



Mission Statement

*"We Care for Our Residents by Working Together to Build a
Better Community for Today and Tomorrow."*

**CITY OF ROHNERT PARK
CITY COUNCIL AGENDA REPORT**

Meeting Date: March 22, 2022

Department: Development Services

Submitted By: Mary Grace Pawson, Development Services Director

Prepared By: Jeffrey Beiswenger, Planning Manager

Agenda Title: **Waive Second Reading and Adopt Ordinance No. 960 Amending the Northwest Specific Plan and Wilfred Dowdell Specific Plan, Amending Section 17.06.840 (Permitted Land Uses) and Glossary to Chapter 17.06, Article XV.A (Sonoma Mountain Village Planned Development Zoning District) of the Rohnert Park Municipal Code; and Amending Section 17.07.020 (Footnotes) of the Rohnert Park Municipal Code to Prohibit New or Expanded Fueling Facilities**

RECOMMENDED ACTION:

Waive second reading and adopt an ordinance to amend the Wilfred-Dowdell Specific Plan and the Northwest Specific Plan, and amend Section 17.06.840 (Permitted Land Uses, Article XV.A Sonoma Mountain Village Planned Development) and Section 17.07.020 (Footnotes) of the Rohnert Park Municipal Code to prohibit new or expanded fueling facilities.

BACKGROUND:

Ordinance 960 (Attachment 1) was introduced at the March 8, 2022 City Council meeting and a public hearing was conducted. The updated ordinance would:

- **Amend Zoning Code Section 17.07.020 (Footnotes) to prohibit new or expanded gas stations in the City.** Subsection C (Automotive Service Stations) would be amended to prohibit the installation of any new petroleum fueling facilities, or allowing the expansion of existing gas stations, by adding the following language:
 - a. No automobile service station may be established, or re-established for stations closed in excess of 180 days, that involves the sale or distribution of gasoline, diesel, or other motor vehicle fuels for use in vehicles with combustion engines.
 - b. All existing automobile service station uses involving the sale or distribution of gasoline, diesel, or other motor vehicle fuels for combustion engines, shall not be enlarged, extended, or moved to a different portion of the lot or parcel occupied by such use, with respect to the portion of such use dedicated to the sale of gasoline, diesel, or other motor vehicle fuels for use in combustion engines, including those site features such as storage tanks, pumps, and fuel dispensers.
- **Amend the Wilfred Dowdell and Northwest Specific Plans to ensure that the changes to Zoning Code 17.07.020 are fully implemented in these two specific plan areas.** The Northwest Specific Plan currently allows Automotive Service Stations (listed in Table 5-1)

with a Conditional Use Permit (CUP) in the Regional Commercial (C-R) zone. The amendment would incorporate standards set forth in RPMC 17.07.020, subsection C (Automotive Service Stations) in the Municipal Code, which will prohibit petroleum fueling stations in the specific plan. The Wilfred-Dowdell Specific Plan currently allows Service Stations (Table 3.3-1) with a CUP. The amendment would incorporate standards set forth in RPMC 17.07.020, subsection C (Automotive Service Stations), which will prohibit petroleum fueling stations in the specific plan.

- **Amend Municipal Code Section 17.06.840 (Sonoma Mountain Village Planned Development Zoning District) to reflect the Development Agreement that also covers a portion of the SOMO Village Development:** The most technically complex set of amendments would be to Zoning Code Section 17.06.840, the Sonoma Mountain Village Form Based Code. This section of the zoning ordinance includes a land use category call “Fueling Station”. Fueling Stations are permitted with a CUP in the T-5 and T-7 transects (zones). SOMO Village entered into a Development Agreement (DA) in early 2021, which restricts the City’s ability to change certain aspects of the land use entitlement with concurrence with SOMO Village. The “T7 Transect”, which include the existing industrial buildings at the core of SOMO Village, is not subject to the DA, so the restriction on petroleum fueling would apply to T7. However these restrictions cannot be unilaterally imposed by the City in the T5 transect. The City has reached out to SOMO Village representatives, and they do necessarily object to the proposed changes related to petroleum fueling facilities, but believe that more time is needed to amend the code and DA correctly, which is why staff is proposing to continue the moratorium on new or expanded stations.

Staff is proposing amendments to Zoning Code Section 17.06.840 (SOMO Village Form Based Code) that manage the two distinct areas of the campus. A land use category of “Fueling Station (alternative fuels only) would be added in Section 17.06.840 (part of Article XV.A, Sonoma Mountain Village Planned Development Zoning District) to the land use table and the Glossary. This allows for fueling stations, which do not include petroleum fuels, with a Conditional Use Permit in two districts (T5 and T7). The new land use category would be defined as follows:

"Fueling Station (alternative fuels only)." A retail business selling vehicle fuels, but not including gasoline, diesel, or other motor vehicle fuels for combustion engines, and related products. Hydrogen is an alternative fuel. A fueling station may also include a convenience store of less than four hundred square feet."

The land use category of “Fueling Station (including alternative fuels)” will remain in the land use table in Section 17.06.840 to reflect the SOMO Village, Development Agreement (DA) adopted by the City in early 2021. A footnote (“9”) would allow for petroleum fueling stations in the interim, as follows:

“9. Only if and when subject to an effective Development Agreement. Otherwise, the use is prohibited.

ENVIRONMENTAL REVIEW DETERMINATION:

The amendments contemplated herein are not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA

Guidelines, because it has no potential for resulting in a physical change to the environment, directly or indirectly). Additionally, this action is exempt pursuant to CEQA Guidelines section 15308.

STRATEGIC PLAN AND COUNCIL PRIORITIES ALIGNMENT:

The recommended action is consistent with the City Council's Climate Change Priority.

FISCAL IMPACT/FUNDING SOURCE:

Staff estimates the cost of this effort at \$20,000, which includes the time spent by staff and the City Attorney to prepare the necessary code and specific plan changes. The funding source for this effort is the City's General Fund, which includes budget for the Development Services Department and legal services.

