



City of Sebastopol

Incorporated 1902

Planning Department

7120 Bodega Avenue

Sebastopol, CA 95472

707-823-6167

707-823-1135 (Fax)

www.ci.sebastopol.ca.us

Email: kwebster@cityofsebastopol.org

PLANNING COMMISSION

MEETING OF: August 23, 2016

SEBASTOPOL YOUTH ANNEX

425 MORRIS STREET

APPROVED MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF August 23, 2016

SEBASTOPOL YOUTH ANNEX
425 MORRIS STREET

PLANNING COMMISSION:

The notice of the meeting was posted on August 18, 2016.

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

1. CALL TO ORDER: Chair Kelley called the meeting to order at 7:01 p.m.

2. ROLL CALL:

Present: Chair Kelley, Vice Chair Fritz, and Commissioners Doyle, Skinner and Pinto (arrived at 7:02 p.m.)

Absent: Commissioner Fernandez (excused)
Commissioner Jacob (excused)
Commissioner Douch (not excused)

Staff: Kenyon Webster, Planning Director
Rebecca Mansour, Planning Technician

3. APPROVAL OF PLANNING COMMISSION MINUTES: August 09, 2016

Commissioner Doyle asked a question of staff.

Commissioners Doyle and Skinner amended the minutes.

Commissioner Skinner made a motion to approve the minutes as amended.

Vice Chair Fritz seconded the motion.

AYES: Chair Kelley, Vice Chair Fritz, and Commissioners Doyle, Skinner and Pinto
NOES: None
ABSTAIN: 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.

There were none.

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:

- While consideration of Climate Action 2020 was initially planned for Planning Commission review following their action on the General Plan, a CEQA lawsuit was recently filed, thus, further consideration of the Plan by various jurisdictions has been placed on hold pending resolution of that litigation.
- Pending final action by the Commission tonight, the Draft General Plan is scheduled for the next City Council meeting, which will take place on September 6.
- Also on the City Council agenda for September 6, what is planned to be an annual presentation of names of people nominated to be on the Peace Wall.
- A proposal by West County Community Services regarding the concept of taking over management of the Village Mobile Home Park has been delayed due to their need to perform additional due diligence to evaluate the feasibility of it.

The Commission had no questions for Director Webster.

7. CONSENT CALENDAR (PUBLIC HEARING IF REQUESTED):

- A.** An application submitted by William Abrams requesting an Alcohol Use Permit to sell beer and wine at Revibe Café and Scoop Bar, a restaurant, at 7365 Healdsburg Avenue. The establishment will operate six days a week from Wednesday to Monday, 7:00 a.m. until 11:00 p.m., and will serve Caribbean and Jamaican cuisine, including breakfast, lunch, dinner, and dessert. The establishment will have over 100 seats with both indoor and outdoor dining areas and be permitted to serve beer and wine for onsite consumption under a Type 41 ABC license from the Department of Alcoholic Beverage Control.

Chair Kelley asked if anyone wished to pull this item off of the Consent Calendar.

A member of the public interjected and asked Chair Kelley to explain the procedure for pulling an item off of the Consent Calendar.

Chair Kelley explained.

A member of the public requested that this item be pulled from the Consent Calendar.

The Commission agreed.

Director Webster presented the staff report.

The Commission asked questions of Director Webster.

Chair Kelley asked the applicant if he wished to make a presentation.

Williams Abrams gave a brief presentation and was available for questions.

The Commission asked questions of Mr. Abrams.

Chair Kelley asked if members of the public wished to speak on this item.

Kathy Dykeman, a resident of Sebastopol, commented:

- Her residence is behind the project.
- Asked the applicant how many parking spaces would be provided.

Chair Kelley interjected and clarified the process.

Ms. Dykeman comments continued:

- Expressed a concern regarding noise, particularly from the music being played within the establishment.
- Her property abuts their parking lot.

Christopher Williams, a resident of Sebastopol, commented:

- Ms. Dykeman is his mother.
- Expressed being all for this project.
- He and his mom live very quietly.
- Expressed being all for commercial uses and thinks this is a great project.
- Wants to ensure that his mother's remaining years won't be subject to a quandary of nuisance related complaints.
- Expressed a concern with noise, especially when it comes to early morning (before 7 a.m.) and late night (after 11 p.m.) hours.
- Respects business.
- Expressed being understanding of daytime noise.
- Property values will likely be affected, especially if noise becomes a real issue.
- Thanked the Commission for their time.

