVELOPMENT
SUBJECT: DUTTON AVENUE DEVELOPMENT PROJECT
AGENDA ACTION: ADOPTION OF THREE RESOLUTIONS

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by three resolutions, recommend that (1) the Council adopt an Addendum to the previously approved Dutton Avenue Residences Mitigated Negative Declaration, (2) approve a General Plan Amendment to change the land use designation for 3150 Dutton Avenue from Medium Density Residential to General Industry; and (3) recommend that the City Council adopt a Zoning Map Amendment for 3150 Dutton Avenue from R-3-18 (Multi-Family Residential) to General Industrial (IG) consistent with the General Plan land use designation.

EXECUTIVE SUMMARY

The undeveloped 5.95-acre property at 3150 Dutton Avenue is in the southernmost part of southwest Santa Rosa. The property owner proposes amending the General Plan land use designation from Medium Density Residential (8-18 units per acre) to General Industry and rezoning the site from R-3-18 (Multi-family Residential) to IG (General Industrial) to accommodate future industrial development.

BACKGROUND

1. Surrounding Land Uses:

North: Light manufacturing and warehousing
South: Light manufacturing and warehousing
East: Rail corridor; multi-family residential beyond
West: Vacant residential and industrial land

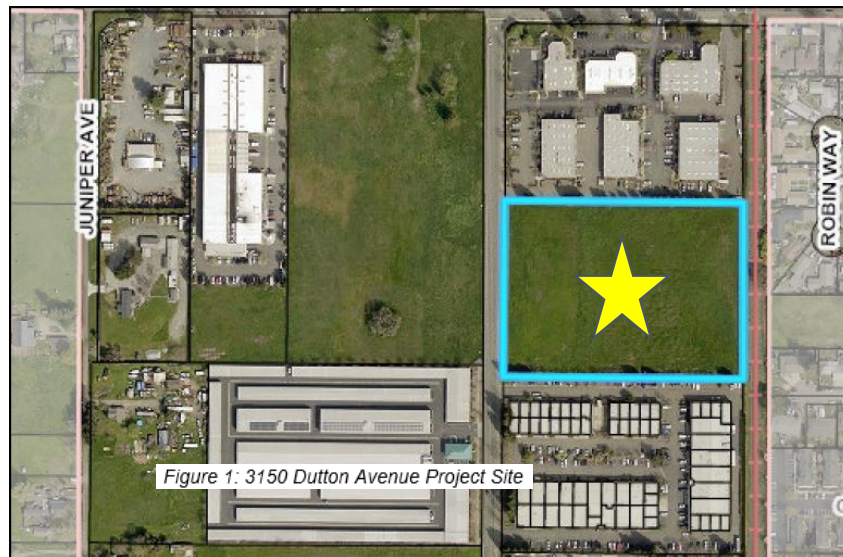
The project site is located on the east side of Dutton Avenue, approximately 440-feet south of the intersection with Bellevue Avenue. Surrounding land uses include commercial, warehouse, and industrial uses to the north, south, and

west, while residential uses are located to the east, separated from the site by the Sonoma-Marín Area Rail Transit (SMART) tracks.

2. Existing Land Use – Project Site

3150 Dutton Avenue is flat, undeveloped land with minimal vegetation. The site contains no trees or woody shrubs and is primarily covered with non-native upland weeds and grasses. There is little to no native vegetation, with the area heavily dominated by common non-native annual grasses and weeds. No improvements have been made to the site, and there is no proposed development for the site.

3. Site & Project History



March 14, 2006	Council Adoption of a General Plan Amendment from General Industry to Medium Density Residential, to accommodate future residential development (Resolution No. 26520).
March 21, 2006	Council Adoption of a Zoning Map Amendment from General Industrial to Multi-Family Residential (R-3-18), to accommodate future residential development (Ordinance No. 3771).
October 18, 2018	Design Review Board Approval of a 107-unit multi-family project, including adoption of an MND (Resolution Nos. 18-984 & -985).
September 25, 2024	Project applications submitted.
November 1, 2024	Notice of Application mailed to surrounding property owners and occupants.
November 4, 2024	Native American tribes with known interest in the area were notified of the proposed project pursuant to AB 52.
November 14, 2024	Native American tribes with known interest in the area were notified of the proposed project pursuant to SB 18.

December 27, 2024	Notice of Neighborhood Meeting mailed to surrounding property owners and occupants.
January 8, 2025	Neighborhood Meeting held; one person attended.
February 14, 2025	Notice of Public Hearing was mailed to surrounding property owners and occupants.

4. Tribal Consultation

- Lytton Rancheria responded to the SB 18 letter and AB 52 notification and requested cultural surveys and/or archaeological reports. After reviewing additional information about the project, and the MND and associated Mitigation Monitoring and Reporting Program (MMRP), Lytton responded that they were not seeking further consultation.
- The Stewarts Point Rancheria Kashia Band of Pomo Indians responded to the SB 18 letter noting that the proposed project is out of their Aboriginal Territory with no comments or concerns.
- The City is currently engaged in consultation with the Federated Indians of Graton Rancheria, per Senate Bill 18.

