



City of Sebastopol Planning Commission Staff Report

Meeting Date: January 25, 2022
Agenda Item: 7A
To: Planning Commission
From: Kari Svanstrom, Planning Director
Subject: Proposed Zoning Ordinance Amendment to Consider a Ban on New Gasoline Stations and Restrict Expansion of Existing Gasoline Stations

Introduction:

The City of Sebastopol City Council has requested the Climate Action Committee (CAC) and Planning Commission review and provide direction/recommendations on a potential ban on new gasoline stations (as defined under the Recommended Amendments to Zoning Ordinance section of this report), and the expansion of fossil fuel infrastructure at existing stations within the City of Sebastopol. At its meeting on September 28, 2021, the CAC discussed this item and unanimously supported the ban. At a study session on October 12, 2021, the Planning Commission discussed this item and also unanimously supported the ban.

Discussion:

At its meeting on July 12, 2021, the Sonoma County Regional Climate Protection Authority (RCPA) Board of Directions unanimously passed a motion to direct Staff to return to the Board on at its next meeting on September 13, 2021, with a Resolution prohibiting new gas stations and the expansion of fueling infrastructure at existing gas stations. Included in the Resolution was a request to all jurisdictions to consider agendaizing discussion of this issue and hopefully adopt a similar ban. The Resolution, as described, is to be simple and basic for all jurisdictions to use, and as legally defensible as possible.

The City of Petaluma has already passed a moratorium on new gas stations and followed its initial decision with a permanent ban. These actions, taken last January and February 2021, have received international recognition in the news. Locally, the citizen group CONGAS has been working to stop the construction of new gas stations throughout the County.

If City Council were to move forward with revising the Zoning Ordinance to ban gas stations, this would require Planning Commission review and recommendation as with all Zoning Ordinance changes. Therefore, this item is to request the Planning Commission to decide if it wants to recommend approval of the ban to City Council, review and develop revised language for the Zoning Ordinance, and review and develop appropriate findings for Council to consider.

Consistency with City Goals:

A ban on new fossil fuel/gasoline stations is consistent with the following City Goals:

- **General Plan Guiding Principal:** “Emphasize sustainability and environmental stewardship in future planning decisions.”

- **General Plan Goal COS 1:** Make Proactive, Forward-Thinking Environmental Protection and Resource Management the Cornerstone of Sebastopol's Identity
- **General Plan Goal COS 7:** Improve Air Quality in Sebastopol and Reduce Air Quality Impacts from Future Development
- **General Plan Goal COS 8:** Reduce Emissions of Greenhouse Gases from City Operations and Community Sources
- **General Plan Goal COS 9:** Promote Conservation of Energy and Other Natural Resources
- **City Council Goal 4.1:** "Create a safe, healthy, and attractive environment for residents and visitors, as it would reduce potential future Greenhouse Gas emission sources within the City."
- **City Council Goal 5.1.4:** "Expand and encourage community involvement in Government..." and "Enhance the use of the City of Sebastopol Committees, Commissions, and Boards" (as this is an item of interest of the CAC).
- **Climate Emergency Resolution:** On December 3, 2019, the City Council unanimously voted to adopt the Climate Emergency Resolution which signifies the City's commitment to reduce greenhouse gas emissions and increase energy efficiency.

Recommended Amendments to Zoning Ordinance:

The recommended amendments to the Zoning Ordinance are listed below with text additions and changes underlined and deletions shown with a strike-through. Staff notes that the Zoning Ordinance amendments would be relatively minor and would likely mirror those for drive-throughs (which simply prohibits drive throughs in all zoning districts).

17.08.030 Definitions "A."

The CAC proposed adding the words "fossil fuel-based" to the "*Automotive gas or fueling station*" definition, but also noted that it may not be necessary. The amended definition would read as follows:

"Automotive gas or fueling station" means a retail business selling gasoline and/or other fossil fuel-based motor vehicle fuels, and related products.

The Planning Commission generally agreed to this amended definition during the study session but noted that the intent is not to preclude alternative fuels, such as biodiesel.

17.160.040 Nonconforming facility.

Existing automotive gas or fueling stations and associated infrastructure would become a 'nonconforming use' (sometimes also called a 'grandfathered' use) and would be subject to the requirements of Sebastopol Municipal Code Section 17.160. This section outlines requirements for changes to nonconforming uses and specifies that use permits for nonconforming uses expire after a 12-month period of non-operation/vacancy.

The intent is to allow upgrades for safety/environmental reasons (as generally required by State law), and enhancements of other parts of the business, but not allow further enhancements that would substantially expand the fossil fuel infrastructure (fuel pumps, propane sales, etc.). In the case of automotive gas or fueling stations, upgrades to other components not directly related to fossil fuel infrastructure (such as EV chargers, retail areas, etc.) could still be enhanced with a use permit.

Staff recommends adding the following language to Section 17.160.040 to further clarify this, similar to when the City banned drive-throughs:

17.160.040(F). Automotive gas or fueling stations and associated infrastructure existing as of (insert date), may be modified for aesthetic, safety, or other reasons as determined appropriate by the City, but no modifications that would intensify or expand the fossil fuel infrastructure or related components shall be permitted.

Table 17.25-1. Permitted and Conditionally Permitted Uses in the Commercial, Office, and Industrial Zones

A simple change to this table would need to be made to replace the “C” (conditionally permitted) in the automotive gas or fueling station use (circled below with solid line) with a dash “-” (not permitted). It would then appear the same as the Drive-through use (circled below with dashed line).

Use	CO	CG	CD	M	OLM	CM
Commercial Uses						
Agriculture, outdoor and indoor growing and harvesting	-	-	-	-	C	-
Alcoholic beverage tasting establishment	C	C	C	-	-	C
Animal hospital and kennels	-	C	-	C	C	-
Animal hospital, office only	CD	CD	C	CD	CD	C
Automotive gas or fueling station	-	C	-	C	C	-
Automotive repair and service	-	-	-	P	-	-
Automotive sales, service, and repair	-	C	C	-	-	-
Beekeeping, commercial	-	P	-	P	P	P
Commercial manufacturing	-	-	-	P	-	P
Convenience sales and service	P	P/C ⁽¹⁾	P	-	-	P
Drive-through	-	-	-	-	-	-
Exercise facilities	CD	CD	C	C	P	C
Extensive commercial	-	C ⁽¹⁾	C	-	-	-

Chapter 17.345 SERVICE STATIONS AND CAR WASHES

The following revisions to this chapter are proposed so that the language is clear and consistent. We want to make it clear that while new automotive gas or fueling stations are not permitted, these standards still apply to existing stations as well as both existing and new car washes. Staff also proposes to move a paragraph regarding abandoned stations to the nonconforming use section of the Zoning Ordinance.

Chapter 17.345 EXISTING SERVICE AUTOMOTIVE GAS OR FUELING STATIONS AND EXISTING AND NEW CAR WASHES

17.345.010 ~~Existing Service~~ automotive gas or fueling stations and existing and new car washes.

