

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: KRISTINAE TOOMIANS, SENIOR PLANNER
PLANNING AND ECONOMIC DEVELOPMENT
JILL SCOTT, REAL PROPERTY MANAGER
WATER DEPARTMENT
SUBJECT: 1225 FULTON ROAD REZONING

AGENDA ACTION: ORDINANCE INTRODUCTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department, the Water Department, and the Planning Commission that Council introduce an ordinance to rezone a property located at 1225 Fulton Rd (Assessor's Parcel No. 034-460-032) from the PD – Planned Development Zoning District to the RR Rural Residential Zoning District.

EXECUTIVE SUMMARY

The City proposes to rezone a City-owned property, located at 1225 Fulton Road, from the PD0318 (Planned Development) Zoning District to the RR (Rural Residential) Zoning District. The Rural Residential Zoning District is consistent with the subject parcel's General Plan designation of Very Low Residential. The subject site is currently developed with a former private meeting facility (church) and is now occupied by a Child Day Care Facility operator, which holds a long-term lease with the City. The Child Day Care Facility currently operates with a Temporary Use Permit, pursuant to [Chapter 20-16 – Resilient City Development Measures](#). While there is no new construction proposed as part of this project, the rezoning will allow for the Child Day Care Facility to continue to operate permanently and will also allow for future development of a sewer lift station by the City Water Department.



Figure 1: Aerial of 1225 Fulton Rd Site

BACKGROUND

A 2006 Technical Memorandum (TM) was created by an outside consultant to address the aging sanitary sewer lift station located on the south west corner of West College Ave and Fulton Road. That TM identified several new locations for a new sanitary sewer lift station that could serve the surrounding area. 1225 Fulton Road was identified as one of the top three locations. The other two locations were ultimately determined to be infeasible due to the proximity to an emergency ground water well at one location and a recently planned development at the other.

In 2019, the City purchased the property at 1225 Fulton Road after determining that this location would be a suitable site for constructing a new sanitary sewer lift station. This location includes a parcel that is larger than what will ultimately be needed for the completed project, as well as a what was previously a church building. Several months after purchasing the site, the Church elected to move to a smaller location, leaving the building vacant. The City (Water Department) was approached by several different entities wishing to lease the building and some outdoor space. After much consideration, the Council and Board of Public Utilities chose the current tenant, Family Child Daycare, who had lost their location in the 2017 Tubbs Fire. Although the property was not zoned correctly for day care use, on August 28, 2019, the Director of the Planning and Economic Development Department approved a Temporary Use Permit for a Child Day Care Center for the property at 1225 Fulton Rd (File No. CUP19-068), pursuant to [Chapter 20-16 – Resilient City Development Measures](#). This was possible with the understanding that the Water Department would need to rezone the property within 5 years.



Figure 2: Conceptual Plan for Future Sewer Lift Station

1. Project Description

The area proposed for rezoning is within an area designated by the General Plan Land Use Diagram as Very Low Residential. The subject parcel is currently zoned PD0318, which was established in 1989 to allow for the subdivision of an 8.9-acre property into 9 single-family residential lots and a 3-acre church parcel. The [adopted](#)



Figure 3: Subject property is zoned PD03018 with a General Plan Designation of Very Low Residential

[ordinance and policy statement](#) severely restricts the allowed uses for a church site and single-family residences. The City acquired the site and is currently leasing the former church complex to a Child Day Care Facility operator with a Temporary Use Permit. The proposed rezoning to RR – Rural Residential will bring the subject property in conformance with the current General Plan designation of Very Low Residential and allow the Child Day Care Facility to operate permanently with a long-term lease, subject to the approval of a Minor Conditional Use Permit, per Section [20-16.060\(A\)\(2\)\(b\)](#). There is no new construction or expansion proposed to the existing structures on the site. The proposed rezoning would also support a future sewer lift station planned on the site (See “Project History,” below).

2. Surrounding Land Uses

North: Single-Family Residential

South: Mobile Home Park

East: Mobile Home Park & Small-Lot Single-Family Residential

West: Piner Creek & Single-Family Residential

3. Existing Land Use – Project Site

The property is currently developed with a former church building, playground, garden, and parking lot. A Child Day Care Facility is currently operating on the site with a Temporary Use Permit. The driveway access is controlled by a traffic signal.

4. Project History

On November 2018 the Water Department, under the Board of Public Utilities authorization, purchased 1225 Fulton Road (Property) from the Thanksgiving Lutheran Church (Church) for the purpose of a future sewer lift station, to be built in approximately 10 years using Water Enterprise Funds. The Property is improved with a 4,437 square foot building that the Church leased back from the City. In February 2019 the Church, no longer able to pay the rent, moved to a new location leaving the facility vacant.

