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PLANNING COMMISSION  
MEETING OF: **March 22, 2016**  
SEBASTOPOL YOUTH ANNEX  
425 MORRIS STREET

**APPROVED MINUTES**

PLANNING COMMISSION  
CITY OF SEBASTOPOL  
MINUTES OF March 22, 2016

SEBASTOPOL YOUTH ANNEX  
425 MORRIS STREET

**PLANNING COMMISSION:**

The notice of the meeting was posted on March 17, 2016.

**ANNOUNCEMENT:** Please turn off all cell phones and pagers during the meeting.

**1. CALL TO ORDER:** Chair Doyle called the meeting to order at 7:03 p.m.

**2. ROLL CALL:**

- Present:** Chair Doyle, Vice Chair Kelley, and Commissioners Fernandez, Fritz and Jacob
- Absent:** Commissioners Douch (excused) and Pinto (not excused)
- Staff:** Kenyon Webster, Planning Director  
Rebecca Mansour, Planning Technician

**3. APPROVAL OF PLANNING COMMISSION MINUTES of:** There were none.

**4. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA -** This is for items *not* on the agenda, but that are related to the responsibilities of the Planning Commission or City Council. The Commission and Council receive any such comments, but under law, may not act on them. If there are a large number of persons wishing to speak under this item, speaking time may be reduced to less than 3 minutes, or if there is more than 15 minutes of testimony, the item may be moved to the end of the meeting to allow agendized business to be conducted.

Ila Benavidez-Heaster, 7777 Bodega Avenue, commented:

- Wished to speak on the Planning Commission's approval of the KOWS antenna application at their meeting on February 23<sup>rd</sup>.
  - Expressed concern over a number of things.
  - In looking at the materials, KOWS didn't research alternate locations.
  - Some members of the Commission were dismissive towards public speakers.
  - The Commission is, at times, too concerned with not burdening the applicant with additional costs.
  - The Commission should have asked for more information rather than passing it on to the Council.

Hearing nothing further, Chair Doyle closed Public Comment.

**5. STATEMENTS OF CONFLICTS OF INTEREST:** There were none.

**6. PLANNING DIRECTOR'S REPORT (Update on Future Agendas, Action of Other Boards and City Council)**

Director Webster provided the following update:

- At their next meeting, the City Council:
  - Will receive a presentation from PG&E on their gas pipeline safety initiative. Throughout their entire territory, PG&E has been surveying major gas distribution pipeline locations for issues involving access. In other words, they're trying to identify situations where there may be trees either right on top of a major line or within 5' of it, or even a lot of brush that could impede emergency access in a repair situation. PG&E has been doing this in various jurisdictions and will unveil the beginning of their work in Sebastopol. It looks like about eighty trees are identified as being of some concern, however, it doesn't sound like very many of them would be critical removal type situations.
- The traffic study for the Piazza Hotel Project at the old lumberyard site has begun. The project will come to the Commission for preliminary review on April 26<sup>th</sup>.
- The Planning Commission meeting on April 12<sup>th</sup> will be joint with the City Council. The topic will be Climate Action 2020 and beyond. The Commission and Council will receive a presentation from the Regional Climate Protection Authority (RCPA) staff and perhaps one of their consultants. The RCPA is hoping for some comments from the Commission and Council that might help shape the next draft. He noted that the grant that is funding this project runs out at the end of June.
- Removal of the raised concrete median at Morris Street and Sebastopol Avenue was completed last week.

The Commission asked questions of staff.

**7. CONSENT CALENDAR (PUBLIC HEARING IF REQUESTED):** None

**8. PUBLIC HEARING:**

**A. PUBLIC HEARING TO RECEIVE SCOPING COMMENTS ON AN ENVIRONMENTAL IMPACT ON THE DRAFT GENERAL PLAN:** An Environmental Impact Report (EIR) will be prepared for the Sebastopol General Plan Update. The overall purpose of the Sebastopol General Plan is to create a policy framework that articulates a vision for the city's long-term physical form and development. This hearing provides an opportunity

for the public and agencies to provide the City with input regarding topics that should be addressed in the EIR.

Elise Carroll, Associate Planner at De Novo Planning Group gave a presentation and was available for questions.

Chair Doyle opened the Public Hearing.