In addition to the development standards in Chapter 17.25 SMC, existing automotive gas or fueling stations and existing and new car washes shall comply with the following requirements:

A. *Location.*

1. The site shall have at least 150 feet of frontage on an arterial or collector street.
2. The site shall not adjoin an existing residential district, or single- or two-family residential use at the time the ~~service station use~~ or car wash use is established.

B. *Distance between ~~existing Automotive Gas or Fueling Service Station~~ and existing and new Car Wash Sites.* The minimum distance between existing automotive gas or fueling service station sites and/or car wash sites shall be 500 feet.

C. *Site Area.* The minimum site area shall be 15,000 square feet or the minimum required by the applicable zoning district, whichever is greater.

D. *Site Dimensions.* The minimum width shall be 150 feet; the minimum depth shall be 100 feet.

E. *Site Design.*

1. Pump islands shall be set back a minimum of 20 feet from any property line. Setbacks for the buildings shall comply with the applicable zoning district.
2. New curb cuts on a public street shall be a minimum of 50 feet from the intersection of the projected curb lines. No more than two curb cuts shall be permitted unless otherwise approved by a conditional use permit.
3. Vapor processing units and propane tanks shall be located behind or on the side of the main building, where possible, or screened within a landscaped area. Tanks shall be installed pursuant to State, County, and local requirements and shall be oriented in a horizontal position.

F. *Other Requirements.*

1. All merchandise, including but not limited to periodicals, vending machines, and other items offered for purchase, shall be contained within the buildings at all times.
2. The storage of inoperative vehicles is prohibited.

G. *Abandoned Automotive Gas or Fueling Stations.* Any ~~service~~ automotive gas or fueling station that becomes nonconforming for any reason other than the spacing requirements set forth in this section, and which is abandoned or closed for a period of one year consecutively, or an aggregate of 365 days in any two-year period, shall be physically removed from the site by the owner. Removal shall mean the demolition of all ~~service~~ automotive gas or fueling station facilities, including removal of underground tanks pursuant to State and County requirements.

Prior to the effective date of any order to remove a service an automotive gas or fueling station pursuant to this section, interested parties shall be notified by registered mail and shall be given a hearing before the City Council. (Ord. 1111, 2018)

17.345.020 Existing and new car washes.

In addition to the requirements established in Chapter 17.25 SMC and the requirements identified in subsection A of this section, existing and new car washes shall comply with the requirements listed below.

- A. The site layout and design shall ensure that there is adequate room for the queuing and drying areas and vehicles will not queue in the adjoining walkways and streets.
- B. All washing and automatic drying facilities shall be completely within an enclosed building.
- C. Vacuuming facilities shall not be located along public or private streets and shall be screened from adjacent residential properties. Mechanical equipment for powering vacuuming shall be located within an enclosed structure.
- D. Any noise from car washing activities, loud speakers, and vacuuming shall meet the noise standards in the SMC and General Plan.
- E. Car washes shall use recycled water whenever feasible. (Ord. 1111, 2018)

Environmental Review:

The Zoning Ordinance amendments comply with the requirements of the California Environmental Quality Act (CEQA) in accordance with the following:

Actions Related to Prohibition of New Automotive Gas or Fueling Stations

Amending the Zoning Ordinance to prohibit new automotive gas or fueling stations is not a project within the meaning of CEQA Guidelines Section 15378, because the amendments have no potential to result in a physical change in the environment, directly or ultimately. Moreover, the Zoning Ordinance amendments are, 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. The Zoning Ordinance amendments will prohibit new automotive gas or fueling stations and, in turn, prevent physical changes to the environment. Therefore, it can be seen with certainty that there is no possibility that the Zoning Ordinance amendments will have a significant effect on the environment.

Actions Related to Existing (Nonconforming) Automotive Gas or Fueling Stations

The Zoning Ordinance amendments related to nonconforming uses may be found to be categorically exempt from CEQA under the following sections, however each project / application would be reviewed by the City's Environmental Coordinator (Planning Director) upon receipt of such application:

- **CEQA Guidelines Section 15301** which applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.
- **CEQA Guidelines Section 15303** which applies to the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and

facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

- **CEQA Guidelines Section 15304** which applies to minor public or private alterations in the condition of land, water, and/or vegetation (e.g., new gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping, minor trenching and backfilling where the surface is restored).
- **CEQA Guidelines Section 15308** which applies to actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

Recommendation:

Hold a public hearing, consider the proposed Ordinance, and adopt a resolution recommending approval of the gas station ban and associated Zoning Ordinance revisions to City Council.

Public Comment:

As of the writing of this staff report, the City has not received any public comment. However, public comment from interested parties following the publication and distribution of this staff report will be provided to the Planning Commission as supplemental materials before or at the meeting.

Public Notice:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to scheduled meeting date.

Fiscal Impact:

There is no direct fiscal impact associated with the recommended action tonight.

Attachment(s):

Planning Commission Resolution Recommending Amending the Zoning Ordinance
Redlined exhibit of changes
Draft Ordinance
Draft Planning Commission minutes from October 12, 2021
City Council Resolution No. 6274 Declaring a Climate Emergency

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEBASTOPOL RECOMMENDING THAT THE CITY COUNCIL APPROVE AND ADOPT AMENDMENTS TO THE ZONING ORDINANCE PROHIBITING CONSTRUCTION OF NEW AUTOMOTIVE GAS OR FUELING STATIONS OR EXPANSION OF EXISTING AUTOMOTIVE GAS OR FUELING STATION INFRASTRUCTURE THROUGHOUT THE CITY OF SEBASTOPOL

WHEREAS human activities have warmed the Earth to a point that threatens climate stability, and climate change has already set in motion catastrophic changes; and

WHEREAS critical tipping points must be avoided, as they will have cascading feedback effects that are predicted to cause an increasingly uncontrollable climate emergency; and

WHEREAS abrupt anthropogenic climate change is a real and increasingly urgent threat to public health and safety that demands action at every level of government; and

WHEREAS the current scale and speed of local government action has not resulted in the necessary reductions in global greenhouse gas (GHG) emissions to limit global temperature increases; and

WHEREAS on January 26, 2018, Governor Brown issued Executive Order B-48-18¹ calling for five million zero-emission vehicles by 2030 and the installation of 250,000 electric vehicle charging stations in the State; and

WHEREAS on September 12, 2018, Governor Brown issued, and Governor Newsom has since affirmed, Executive Order B-55-18², calling for the State to achieve carbon neutrality by 2045; and

WHEREAS on September 9, 2019, the Sonoma County Regional Climate Protection Authority (RCPA) adopted a Climate Emergency Resolution³, and new gasoline stations are not consistent with this policy; and

WHEREAS between May 2019 and March 2021, the County of Sonoma and each of the incorporated jurisdictions adopted Climate Emergency Resolutions and committed to working on activities to address this state of climate emergency; and

WHEREAS on September 23, 2020, Governor Newsom issued Executive Order N-79-20⁴ setting 2035 as the year by which all new vehicles sold in California must be zero-emission; and

¹ <https://www.ca.gov/archive/gov39/2018/01/26/governor-brown-takes-action-to-increase-zero-emission-vehicles-fund-new-climate-investments/index.html>