Department Head Approval Date: N/A

Code Compliance Approval Date: N/A

Finance Director Approval Date: N/A

City Attorney Approval Date: N/A

City Manager Approval Date: 3/14/2022

Attachments:

1. Ordinance Amending the Northwest Specific Plan and Wilfred-Dowdell Specific Plan, Amending Section 17.06.840 (Permitted Land Uses) and Glossary to Chapter 17.06, Article XV.A (Sonoma Village Planned Development Zoning District) of the Rohnert Park Municipal Code, and Amending Section 17.07.020 (Footnotes) of the Rohnert Park Municipal Code to Prohibit New or Expanded Fueling Facilities

ORDINANCE NO. 960

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AMENDING THE NORTHWEST SPECIFIC PLAN AND WILFRED DOWDELL SPECIFIC PLAN, AMENDING SECTION 17.06.840 (PERMITTED LAND USES) AND GLOSSARY TO CHAPTER 17.06, ARTICLE XV.A (SONOMA MOUNTAIN VILLAGE PLANNED DEVELOPMENT ZONING DISTRICT) OF THE ROHNERT PARK MUNICIPAL CODE; AND AMENDING SECTION 17.07.020 (FOOTNOTES) OF THE ROHNERT PARK MUNICIPAL CODE TO PROHIBIT NEW OR EXPANDED FUELING FACILITIES

WHEREAS, Article XI, Section 7 of the California Constitution authorizes cities to adopt local police, sanitary, and other ordinances not in conflict with general laws; and

WHEREAS, the United States Environmental Protection Agency (“EPA”) has classified gas stations and fuel storage locations as uses that may result in a brownfield site. Brownfield sites are properties, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant; and

WHEREAS, common contaminants found at gas station sites include gasoline, diesel, and petroleum oil, volatile organic compounds and solvents, polycyclic aromatic hydrocarbons, and lead. Exposure to the types of contaminants present, or potentially present, at gas stations threatens the public health, safety or welfare of neighboring communities; and

WHEREAS, the California Legislature, in enacting regulations for underground storage tanks commonly used by gas stations, has made legislative findings that such underground tanks, when used for the storage of hazardous substances and wastes, are potential sources of contamination of the ground and underlying aquifers, and may pose other dangers to public health and the environment; and

WHEREAS, with increased fuel economy standards for motor vehicles, an increase in electric vehicles being used for transportation, and competition from large discount retailers, the number of operating gas stations is expected to decline, and it is expected that there may be a rise in the number of abandoned gas stations, which pose a direct threat to public health and safety due to abandoned underground storage tanks, create public nuisances in the community, and increase incidents of blight; and

WHEREAS, Governor Brown’s Executive Order B-48-18, adopted in 2018, noted that the transportation sector resulted in 50 percent of California’s total greenhouse gas emissions and 80 percent of the smog-forming oxides of nitrogen, and directed all state entities to work with local government and the private sector to ensure at least 5 million zero-emissions vehicles on California roads by 2030 and the creation of 250,000 zero emission vehicle charging stations to support such vehicles; and

WHEREAS, Governor Newsom’s Executive Order N-79-20, sets a goal to eliminate new gasoline-powered vehicle sales by 2035; and

WHEREAS, the City of Rohnert Park is a member of the Sonoma County Regional Climate Protection Authority (RCPA), which has recommended that all member agencies consider the adoption on prohibition of new gas station infrastructure by all of their member agencies; and

WHEREAS, the City of Rohnert Park has adopted a resolution recognizing the existence of a climate emergency, and the need to reduce and eventually eliminate harmful greenhouse gas emissions, including those created by motor vehicle transportation; and

WHEREAS, the City of Rohnert Park supports the implementation of the RCPA Climate Mobilization Strategy which includes “EV Access for All” provisions intended to decarbonize the transportation sector by significantly reducing the reliance on fossil fuels and significantly increasing the use of electric vehicles (EVs) charged with clean, carbon free power; and

WHEREAS, on October 12, 2021, the City Council reviewed a draft Climate Change Element for the Rohnert Park General Plan, which documents that 67% of the greenhouse gas emissions in Rohnert Park are associated with the transportation sector; and

WHEREAS, the draft Climate Change Element for Rohnert Park sets forth goals and policies to reduce the City’s greenhouse emissions which include support for broader adoption of electric vehicles (EVs) and expansion of EV charging infrastructure; and.

WHEREAS, changes to the Rohnert Park Municipal Code that reduce fossil fuel use in the transportation sector, and promote expansion of EV charging infrastructure and greater adoption of electric vehicles are consistent with the regional Strategy and the City’s developing General Plan; and

WHEREAS, the City Council finds that, in general, businesses involving gasoline and motor fuel vehicle sales may result in serious harmful effects, including but not limited to damage to the community vision, climate change, air pollution, vehicle traffic congestion, impacts on water quality, and other negative environmental or secondary effects; and

WHEREAS, banning new petroleum-based fueling stations supports the larger goal of electrifying the vehicle fleet; and

WHEREAS, existing provisions of the Rohnert Park Municipal Code authorize and regulate the operation of “automobile service stations,” defined as “any business or premises engaged in the sale of gasoline and other fuels and/or light maintenance activities such as engine tune-up, lubrication and minor repairs,” in specified commercial and industrial zoning districts; and

WHEREAS, the City Council desires to prohibit new or expanded automobile service station uses involved in the sale of gasoline, diesel or similar motor vehicle fuel products for internal combustion engine vehicles, while continuing to regulate the location and operation of other automobile service stations;

NOW THEREFORE, the City Council of the City of Rohnert Park does ordain as follows:

Section 1. Recitals. The above recitals are adopted as findings of the City Council in enacting this ordinance.

Section 2. Environmental Review. The City Council finds the approval of this ordinance is exempt under Sections 15060(c)(2) of the CEQA Guidelines, as the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment, and also exempt under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the adoption of this ordinance may have a significant effect on the environment, because the effect of this ordinance is to prohibit any new, not already approved automobile service station uses that involve the sale of fuels for combustion engine vehicles, and to prohibit the expansion of those features of already existing automobile service stations related to the sale of such fuels. In the alternative, the City Council determines that the basic purpose of

this action is to prohibit development or expansion of gasoline stations in the City in order to protect the public health, safety, and general welfare, and therefore is an action for the protection of the environment and is categorically exempt pursuant to CEQA Guidelines section 15307 (protection of natural resources) and 15308 (actions by regulatory agencies for the protection of environment). Staff are directed to file a notice of exemption for this Ordinance.