Hearing none, Chair Doyle closed the Public Hearing.

The Commission had no questions or comments for the consultants.

**B. PRELIMINARY ANNEXATION REVIEW – Village Park-Tomodachi Park Property, 6665 Sebastopol (Project 2015-52)** – This is an application submitted by the City of Sebastopol for Preliminary Annexation Review to consider whether to initiate annexation of the Village Park property located at 6665 Sebastopol Avenue, as well as a potential related General Plan amendment to change the Sphere of Influence. The subject property is currently located within the County of Sonoma jurisdiction, but is directly contiguous with the City limits, and is provided with City sewer and water services. The City of Sebastopol owns the property and is therefore initiating the annexation of the two parcels (APN's 060-060-001 and 004-063-017). The 12.4-acre property proposed for annexation is developed with a 3.7-acre mobile home park, and Tomodachi Park, an 8.7-acre public park, which has a permanent open space easement. The City does not intend to alter these uses at this time. This item was continued from the February 23 meeting of the Commission.

Director Webster presented the staff report.

The Commission asked questions of Director Webster.

After asking a question, Chair Doyle commented that the City needs to make a decision about renting or removing the vacant units.

Chair Doyle opened the Public Hearing.

Hearing none, Chair Doyle closed the Public Hearing and brought it back to the Commission for discussion.

Commissioner Jacob commented:

- Recognized that the original assessment was to buy the property and turn it into a park.
- However, members of the public as well as members of our current Council have called attention to the fact that the mobile home park is providing much-needed affordable housing in Sebastopol.
- The current draft General Plan is saying that we should leave it designated for housing for the foreseeable future.
- Unless the Council is moving in a different direction, the vacant spaces should be rented out.
- For now, the Commission should recommend zoning it for high-density housing.
- If at some point in the future the Council chooses to move in a different direction, they can take a clear policy position publically, change the zoning, and let the mobile home park be non-conforming as they move in that direction.

- The General Plan will guide some of the decisions about how this property is zoned.
- The annexation that is being discussed is a good idea and should happen.

Commissioner Fritz asked Director Webster if the City would have to rezone the parcel if it went with high-density residential now and wanted to turn it into a park at a later date.

Director Webster responded that the City would have the ability to turn it into a park regardless, however, rezoning it would be appropriate at some point if that was the case.

Commissioner Jacob clarified that the high-density designation would be for the mobile home park portion only.

Commissioner Fritz commented that this is not the best location for high-density housing primarily due to the floodplain issue.

Commissioner Fernandez commented:

- Expressed concern with the City having acquired a property that immediately became a negative as far as costs to the City.
- Acknowledged that this is a difficult situation.
- The City should have a plan in place for the future of the property.

Vice Chair Kelley commented that this has been a sticky issue for a number of reasons and asked staff if there had been discussions about this being a place for tiny homes.

Director Webster responded that interest in a tiny home development had been expressed, however, big questions remain.

Chair Doyle commented:

- This is not an appropriate location for high-density housing.
- Understood the vision of the City when the property was purchased as well as the sensitivity of the existing housing situation.
- The numbers align with medium-density, not high-density.
- Suggested that the property be designated as medium-density residential.
- A designation of medium-density residential would be a land use that is in conformance with the actual current use and is as low density as possible.
- Expressed concern with the City potentially selling the property down the road to someone who may want to develop it at maximum build-out under whatever it is zoned.
- During their discussion of the General Plan, he suggested that these parcels be zoned 'CF' Community Facilities with the mobile home park as an existing nonconforming use, however, that was deemed to not be a good direction for a number of reasons of which he wasn't entirely clear.
- Reiterated his suggestion that the property be designated as medium-density residential.

Commissioner Jacob asked Director Webster if a study had been done to determine what percentage of occupancy was needed for the City to break even.

Director Webster responded:

- It was his understanding that the prior operation was profitable, however, a key piece in the financial success of the overall business was the seasonal campground.
- The seasonal campground activity was terminated as part of the City's acquisition due to a number of concerns having to do with the oak grove and Laguna channel.

- There were a number of deferred maintenance issues that the City had to take care of upon acquisition of the property.