² <https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>

³ <https://scta.ca.gov/wp-content/uploads/2019/09/4.1.1-Climate-Emergency-Resolution.pdf>

⁴ <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf>

WHEREAS on March 8, 2021, the RCPA adopted a Sonoma Climate Mobilization Strategy⁵ which sets a goal of reaching countywide carbon neutrality by 2030; and

WHEREAS transportation accounts for 60%⁶ of GHG emissions in Sonoma County with the burning of gasoline and diesel fuel for transportation as the leading cause of GHG emissions in this sector; and

WHEREAS gasoline stations pose significant local impacts on public health and the environment, including toxic/carcinogenic air contamination, surface water runoff, leaking underground storage tanks, and more⁷; and

WHEREAS a just transition away from fossil fuels requires that local government actions are ecologically sustainable, equitable, and just for all its members; and

WHEREAS marginalized communities worldwide—including people of color, immigrants, indigenous communities, low-income people, those with disabilities, and the unhoused—are already disproportionately affected by climate change and must benefit from a just transition to a sustainable and equitable economy; and

WHEREAS currently there are over 635,000 electric vehicles (EVs) in California and almost 10,000 EVs in Sonoma County, and over 20,000 gasoline/hybrid vehicles, with the need for charging infrastructure inevitably growing as the need for gasoline stations correspondingly diminishes; and

WHEREAS in adopting the Climate Emergency Resolution on December 3, 2019, the City of Sebastopol City Council signified the City's commitment to reduce greenhouse gas emissions and increase energy efficiency; and

WHEREAS in adopting the Sonoma Climate Mobilization Strategy, the RCPA Board prioritized Strategy 4—EV Access for All Partnership, calling for development of over 10,000 public and workplace charging stations in Sonoma County, addressing barriers for installing this charging equipment, and limiting fossil fuel infrastructure; and

WHEREAS there are three gasoline stations within the 1.88 square miles of the City of Sebastopol city limits, with two additional gasoline stations outside City limits along Highway 116; and

WHEREAS local government resources should be used to develop clean-emission, affordable, accessible, convenient public transportation networks; safe, connected pedestrian and bicycling infrastructure; and clean vehicle charging/fueling infrastructure; and

WHEREAS the RCPA recommends that the County of Sonoma and the incorporated jurisdictions of Cloverdale, Cotati, Healdsburg, Rohnert Park, Santa Rosa, Sebastopol, Sonoma,

⁵ <https://rcpa.ca.gov/wp-content/uploads/2020/12/Sonoma-Climate-Mobilization-Strategy-Adopted-2021-03-08.pdf>

⁶ <https://scta.ca.gov/wp-content/uploads/2020/06/2018-GHG-Report-FINAL-9-25.pdf>

⁷ <https://www.ucsusa.org/resources/hidden-costs-fossil-fuels>

and Windsor cease acceptance of all applications for new gas stations or expansion of existing gas station infrastructure in their local jurisdiction; and

WHEREAS as identified and adopted in the Sonoma Climate Mobilization Strategy, that the RCPA encourages the County of Sonoma and Sonoma County incorporated jurisdictions to continue developing clean-emission, affordable, accessible, convenient public transportation networks; installing safe, connected pedestrian and bicycling infrastructure; and expanding efforts to serve zero-emission vehicles through the installation of battery charging infrastructure and other necessary improvements for the essential transition to zero-emission vehicles; and

WHEREAS, the City of Sebastopol adopted City Council Resolution 6274 Declaring a Climate Emergency Resolution on December 3, 2019; and

WHEREAS at its meeting on September 28, 2021, the City of Sebastopol’s Climate Action Committee unanimously supported prohibiting construction of new automotive gas or fueling stations or expansion of existing automotive gas or fueling station infrastructure throughout the City of Sebastopol; and

WHEREAS, on October 12, 2021, the City of Sebastopol’s Planning Commission conducted a study session and unanimously supported prohibiting construction of new automotive gas or fueling stations or expansion of existing automotive gas or fueling station infrastructure throughout the City of Sebastopol;

WHEREAS, on January 25, 2022, the City of Sebastopol’s Planning Commission conducted a duly-noticed Public Hearing, deliberated, and found that as revised, the Zoning Ordinance is consistent with the aforementioned City goals, thereby enhancing consistency between the General Plan, and Zoning Ordinance, and other City policies.

NOW, THEREFORE, BE IT RESOLVED THAT, The Planning Commission of the City of Sebastopol, California, does hereby recommend that the City Council approve and adopt amendments to the City of Sebastopol Zoning Ordinance prohibiting construction of new automotive gasoline fossil fueling stations or expansion of existing automotive gas or fueling station infrastructure throughout the City of Sebastopol.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the Planning Commission on the 25th day of January, 2022, by the following vote:

VOTE:

Ayes:

Noes:

Abstain:

Absent:

Certified: _____

Kari Svanstrom, Planning Director

REDLINED EXHIBIT A TO SHOW PROPOSED CHANGES

Section 1. The following definition in Chapter 17.08.030 shall be amended to read as follows:

“Automotive gas or fueling station” means a retail business selling gasoline and/or other fossil fuel-based motor vehicle fuels, and related products.

Section 2. Table 17.25-1 in Chapter 17.25 shall be amended as follows:

Table 17.25-1. Permitted and Conditionally Permitted Uses in the Commercial, Office, and Industrial Zones

Use	CO	CG	CD	M	OLM	CM
Commercial Uses						
Agriculture, outdoor and indoor growing and harvesting	-	-	-	-	C	-
Alcoholic beverage tasting establishment	C	C	C	-	-	C
Animal hospital and kennels	-	C	-	C	C	-
Animal hospital, office only	CD	CD	C	CD	CD	C
Automotive gas or fueling station	-	C	-	C	C	-
Automotive repair and service	-	-	-	P	-	-
Automotive sales, service, and repair	-	C	C	-	-	-
Beekeeping, commercial	-	P	-	P	P	P
Commercial manufacturing	-	-	-	P	-	P
Convenience sales and service	P	P/C ⁽¹⁾	P	-	-	P
Drive-through	-	-	-	-	-	-
Exercise facilities	CD	CD	C	C	P	C
Extensive commercial	-	C ⁽¹⁾	C	-	-	-

Section 3. Chapter 17.160 shall be amended to add the following Section:

17.160.040 Nonconforming facility.

17.160.040(F). Automotive gas or fueling stations and associated infrastructure existing as of (date Ordinance will become effective to be inserted), may be modified for aesthetic, safety, or other reasons as determined appropriate by the City and with the approval of a Conditional Use Permit, but no modifications that would intensify or expand the fossil fuel infrastructure or related components shall be permitted.

Section 4. Chapter 17.345 shall be amended to add the following Section:

Chapter 17.345 EXISTING SERVICE AUTOMOTIVE GAS OR FUELING STATIONS AND EXISTING AND NEW CAR WASHES

17.345.010 Existing Service automotive gas or fueling stations and existing and new car washes.

In addition to the development standards in Chapter 17.25 SMC, existing automotive gas or fueling stations and existing and new car washes shall comply with the following requirements:

A. *Location.*

1. The site shall have at least 150 feet of frontage on an arterial or collector street.
2. The site shall not adjoin an existing residential district, or single- or two-family residential use at the time the ~~service station use or car wash use~~ is established.