ANALYSIS

1. General Plan Amendment

The General Plan land use designation of General Industry is intended to provide areas for manufacturing and distribution activities, that may have potential for creating nuisances, and accessory office and retail uses. Uses may generate truck traffic and operate 24 hours a day. Unrelated retail and service commercial uses that could be more appropriately located elsewhere in the city are not permitted.

The proposed amendment implements the following General Plan goals and policies:

Land Use and Livability	
LUL-A	Foster a compact rather than a scattered development pattern to reduce travel, energy, land, and materials consumption while promoting greenhouse gas emission reductions citywide.
LUL-K	Protect industrial land supply and ensure compatibility between industrial development and surrounding neighborhoods.

Economic Vitality	
EV-B	Facilitate the retention and expansion of existing businesses and provide sufficient land for business expansion and attraction of new employers that utilize the area's existing labor pool.
EV-D	Maintain the economic vitality of the downtown, business parks, offices and industrial areas.



Figure 2: General Plan Land Use Map with Project Site & Surrounding Industrial (in grey) Land Use Designations

As seen in the images above, with the exception of 3150 Dutton Avenue identified by the green arrows, properties along the eastern side of Dutton Avenue, adjacent to the SMART tracks, are designated Light and General Industry on the Land Use Diagram. This contiguous industrial strip extends approximately two miles, from the north side of Duke Court to south of Todd Road. In 2006, the General Plan land use was amended from General Industry to Medium Density Residential, which the City Council approved on appeal, against the recommendation of both City staff and the Planning Commission. The Council's decision was based on the property's proximity to a planned SMART station. SMART has since confirmed the anticipated station is no longer planned at this location. In light of this change, the property owner is requesting a General Plan Amendment to change the land use designation back to General Industry.

The proposed land use amendment demonstrates consistency with existing industrial uses. Given the property's proximity to Highway 101, it implements the General Plan policy for a compact development pattern encouraging reduced travel, energy use, and consumption of land and materials. The proposed amendment protects industrial land supply by returning the property to its previous General Industry land use designation and ensures compatibility

between industrial development and surrounding neighborhoods by removing residential land uses out of a predominantly industrial corridor. The proposal aligns with the Economic Vitality goals of the 2035 General Plan by supporting new business development, and providing sufficient land for expansion, and promoting industrial growth in an area where City services and utilities are available.

Pursuant to Zoning Code [Section 20-64.050](#), the following findings must be made for an amendment to the City's General Plan:

- A. The proposed amendment ensures and maintains internal consistency with the goals and policies of all elements of the General Plan.
- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- C. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use developments.
- D. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

As demonstrated on the draft General Plan Amendment resolution, staff analysis has concluded that all required findings can be met.

2. Government Code Section 65863

The Regional Housing Needs Allocation (RHNA) process, part of Housing Element Law, determines how many new homes and their affordability levels each local government must plan for. RHNA is set by the California Department of Housing and Community Development (HCD), with Councils of Governments (COG), including the Association of Bay Area Governments (ABAG), responsible for allocating regional housing needs to each city and county.

Pursuant to Government Code Section 65863, which is known as the "No Net Loss" Law, a jurisdiction must maintain adequate sites to accommodate its remaining unmet RHNA, by each income category, throughout the planning period. The subject site is listed in the 2023-2031 Housing Element with an approved 86-unit moderate-income RHNA site. The 2023-2031 Housing Element includes a RHNA surplus of approximately 49% overall, and 25% in the moderate-income category, which will provide adequate offset for the 86-unit loss in units that will result from the proposed General Plan Amendment.

The property at 3150 Dutton Avenue is listed in the 2023-2031 Housing Element with an approved 86-unit moderate-income RHNA site. The 2023-2031 Housing Element includes a RHNA surplus of approximately 49% overall, and 25% in the moderate-income category, to ensure that the City maintains sufficient sites to accommodate its RHNA, a proposed land use change to increase residential

density, resulting in greater than 140 residential units, is included in the larger General Plan 2050 Update that is scheduled for consideration by the Planning Commission and City Council in Spring 2025. The land use amendments proposed in General Plan Update will ensure "No Net Loss" in compliance with Government Code 65863.b(2), which requires jurisdictions to identify and make available additional sites within 180 days if a project results in fewer units than identified in the Housing Element.

In the event that decision makers do not approve the land use change proposed as part of the upcoming General Plan Update, or that review is delayed past 180 days, the City's RNHA reserves will cover units lost from the land use change at 3150 Dutton Avenue.

3. Zoning

The applicant also requests to rezone 3150 Dutton Avenue from the R-3-18 (Multifamily Residential) zoning district to the IG (General Industrial) district, and has submitted a Rezoning application in accordance with Zoning Code [Chapter 20-64](#). IG zoning implements the General Industry land use designation (see [Section 20-20.020](#) Zoning Map and zoning districts), so the zoning will remain consistent with the proposed change in land use designation.