Commissioner Jacob commented:

- The Commission is not privy to the many concerns raised by City staff, however, it was clear that there was concern about moving too quickly in either direction.
- If the mobile home park is to remain for the foreseeable future, the City should do a quick economic study to determine what it would take for the City to at least break even.
- The City cannot afford to have properties that aren't holding their own.
- The parcel should be zoned to be the lowest density it can be in order for the City to break even.
- If the City plans to see the property in the future, they can rezone it before doing so.

Commissioner Fernandez commented:

- If the full mobile home park can fall under medium-density residential that's what it should be zoned.
- While not the intent of the acquisition, he acknowledged that the existing situation is a delicate one.
- Other revenue generating opportunities for the site should be explored.

Commissioner Fritz commented that it makes sense for the City to annex the Village Park property.

The Commission agreed.

Commissioner Fernandez commented that annexing the property would also give a voice to the residents of the mobile home park.

Vice Chair Kelley asked Director Webster what our proposed designations for the property would be.

Director Webster responded that the proposed would be dual zoning; open space for the park property and per consensus of the Commission, medium-density for the mobile home portion which seemed workable to him.

Vice Chair Kelley asked if there would be an issue with their recommending that the zoning of the mobile home portion be changed from high- to medium-density in the midst of the General Plan update process.

Director Webster responded that there would not be an issue with the Commission recommending that.

The Commission asked additional clarifying questions of staff.

Hearing nothing further, the Commission concluded its discussion of this item.

**C. MANDATORY ZONING ORDINANCE AMENDMENTS PERSUANT TO ADOPTED HOUSING ELEMENT – The City Housing Element identified a number of Zoning Ordinance amendments that are mandated by State law.** The amendments were identified in the City Housing Element adopted in 2015, and include: update density bonus provisions to be consistent with State law; modify provisions regarding

farmworker housing, homeless shelters, and transitional and supportive housing; modify second dwelling unit procedures to provide for administrative approval and make changes in other provisions; modify provisions regarding manufactured housing for consistency with State law. This item was continued from the February 23 meeting of the Commission.

Director Webster presented the staff report.

The Commission asked questions of Director Webster.

Chair Doyle opened the Public Hearing.

Hearing none, Chair Doyle closed the Public Hearing and brought it back to the Commission for discussion.

Chair Doyle asked for comments on Housing Element Action G-3.

There were none.

Chair Doyle asked for comments on Housing Element Action G-1.

The Commission asked questions of staff.

Commissioner Jacob commented:

- Having farmworker housing is a good idea, but it has to be appropriate to the use.
- Suggested that the City change single-family zoning districts to allow agricultural uses and then remove the agriculture zoning district altogether.

Chair Doyle commented:

- This should definitely be looked into.
- This is a classic example of the State dictating something that is not appropriate.

Commissioner Fritz expressed being in agreement with Commissioner Jacob's comments.

Chair Doyle asked for comments on Housing Element Action G-2.

There were none.

Chair Doyle asked for comments on Housing Element Action G-6.

The Commission asked questions of staff.

Director Webster and the Commission agreed that parking requirements should be referenced under section 17.110.030 Second Dwelling Unit Criteria of the Zoning Ordinance.

Chair Doyle suggested that a comma be added in the first sentence of 17.110.030 A.

Location: as follows:

- A. Location: Second dwelling units may be allowed only on parcels zoned for single-family, duplex or multi-family use, or on non-residentially zoned properties, which are currently used only for a single-family residential use, either simultaneous to or subsequent to construction of the principal dwelling.

Director Webster responded in the affirmative.

Chair Doyle referred to 17.110.030 D. 3) and asked why a second unit had to be subordinate in terms of height and size and why internal conversion of an existing single-family dwelling unit was called out specifically. He also commented that there should be an appeal procedure to the Planning Commission.

Director Webster responded:

- The State doesn't want any discretion over second dwelling units.
- A staff decision could be appealed but it would have to be because staff misapplied the objective rules.

Chair Doyle suggested using 'should' more than 'shall' in the entire 17.110.030 Second Dwelling Unit Criteria section.

If there is a concern with primary versus secondary units, Chair Doyle suggesting revising D. Conditions: 1. Floor Area: as follows: The floor area of the second dwelling unit shall be a maximum of 2/3 of the floor area of the primary residence and 840 square feet.