B. *Distance between existing Automotive Gas or Fueling Service Station and existing and new Car Wash Sites.* The minimum distance between existing automotive gas or fueling service station sites and/or car wash sites shall be 500 feet.

C. *Site Area.* The minimum site area shall be 15,000 square feet or the minimum required by the applicable zoning district, whichever is greater.

D. *Site Dimensions.* The minimum width shall be 150 feet; the minimum depth shall be 100 feet.

E. *Site Design.*

1. Pump islands shall be set back a minimum of 20 feet from any property line. Setbacks for the buildings shall comply with the applicable zoning district.
2. New curb cuts on a public street shall be a minimum of 50 feet from the intersection of the projected curb lines. No more than two curb cuts shall be permitted unless otherwise approved by a conditional use permit.
3. Vapor processing units and propane tanks shall be located behind or on the side of the main building, where possible, or screened within a landscaped area. Tanks shall be installed pursuant to State, County, and local requirements and shall be oriented in a horizontal position.

F. *Other Requirements.*

1. All merchandise, including but not limited to periodicals, vending machines, and other items offered for purchase, shall be contained within the buildings at all times.
2. The storage of inoperative vehicles is prohibited.

G. Abandoned Automotive Gas or Fueling Stations. Any ~~service~~ automotive gas or fueling station that becomes nonconforming for any reason other than the spacing requirements set forth in this section, and which is abandoned or closed for a period of one year consecutively, or an aggregate of 365 days in any two-year period, shall be physically removed from the site by the owner. Removal shall mean the demolition of all ~~service~~ automotive gas or fueling station facilities, including removal of underground tanks pursuant to State and County requirements. Prior to the effective date of any order to remove a ~~service~~ an automotive gas or fueling station pursuant to this section, interested parties shall be notified by registered mail and shall be given a hearing before the City Council.

17.345.020 Existing and new car washes.

In addition to the requirements established in Chapter 17.25 SMC and the requirements identified in subsection A of this section, existing and new car washes shall comply with the requirements listed below.

- A. The site layout and design shall ensure that there is adequate room for the queuing and drying areas and vehicles will not queue in the adjoining walkways and streets.
- B. All washing and automatic drying facilities shall be completely within an enclosed building.
- C. Vacuuming facilities shall not be located along public or private streets and shall be screened from adjacent residential properties. Mechanical equipment for powering vacuuming shall be located within an enclosed structure.
- D. Any noise from car washing activities, loud speakers, and vacuuming shall meet the noise standards in the SMC and General Plan.
- E. Car washes shall use recycled water whenever feasible.

City of Sebastopol
Ordinance No. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
ADOPTING AMENDMENTS TO THE ZONING ORDINANCE PROHIBITING CONSTRUCTION OF NEW
AUTOMOTIVE GAS OR FUELING STATIONS OR EXPANSION OF EXISTING AUTOMOTIVE GAS OR
FUELING STATION INFRASTRUCTURE THROUGHOUT THE CITY OF SEBASTOPOL

1. Whereas, the City Council finds that the Zoning Ordinance amendments prohibiting construction of new automotive gas or fueling stations or expansion of existing automotive gas or fueling station infrastructure are consistent with the following City goals, thereby enhancing consistency between the General Plan, Zoning Ordinance, and other City policies:
 - a. **General Plan Guiding Principal:** “Emphasize sustainability and environmental stewardship in future planning decisions.”
 - b. **General Plan Goal COS 1:** Make Proactive, Forward-Thinking Environmental Protection and Resource Management the Cornerstone of Sebastopol’s Identity
 - c. **General Plan Goal COS 7:** Improve Air Quality in Sebastopol and Reduce Air Quality Impacts from Future Development
 - d. **General Plan Goal COS 8:** Reduce Emissions of Greenhouse Gases from City Operations and Community Sources
 - e. **General Plan Goal COS 9:** Promote Conservation of Energy and Other Natural Resources
 - f. **City Council Goal 4.1:** “Create a safe, healthy, and attractive environment for residents and visitors, as it would reduce potential future Greenhouse Gas emission sources within the City.”
 - g. **City Council Goal 5.1.4:** “Expand and encourage community involvement in Government...” and “Enhance the use of the City of Sebastopol Committees, Commissions, and Boards” (as this is an item of interest of the CAC).
 - h. **Climate Emergency Resolution:** On December 3, 2019, the City Council unanimously voted to adopt the Climate Emergency Resolution which signifies the

City's commitment to reduce greenhouse gas emissions and increase energy efficiency; and

2. Whereas, the City Council finds that the Zoning Ordinance amendments will be in conformity with public convenience, general welfare, and good land use practice, in that the revisions are also intended to clarify the regulations and facilitate ease of use and understanding, as well as to establish appropriate standards and procedures; and
3. Whereas, the City Council finds that the Zoning Ordinance amendments will not be detrimental to the public health, safety and general welfare, and will not adversely affect the orderly development of property, in that they will harmonize the General Plan and Zoning Ordinance, better express the City's policies, and generally promote good land use planning and regulation; and
4. Whereas, amending the Zoning Ordinance to prohibit new automotive gas or fueling stations is not a project within the meaning of CEQA Guidelines Section 15378, because the amendments have no potential to result in a physical change in the environment, directly or ultimately; and
5. Whereas, the Zoning Ordinance amendments are, pursuant to CEQA Guidelines Section 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. The Zoning Ordinance amendments will prohibit new automotive gas or fueling stations and, in turn, prevent physical changes to the environment. Therefore, it can be seen with certainty that there is no possibility that the Zoning Ordinance amendments will have a significant effect on the environment; and
6. Whereas, the Zoning Ordinance amendments related to nonconforming uses may be found to be categorically exempt from CEQA under CEQA Guidelines Sections 15301, 15303, 15304, and 15308, and each project / application would be reviewed by the City's Environmental Coordinator (Planning Director) upon receipt of such application; and
7. WHEREAS at its meeting on September 28, 2021, the City of Sebastopol's Climate Action Committee unanimously supported prohibiting construction of new automotive gas or fueling stations or expansion of existing automotive gas or fueling station infrastructure throughout the City of Sebastopol; and

8. WHEREAS, on October 12, 2021, the City of Sebastopol’s Planning Commission conducted a study session and unanimously supported prohibiting construction of new automotive gas or fueling stations or expansion of existing automotive gas or fueling station infrastructure throughout the City of Sebastopol;
9. Whereas, on January 25, 2022, the Planning Commission conducted a duly-noticed Public Hearing, deliberated, and found that as revised, the Zoning Ordinance is consistent with the aforementioned City goals, thereby enhancing consistency between the General Plan, and Zoning Ordinance, and other City policies; and
10. Whereas, on _____, the City Council conducted a duly-noticed Public Hearing, deliberated, and found that as revised, the Zoning Ordinance is consistent with the aforementioned City goals, thereby enhancing consistency between the General Plan, and Zoning Ordinance, and other City policies; and

This ordinance shall become effective (30) days after the date of adoption.

