

**Resolution No. 2025-XXX N.C.S.
of the City of Petaluma, California**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETALUMA REPEALING RESOLUTION 2025-022 N.C.S. CONCERNING A GENERAL PLAN AMENDMENT TO INCREASE THE ALLOWABLE FLOOR AREA RATIO (FAR) FOR AREAS DESIGNATED MIXED USE (MU) AND LOCATED WITHIN THE PROPOSED DOWNTOWN HOUSING & ECONOMIC OPPORTUNITY OVERLAY FROM 2.5 TO 6.0, TOGETHER WITH MAKING CEQA FINDINGS OF FACT, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PROJECT; FILE NO: PLPJ-2022-0015 & PLGP-2023-0001

WHEREAS, at its February 24, 2025, duly noticed public hearing, the Petaluma City Council took action in accordance with the requirements of the California Environmental Quality Act (“CEQA”) to certify a Final Environmental Impact Report (“Final EIR”) for the Downtown Housing and Economic Opportunity Overlay (“Overlay”) and EKN Hotel (“Hotel”) development application (together, the Overlay and Hotel comprising the “Project” for CEQA purposes); and

WHEREAS, at the February 24, 2025 public hearing, following action to certify the Project Final EIR, the City Council took action on Resolution no. 2025-022 N.C.S. (a copy of which is attached to and made a part of this resolution as Exhibit A) concerning a General Plan Amendment to increase the allowable Floor Area Ratio for parcels within the Overlay from 2.5 to 6.0 for Overlay Subareas A through C , and Resolution no. 2025-022 N.C.S. included required findings for each identified potentially significant impact, supported by substantial evidence, as set forth in the Findings of Fact, attached as Exhibit A to the resolution, , and Resolution no. 2025-022 N.C.S. also included a Mitigation Monitoring and Reporting Program for the Project, attached as Exhibit B to the resolution; and

WHEREAS, at the February 24, 2025 public hearing, the City Council also introduced a proposed ordinance to establish zoning amendments for the Overlay and to receive public comments on the proposed ordinance; and

WHEREAS, Section 5 of Resolution no. 2025-022 N.C.S. provided that its adoption date would be the same as the adoption date of the ordinance to establish the Overlay zoning amendments; and

WHEREAS, in furtherance of the unanimous priority given by the current City Council to economic development in Petaluma, while also recognizing citizen concerns regarding the extent of the proposed Overlay in the downtown, comprising as proposed three subareas A, B and C, the City Council may chose to reduce the Overlay to apply to Subarea A only, limiting the enhanced development potential for residential and commercial development of the Overlay to only the two-square block area of Subarea A, which contains some of the most underutilized parcels in the downtown, including the proposed Hotel site; and

WHEREAS, to provide the City Council the option of encouraging development of underutilized parcels in the downtown while substantially reducing the size of the Overlay in response to citizen concerns, the City Council options for action regarding the Overlay at the March 17, 2025 City Council meeting include, in addition to simply adopting Ordinance 2900 N.C.S. as introduced: adoption of this resolution providing for the repeal of Resolution no. 2025-022 N.C.S., and reintroduction of an amended ordinance by which the City Council may enact zoning text and map amendments for a reduced Overlay (“Reduced Overlay”) applicable to Subarea A only; and

WHEREAS, it is anticipated that if the City Council reintroduces an amended ordinance that would enact zoning text and map amendments for the Reduced Overlay applicable to Subarea A only, that the City Council would, on the date of adoption of the reintroduced ordinance, adopt a resolution approving a General Plan amendment to increase the allowable floor area ratio from 2.5 to 6.0 for the Reduced Overlay applicable to

Subarea A only, so that the reintroduced zoning amendment ordinance and the General Plan amendment resolution would have the same adoption dates, and the referendum period for the ordinance and resolution would commence and expire at the same time;

WHEREAS, on March 17, 2025, the City Council held a duly noticed public hearing to consider potential actions related to the Project, including this resolution, at which time all interested parties had the opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, by the council of the City of Petaluma as follows:

1. The above recitals are hereby declared to be true and correct and are incorporated into this resolution as findings of the Petaluma City Council.
2. Resolution no. 2025-022 N.C.S. is hereby repealed in its entirety, effective immediately. Because Section 5 of Resolution no. 2025-022-N.C.S. provided that

[t]he City Council action to adopt this resolution shall take effect on the same date that the City Council adopts (gives second reading to) the Zoning Text Amendment and Zoning Map Amendments, Ordinance No. 2900 N.C.S. which was introduced by the City Council on February 24, 2025, such that Ordinance 2900 N.C.S. and this resolution shall have the same dates of adoption by the City Council,

and because Ordinance 2900 N.C.S. has not been adopted as of March 17, 2025, the effect of this resolution repealing Resolution no. 2025-022 N.C.S. is that Resolution no. 2025-022 N.C.S. shall not take effect.

3. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held to be unconstitutional, unlawful, or otherwise invalid by a court of competent jurisdiction or preempted by State legislation, such decision or legislation shall not affect the validity of the remaining portions of this resolution. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this resolution and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional, unlawful other otherwise invalid.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 17th day of March 2025, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor

EXHIBIT A
RESOLUTION 2025-022 N.C.S.