Hearing nothing further, Chair Kelley closed the public hearing.

Chair Kelley asked Mr. Abrams to respond to the questions raised during the public hearing.

Mr. Abrams responded.

The Commission asked additional questions of Mr. Abrams.

Chair Kelley asked Ms. Dykeman and Mr. Williams if they were satisfied with Mr. Abrams' responses.

Ms. Dykeman commented that she was concerned about the adequacy of the parking that they are providing for both the customers and the employees.

Hearing nothing further, Chair Kelley brought it back to the Commission for discussion and follow up questions.

The Commission asked additional questions of Director Webster.

Director Webster commented that this project was approved quite some time ago. He noted that the only matter before the Commission was their request for an alcohol use permit.

Chair Kelley reiterated, for purposes of the public, that the project had been previously approved and that the only matter before the Commission was the applicant's request for an alcohol use permit. She added that neighborhood concerns are very important to the Commission.

In response to the concerns expressed by Ms. Dykeman and Mr. Williams, Commissioner Doyle commented:

- Pointed out that there are conditions of approval that address potential noise.
- Hopes that the residents don't experience any issues.

Commissioner Doyle made a motion to approve the application as submitted.

Commissioner Pinto seconded the motion.

Chair Kelley referred to Condition 15, which states, placement of bottles into outdoor recycling bins shall take place only between the hours of 9:00 a.m. – 9:00 p.m., and commented that that can become an issue if not followed.

Commissioner Doyle encouraged the applicant to familiarize himself with the conditions of approval.

Chair Kelley asked for a vote on the motion.

AYES:	Chair Kelley, Vice Chair Fritz, and Commissioners Doyle, Skinner and Pinto
NOES:	None
ABSTAIN:	None

8. PUBLIC HEARING:

- A.** The Planning Commission will continue deliberations on the Draft General Plan. The Commission conducted and closed a Public Hearing on the Final EIR and Draft General Plan on August 9, 2016. The Commission approved a resolution recommending certification of the Final EIR, and provided recommendations for revisions to the Land Use and Circulation Elements. On August 23 the Commission will review other draft Elements. The General Plan sets broad, long-term City policy in a number of areas, and may result in changes to land use and zoning designations, changes to the Zoning Ordinance and revisions to other City codes. The EIR and Draft General Plan are available for review at the Sebastopol General Plan Update Web site, at: <http://sebastopol.generalplan.org/>. Following completion

of the Commission's recommendations, the Final EIR and Draft General Plan will be considered by the City Council, which will also conduct a public hearing on the matter.

Chair Kelley commented that a member of the public requested to use an additional 3 minutes by using another member of the public's allowable time given that she did not wish to speak on this item.

The Commission agreed.

Director Webster presented the staff report.

The Commission asked questions of Director Webster.

Chair Kelley reopened the public hearing for further comments on the Draft General Plan.

Michael Carnacchi, 385 Murphy Avenue, commented:

- Is a Sebastopol resident and business owner.
- Referred to page 3-5 of the Circulation Element. If elected to Council he will work specifically on Action CIR 1b.
- Referred to a statement under 'Transportation Noise Sources' on page 6-2 of the Noise Element which states, 'Where existing traffic noise levels are greater than 65 dB Ldn at the outdoor activity areas of noise-sensitive uses, a + 1.5 dB Ldn increase in roadway noise levels will be considered significant.'
- As somebody who owns a business on North Main Street, he conducted his own decibel study by standing out in front of his business utilizing a decibel reading meter, which he borrowed from the Police Department, last summer. He found an average of 89 dB between the hours of 1 p.m. and 4 p.m.
- Referred to Table N-1 on page 6-6 of the Noise Element and commented that an average of 89 dB Ldn is clearly unacceptable.
- Our downtown is not healthy.
- The diesel particulates in particular get really deep into our lungs.
- Nobody will want to sit in the outdoor seating area of the proposed Hotel Sebastopol.
- Referred to Goal CD 2 on page 7-4 of the Community Design Element, which states, 'Promote and Enhance the Downtown Core as a Safe, Active, and Attractive Environment,' and commented that the first step towards accomplishing that is to begin a discussion between Caltrans, the City and the County on coming up with an alternative route for through traffic and large trucks.
- Any bypass route would have to work in conjunction with creation of a Specific Plan for the Downtown Core so that as the bypass got constructed, the downtown core would be in the process of being revitalized and rejuvenated as well.
- Thanked the Commission for their time.