Section 3. Findings for Amendment of Northwest and Willfred-Dowdell Specific Plans. With respect to the findings required under section 17.06.390 of the Rohnert Park Municipal Code and Government Code section 65454 for amendment of the Willfred-Dowdell Specific Plan and Northwest Specific Plan, having considered the materials in the staff report, the testimony of the public and staff, and the recommendations of the Planning Commission, the City Council finds with respect to the proposed amendments to each specific plan as follows:

1. Each specific plan amendment is consistent with the City's general plan.

Criteria Satisfied: Each of the specific plan amendments are consistent with both the current 2020 General Plan and the proposed Climate Change policies with the draft 2040 General Plan. The majority (67%) of greenhouse gas emissions in Rohnert Park are associated with the transportation sector and the draft Climate Change Element sets forth goals and policies to reduce the City's greenhouse emissions which include support for broader adoption of electric vehicles (EVs) and expansion of EV charging infrastructure. Changes to the specific plans that reduce fossil fuel use in the transportation sector, and promote expansion of EV charging infrastructure and greater adoption of electric vehicles are consistent with the draft General Plan. The amendments are also consistent the following goals in the current 2020 General Plan:

- o CD-A Create pedestrian-oriented activity centers that serve as community focal points. *Gas stations are not conducive to the creation of pedestrian oriented activity centers and banning new fueling facilities will increase the likelihood that more pedestrian friendly activity areas are created.*
- o EC-F Enhance the quality of surface water and groundwater resources and prevent their contamination. *Underground tanks are a source of groundwater pollution as they age and leak. Prevention the installation of new underground tanks will reduce this risk.*
- o EC-K Continue to work toward improving air quality and meeting all federal and State ambient air quality standards and by reducing the generation of air pollutants both from stationary and mobile sources where feasible. *Automobile emissions from internal combustion engines is a known source of air pollutants. Preventing the installation of new petroleum fueling stations will reduce pollutants over time.*

2. Each specific plan amendment will not adversely affect the public health and safety or result in incompatible land uses.

Criteria Satisfied: The intent of the amendments to each specific plan is to improve the city's response to climate change that would result in the long-term benefit to public health. Common contaminants found at gas station sites include gasoline, diesel, and petroleum oil, volatile organic compounds and solvents, polycyclic aromatic hydrocarbons, and lead. Exposure to the types of contaminants present, or potentially

present, at gas stations threatens the public health, safety or welfare of neighboring communities. Underground tanks, when used for the storage of hazardous substances and wastes, are potential sources of contamination of the ground and underlying aquifers, and may pose other dangers to public health and the environment. In addition, as the number of operating gas stations decline, the number of abandoned gas stations is expected to increase, posing a direct threat to public health and safety due to abandoned underground storage tanks, create public nuisances in the community, and increase incidents of blight.

3. Each specific plan amendment provides the framework to phase and pace growth within the specific plan area so as to ensure completion of all necessary public facilities concurrently with completion of the specific plan.

Criteria Satisfied: Each amendment does not impact the phasing of the respective specific plans. The amendments do not impact the phasing of growth in the specific plan, the specific plan requirements under each plan with respect to phasing and pacing of growth remain in place.

4. Each specific plan amendment identifies adequate financing mechanisms for the infrastructure and public facilities required to support the development.

Criteria Satisfied: Each proposed amendment does not impact the financing mechanisms of the respective specific plan.

5. Each proposed specific plan amendment will not create internal inconsistencies within the specific plan and is consistent with the purpose and intent of the specific plan it is amending.

Criteria Satisfied: Each specific plan amendment does not create internal inconsistencies, and is being adopted to maintain consistency with the municipal code. Amending the specific plans and the municipal code at the same time will impose a uniform ban on all petroleum fueling facilities throughout the City, and does not conflict with the purpose and intent of the specific plan.

Section 4. Amendment of Wilfred-Dowell Specific Plan.

Table 3.3-1: “Permitted and Conditionally Permitted Uses*” of the Wilfred-Dowell Specific Plan is amended to read in its entirety as set forth in **Exhibit A**.

Section 5. Amendment of Northwest Specific Plan.

Table 5-1: “Permitted Uses” of the Northwest Specific Plan is amended to read in its entirety as set forth in **Exhibit B**.

Section 6. Amendment of Rohnert Park Municipal Code section 17.06.840 (Permitted Land Uses) – Table 1, “Land Uses” is amended to read in its entirety as follows:

Table 1. Land Uses

P Permitted

CUP ;hg;Conditional Use Permit Required

A ;hg;Administrative Use Permit Required

* ;hg;Uses marked with an asterisk are subject to the applicable provisions of Rohnert Park Municipal Code Chapter 17.07.

	T3	T4	T5	T6	CS	CP	CB	T7
A. RESIDENTIAL								
Accessory Building	P	P	P					
Dwelling, Multifamily		P	p ¹	p ¹				
Dwelling, Single Family	P	P						
Guest House	P	P						
Home Occupancy	A	A	A	A				
Large Family Daycare (9-14)	P	P	P	P			P	
Live-Work Unit	P	P	P	P				
Manufactured/Mobile Home		A	CUP					
Recreational Courts*	P	P						
Row House		P	p ²	p ^{1,2}				
Small Family Daycare Home (8 or Less)	P	P	P	P				
Temporary Use	<i>see Section 17.06.030 for all transects</i>							
Water Storage Cisterns	P	P	P	P	P	P	P	
B. LODGING								
Bed & Breakfast Inn (up to 5 rooms)		P	P	P				
Hotel (no room limit)			P	P				
Inn (up to 12 rooms)			P	P				
School Dormitory		P	P	P				
C. OFFICE								
Office ²		CUP	P	P			P	P
D. RETAIL, GENERAL								
Alcoholic Beverage Establishment*			CUP	CUP				CUP
Cinema			CUP	P				CUP
Commercial Recreation - Indoor*		A	P	P				CUP
Bar/Tavern/Night Club*			CUP	CUP				CUP
Farmer's Market (daily or weekly, year-round)		A	A	A	A		A	A