Approved for First Reading and Introduction on this ___ day of _____, 2022.

Scheduled for Second Reading and Approval on the ___ day of _____, 2022.

VOTE:

Ayes:

Noes:

Abstain:

Absent:

APPROVED: _____

Mayor Patrick Slayter

ATTEST: _____

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____

Larry McLaughlin, City Attorney

EXHIBIT A

Section 1. The following definition in Chapter 17.08.030 shall be amended to read as follows:

“Automotive gas or fueling station” means a retail business selling gasoline and/or other fossil fuel-based motor vehicle fuels, and related products.

Section 2. Table 17.25-1 in Chapter 17.25, “Automotive gas or fueling station” row shall be amended as follows to reflect that Automotive gas or fueling stations are not permitted in any commercial or industrial zones:

Table 17.25-1. Permitted and Conditionally Permitted Uses in the Commercial, Office, and Industrial Zones

Use	CO	CG	CD	M	OLM	CM
Automotive gas or fueling station	-	-	-	-	-	-

Section 3. Chapter 17.160 shall be amended to add the following Section:

17.160.040 Nonconforming facility.

17.160.040(F). Automotive gas or fueling stations and associated infrastructure existing as of **(date Ordinance will become effective to be inserted)**, may be modified for aesthetic, safety, or other reasons as determined appropriate by the City and with the approval of a Conditional Use Permit, but no modifications that would intensify or expand the fossil fuel infrastructure or related components shall be permitted.

Section 4. Chapter 17.345 shall be amended to add the following Section:

Chapter 17.345 EXISTING AUTOMOTIVE GAS OR FUELING STATIONS AND-EXISTING AND NEW CAR WASHES

17.345.010 Existing automotive gas or fueling stations and existing and new car washes.

In addition to the development standards in Chapter 17.25 SMC, existing automotive gas or fueling stations and existing and new car washes shall comply with the following requirements:

A. *Location.*

1. The site shall have at least 150 feet of frontage on an arterial or collector street.
2. The site shall not adjoin an existing residential district, or single- or two-family residential use at the time the car wash use is established.

B. *Distance between existing Automotive Gas or Fueling Station and existing and new Car Wash Sites.* The minimum distance between existing automotive gas or fueling station sites and/or car wash sites shall be 500 feet.

C. *Site Area*. The minimum site area shall be 15,000 square feet or the minimum required by the applicable zoning district, whichever is greater.

D. *Site Dimensions*. The minimum width shall be 150 feet; the minimum depth shall be 100 feet.

E. *Site Design*.

1. Pump islands shall be set back a minimum of 20 feet from any property line. Setbacks for the buildings shall comply with the applicable zoning district.

2. New curb cuts on a public street shall be a minimum of 50 feet from the intersection of the projected curb lines. No more than two curb cuts shall be permitted unless otherwise approved by a conditional use permit.

3. Vapor processing units and propane tanks shall be located behind or on the side of the main building, where possible, or screened within a landscaped area. Tanks shall be installed pursuant to State, County, and local requirements and shall be oriented in a horizontal position.

F. *Other Requirements*.

1. All merchandise, including but not limited to periodicals, vending machines, and other items offered for purchase, shall be contained within the buildings at all times.

2. The storage of inoperative vehicles is prohibited.

G. *Abandoned Automotive Gas or Fueling Stations*. Any automotive gas or fueling station that becomes nonconforming for any reason other than the spacing requirements set forth in this section, and which is abandoned or closed for a period of one year consecutively, or an aggregate of 365 days in any two-year period, shall be physically removed from the site by the owner. Removal shall mean the demolition of all automotive gas or fueling station facilities, including removal of underground tanks pursuant to State and County requirements. Prior to the effective date of any order to remove an automotive gas or fueling station pursuant to this section, interested parties shall be notified by registered mail and shall be given a hearing before the City Council.

17.345.020 Existing and new car washes.

In addition to the requirements established in Chapter 17.25 SMC and the requirements identified in subsection A of this section, existing and new car washes shall comply with the requirements listed below.

A. The site layout and design shall ensure that there is adequate room for the queuing and drying areas and vehicles will not queue in the adjoining walkways and streets.

B. All washing and automatic drying facilities shall be completely within an enclosed building.

C. Vacuuming facilities shall not be located along public or private streets and shall be screened from adjacent residential properties. Mechanical equipment for powering vacuuming shall be located within an enclosed structure.

D. Any noise from car washing activities, loud speakers, and vacuuming shall meet the noise standards in the SMC and General Plan.

E. Car washes shall use recycled water whenever feasible.



City of Sebastopol
Incorporated 1902
Planning Department
7120 Bodega Avenue
Sebastopol, CA 95472

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APPROVED MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF October 12, 2021

PLANNING COMMISSION:

The notice of the meeting was posted on October 7, 2021.

- 1. CALL TO ORDER:** Chair Fritz called the meeting to order at 4:00 P.M. and read a procedural statement.
- 2. ROLL CALL:**
 - Present:** Chair Fritz, Vice Chair Oetinger, and Commissioners Burnes and Kelley
 - Absent:** Commissioners Douch and Fernandez
 - Staff:** Kari Svanstrom, Planning Director
Kelly Hickler, Senior Planner
Woody Hastings, Climate Action Committee
- 3. APPROVAL OF MINUTES:** None.
- 4. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA:** None.
- 5. STATEMENTS OF CONFLICTS OF INTEREST:** None.

6. REGULAR AGENDA ITEMS:

A. GAS STATION BAN DISCUSSION –

Director Svanstrom provided an introduction.

Senior Planner Hickler presented the staff report.

Climate Action Committee Member Hastings provided a presentation.

The Commission asked questions of Director Svanstrom and CAC Member Hastings.

Chair Fritz noted that as there were no members of the public in attendance he would not open public comment.

Director Svanstrom commented that staff had not received any comments from the public.

The Planning Commission discussed the agenda item as follows:

Linda Kelley, Commissioner

In recent experience weighing in on a car wash we brought up environmental issues like odor, over-spraying, and mist. CEQA requires us to look at that but do we need to identify those issues?

Paul Fritz, Chair

We cannot do that tonight because this specific agenda item is for the fossil fuel issue and car washes is not an agendized topic. Correct me if I'm wrong, Kari.

Kari Svanstrom, Planning Director

I think you're correct. Even though there are changes to the car wash tax it's really about the service station component of it, not the car wash, so that should be a future agenda item.

Paul Fritz, Chair

I like the idea, Linda, and I think we need to clarify, because one of my contentions with the car wash was the use table needs clarification, because I don't think a car wash should be an allowed use downtown. I think there is a bigger conversation regarding car washes that should be put on a future agenda but stick with the gas station issue tonight.

Linda Kelly, Commissioner

Not a problem. Years ago the Chevron station put lights on the building that were blinding at night, although they turned a couple off at my request, but lighting is another issue around 24-hour signage and I assume any future gas stations would be required to go by our night sky requirements. I'm very pleased this is coming forward.