On May 2, 2019, in closed session, the Board of Public Utilities (BPU) considered all proposals and made a recommendation to City Council.

On May 7, 2019 in closed session, Council considered all proposals.

On August 6, 2019, the City Council approved a lease the Lease Agreement between the City and Child Family Community, Inc., on the project site and authorized the City Manager to execute the Lease Agreement.

On August 28, 2019, the Director of the Planning and Economic Development Department approved a Temporary Use Permit for a Child Day Care Center for

the property at 1225 Fulton Rd (File No. CUP19-068), pursuant to [Chapter 20-16 – Resilient City Development Measures](#).

On March 17, 2020, the City initiated a rezoning of the property for the purpose of allowing a permanent Child Day Care Facility on the site.

ANALYSIS

1. General Plan

The subject property has a General Plan land use designation of Very Low Residential.

The proposed rezoning will allow appropriate uses, as shown in [Table 2-2](#) in the attached copy of Zoning Code [Chapter 20-22—Residential Zoning Districts](#), to move through the entitlement process. Specifically, the rezoning would permit the current Child Day Care operator to continue leasing the property on a permanent basis. The following General Plan Goals and Policies apply directly to this project:

Youth & Family

YF-A Create an environment where children can grow and develop in secure and supportive families and neighborhoods.

YF-A-1 Work with project applicants to identify sites (in areas slated for new development or reuse) that would be suitable for child care or youth-oriented facilities. Promote this type of development in areas where such facilities are lacking.

YF-B Expand child care services to meet the existing and future needs of Santa Rosa.

YF-B-1 Endorse the development of new child care facilities in all areas of the city, including residential neighborhoods, employment centers, and school sites. Promote development of new child care facilities during review of development projects at sites designated Community Shopping Center on the Land Use Diagram.

YF-B-2 Allow utilization of a portion of city parkland for a child care center to be developed and maintained by outside resources.

2. Zoning

The subject parcel is currently zoned PD0318 – Planned Development. The adopted [Policy Statement](#) specifically restricts the development of the subject property to a church site. The City requests to rezone the property to RR – Rural

Residential, which, per [Section 20-22.020](#) of the Code, is “applied to areas of the City intended to accommodate residential neighborhoods with compatible agricultural uses, but where the primary uses are residential, and compatible accessory uses...The RR zoning district implements and is consistent with the Residential—Very Low Density land use classification of the General Plan.” Per [Chapter 20-16 – Resilient City Development Measures](#), a Child Day Care Center (15 or more clients) within the RR Zoning District is permitted with a Minor Conditional Use Permit.

Zoning for surrounding properties:

North: PD0318 – allows 9 single-family residences and a church site on the subject property

South: MH – Mobile Home Park

East: PD0161 – Small-Lot Single-Family Residential

West: RR-20 – Rural Residential

The City proposes to rezone its property currently zoned PD0318 to allow a permanent Child Day Care Facility to occupy a former church complex.

3. Neighborhood Comments

No public comments have been received as of the date this report was drafted.

PRIOR CITY COUNCIL REVIEW

Not applicable.

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). Pursuant to CEQA Guidelines Section 15183, because the proposed rezoning is consistent with the General Plan, for which an Environment Impact Report (EIR) was certified by Council in 2009, no additional environmental review is required except as might be necessary to examine whether there are project specific significant effects which are peculiar to the project or its site.

No further environmental review is necessary for the Project as analysis has confirmed that there are no new environmental effects, or environmental effects of greater severity, peculiar to the parcel or the project that were not analyzed and addressed in a prior EIR.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On July 22, 2021, the Planning Commission, by resolution, recommended that Council adopt an ordinance to rezone a property located at 1225 Fulton Rd (Assessor's Parcel No. 034-460-023) from the PD – Planned Development Zoning District to the RR Rural Residential Zoning District.

NOTIFICATION

The Project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on 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.

ATTACHMENTS

- Attachment 1 - Location Map
- Attachment 2 - General Plan and Zoning Exhibit
- Attachment 3 - Zoning Code Ch. 20-22 (Residential Districts, including Table 2-2)
- Attachment 4 – PD0318 Policy Statement
- Attachment 5 – Temporary Use Permit approval letter, dated August 28, 2019
- Attachment 6 – Planning Commission Resolution, dated July 22, 2021
- Attachment 7 – Conceptual Plan for Future Sewer Lift Station
- Ordinance – Rezone to RR (Rural Residential) Zoning District

CONTACT

Kristinae Toomians, Senior Planner
KToomians@srcity.org
707-543-4692