Groceries, Specialty Foods		A	P	P				P
Kiosk		A	A	A	A		A	A
Liquor Store*		CUP	CUP	CUP				CUP
Live-Work Unit	P	P	P	P				CUP
Mobile Home, RV and Boat Sales								
Market Hall ³		P	P	P			P	
Outdoor and Sidewalk Cafes*		A	P	P			P	A
Paraphernalia Store			CUP ⁴	CUP ⁵				
Plant Nursery	CUP	A	P					
Push Cart			P	P	P		P	A
Restaurant, Cafe, Coffee Shop		A	P	P			CUP	A
Retail, General		A	P	P			CUP	A
Smoking/Tobacco Store			CUP ⁵	CUP ⁷				CUP
Theater/Performing Arts (for Movies, see "Cinema")		CUP	P	P			P	CUP
E. CIVIC								
Art, Public (fountains, statues, kinetic, participatory)	P	P	P	P	P	P	P	P
Amphitheater (outdoor)		CUP	CUP	CUP	P/ CUP ⁶		CUP	CUP
Club, Lodge, Private Meeting Hall		P	P	P				CUP
Auditorium (indoor)		A	P	P			P	CUP
Library, Museum, Art Gallery		A	P	P			P	P
Parking, Surface Lot	P	P	P	P		P	P	P
Parking, Structured		A	P	P		P		P
Parks	P	P	P	P	P		P	P
Recycling Facility		A*	A*				A*	A
Religious Assembly	A	A	P	P			P	CUP
Temporary Use/Event	A	A	A	A	A		A	A
F. AGRICULTURE, FOOD & ANIMALS								
Beekeeping - Commercial Roof (up to 10 hives) ⁷			P	P		P	P	P

Beekeeping - Residential Yard (up to 2 hives)	P	P						
Chickens (up to 2 hens; no roosters)	P	P	A				P	
Crop Production, Horticulture, Orchard, Vineyard	P	A	A					
Domestic Animals	P	P	P	P				
Domestic Animal Daycare		A	P	P				
Animal Rescue	CUP	CUP						
Garden, Private or Community (less than 2 acres)	P	P	P	P	P		P	P
Garden, Private or Community (more than 2 acres)	A	A	A		A			A
Goats (up to 2 females; no males)	P	P			A			
Green Roof/Green Balcony	P	P	P	P	P	P	P	P
Greenhouse ⁸ (commercial)	CUP	CUP	CUP	CUP	CUP		CUP	CUP
Kennel			CUP					CUP
Plant Nursery	CUP	A	P					P
Slaughterhouse	<i>not allowed in any transect</i>							
Trees - Fruit or Nut	P	P	P	P	P	P	P	P
Vertical Garden/Green Wall			P	P	P	P	P	P
G. RENEWABLE ENERGY SYSTEMS								
Solar Photovoltaic System (pole mounted)	A				P	P	P	P
Solar Photovoltaic System (roof mounted)	P	P	P	P	P	P	P	P
Solar Water Heater (roof, wall or ground mounted)	P	P	P	P	P		P	P
Wind Farm					CUP			
Windmill (horizontal axis - propeller type)	P				P	P	P	
Windmill (vertical axis - cylindrical type)	P	P	P	P	P	P	P	P
H. SERVICES								
Adult Day Program		A	P	P			CUP	P
Automated Teller Machine (ATM) - no drive-thru		P	P	P			P	P
Bank, Financial Services	P	A	P	P				P
Business Support Services	P	P	P	P				P
Catering		P	P	P				P

Child Day Care Facility		A	P	P				CUP
Health Care Facility	P	A	P	P			P	CUP
Incinerator (waste, medical waste, cremation)	<i>not allowed in any transect</i>							
Laboratory - Animal Testing	<i>not allowed in any transect</i>							
Laboratory - Medical, Analytical and Research			A	A			P	P
Laundry, Coin-Operated			P					A
Laundry, Dry Cleaning Plant			A	A				P
Maintenance Repair Service - Client Site Services			P	P				P
Maintenance Repair Service - Equipment, Appliances			P	P				P
Meals Assembly		P	P	P			P	P
Media Production		A	P	P			P	
Medical Service - Major			P	P			CUP	CUP
Medical Service - Minor	CUP	P	P	P				P
Mortuary, Funeral Home		A	A	A				
Office - Business, Service, Government		P	P	P			P	P
Office - Professional, Administrative, Processing		A	P	P				P
Personal Services	P	A	P	P				P
Personal Services - Restricted		A	P	P				A
Printing and Publishing		P	P	P			P	P
Seasonal Services					CUP			A
Storage - Outdoor Storage Yard		CUP	CUP	A				P
Storage - Warehouse/Indoor		A	P					P
Studio - Art, Dance, Martial Arts, Music, etc.		P	P	P			P	CUP
Veterinary Clinic, Animal Hospital		CUP	P	P				CUP
I. AUTOMOTIVE								
Auto Vehicle Sales & Rental			CUP					
Carshare/Bicycleshare Stations		P	P	P		P	P	P
Electric Vehicle Charging Stations		P	P	P		P	P	P
Fueling Station (alternative fuels only)			CUP					CUP

Fueling Station (including alternative fuels)			CUP ⁹					
Vehicle Services			CUP					CUP
J. CIVIL SUPPORT								
Cemetery		CUP						
Public Safety Facility	A	A	A	A			P	CUP
Residential Care Facilities for the Elderly (RCFE)		A	A	A				CUP
Residential Care Facilities for the Chronically III (RCFCI)		A	A	A				CUP
Homeless Shelter*		CUP	CUP					P
Telecommunication Facility		CUP	CUP	CUP		CUP	CUP	CUP
Transitional Housing		CUP	CUP	CUP				
K. EDUCATION								
College			CUP	CUP				CUP
Elementary School - Private		CUP	CUP	CUP				CUP
Elementary School - Public		P	P	P				P
Junior High and High School - Private		CUP	CUP	CUP				CUP
Junior High and High School - Public		P	P	P				P
Childcare Center	A	A	A	A			P	A
Research and Development (R&D)		A	P	P				P
School - Specialized Education and Training	A	A	P	P			P	P
L. INDUSTRY, MANUFACTURING AND WHOLESALE								
Commercial Food Processing			CUP	CUP				CUP
Furniture/Fixtures Manufacturing, Cabinet Shop			P	P				P
Manufacturing/Processing - Light		CUP	CUP	CUP				P
Manufacturing/Processing - Heavy				CUP				CUP
Wholesale Operations			A	A				P

1 Only allowed on the ground floor where shop front or gallery is not required.

2 For Live-work units, see the Residential category.

3 A single story building with a taller story of up to twenty-five feet is allowed for this use.

4 Paraphernalia stores are subject to Municipal Code 8.33.

5 Smoking/tobacco stores are subject to Municipal Code 8.32.

6 Permitted at Village Center Civic Space only. Requires CUP elsewhere.

7 Minimum twenty feet away from property line.

8 For residential greenhouse, see *Accessory Building* under Residential. Note that the minimum two-story requirement does not apply to the greenhouse use.

