

**RESOLUTION OF THE CITY OF PETALUMA PLANNING COMMISSION
RECOMMENDING THE CITY COUNCIL APPROVE A GENERAL PLAN
AMENDMENT TO POLICY 4-P-10**

WHEREAS, the City of Petaluma has initiated a General Plan Amendment in response to the Moratorium on Approval of Applications for New Gas Station Uses enacted under Ordinance Nos. 2681, 2688 and 2724; and

WHEREAS, with regard to Government Code Section 65858(d), this resolution describes a measure to alleviate the condition which led to the adoption of the moratorium.

WHEREAS, transportation remains the largest contributor of greenhouse gas and criteria pollutant emissions in California. Combating this to improve environmental and human health requires a massive transition from internal combustion engines to Zero Emission Vehicles.

WHEREAS, an inventory of current and approved Gas Stations shows they are adequate to serve existing and planned residents dependent upon internal combustion engines.

WHEREAS, the General Plan Amendment would revise Policy 4-P-10, as follows (~~strike through~~ = deletion; underline = addition),

~~“Require electric vehicle charging and alternative fuel facilities at all new and remodeled gas stations. Prohibit new fossil fuel gas stations and transition existing stations to serve Zero Emission Vehicles.”~~

WHEREAS, on January 14, 2021, public notice of the January 26, 2021 Planning Commission meeting to consider the amendment was published in the Argus Courier and mailed to all property owners of existing and approved gas stations in compliance with state and local law, and routed to appropriate agencies listed under Government Code Section 65352; and

WHEREAS, on January 26, 2021 the Planning Commission held a duly noticed public hearing to consider the General Plan Amendment and reviewed the environmental analysis prepared for the project in accordance with the California Environmental Quality Act (CEQA).

NOW THEREFORE BE IT RESOLVED by the Planning Commission of the City of Petaluma as follows:

1. The above recitals are hereby declared to be true and correct and are incorporated into the resolution as findings of the Petaluma Planning Commission.
2. The General Plan Amendment is not a project within the meaning of CEQA Guidelines Section 15378, because it has no potential for resulting in physical change in the environment, directly or ultimately; it prevents changes in the environment related to new gas station use applications. Moreover, the amendment is, pursuant to CEQA Guidelines 15061(b)(3), not subject to CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. As the amendment will prohibit new Gas Stations and, in turn, prevent physical changes to the environment, it can be seen with certainty that there is no possibility that the amendments on this topic will have a significant effect on the environment.

ATTACHMENT A

3. Government Code Section 65358 allows General Plan amendments when it is deemed in the public interest to do so.
4. Transportation remains the largest contributor of greenhouse gas and criteria pollutant emissions in California. Combating this to improve environmental and human health requires a massive transition from internal combustion engines to Zero Emission Vehicles. An inventory of current and approved Gas Stations shows they are adequate to serve existing and planned residents dependent upon internal combustion engines. Prohibiting new Gas Stations serves the public interest by preventing new sources of pollution that adversely impact environmental and human health.
5. State law limits the number of times a local agency can amend its general plan to more than four times per year. The proposed amendment represents the first amendment request for 2021.
6. The Planning Commission hereby recommends that the City Council approve a General Plan Amendment to revise Policy 4-P-10 (strikethrough = deletion; underline = addition) as follows:

~~“Require electric vehicle charging and alternative fuel facilities at all new and remodeled gas stations. Prohibit new fossil fuel gas stations and transition existing stations to serve Zero Emission Vehicles.”~~