Kathy Oetinger, Vice Chair

If we're striking the words "service station" in Chapter 17.345 and just relating to car washes what happens when an existing service station wants to remodel? Shouldn't we have these standards in the code for that purpose, that existing stations shall follow these rules, because we're allowing them to make improvements or adjustments to the existing grandfathered units? Do we need to keep the specifications that pertain to the gas station there so people know what is expected because they're not real car washes? We still need to have standards for service stations because we have three of them.

Kelly Hickler, Senior Planner

I think that everything that we removed, such as pump islands and paper processing units, would be just related to new.

Kathy Oetinger, Vice Chair

All those things would apply if, say, the Chevron station wanted to move its gas to another location and put something else out front; all those things would still need to be there?

Kari Svanstrom, Planning Director

Right. Say you're changing the site layout but not the pumps, you still need the appropriate queuing areas for people waiting in line to get gas. The pump islands are not needed any longer because we're not allowing new pumps.

Kathy Oetinger, Vice Chair

Could the current ones move to another location?

Kari Svanstrom, Planning Director

I don't think we would want people to do that because that is in essence renewing and allowing them to upgrade, something that you want to phase out. Back in the seventies people were actually given a timetable for taking down nonconforming buildings or closing nonconforming businesses and uses. We don't do that anymore, and in fact Sebastopol is pretty generous when it comes to nonconforming uses compared to some other cities, but I don't know a city in the world that has ever enforced an order to tear down their nonconforming building at the end of ten or 15 years, so it's not really attainable. I bring that up because the intent of nonconforming is to eventually phase out, and so you want to have a certain amount of limitations on what it is you're allowing people to do. For instance, I have spoken with the owners of the Chevron station on the east side of town. They are interested in upgrading some of their buildings, and just to take them as an example, they would require a use permit but that isn't something that would be an issue. We wouldn't want them to necessarily be able to relocate their pumps and install brand new pumps that would have another 30-40 year lifespan as part of rearranging their site.

Kathy Oetinger, Vice Chair

That's another question I had. I use Fast Gas and they have recycled pumps. If one of those pumps broke does that mean they can't replace it with a new one?

Kari Svanstrom, Planning Director

No, that type of maintenance does not require a use permit; it would just be an expansion. Like the Chevron is talking about redoing one of their buildings and having a café, and that has nothing to do with fossil fuel infrastructure and they're welcome to apply for that. Similarly, the state does have some requirements for safety upgrades to underground storage tanks, things like that; this would not impact those. Obviously we don't want to stop people from making the tanks more environmentally friendly and complying with state laws.

Kathy Oetinger, Vice Chair

Okay. I think it's clear we're not closing things down until they naturally wouldn't want to be operating anymore.

Director Svanstrom confirmed that Vice Chair Oetinger was correct.

Kelly Hickler, Senior Planner

I assume an update to a service station to be automotive gas or fueling, just so it's consistent language, but instead of striking "service station" you could say, "existing," that these standards apply to existing automotive gas."

Kari Svanstrom, Planning Director

That's not a bad idea, and we'd want to clarify that existing service and new and existing car washes, because it's not just existing car washes.

Paul Fritz, Chair

I think that's a good clarification. I like that.

Kari Svanstrom, Planning Director

Then add in an electric vehicles charging station. If someone does come forward though, these are obviously still the same kind of things they need to consider in terms of egress and access.

Paul Fritz, Chair

So under Site Design we're keeping that Item 1, "Pump islands shall be set back a minimum of 20 feet from a property line," we're going to unstrike that? And are we unstriking all of #3 then?

Kari Svanstrom, Planning Director

I think you could, because they're requirements for an existing service station.

Paul Fritz, Chair

Because one of my points was going to be that if we're striking #3 then the next one should not be #4 but should be #3. But if we're keeping #3 then that site layout design can be #4.

Director Svanstrom agreed with Chair Fritz's comment.

Paul Fritz, Chair

I just have a general question. Are we approving all these amendments tonight? Is that part of the resolution, or are we just recommending a resolution to the Council to do this and then it's going to come back to us for the official amendments?

Kari Svanstrom, Planning Director

We're not going to go back to the Council until we have the done ordinance. Their direction was they want us to work on it and bring it back. I propose tonight is direction to staff from the Commission. Staff will develop the draft ordinance and we have the draft resolution recommending to Council already, but you can make any tweaks to that, and we'll fill in the technical things about the noticing, the public hearing dates, and all that to the resolution. So, tonight is the opportunity to give us some input to put in the ordinance and we'll be back probably in a month. We will notice the public hearing in the newspaper and we also want to contact those three service station owners so they are aware of it as well.

Chair Fritz noted that there were no further comments regarding the resolution and asked Director Svanstrom if she had all she needed from the Commission.

Kari Svanstrom, Planning Director

To summarize, we heard from a quorum and it is unanimous support, so no straw poll is needed to move forward with creating the ordinance with the one change of instead of unstriking "service stations" for the service station and car wash section and also changing service station throughout and referencing existing automotive fueling stations that is consistent with the definition, and also when we do the title for that, we will say "existing and new car washes," so it is clear it applies to all car washes, not just existing car washes.

Chair Fritz thanked Senior Planner Hickler and CAC Member Hastings for their work on this matter.

B. PLANNING COMMISSION FORMATION UPDATE –

Director Svanstrom presented the staff report.

The Planning Commission discussed the agenda item as follows:

Kathy Oetinger, Vice Chair

When the call goes out for applications is there any way to contact mailing or email lists within those school districts?

Kari Svanstrom, Planning Director

That's not a bad idea. There are a couple of things. You are an out of the City limits commissioner and your term is not up this year, so we would want to do it coinciding with whenever your term is up—although I hope you will reapply at that time—but we can consider doing that. The other Planning Commission vacancy from when Bill Anderson had to move outside of the City limits precipitated this discussion after he was recently appointed, and his vacancy was filled by Commissioner Burnes, but Luke Lindenbusch had to resign because of a work conflict and his vacancy will be filled as part of the normal cycle, so at this time that position can only be filled by a business owner or a resident of the City. I will ask for the Commission's thoughts on ways to get the word out about the various City committee positions: one for the Public Arts Committee, two for the Climate Action Committee, one for the Planning Commission which is resident or business owner, and a two for the Design Review Board, including a general committee member.

Linda Kelley, Commissioner

Was there any discussion about the business owner who lives outside the City limits in terms of including them in that geographic limitation for just a resident? In terms of getting the word out, I don't know if we still have a newsletter, and then also our utility bills.

Kari Svanstrom, Planning Director

Council did not discuss that. The thought is a business owner, if they're coming into town and they own a business, the Council didn't talk about limiting that to that geography but I can clarify that with them when I bring the ordinance to them. That's a good question versus if they happen to live outside of the City limits but they're here every day and they have an affinity with the town. Any thoughts on that from this Commission that I could bring to the Council would be helpful. With respect to getting the word out, our City Clerk, Mary Gourley, handles the overall recruitment components, but I don't know if she has the utility bills, so I will ask her. Good idea.

Linda Kelley, Commissioner

I listened to the City Council meeting when you discussed this and I think it was a 3-2 vote in favor.