9 Only if and when subject to an effective Development Agreement. Otherwise, the use is prohibited.

Section 7. Amendment of Rohnert Park Municipal Code, Chapter 17.06, Article XV.A., Glossary – The Glossary is amended to add the definition of “Fueling Station (alternative fuels only)” to read in its entirety as follows:

"Fueling Station (alternative fuels only)." A retail business selling vehicle fuels, but not including gasoline, diesel, or other motor vehicle fuels for combustion engines, and related products. Hydrogen is an alternative fuel. A fueling station may also include a convenience store of less than four hundred square feet."

Section 8. Amendment of Rohnert Park Municipal Code section 17.07.020 (Footnotes) – Subsection C, “Automobile Service Station,” of Rohnert Park Municipal Code section 17.07.020 (Footnotes) is amended to read in its entirety as follows:

C. AUTOMOBILE SERVICE STATION.

1. Service station uses may be permitted in indicated districts only with approval of a conditional use permit and subject to the following provisions. The provisions of this section shall apply to all new service stations. The provisions of this section shall also apply to the expansion of thirty percent or greater in floor area, or a remodeling or any on-site development that would cost more, than fifty percent of the value of the improvements on the parcel at the time of remodeling, excluding land value, except that the provisions prohibiting the expansion, enlargement, reconstruction, or relocation of features related to the sale of gasoline, diesel, or other motor vehicle fuels shall apply to all service stations. The provisions of this section shall also apply to a service station which after being closed for more than one hundred eighty days is to be reopened.

2. Combustion engine fuel sale uses prohibited.

a. No automobile service station may be established, or re-established for stations closed in excess of 180 days, that involves the sale or distribution of gasoline, diesel, or other motor vehicle fuels for use in vehicles with combustion engines. Alternative, clean fuels, such as hydrogen are permitted.

b. All existing automobile service station uses involving the sale or distribution of gasoline, diesel, or other motor vehicle fuels for combustion engines, shall not be enlarged, extended, or moved to a different portion of the lot or parcel occupied by such use, with respect to the portion of such use dedicated to the sale of gasoline, diesel, or other motor vehicle fuels for use in combustion engines, including those site features such as storage tanks, pumps, and fuel dispensers.

3. Minimum site standards.

a. No service station shall be constructed or operated on a lot having a depth or width less than one hundred fifty feet.

b. No building or structure (including canopies) shall be located within twenty feet from any curb face, or within ten feet of any interior parcel. No service station building shall be located nearer than thirty-five feet from any street property (such setback shall be measured at the building foundation).

c. No facility for dispensing fuel, and no dispenser in which the same is or may be located, shall be nearer than twenty feet from any property line nor nearer than thirty-five feet from any parking space. Further, no dispenser, pump, or facility for dispensing fuel shall be located on a residential street frontage serving as a secondary access to the service station site.

d. All outdoor storage shall be screened as provided for in this ordinance, however, a display rack for automobile products no more than four feet wide may be maintained at each dispenser area of a service station. If display racks are not located on dispenser areas, they shall be placed within three feet of the principal building, and shall be limited to one per street frontage. The location of display racks and vending machines shall be specified by the use permit. The storage of inoperative vehicles is prohibited.

e. Gas tank vent pipes or venting equipment for other fuels shall be incorporated into the structures and concealed from public view.

4. Site Development Standards.

a. If a lot upon which a service station is constructed or maintained abuts a residential use or a residentially zoned parcel, a six foot high solid masonry wall shall be constructed along the full length of each property line abutting such properties; provided, however, such wall height shall be reduced to three feet adjacent to the front yard of each adjacent residential property or residentially zoned property.

b. All restroom entrances, unless interior to a main building, shall be screened from the view of all adjacent properties and streets by means of decorative screens six feet in height. The bottom of such screens shall be raised no less than twelve inches and no more than eighteen inches above the finished grade for visibility and ventilation. Public restrooms that are accessible to the general public and physically handicapped shall be provided during all hours that the service station is open to the public.

c. All outside trash, garbage, refuse and recycling storage areas shall be enclosed by a gated masonry structure not less than six feet in height, ten feet in width (outside dimension), and ten feet in length (outside dimension). Openings to the storage areas shall be designed so as to prevent a view of trash or materials stored from the street or adjacent properties. Provisions for adequate vehicular access for the collection of such trash and materials shall be provided to and from such areas.

d. Provisions shall be made in the area where Class II flammable liquids may be spilled to prevent liquids from flowing into the interior of the service station buildings. Such provisions may include grading driveways, raising doorsills, or other equally effective means. Crankcase drainings and flammable liquids shall not be dumped into sewers but shall be stored in tanks or tight drums outside buildings in a designated screened area until removed from the premises by a licensed disposal company.

e. Tanks installed for crankcase drainings shall be installed in accordance with the requirements for flammable liquid storage. In addition thereto, drainage lines terminating inside a building shall be equipped with a suitable trap or check valve.

f. Service stations constructed in areas that are predominantly of residential character shall be designed to maintain a residential atmosphere.

g. A water and air supply station, if provided for public use, shall be located out of traffic flow areas and be shielded so to not create noise audible beyond the property line and shall be kept in working condition.

h. Any loudspeaker system shall not be audible above daytime ambient noise levels beyond the property boundaries. The system shall be designed to compensate for ambient noise levels in the immediate area, and shall be directed away from, and not be located within thirty feet of, any residential uses or residential districts.

i. Car wash facilities located next to residential uses or residential districts shall not be operated between the hours of 10:00 p.m. and 7:00 a.m. More restrictive time requirements may be established as a condition of any conditional use permit.

5. Landscaping standards.

a. Planters shall be installed and maintained adjacent to every street frontage for the full length thereof except for driveways. The street frontage landscaping shall be bermed to be of sufficient height to help screen the dispenser areas from passing motorists.

b. A planting area shall be installed and maintained at the intersection of property lines at a street corner to conform to the radius of such corner; provided, however, at no time shall such planting area be less than one hundred fifty square feet. All plants shall respect the visibility triangle provided in this ordinance.

c. All planting areas shall be separated from adjacent asphalt paving by concrete curbing at least six inches in height. The site shall be entirely paved, except for buildings and landscaped areas.

d. Planters shall comply with the parking lot landscaping requirements of this ordinance.

e. All plants in any planter adjacent to a perimeter wall shall, when required by the planning commission, be of a variety capable of growing to the height of such wall.

f. Permanent underground sprinkler systems shall be installed and maintained for every landscaped area, and all such landscaped areas shall be planted and maintained in a neat, orderly, and healthy manner.

6. Surface drainage. Flow lines shall be shown on all service station plans. Sheet flow shall not be permitted across property lines. Surface runoff shall be carried under sidewalks into the gutter or other drainage facility by means of a drainage structure approved by the city engineer.

7. Utilities. All utilities, including electrical, telephone, C.A.T.V., and similar service wires or cables which provide direct service to the property, shall, within the exterior boundaries of the station property, be installed underground. Related electrical equipment, such as, but not limited to, surface-mounted transformers, pedestal-mounted terminal boxes, and meter cabinets, may be placed above ground if they are enclosed and screened by fencing and/or landscaping as appropriate.

8. Equipment. All hydraulic hoists and pits and equipment for lubrication, greasing, automobile washing, and permitted repairs shall be enclosed entirely within a building.

9. Exterior lighting. All exterior lighting shall be so arranged and shielded as to prevent any glare or reflection upon and cause any nuisance, inconvenience, or hazardous interference of any kind with adjoining streets or properties.

10. Architectural control. All exterior walls should be constructed of rock, brick, stucco, wood, treated metal or any combination thereof. All exterior elevations shall be compatible in design with adjacent structures. Service bays should be oriented to have minimal visibility from adjacent roadways. Service stations within shopping centers/business parks or similar complexes shall be designed to reflect the architectural theme of the complex. Signage and exterior elevations shall be subject to review and approval by the planning commission.

11. Access, parking, and circulation.

a. No such site shall have more than two driveways or means of access to any one street.

b. Each driveway shall be separated from adjacent residential property by a full height curb extending at least five feet in length from the residential property line.

c. No driveway shall exceed a width of twenty feet at the sidewalk.

d. No driveway shall be permitted to encroach onto the return or curve of a street corner. A distance of twenty feet, or more if needed for vehicle stacking distance, shall be maintained between the return point and the beginning of the driveway depression.

e. Every service station shall have access to a collector or arterial standard street.

f. All deliveries shall be made on the service station site itself.

g. If a towing service is combined with a service station, a storage area completely screened from public view, by a six foot high solid wall or fence, shall be provided at the rear of the site. The size of the storage area, and extent of screening, shall be determined through the use permit process. This area shall be added to the minimum lot size requirements.

h. No vehicles, trailers, or campers on any service station premises may be advertised or offered for sale. There shall be no permanently disabled, junked, or wrecked vehicles stored on site, except in cases of a tow service. Towed permanently disabled, junked, or wrecked vehicles shall be stored on-site no longer than one week and they shall be stored within the designated storage area.

Section 4. Severability. The City Council hereby declares that every section, paragraph, sentence, clause, and phrase of this ordinance is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses, or phrases.

Section 5. Effective Date. This ordinance shall be in full force and effective 30 days after its adoption.

Section 6. Publication. The City Clerk is directed to cause this ordinance to be published in the manner required by law.

This ordinance was introduced on March 8, 2022 and adopted by the Council of the City of Rohnert Park on March 22, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ROHNERT PARK

Jackie Elward, Mayor

ATTEST:

Elizabeth Machado, Deputy City Clerk

APPROVED AS TO FORM:

Michelle Marchetta Kenyon, City Attorney

Exhibit A – Willfred-Dowdell Specific Plan Amendment

Table 3.3-1

Permitted and Conditionally Permitted Uses*

Permitted Uses	Conditionally Permitted Uses
Region-Serving Retail Sales Examples: • Department stores • Furniture stores • Appliance stores • Hardware stores • Paint stores • Sporting goods stores • Office supply stores • Food stores • Apparel and shoes • Books and recorded music • Home furnishings • Kitchenware • Jewelry, gifts and toys • Personal care products • Art and antiques • Flowers • Stationery and cards • Computers and software • Professional and medical/dental offices • Personal services including hair and nail salons	Auto-Related and Outdoor Businesses Examples: • Auto sales, services and supply • Automobile Service Stations** Financial Services Examples: • Banks • ATM facilities • Brokerages Outdoor Uses Examples: • Garden nursery with outdoor display and sales
Small Hotel/Motel (100 rooms or less)	Large Hotels and Conference Facilities (associated with a hotel)
Food Service Examples: • Sit-down restaurants • Indoor and outdoor cafes Coffee shops	Drive-Through Restaurant less than 5000 sq.-ft. in area including play and accessory structures Alcoholic Beverage Service in conjunction with entertainment Dining-Related Services Examples: • Live entertainment for dining patrons
	Commercial Recreation Examples: • Health clubs • Skating rinks • Movie theater

* Refer to the City's Zoning Ordinance – C-R (Regional Commercial) District for uses not listed in the table.

** Subject to requirements forth in Rohnert Park Municipal Code section 17.07.020.C, including prohibitions on sale of gasoline, diesel, and motor vehicle fuels for combustion engines.

Exhibit B – Northwest Specific Plan Amendment

COMMERCIAL-R

Uses not shown are prohibited unless determined by the Planning Director to be consistent with the Specific Plan.

P - Permitted

C - Conditionally-permitted by Planning Commission

A - Administrative Permit

Z - Certificate of Zoning Compliance

T - Temporary Conditional Permit

I - Uses Allowed as Incidental to a Primary Use

If the listed land use is followed by a letter or a section reference in parenthesis, that number or reference directs the reader to the corresponding land use footnote or special provision in Municipal Code Section 17.07.020.

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Table 5-1: PERMITTED USES

Land Use Category	C-R
Amusement Center (e.g. miniature golf, golf driving range, bowling alley, cyber cafe) (B)	
▪ Small (e.g., indoors; commercial shopping center)	A
▪ Large (e.g., indoors or outdoors; stand alone facility)	C
Animal Hospital/Veterinary Clinic	C
Antique Store	P
Arcade Games/Cybercafes (B)	P/A
Automobile Service Station (C) *	C
Bakery (Retail Sales)	P
Bank/Savings & Loan/Credit Union (see Drive-Through Windows) (I)	P
Bar/Nightclub (R)	C
Barber/Beauty Shop/Tanning Salon	P
Bath House/Spa	C
Billiards Parlor (R)	P
Broadcasting Studio	C
Clubs & Lodges	C
Commercial Filming Studio	C
Communication Facility (F)	C/A
Convention Center	C
Cultural Institution (e.g. museums)	C
Day Care Center (Non-Residential)	C
Drive-Through Window (any use) (I)	C
Drive-Through Window (pharmacy) (I)	C
Dry Cleaning Outlet	P
Firearm Dealers and Firearm Ammunition Dealers (J)	C
Florist	P
Food Store	
▪ Convenience Store	C
▪ Supermarket	C
Furniture Store	
▪ Small/Custom Order	C
▪ Large	C
Health Club	A

Land Use Category	C-R
Homeless Shelter (M)	
▪ Small (6 or less persons)	P
▪ Large (7 or more persons)	P
Hotel/Motel (No in-room food preparation unless applied for and approved as part of project approval or separately.)	P
Interior Decorator	P
Kennel (Commercial) (O)	C
Laboratory	
▪ In conjunction with a medical, dental or optical use	P(I)
Laundromat	
Liquor Store (Off-Sale) (R)	C
Live Entertainment	C
Massage Therapy (see Chapter 9.80 of Zoning Code)	P
Microbrewery with restaurant	P
Office	
▪ Professional and Administrative	C
▪ Medical and Dental	C
Parking Lot (Commercial)	C
Pharmacy (see Drive-Through Window) (I) (Does not include a Medical Marijuana Dispensary, which is a prohibited use within the City.)	P
Photography Studio	P
Printing & Blueprinting	
▪ Small Copy Center	P
▪ Print Shop	P
Private/Public Utility Facility (F)	
▪ Minor	Z/C
▪ Major	C
Public Assembly	A
Public Facility-Non-city owned or proposed (see also Public Utility)	P
Public Facility-City owned or proposed (subject to Planning Commission review on referral from City Council)	P

COMMERCIAL-R

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I - Uses Allowed as Incidental to a Primary Use

If the listed land use is followed by a letter or a section reference in parenthesis, that number or reference directs the reader to the corresponding land use footnote or special provision in Municipal Code Section 17.07.020.

COMMERCIAL-R

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Table 5-1: PERMITTED USES

Land Use Category	C-R
Recovery Facility	
▪ Small (6 or less persons)	A
▪ Large (7 or more persons)	C
Recycling Facility (V)	
▪ Reverse Vending Machines	P
▪ Small Collection Facility	A
Religious Assembly	C
Residential Care Facility	
▪ Congregate Care/Assisted Living	C
▪ Convalescent Hospital	C
▪ Senior Housing (Independent Living)	C
Restaurant	
▪ General	P
▪ Fast Food (see also Drive-Through Window- I)	C
▪ Outdoor & Sidewalk Cafe (S)	A
▪ Take Out/Delivery	P
▪ With Bar & Live Entertainment (R)	C
Retail, General and Specialty	P
▪ Department or Big Box Retail	P
Retail Warehouse Store (e.g., big box)	C
Sign Shop	
▪ Small (e.g., typically located in a small office/retail space)	C
▪ Large	C
Single Room Occupancy Living Unit Facility (Z)	A
Single Room Occupancy Residential Hotel (Z)	A
Studio (e.g. Dance, Martial Arts)	P
Tailor	P
Tattoo/Piercing Studio	P
Telecom Center	
Temporary Use/Event (EE, see also DD)	
▪ Arts & Crafts Show	T
▪ Circus/Carnival	T
▪ Flea Market/Swap Meet	A

Land Use Category	C-R
▪ Live Entertainment	A
▪ Outdoor Exhibit	T
▪ Recreation Event	A
▪ Religious Assembly	A
▪ Retail Sales	T
▪ Seasonal Lot/Activity (e.g. Christmas trees, pumpkins)	T
▪ Trade Fair	T
Theater	C
Thrift Shop	P
Transit Facility	C
Upholstery Shop	A

COMMERCIAL-R

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MIXED-USE

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I - Uses Allowed as Incidental to a Primary Use

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*Not Allowed in the north district

Table 5-1: PERMITTED USES

Land Use Category	M-U
Amusement Center (e.g. video games, other indoor amusements)	C
Antique Store	C
Bakery (Retail Sales)	C
Bank/Savings & Loan/Credit Union (drive-through windows not permitted)	C
Bar/Nightclub (R)	C
Barber/Beauty Shop	C
Bath House/Spa	C
Bed & Breakfast Inns (D)	C
Billiards Parlor (R)	P
Communication Facility (F)	C/A
Cultural Institutions (e.g. museums)	A
Day Care Center (Non-Residential)	C
Dry Cleaning Outlet	P
Florist	P
Food Store	
▪ Under 15,000 square feet	P
▪ Between 15,000 sq. ft. and 40,000 sq. ft.	C
Health Club	P
Hotel (100 rooms or less) (No food preparation unless applied for and approved as part of project approval or separately.)	C*
Interior Decorator	P
Laboratory	
▪ In conjunction with a medical, dental or optical use	P(I)
Laundromat	P
Liquor Store (Off-Sale) (R)	C*
Live Entertainment (R)	C*
Massage Therapy (see Chapter 9.80 of Zoning Code)	P
Medical Clinic	A
Microbrewery (with restaurant)	C*
Office	
▪ Professional and Administrative	P

Land Use Category	M-U
▪ Medical and Dental	P
Pharmacy (drive-through windows not permitted) (Does not include a Medical Marijuana Dispensary, which is a prohibited use within the City.)	P*
Photography Studio	P
Printing	
▪ Small Copy Center	P
Public Assembly	C
Public Facility (e.g. police and fire stations, community centers, government offices)	C
Religious Assembly	A
▪ Homeless shelter (6 or less persons)	P
Residential Facility	
▪ Congregate Care/Assisted Living	A
▪ Convalescent Hospital	A
▪ Single Room Occupancy Living Unit Facility (Z)	P
▪ Single Room Occupancy Residential Hotel (Z)	P
▪ Senior Housing (Independent Living)	P
Residential Use	
▪ Live/Work (P)	P
▪ Multi-Family	P
▪ Townhouse	P
Restaurant	
▪ General	P
▪ Outdoor & Sidewalk Café (S)	A
▪ Take Out/Delivery (drive-through windows not permitted)	P
▪ With Bar & Live Entertainment (R)	C
Retail, General and Specialty	P
School	
▪ Elementary or Secondary	C**
▪ High School	C**
▪ Trade School	C**
▪ College	C**
Studio (e.g. Dance, Martial Arts)	A

MIXED-USE

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*Not Allowed in the north district

**Only in the north district. Not Allowed in the south district.

MIXED-USE

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Table 5-I: PERMITTED USES

Land Use Category	M-U
Tailor	P
Tattoo/Piercing Studio	C
Temporary Use/Event (EE; see also DD)	
▪ Arts & Crafts Show	T
▪ Circus/Carnival	T
▪ Flea Market/Swap Meet	T
▪ Live Entertainment	T
▪ Outdoor Exhibit	T
▪ Recreational Event	T
▪ Religious Assembly	C
▪ Retail Sales	T
▪ Seasonal Lot/Activity (e.g. Christmas trees, pumpkins)	T
▪ Trade Fair	T
Theater (under 500 seats)	C*
Transit Facility (e.g. bus or train station)	C
Visitor Center	P

*Not Allowed in the north district

Land Use Category	I-L
Agricultural Processing (includes viticulture)	C
Agricultural Services	A
Aircraft Related Industry	A
Animal Hospital/Veterinary Clinic	A
Ambulance Service	A
Appliance Repair Service	P
Auto Parts Sales & Installation	P
Automobile Service Station (C)*	C
Beverage Bottling Plant	P
Boat, RV, and Outdoor Storage Facility (E)	C
Boat Building	P
Brewery/Distillery/Winery (R)	A
Broadcasting Studio	A
Car Wash	P
Clubs & Lodges	C
Commercial Filming Studio	P
Communication Facility (F)	C/A
Contractors' Storage Yard	C
Convention Center	C
Cooperage	P
Cultural Institution (e.g. museums)	C
Dairy Products Processing	P
Day Care Center (Non-Residential)	C(I)
Dry Cleaning Plant	A
Exterminator	P
Food Processor	C
Fuel Storage	C
Funeral Parlor/Mortuary	C
Health Club	P(I)
Household Hazardous Waste Facility	C
Household Services/Contractors (e.g. plumbing, painting, electrical, interior decorating)	P
Kennel (Commercial) (O)	C
Laundries/Linen Supply Service	P

INDUSTRIAL

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I - Uses Allowed as Incidental to a Primary Use

If the listed land use is followed by a letter or a section reference in parenthesis, that number or reference directs the reader to the corresponding land use footnote or special provision in Municipal Code Section 17.07.020.

* Subject to requirements forth in Rohnert Park Municipal Code section 17.07.020.C, including prohibitions on sale of gasoline, diesel, and motor vehicle fuels for combustion engines.

INDUSTRIAL

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Table 5-1: PERMITTED USES

Land Use Category	I-L
Light Manufacturing and/or Assembly (Laboratory requirements to Biosafety Levels 1 and 2)	P
Lumber Yard	P
Massage Therapy (see Chapter 9.80 of Zoning Code)	P(I)
Medical Laboratory	A
Microbrewery	
▪ with restaurant	C
▪ without restaurant	P
Nursery (Horticulture)	P
Office	A
Parking Lot (Commercial)	C
Parcel Delivery Service	P
Personal Services	
▪ As a Principal Use	A
▪ As an Incidental Use	I
Photographic Plant	P
Printing & Blueprinting	P
Private/Public Utility Facility (F)	
▪ Minor	Z/C
▪ Major	C
Public Assembly	C
Public Facility—Non-City owned or proposed (see also Public Utility)	C
Public Facility-City owned or proposed (subject to Planning Commission review on referral from City Council)	P
Publishing	P
Recycling Facility (V)	
▪ Reverse Vending Machines	P
▪ Small Collection Facility	A
▪ Large Collection Facility	C
▪ Light Processing Facility	C
Religious Assembly	C
Research and Development (Laboratory requirements to Biosafety Levels 1 and 2 only)	P
Restaurant (I)	

Land Use Category	I-L
▪ As an Incidental Use	A
Retail Use	
▪ As an Incidental Use	A
Retail Warehouse	C
School	
▪ Trade School	A
▪ High School	C
Security Guard Residence	I
Self-Storage Facility (Y)	C
Sign Shop	P
Stone Works	P
Studio (e.g. Dance, Martial Arts)	A
Taxidermist	A
Telecom Center	A
Temporary Use/Event (EE, see also DD)	
▪ Arts & Crafts Show	T
▪ Circus/Carnival	T
▪ Flea Market/Swap Meet	A
▪ Live Entertainment	A
▪ Outdoor Exhibit	A
▪ Recreational Event	A
▪ Religious Assembly	A
▪ Retail Sales	A
▪ Seasonal Lot/Activity (e.g. Christmas trees, pumpkins)	T
▪ Trade Fair	T
Towing Service/Impound Yard	A
Trucking Terminal (including moving & storage)	A
Upholstery Shop	P
Vehicle Storage Yard	A
Vehicular Dealerships/Rentals (incl. boats, farm & construction equip.) (FF)	A
Vehicle Repair/Body Shops (GG)	P
Warehousing/Wholesaling	P

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