Below are the zoning districts surrounding the subject property:

North:	IG, existing industrial development
South:	IG, existing industrial development
East:	County, developed with residential uses. The properties along Barbara Drive, Eddy Drive and Robin Way are pre-zoned Medium-Low Density (R-2) and currently are under review by LAFCO for Annexation.
West:	R-3-18, undeveloped lot

Zoning Code Section [20-24.020\(C\)](#) establishes permit requirements for uses within the IG zoning district. Consistent with the General Plan land use designation, these uses typically involve industrial and manufacturing activities and may operate 24 hours a day. Uses allowed in IG zoning district typically require a Conditional Use Permit (minor or major) and have the potential for creating objectionable noise, smoke, odor, dust, noxious gases, glare, heat, vibration, or industrial wastes. All new structures would also require Design Review.

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code. While the project does not propose any development, a future development will be able to meet lot size, lot coverage, setback, and parking requirements.

Pursuant to Zoning Code Zoning Map Amendment Required Findings

A. The proposed amendment is consistent with the goals and policies of all

elements of the General Plan, and any applicable specific plan.

- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).
- D. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/developments.

As demonstrated on the draft General Plan Amendment resolution, staff analysis has concluded that all required findings can be met.

4. Summary of Public Comments

Planning staff has received three written comments, attached to this report, and summarized below:

- Questions about surrounding uses
- Concerns about placing industrial uses near residential
- Questions as to whether the project involves a development proposal
- Support for a redesignation back to industrial

Staff addressed all comments with additional information and project documents, and no further issues were raised. As referenced above in the General Plan Amendment Analysis section, the site is separated from the residential areas to the east by the SMART tracks and surrounded by a long strip of industrial uses which extend from Duke Court to south of Todd Road. No new developments is proposed at this time; however, future development will be reviewed for compatibility with neighboring and nearby uses.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

The project has been found in compliance with the California Environmental Quality Act (CEQA). On October 18, 2018, the Design Review Board adopted a Mitigated Negative Declaration (MND) and granted Design Review for a five-structure, 107-unit, apartment complex (Resolution Nos. 19-984 & 19-985). The MND evaluated potential environmental impacts of the multi-family residential development, comprised of 33 one-bedroom, 64 two-bedroom, and 10 three-bedroom units, and ancillary onsite uses, and concluded that the project would not result in potentially significant impacts that could not be mitigated to a less than significant level. Required mitigation was related to Noise and Transportation.

Pursuant to CEQA Guidelines Sections 15162 and 15164, an Addendum to the MND, prepared by Environmental Science Associates (ESA), dated March 2025, which analyzed impacts of conceptual development based on uses allowed in the IG zoning district, including aesthetics, agriculture & forestry resources, air quality, biological resources, cultural resources, energy, geology & soils, greenhouse gas emissions, hazards & hazardous materials, hydrology & water quality, land use & planning, mineral resources, noise, population & housing, public services, recreation, transportation & circulation, tribal cultural resources, utilities and service systems, and wildfire was prepared. The Addendum did not identify any project-specific impacts stating that, “the analyses conducted, and the conclusions reached in the 2018 IS/MND remain relevant and valid.”

The Addendum further concludes that:

- None of the criteria described in Section 15162(a) of the CEQA Guidelines has occurred, for which the City would be required to prepare a subsequent negative declaration under CEQA; and
- The document satisfies the criteria described in CEQA Guidelines Section 15164(a). An addendum is the appropriate CEQA document for the current circumstances relevant to the Santa Rosa General Plan 2035 as none of the conditions described in Section 15162 calling for preparation of a subsequent negative declaration have occurred.

NOTIFICATION

The project was noticed as a public hearing per the requirements of [Chapter 20-66](#) of the City Code. In compliance with AB 2904, a 20-day notification was provided through various methods: posting an on-site sign, publishing a notice in the Press Democrat, mailing notices to surrounding property owners and occupants, sending electronic notices to parties interested in projects within this area of Santa Rosa, and posting notices on the City Hall bulletin board and the City website.

Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

LEVINE ACT

This project is subject to the Levine Act (Gov. Code Section 84308) which prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$250 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the FPPC website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

ISSUES

There are no unresolved issues for this project.

ATTACHMENTS

Attachment 1: Disclosure Form
Attachment 2: Project Narrative
Attachment 3: Location Map
Attachment 4: Neighborhood Context
Attachment 5: General Plan Map
Attachment 6: Zoning Map
Attachment 7: Previously Approved Initial Study-Mitigated Negative Declaration
Attachment 8: Approved Mitigation Monitoring and Reporting Program
Attachment 9: Mitigated Negative Declaration Addendum
Attachment 10: Design Review Board Resolution No. 18-984
Attachment 11: Design Review Board Resolution No. 18-984
Attachment 12: Council Resolution No. 26520
Attachment 13: Council Ordinance No. 3771
Attachment 14: Public Correspondence

Resolution 1: Addendum to adopted MND
Resolution 2: General Plan Amendment
Resolution 3: Rezoning

CONTACT

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