

ORDINANCE NO. ORD-2025-009

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REZONING THE PROPERTY LOCATED AT 3150 DUTTON AVENUE, ASSESSOR'S PARCEL NUMBER 043-133-013, INTO THE IG (GENERAL INDUSTRIAL) ZONING DISTRICT; FILE NUMBER PRJ24-019 (REZ24-002)

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The Council finds, based on the evidence and records presented, that the IG (General Industrial) zoning district is appropriate for Assessor's Parcel Number 043-133-013. The Council further finds and determines that:

1. The proposed zoning amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan. In accordance with City Code Section 20-24.020(C), the IG (General Industrial) zoning district implements the General Plan land use designation of General Industry, which is intended for areas of industrial and manufacturing activities, including warehousing, wholesaling, and distribution. These uses may generate truck traffic and operate 24 hours. IG zoning allows activities that could produce objectionable noise, smoke, odor, dust, noxious gases, glare, heat, vibration, or industrial waste.

The proposed amendment protects industrial land supply by returning the parcel 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 area. The site is located proximate to Highway 101 and, as such, supports compact development patterns encouraging reduced travel, energy use, and consumption of land and materials. The proposal also aligns with the Economic Vitality Element of the General Plan by providing opportunities for new business development, and the preservation of industrial land.

The proposed project site is not within a specific plan area; and

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City in that City staff from the Engineering Development Services, Building Division, Water Department, Fire Department, and Planning Division have reviewed the proposed project materials and raised no concerns. The site is located along the east side of Dutton Avenue, adjacent to the SMART rail tracks, where land designated for industrial uses extend for an approximate two mile stretch from the north side of Duke Court to south of Todd Road. All City services and utilities are available in the area, and future development will be subject to public improvements. As a result of tribal consultation pursuant to Senate Bill 18 (SB 18), three protective measures have been included as conditions of approval to address and provide direction in the unlikely event that unknown subsurface objects are discovered during project construction; and

3. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code in that staff analysis has confirmed that future industrial development will be able to meet required standards, including lot size, lot coverage, and setbacks set forth in the Zoning Code; and
4. 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. The requested rezoning, consistent with the proposed General Plan Amendment to General Industry, aligns with existing industrial uses and zoning along the Dutton Avenue corridor. It is proximate to Highway 101 and in an area that is served by emergency services, and existing utilities and infrastructure. City staff from the Fire Department, Engineering Development Services, Building Division, Water Department, and Planning Division have reviewed the proposed project materials and have raised no concerns.

Section 2. All conditions required by law have been satisfied and all findings with relation thereto have been made. Title 20 of the Santa Rosa City Code is amended by amending the “Zoning Map of the City of Santa Rosa,” as described in Section 20-20.020, so as to change the classification of Assessor’s Parcel Number 043-133-013 to the IG (General Industrial) Zoning District.

Section 3. In addition to any other conditions that are deemed appropriate or necessary with future development, any development approval for this property shall expressly be conditioned to require the applicant to fulfill the following:

1. Sewer connections for this development, or any part thereof, will be allowed only in accordance with the requirements of the California Regional Water Quality Control Board, North Coast Region, in effect at the time that the building permit(s) for this development, or any part thereof, are issued.
2. Compliance with the approved Mitigation Monitoring and Reporting Program (MMRP) dated October 9, 2018.
3. Prior to any ground disturbing activities for future development at the project site, a qualified archaeologist shall prepare a Cultural Resources Monitoring Plan for review by and in consultation with the Federated Indians of Graton Rancheria, and approval by the City. The Plan shall identify the type of archaeological material that could potentially be found within the Project site and procedures to follow should any material be encountered during ground disturbing activities. The Plan shall provide procedures and guidelines for in-field assessment of the significance of any archaeological material identified during monitoring.
4. A qualified professional archaeologist and tribal monitor from the Federated Indians of Graton Rancheria shall be retained to monitor all initial ground disturbing and grading work for future development. The archaeologist must meet the Secretary of Interior’s Professional Qualification Standards for archaeology. The archaeologist

and tribal monitor shall have the authority to halt construction activities at the location of a discovery to review possible archaeological material and to protect the resource while the materials are being assessed. Monitoring shall continue until, in the archaeologist's judgement, in consultation with the tribal monitor, additional archaeological resources are not likely to be encountered. If no archaeological resources are discovered during construction, the archaeologist shall prepare a report to document the negative findings after construction is complete.

5. Work shall halt within 50 feet if human remains are uncovered during construction. The significance of the find shall be assessed, and the appropriate management shall be pursued. California law recognizes the need to protect interred human remains, particularly Native American burials and items of cultural patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code §§ 7050.5 and 7052 and PRC § 5097. If remains are uncovered, the City and the County coroner shall be notified immediately. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (Health and Safety Code § 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code § 7050[c]). The City and the professional archaeologist shall contact the Most Likely Descendent, as determined by the NAHC, regarding the remains. The Most Likely Descendant, in cooperation with the City, shall determine the ultimate disposition of the remains and any associated artifacts.

Section 4. Environmental Determination. The proposed zoning amendment has been reviewed in compliance with the California Environmental Quality Act (CEQA). On April 15, 2025, the City Council adopted a resolution adopting an Addendum to the previously approved Dutton Avenue Residences Mitigated Negative Declaration (MND), which examined the potential environmental impacts of the proposed amendments. The Addendum concluded “the analyses conducted, and the conclusions reached in the 2018 IS/MND remain relevant and valid” and further found that the proposed General Plan Amendment and Rezoning would not result in any new significant adverse impacts, nor an increase in the severity of significant adverse impacts previously identified in the MND. Additionally, the proposed project would not require the adoption of any considerably different mitigation measures or alternatives. The Addendum satisfies the requirements of CEQA Guidelines Section 15162 and 15164.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

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Section 6. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on June 3, 2025.

IN COUNCIL DULY PASSED AND ADOPTED this 17th day of June, 2025.

AYES: (7) Mayor Stapp, Vice Mayor Alvarez, Council Members Bañuelos, Fleming, MacDonald, Okrepkie, Rogers

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney