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Eugene City Council debates ban, suspension or location restrictions of new gas stations



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Eugene city councilors are considering possible restrictions, including a possible ban, for new gas stations, to further the city's goals on reducing greenhouse gas emissions and supporting public health.

Councilors Matt Keating and Emily Semple made a motion Wednesday to prohibit new gas stations within 1,000 feet of homes and schools, require new stations to include one EV charging station for every four fuel pumps, and require expanding gas stations to add two charging stations when they expand.

"Gas stations are poisonous," said Semple, who said she drives a gas car but only fills it once every two to three months because she mostly walks. "We have enough. Everybody's filling up their cars, and we're saying we're going to have less cars that need gas,"

Some councilors expressed support for the idea while others said it was an example of government overreach. They compared the idea to council's blocked attempt to ban natural gas from new homes, and said that it would make Eugene residents pay more for gas.

According to city staff, there are 42 gas stations in Eugene. Four have been added since 2018, and two more are pending. Proponents of a ban say almost all Eugene residents live within two miles of a gas station, and this shows there are enough.

Opponents want more analysis on the effect that limiting gas stations could have on prices.

A vote on the proposal was postponed for a later work session that has not yet been set.

Arguments in favor of gas station restrictions

Eugene-based environmental justice nonprofit Beyond Toxics hosted a press conference earlier in the week and outlined their case for a ban from both a climate and public health perspective, arguments some city councilors agreed with.

"At a point when our transportation systems should be accommodating the exponential growth of cars and electric trucks, it makes no sense to expand gas station construction in Eugene," said Lisa Arkin, executive director of Beyond Toxics.

The climate argument

Proponents of restricting new gas stations to be built say the action could help to incentivize the transition to electric vehicles. According to Eugene's climate action plan, 53% of Eugene's carbon emissions are from "transportation," a category that is primarily made of gasoline and diesel engines.

All new passenger vehicles in Oregon — cars, SUVs, and light-duty pickup trucks — will have to be battery electric or plug-in hybrid electric by 2035, according to Oregon Department of Environmental Quality regulations.

Proponents have pointed to Eugene Water and Electric Board projections that 64%-80% of cars in Eugene will be EVs in 2035, up from 2-3% in 2021.

EWEB spokesperson Aaron Orłowski said in a statement: "EWEB supports the electrification of the transportation sector to reduce greenhouse gas emissions." He stopped short of speaking on specific council restrictions.

The health argument

In a data review put together by Beyond Toxics, the nonprofit said there are four chemicals harmful to human health that come from gas stations, both from regular use and leaks. There have been 303 leaks in or near Eugene since 1987, the nonprofit said citing DEQ data.

The Beyond Toxics report said gas stations release Benzene, Toluene, Ethylbenzene and Xylene, collectively called the BTEX chemicals. Beyond Toxics cited research tying the chemicals to lung damage in older people, increased risk and severity of asthma and wheezing and bronchitis, and cancer.

The arguments against restrictions

Some councilors raised concerns about new restrictions on gas stations, including the health and environmental effects of lithium, the effect of restrictions on gas prices and access, access to hydrogen fueling and government overreach.

"I don't agree with this tactic," councilor Alan Zelenka said. "It's a ban without using the word ban. A 500-foot or even a 1,000-foot (setback) would put almost 90% of land off limits ... If we push in a ban, what we'll do is we'll push people out to Springfield and outside the city so they travel farther, creating more greenhouse gasses, which is counterproductive to what we're trying to actually accomplish."

Gas restriction options Eugene could take

City staff and councilors came up with several options, ranging from an outright ban to no action. Councilors agreed to later discuss a motion that combines location restrictions with requirements to include EV chargers A new motion, if it comes, could take any form.

Outright ban of additional gas stations

Under this option, Eugene would update city development code so that gas stations would not be included as an allowed use in any of the city's zones. Existing gas stations would be grandfathered in, but no new stations could open. This is the option climate advocates have asked city councilors to select.

"I prefer an outright ban but I also recognize that that's very challenging to do, so if we want to do something we're somewhat limited." Semple said.

Temporary ban on new gas stations

Multiple councilors suggested the idea of putting a temporary moratorium on new gas stations, letting councilors take action while simultaneously evaluating a permanent ban's effects.

"Something with a sunset date makes more sense to me because we can take a temporary pause, not build more toxic polluting businesses in our community and figure out what we need, where we need it, where we don't need it, and figure out how we're going to move forward without having to make assumptions about things we might not have all the

information for," councilor Jennifer Yeh said.

Limiting locations of any new gas stations

Under this option, Eugene would update city code so that new gas stations would still be allowed, but in fewer areas than they currently are.

Gas stations are currently allowed in five of the city's 18 base zones and three of the 13 special zones. This includes both industrial zones, the two heavier commercial zones, and the "mixed-use employment" zone. There also are special zones for 5th Avenue, Walnut Station and Chambers Street.

Proponents of a ban say this system disproportionately places the health risks of gas stations on west Eugene.

In addition to or instead of limiting the allowed zones, the city could restrict how close gas stations could be to each other or from other locations.

City staff suggested creating buffer zones that could be anywhere from 500 feet to a half mile, new stations would not be allowed if they came within that distance of each other or of homes or schools. Eugene currently has a similar rule saying cannabis stores can't be within 1,000 feet of each other.

Additional development standards

An additional option, which city council could combine with limiting locations, would be to strengthen the rules for what gas stations in Eugene look like. City staff floated increasing the distance between gas pumps and adjacent properties, increasing landscaping requirements, limiting the size of stations or requiring new gas stations to also provide electric vehicle chargers.

No changes

Some councilors said they did not want to add any new rules.

"I'm concerned about the effect on the market," councilor Mike Clark said. "I don't know that it would be significant. I don't know that it wouldn't, but I think that it's important that we know that before we take this sort of regulatory effect. Because often ... prices go up, and it's

the people who can least afford to pay them that we ought to be concerned about.”

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