Hearing nothing further, Chair Kelley closed the public hearing.

Chair Kelley asked to hear from Ben Ritchie and Beth Thompson of De Novo Planning Group.

Mr. Ritchie introduced the Community Services and Facilities Element.

Chair Kelley asked to hear any questions, concerns, or comments on the Community Services Element from the Commission.

Chair Kelley commented that any reference to the hospital should be made in general terms.

Mr. Ritchie commented that he would do a global search to ensure that specific reference is not made.

Hearing nothing further, Chair Kelley concluded the Commission's discussion of the Community Services and Facilities Element.

Mr. Ritchie provided a brief introduction of the Conservation and Open Space Element.

Chair Kelley asked for questions, concerns, or comments on the Conservation and Open Space Element.

Commissioner Pinto commented:

- Sebastopol looks like a really built out community.
- There are limited opportunities for conservation and open space in town.
- Appreciates the comments on enlarging Ragle Park.
- Appreciates the comments on the Laguna de Santa Rosa.
- Expressed being happy with the Element as written.

Chair Kelley commented:

- Has advocated for the use of story poles in the past, as they can be a more effective way of showing impacts than computer renderings.
- The viewshed from the Laguna is as important as the viewshed to the Laguna.

Commissioner Doyle referred to Policy COS 2-6 on page 5-3 and asked questions of Mr. Ritchie, Ms. Thompson and Director Webster.

Chair Kelley asked a question of Director Webster.

Hearing nothing further, Chair Kelley concluded the Commission's discussion of the Conservation and Open Space Element.

Chair Kelley asked to hear from the Commission on the Noise Element.

Chair Kelley asked the consultants to respond to some of the issues raised during the public hearing by Mr. Carnacchi.

Mr. Ritchie responded:

- Traffic noise and traffic volumes in the downtown were one of the primary things they heard from the community throughout this entire process.
- The General Plan does its best to address those issues through things like traffic calming and exploring bypass alternatives, among other things.
- The Plan itself is not causing the traffic noise in the downtown to get worse.
- There is no quick fix.
- Tried to be sensitive to those issues when writing the Plan.
- Explained the sliding scale on page 6-2.
- Explained the acoustical analysis that was done for the Existing Conditions Report.

- Has taken the most proactive approach they know how with the Noise Element to not have the noise level get any higher.

Chair Kelley asked for questions, concerns, or comments on the Noise Element.

Vice Chair Fritz asked a question of Mr. Ritchie.

Commissioner Skinner suggested adding something about encouraging Caltrans to maintain good pavement conditions on State Highways within Sebastopol, in order to reduce traffic-related roadway noise.

Mr. Ritchie commented that that would be an excellent addition to the Circulation Element, if not already there.

Chair Kelley commented:

- The bypass issue has been discussed for many, many years.
- The matter needs to be a high priority for the Sonoma County Transportation Authority as well.
- The Council representative to the Sonoma County Transportation Authority has to work towards getting that on a priority list.

Commissioner Doyle commented:

- Disappointed to see, in a letter from the County's Permit and Resource Management Department given by staff prior to the start of this meeting, that the County of Sonoma's General Plan does not identify a bypass or alternate routes around Sebastopol.

Commissioner Pinto agreed that that was disappointing.

Chair Kelley commented:

- Perhaps we could add language about continuing to urge the County to include consideration of this issue.

Commissioner Pinto commented that the statement in the letter was likely referring to what has been the County's position for years, rather than being a recent change in position.

Commissioner Doyle commented:

- Policy CIR 1-17 on page 3-4 of the Circulation Element states, 'Identify potential for bypass route(s) or "beltway connector" route(s) which minimize impacts to the Laguna, and provide regional travel options with the intention of providing traffic with an optional route away from downtown Sebastopol.'

Chair Kelley agreed that being at the crossroads of two state highways brings too much noise.

Hearing nothing further, Chair Kelley concluded the Commission's discussion of the Noise Element.

Chair Kelley asked for questions, concerns, or comments on the Community Design Element.

Vice Chair Fritz commented:

- Form-based code may be a good option, specifically for areas like the highway 116 corridor, because it could help create the physical environment that these various Elements talk about.

Chair Kelley responded:

- Was once supportive of form-based.
- Doesn't like the loss of discretion.
- Likes the individual attention that projects receive without form-based code.
- Could be okay with adding something so long as it was listed as something to consider.

Vice Chair Fritz commented:

- Agreed with Chair Kelley on the use of 'consider'.
- His understanding of form-based code was that it wouldn't necessarily take away any of the City's discretion, it would merely set physical parameters for the form.

Ms. Thompson responded:

- Referred to Action CD 1b on page 7-3 and commented that 'urban design guidelines' could serve as a similar tool without changing to form-based from scratch.
- Form-based codes provide a certain character to a development.
- Form-based codes provide more predictability in terms of how a building will look and feel.

Mr. Ritchie made clarifying comments on form-based code and agreed that 'urban design guidelines' would be an effective tool to achieve the benefits of form-based code without a full overhaul of the Zoning Code to go the form-based route.

Ms. Thompson responded:

- Responded that something along the lines of, 'consider form-based principals' could be included under Action CD 2a on page 7-5.

Vice Chair Fritz commented that he liked the idea of including consideration of form-based principals.

Commissioner Pinto commented that he was open to including it as something to consider.

Commissioner Skinner agreed.

Commissioner Doyle commented that CD 1b on page 7-3 mentions design guidelines and asked a clarifying question.

Mr. Ritchie commented that consideration of form-based principals could be equally effective under Action CD 1b or Action CD 2a.

Ms. Thompson commented that Action CD 1b on page 7-3 would be best.

The Commission expressed being in favor of adding that language under Action CD 1b.

Commissioner Doyle referred to Action CD-2d on page 7-5 and commented that the Commission had given prior direction to modify the language that relates to this Action

during their discussion of the Circulation Element and stated that this Action should be modified to reflect that.

Mr. Ritchie responded that Action CD-2d on page 7-5 can be modified as follows, 'Implement the policies and actions in the Circulation Element to consider establishing flexible parking standards to facilitate an effective utilization of parking spaces, promote increased walkability and bicycle use, and provide traffic calming measures that increase safety and visual appeal within the Downtown Core.'

The Commission agreed.

Commissioner Pinto asked a clarifying question of Commissioner Doyle.

Chair Kelley noted use of the term, 'the Barlow' under Action CD-2f on page 7-5 and noted that the Commission had given previous direction to do a global search and replace with a description of the boundaries instead.

Commissioner Doyle commented that his understanding was that the consultants would provide a map/callout box to identify the area identified as 'the Barlow'.

Mr. Ritchie and Ms. Thompson responded in the affirmative.

Hearing nothing further, Chair Kelley concluded the Commission's discussion of the Community Design Element.

Chair Kelley asked for questions, concerns, or comments on the Safety Element.

There were no comments.

Chair Kelley concluded the Commission's discussion of the Safety Element.

Chair Kelley asked for questions, concerns, or comments on the Economic Vitality Element.

Vice Chair Fritz commented that he would like to include something to encourage expansion of the Downtown Association to include the geographic area of the Barlow.

Director Webster referred to Action EV 3c on page 9-6 which states, 'Explore the feasibility of establishing business improvement districts in the north and south part of town, as well as the concept of a single district encompassing the City's main economic sectors, and the Downtown.'

Ms. Thompson referred to Action CD-2f on page 7-5 which states, 'Consider revising the Downtown planning boundary or revising zoning designations to include areas such as the Barlow and South Main Street.'

Vice Chair Fritz commented:

- The Downtown Association receives a business tax from the businesses within a certain property boundary. The Barlow is not currently part of that boundary.

Mr. Ritchie commented that a new Policy or Action could be added under Goal EV 3 on page 9-5 and 9-6 which states, 'Consider expanding the Downtown Association to include The Barlow area.'