Director Svanstrom and Chair Fritz responded that Commissioner Kelley was correct in her recollection.

Deborah Burnes, Commissioner

Is it accurate that I heard that one could live outside of City limits if they own a business in the City limits?

Kari Svanstrom, Planning Director

That's correct. Currently it's anywhere in the 95472 zip code but we're looking to tighten that up a little bit, and that's where the three school districts are, what the Council is directing us to change that geography to.

Deborah Burnes, Commissioner

What if you have a business owner and they sell their business and their term isn't up? If things change would you still fulfill your whole term or does that make you ineligible to be on the Council?

Kari Svanstrom, Planning Director

That makes you ineligible to be on the Commission. Whatever category you're filling, you would no longer are part of that. If you're a business owner but live in Sebastopol that

would not be an issue. For instance, Chair Fritz has a business and he lives here. If he sold his business but still lived here, we don't distinguish why someone is being appointed because they're a business member or a resident, so you would still be eligible to continue to serve us.

Paul Fritz, Chair

I don't have a strong opinion either way. In some ways it makes sense if we're just limiting that geography, and in some ways it makes sense to limit a business owner to that geography as well. I think it's a question to ask the Council and for them to decide.

Deborah Burnes, Commissioner

The only thing I would add to that is I'm curious to know how hard it is to fill your vacancies, because the unincorporated area of Sebastopol is so vast?

Kari Svanstrom, Planning Director

There's a lot of discussion at Council that the incorporated area around Sebastopol does have very much an affinity for the most part with Sebastopol. As a member of the Planning Department I'm constantly letting people know that they are not actually in the City limits even though their address is Sebastopol, because they identify with the City of Sebastopol. We're similar to Cloverdale and the City of Sonoma, which also allow one out of boundary person. There are also smaller cities with unincorporated areas that have affinities to the area, and so that's very similar in that way.

Hearing no further comments, Chair Fritz closed the item.

7. SUBCOMMITTEE UPDATES

Kathy Oetinger, Vice Chair

Ives Park Subcommittee. Ives Park looks wonderful. The white PVC curb has been eliminated and is so pretty with just the redwood timbers. The High Street parking lot is in the process of being renewed and also looks great. The playground fence has been lowered, is all black, and has been cleaned up with no weeds growing there. The only thing that looks really bad is the fence on the other side of the pavement where there is a drop off and it would be nice to get that taken out. Otherwise, I am so pleased with what Superintendent Del Prete has been able to do with Public Works and the budget and working with the Rotary Club to get these things done over the past year. As projects occur, such as creek restorations, there may be ways to work some of the other projects on the list in. I have a document comprised of my working notes that I can distribute to anyone who would like a copy.

Director Svanstrom thanked Vice Chair Oetinger and requested a copy of her notes.

8. PLANNING DIRECTOR'S REPORT

Director Svanstrom provided updates.

- Planning Commission:
 - Draft Local Hazard Mitigation Plan.
 - Electronic permitting.
 - Calder Creek naturalization project.
 - Gas Station Ordinance.
 - Heltney Square ten-unit townhome.
- Design Review Board:
 - Quarterly Façade Improvement Grant reviews.

- City Council:
 - Public Works energy audit presentation.
 - Public Arts Committee review for Ives Park sculpture garden sculptures.

The Commission asked questions of Director Svanstrom.

9. ADJOURNMENT: Chair Fritz adjourned the meeting at 7:15 p.m. The next regularly scheduled Planning Commission meeting will take place on Wednesday, October 26, 2021 at 6:00 p.m.

Resolution Number 6274-2019

CITY OF SEBASTOPOL CITY COUNCIL RESOLUTION DECLARING A CLIMATE EMERGENCY
AND COMMITTING TO ON-GOING ACTIONS TO RESTORE A SAFE CLIMATE

WHEREAS, all the nations of the world have signed the 2015 Paris Agreement which has a stated objective of "...keeping a global temperature rise this century well below 2° Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5° Celsius;" and

WHEREAS, in October 2018 the Intergovernmental Panel on Climate Change (IPCC), the largest collaborative, consensus-based effort among the world's scientific community, released a Special Report on Global Warming of 1.5°C, stating that "Human activities are estimated to have [already] caused approximately 1.0°C of global warming above pre-industrial levels;" and

WHEREAS an increase in global average surface temperatures results in numerous secondary effects, including: rapidly rising sea levels, decreased snowpack, accelerating melting of ice sheets in Greenland and Antarctica, accelerated melting of Arctic permafrost, increasing incidence and intensity of extreme weather events such as heat waves, droughts, hurricanes, etc., increasing incidence and intensity of wildfires, spread of diseases, and more; and

WHEREAS, the IPCC's Special Report on Global Warming of 1.5°C states that the nations of the world must limit global temperature rise to 1.5°C above pre-industrial averages in order to maintain environmental conditions on earth that are compatible with life as it has evolved; and

WHEREAS, the IPCC's Special Report on Global Warming of 1.5°C states that in order to have a 2-in 3 chance of limiting global warming to 1.5° C, our remaining 'carbon budget' is equal to 10 years of current greenhouse gas emissions; and

WHEREAS, on September 12, 2018 Governor Jerry Brown signed "Executive Order B-55-18 To Achieve Carbon Neutrality" committing the State of California to economy-wide "...carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter," a target that accords with the recommendations of the IPCC's Special Report on Global Warming of 1.5°C; and

WHEREAS, restoring a safe and stable climate requires a Climate Mobilization at all levels of government and society on a scale, scope, and speed not seen since World War II to reach zero greenhouse gas emissions across all sectors at emergency speed, to rapidly and safely draw down or remove all the excess carbon from the atmosphere; and

WHEREAS, marginalized communities worldwide—including people of color, indigenous communities, low-income people, those with disabilities, and the unhoused—are already disproportionately affected by climate change; and

WHEREAS, a Just Transition to a safe climate must encourage the active participation and protection of marginalized communities and work to ensure that they benefit first from a sustainable and equitable economy, including good-paying jobs and other tenets of a Green New Deal effort; and

WHEREAS, the City of Sebastopol has been a leader in addressing human-caused climate change, having made significant investments in municipal solar and pioneered adoption of solar building requirements and has made bold commitments in its participation in the greenhouse gas reduction efforts enumerated in the Regional Climate Protection Authority's (RCPA's) Climate Action 2020 Plan; and

WHEREAS, the City of Sebastopol must continue and strengthen its leadership role by converting to an ecologically, socially, and economically regenerative economy at emergency by speed and helping to rapidly organize a regional Just Transition and climate emergency mobilization effort.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Sebastopol declares a climate emergency threatens our city, region, and all life on Earth; and

BE IT FURTHER RESOLVED, the City of Sebastopol commits to working with the RCPA to update the City of Sebastopol's content in the RCPA's Climate Action 2020 and Beyond Plan; and

BE IT FURTHER RESOLVED, the City of Sebastopol commits to a city-wide Just Transition and climate emergency mobilization which includes 1) **mitigation**: reducing city-wide greenhouse gas emissions to net zero by no later than 2030 (or on a timeline that guarantees the highest odds of success), 2) **drawdown**: immediate removal of carbon from the atmosphere to near pre-industrial levels, and 3) **adaptation and resilience**: measures in preparation for the inevitable consequences of a rapidly warming planet; and

BE IT FURTHER RESOLVED, the City of Sebastopol will begin an immediate evaluation of all existing and future policies, projects, purchases, and priorities in accordance with the goals of mitigation, drawdown, and adaptation; and

BE IT FURTHER RESOLVED, the City of Sebastopol commits to keeping the considerations of disadvantaged, medically sensitive and minority communities central to all climate emergency mobilization planning processes and to inviting and encouraging such communities to actively participate in order to advocate directly for their needs.

BE IT FURTHER RESOLVED, the City of Sebastopol commits to ongoing education and active engagement of all city staff, businesses, contractors, consultants, residents, and independent community groups in alignment with the goals of mitigation, drawdown, and adaptation; and

BE IT FURTHER RESOLVED, the City of Sebastopol will create a new entity or body, or expand the purpose of an existing one, that will carry forward these climate-related efforts; and

BE IT FURTHER RESOLVED, the City of Sebastopol acknowledges that full public participation of its residents, including its disenfranchised communities, youth, elders, community organizations, labor groups, businesses, and academia, is essential to the success of this effort; and

BE IT FURTHER RESOLVED, the City of Sebastopol will work with agencies, groups, and organizations to assess current citywide activity-based GHG emissions and GHG emissions from consumption of goods and services—and to track GHG emissions and publicly report annually on progress toward the City’s goal of zero net emissions;

BE IT FURTHER RESOLVED, City of Sebastopol commits to contributing to the RCPA’s development of a countywide 2030 Climate Emergency Mobilization Strategy that focuses on identifying key local actions – including a 10-year Emergency Policy Package prioritizing a short list of the most impactful local policies that will drive systems change and identify the key areas for state level advocacy.

BE IT FURTHER RESOLVED, the City of Sebastopol will review during the FY 20-21 City budget hearings the potential creation of a Climate Emergency Mobilization Liaison to drive this effort in our jurisdiction and to review potential funding resources to support the participation of this staff member (or a designated RCPA staff member) in the RCPA coalition of local governments mobilizing regional climate action; and

BE IT FURTHER RESOLVED , the City of Sebastopol joins a nationwide call for a regional Just Transition and emergency mobilization at all levels of government to restore a safe climate, and will partner with local, regional, and State agencies to implement immediate actions -- including, but not limited to, those in Attachment A -- to help safeguard its residents against the consequences of climate change.

IN COUNCIL DULY PASSED this 3rd day of December 2019.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

VOTE:

AYES: Councilmembers Gurney, Hinton, Vice Mayor Glass and Mayor Slayter

NOES: None

ABSENT: Councilmember Carnacchi

ABTAIN: None

APPROVED: _____


Patrick Slayter, Mayor, City of Sebastopol

ATTEST: _____


Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____


Larry McLaughlin, City Attorney

Attachment A:
List of Climate Actions for the City of Sebastopol
By Sebastopol Climate Action

1. All Electric Reach Code - Building ordinance would require new residential construction to use only high-efficiency electric appliances. As new building types have been reviewed and analyzed by the California Energy Commission, the All Electric Reach Code would apply to them.

a. Estimated upfront savings of \$6,171 per home (or \$3,361 per multifamily units). Estimates from Santa Rosa city staff report 06/11/2019

b. Assuming 36 housing units are built over the next three years, 86 metric tons of carbon dioxide equivalents (CO₂e) would be avoided which would be a reduction of 2.4 CO₂e annually for a standard single-family home compared to a 2019 code compliant house.

c. Needs State approval for reach codes that go beyond Title 24 regulations. Sonoma Clean Power has a template for State approval documentation.

d. [Berkeley first city in California to ban natural gas in new buildings](#)

2. Municipal Solar. Solar assessment of additional sites.

a. Possible new sites include the public parking lots and the city corporate yard.

b. Examine the possibility of micro-grid power storage, such as the SRJC has done.

3. Moratorium on New Fossil Fuel Infrastructure - Applies to new gas stations

4. Oversight of Procurement - "Sustainable purchasing" for the City of Sebastopol.

5. Data Gathering

a. Annual Reporting of Consumption - Local Gas and Electricity Baseline Data

i. The city on an annual basis makes a request to PG&E for a breakdown of consumption based on residential, commercial and industrial sectors for gas and electricity for the 95472-zip code. This data is then posted on the City website. [Public energy data request portal](#)

b. Evaluation of existing municipal solar

i. Evaluate the savings (KWh, GHG, \$) the city has achieved since installing solar arrays on most of the municipal buildings and water/sewage pumping stations. This could be done with possible assistance of SSU students.

c. Evaluation of existing building requirements for residential and commercial solar

i. Estimate the savings (KWh, GHG, \$) the solar building requirement has saved. This could be done with possible assistance of SSU students.

ii. Pass on lessons learned implementing it to other jurisdictions since all of California is now having to implement solar in new buildings.

6. Education - The city embarks on multiple public education initiatives. For example:

a. Travelling exhibit based on a 10' x 10' pop up shade structure, display table, graphics and interactive exhibit components that provides community education around action items that citizens can take to reduce GHG emissions, decrease household and business waste and increase resiliency.

- b. Publicize on the city website and newsletter all available local resources for climate and zero waste actions. Examples include:
 - i. Launch before year end of Sonoma Clean Power's incentives for Heat Pump Water Heaters, Heat Pump Space Heaters and other energy saving devices.
 - ii. Sonoma Climate Challenge
 - iii. Zero Waste best practices for households
- c. Provide handouts available at city hall for climate best practices.
- d. Leverage community groups to put on climate education events and help tell the success stories.

- i. Climate speaker series

- ii. Climate workshops for teachers

7. Begin the discussion to create climate committee or expand the scope of the Zero-Waste committee to encompass broader climate actions.

8. Work to accelerate transportation electrification

- a. Team with RCPA/CCP (and others) to encourage EV (purchase/lease)

- b. Address local EV infrastructure enhancements (See RCPA Shift Sonoma County Plan).

- i. Make electric car charging stations more visible.

- ii. Increase numbers of DC fast chargers

- c. Organize EV Rides/shows (include E-bikes).

- d. Sharing purchase/lease strategies for new buyers. Share info for buying/leasing used EVs.

9. Fund a grant writer to find money for climate initiatives, such as:

- a. Climate Action Coordinator contract position. This person would be responsible for measuring/monitoring/reporting on progress of any action items that are adopted. Civicspark/Climatecorp provides training to these new hires. For example, the City of Alameda hired a coordinator as intern via Civicsparks or ClimateCorp

- b. Youth climate corp summer jobs.

- c. Zero Waste initiatives.

- d. Conducting free solar evaluations, developing/implementing communication/outreach tools/strategies.

- e. Stipends for SSU/SRJC students to conduct studies/research/monitoring

- f. Incentives for converting to electric in homes (fuel switching).

- g. Energy and/or lighting retrofits in city-owned buildings

- h. Solar + battery storage capacity in critical city infrastructure for emergencies and PG&E planned power outages.