Commissioner Jacob commented that from a land use perspective this was not a problem because it would be giving us more density, which is a good thing.

Chair Doyle commented that it was terrible that the City could not have a discretionary process for second dwelling units.

Director Webster commented that D. Conditions: 3) Size: could be eliminated.

The Commission agreed.

Commissioner Fritz commented that he had no issue with the primary and secondary unit being the same size. He noted that 840 square feet seemed a bit arbitrary and commented that he would be willing to allow them to be up to 1,000 square feet.

Chair Doyle commented that the County of Sonoma uses 840 square feet as a maximum size for second dwelling units as well.

Commissioner Jacob commented that limiting the size helps to limit the amount of rent that can be collected which is an important piece of providing affordable housing.

The Commission asked clarifying questions of staff.

Chair Doyle suggested revising D. Conditions: 2) Height: as follows: The height of a detached one-story second unit shall not exceed 17 feet, and a two-story second unit shall not exceed 25 feet.

The Commission agreed.

Chair Doyle commented that there are a number of references to section 17.110.030(d) and commented that that should be changed to 17.110.030(D).

Director Webster responded in the affirmative.

Chair Doyle asked a question of staff on 8) Utility Connections.

Commissioner Fritz referred to D. 4) Architecture; and questioned its practical usefulness. Chair Doyle expressed being in favor of leaving it in because there should be some architectural qualitative language without discretionary approval.

Commissioner Fritz cited potential issues and commented that he'd like to eliminate D. Conditions: 4) Architecture.

Chair Doyle asked to hear from other Commission members on 4) Architecture.

Commissioner Fernandez commented that there should be some conformity and was leaning towards keeping the language.

Commissioner Jacob commented that he could be swayed in either direction and suggested requiring compatibility with '50% of the following' instead.

Chair Doyle commented that it could be revised to read, 'substantially architecturally compatible'.

The Commission agreed.

Director Webster commented that there appeared to be consensus on revising 4) Architecture: to include that second units shall be substantially architecturally compatible with the principal unit and the neighborhood and to modify that architectural compatibility with the existing principal unit may include coordination of colors, materials, siding, roof pitch and style, and other architectural features, and landscaping designed so that the appearance of the site remains that of a single-family residence.

Chair Doyle commented that it could also be left as is.

Vice Chair Kelley commented that the compatibility issue exists under 7) Manufactured Homes: as well.

The Commission agreed to revise the language for both 4) Architecture and 7) Manufactured Homes to include 'substantially architecturally compatible'.

Commissioner Jacob asked if a reference to tiny homes could be included.

Director Webster stated that discussion of tiny homes should occur first, and if necessary, this section could be amended.

Commissioner Fritz asked for clarification on D. Conditions: 11) Separate Entrance Required.

Director Webster explained.

Commissioner Jacob commented that it was poorly worded and suggested revising it as follows; the entrance to the second unit and the main residence shall be separate and secure.

The Commission agreed.

Commissioner Fritz commented that reference to the 'Uniform Housing Code' should be changed to the 'California Residential Building Code'.

The Commission agreed.

Chair Doyle asked for comments on Housing Element Action D-9, G15.

The Commission asked questions of staff.

The Commission expressed being in support of staff's recommendation to simply reference the State provisions.

Chair Doyle asked for comments on Housing Element Action G-16.

The Commission asked questions of staff.

The Commission expressed being in support of staff's recommendation to revise the definition to reference the State requirements and to note that otherwise, such types of dwellings are subject to all other applicable standards.

Commissioner Jacob made a motion to approve the amendments as revised during their discussion.

Commissioner Fritz seconded the motion.

AYES:	Chair Doyle, Vice Chair Kelley and Commissioners Fernandez, Fritz and Jacob
NOES:	None
ABSTAIN:	None

**9. DISCUSSION ITEMS:** There were none.

**10. WRITTEN COMMUNICATIONS:** There were none.

**11. ADJOURNMENT:** Chair Doyle adjourned the meeting at 9:11 p.m. The next meeting will be a special joint meeting with the City Council. The meeting will be held on Tuesday, April 12, 2016 at 6:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472.

Respectfully Submitted By:

Kenyon Webster  
Planning Director