The Commission agreed.

Vice Chair Fritz referred to the callout box on page 9-5 and said that the word, 'appropriate' was cut in half awkwardly.

Mr. Ritchie commented that he would correct that.

Commissioner Skinner commented:

- Referred to Policy EV 4-6 on page 9-6 and commented that reference to the specific programs should be eliminated as they may become obsolete during the life of the Plan.

Vice Chair Fritz agreed.

Mr. Ritchie responded in the affirmative.

Vice Chair Fritz referred to Action EV 3e on page 9-6 and commented that reference to the 'Office' district should be stricken.

Mr. Ritchie responded in the affirmative.

Commissioner Doyle referred to Action EV 7c on page 9-8 and asked a clarifying question.

Director Webster, Mr. Ritchie and Ms. Thompson responded.

Ms. Thompson commented that they could specifically remove the words 'develop property' from Action EV 7c.

Commissioner Doyle expressed being in favor of striking, 'develop property' as stated by Ms. Thompson.

The Commission agreed.

Hearing nothing further, Chair Kelley concluded the Commission's discussion of the Economic Vitality Element.

Mr. Ritchie introduced the Community Health and Wellness Element.

Chair Kelley asked for questions, concerns, or comments on the Community Health and Wellness Element.

Vice Chair Fritz referred to Goal CHW 5 on page 10-6 and commented that he liked it, however, he felt that it could be strengthened some.

Mr. Ritchie commented that they tried to come up with enough specific Actions to make it meaningful.

Ms. Thompson responded that a Policy to encourage new development projects that are intended to cater to culturally diverse groups to have components that celebrate that culture.

Vice Chair Fritz commented that he liked the idea.

Commissioner Pinto commented:

- Referred to Goal CHW 4 on page 10-5.
- There was a time when the City tried to opt out from PG&E's SmartMeter Program.
- Using his own meter, he has watched the levels of radiation from SmartMeter's and Smart Appliances quadruple over the last four years.
- Not offering any suggestions at this time, however, if there were an opportunity for the City to opt out from SmartMeters, he would support it.
- Has grown far more concerned with the use of devices such as smartphones in recent years.
- This issue is a tough one, however, he believed it to be beyond the City's purview.
- The levels will only get worse.
- The concern is addressed in the Community Health and Wellness Element of the General Plan.
- Sees no evidence of SmartMeter's having adverse health effects.

Chair Kelley asked a question of Commissioner Pinto.

Chair Kelley asked a clarifying question of Director Webster.

Chair Kelley expressed being in support of including something about the City being able to opt out from programs such as PG&E's SmartMeter Program.

Director Webster agreed that something along those lines could be added.

Mr. Ritchie and Commissioner Pinto suggested a new Action under CHW-4 to, 'Support efforts to approach and encourage the California Public Utilities Commission (CPUC) to allow the City to opt out of public utility wireless data transmission systems (such as SmartMeters).'

The Commission agreed.

Hearing nothing further, Chair Kelley concluded the Commission's discussion of the Community Health and Wellness Element.

Mr. Ritchie summarized the Implementation Element and the next stage of the process.

Commissioner Doyle requested that staff send the Commission the consultant's summary of the Commission's recommended changes to the General Plan prior to the City Council meeting where they will be discussed.

Director Webster responded in the affirmative.

Vice Chair Fritz made a motion to adopt the Resolution recommending that the City Council approve the 2016 Sebastopol General Plan inclusive of the Commission's revisions from their meeting on August 9 as well as tonight.

Commissioner Skinner seconded the motion.

AYES: Chair Kelley, Vice Chair Fritz, and Commissioners Doyle, Skinner and Pinto
NOES: None

ABSTAIN: None

The Commission thanked Mr. Ritchie and Ms. Thompson for their work.

Mr. Ritchie and Ms. Thompson congratulated the Commission on reaching this milestone and commented that they had been a pleasure to work with.

9. WRITTEN COMMUNICATIONS: There were none.

10. ADJOURNMENT: Chair Kelley adjourned the meeting at 8:51 p.m. to the next regular meeting of the Commission. The meeting will be held on Tuesday, September 13, 2016 at 7:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472.

Respectfully Submitted By:

Kenyon Webster
Planning Director