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PLANNING COMMISSION  
MEETING OF: December 12, 2017  
SEBASTOPOL YOUTH ANNEX  
425 MORRIS STREET

**APPROVED MINUTES**

PLANNING COMMISSION  
CITY OF SEBASTOPOL  
MINUTES OF DECEMBER 12, 2017

SEBASTOPOL YOUTH ANNEX  
425 MORRIS STREET

**PLANNING COMMISSION:**

The notice of the meeting was posted on December 07, 2017.

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

**1. CALL TO ORDER:** Chair Fritz called the meeting to order at 7:04 p.m.

**2. ROLL CALL:**

**Present:** Chair Fritz, Vice Chair Douch and Commissioners Kelley, Glaser, Doyle and Jacob  
**Absent:** Commissioner Fernandez (excused)  
**Staff:** Kenyon Webster, Planning Director  
Rebecca Mansour, Planning Technician

**3. APPROVAL OF PLANNING COMMISSION MINUTES:** November 28, 2017.

Commissioners Doyle, Kelley and Chair Fritz amended the minutes.

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

Commissioner Glaser seconded the motion.

AYES: Chair Fritz, Vice Chair Douch and Commissioners Doyle, Glaser, Jacob and Kelley  
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.

Chair Fritz asked if members of the public wished to speak on items not on tonight's agenda.

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:

- On December 19, the Council is scheduled to;
  - Consider the proposed cannabis urgency ordinance as recommended by the Planning Commission. Approval of an urgency ordinance requires a 4/5 vote of the Council.
  - Consider a resolution that would reconfigure our housing impact fees.
  - Advocates for a new library will present some of their ideas for that, and how that may accomplished.
- The regular Planning Commission meeting on December 26 will be cancelled.
- Continued review of the Zoning Ordinance update is expected to occur at the regular Planning Commission meeting on January 9.
- Some development-related applications are expected to be on the agenda for the regular Planning Commission meeting of January 23.
- Reminded the Commission and members of the public to speak clearly into the microphone.

The Commission asked questions of Director Webster.

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

**8. PUBLIC HEARING:**

- A. ZONING ORDINANCE UPDATE, HOUSING-RELATED AMENDMENTS:** On November 14, 2017, the Commission conducted a Public Hearing and began its review of comprehensive Zoning Ordinance amendments intended to implement policies of the new General Plan as well as discussions at the City's Housing Subcommittee meetings, and make other policy, procedural, clarification, and organizational changes. Subsequently, the City Council asked the Commission to expedite action on housing-related amendments. After discussion of a number of housing-related changes on November 14, the Commission completed its initial review of such amendments on November 28; a revised set of amendments responding to the Commission's direction is now presented for action.

Director Webster provided a brief introduction.

Beth Thompson, De Novo Planning Group, discussed process and provided an introduction.

The Commission asked questions of Ms. Thompson and Director Webster throughout their discussion.

In response to a question raised by Commissioner Doyle, Ms. Thompson agreed that '14. Parking. b. Accessory dwelling units of 841 sq. ft. or more: One parking space per unit or one parking space per bedroom, whichever is greater, shall be provided on-site in addition to the parking required for the primary residence at SMC 17.110, except where the accessory dwelling unit is exempt from the parking requirement pursuant to Government Code Section 65852.2(d).' could be stricken.

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

Rachel Ginis, Executive Director of Lilypad Homes, commented:

- Submitted a letter to the Commission prior to tonight's discussion.
  - The letter was intended to draw the Commission's attention to the absence of junior accessory dwelling units (JADUs) in our ordinance.
- There is much to be said about JADUs.
- Although current code allows for wet bars and exterior doors to be added to bedrooms, it does not constitute a legal rental unit.
  - This distinction is necessary for appraisers and financing institutions when considering people who are applying for mortgage loans.
  - The unit must be legal in order to qualify the value and related income.
- JADUs represent the lowest price point in the entire housing market.
- JADUs need to be codified as a unit in law.
- JADUs represent no expansion of the occupancy of a home.
  - JADUs do not increase density, they are simply repurposing what is already living space.
  - There should be no fees associated with repurposing the bedrooms in the home that the property owner already paid all of the fees for.
- Really encouraged the Commission to look at the opportunity to have both a JADU and an accessory dwelling unit (ADU) on the same property at the same time.
  - The City of Santa Rosa and the County of Sonoma have already done this. Many other districts are doing it as well.
- JADUs and ADUs are used differently.
- We are moving back to a multi-generational housing model.
- Having a rental unit in your home increases your property value, opens up doors to financing, and helps jurisdictions meet their affordable housing requirements.
- Reiterated her statement about encouraging the Commission to reconsider the possibility of allowing both JADUs and ADUs.
- Thanked the Commission for their time.

ila Benavidez-Heaster, Bodega Avenue, commented:

- Wants the Commission to be mindful when thinking about increasing our density.
- Compacting people into a space, just to get more people in, will take years.
- ADUs will help give us what we need.
- Sebastopol needs workforce housing.
  - Expressed concern over workforce housing not being a topic of discussion for the Commission.
- Sebastopol is already rampant with gentrification.

- Talking about developing residential above commercial when we're already not using all of the commercial space that we have available doesn't make sense.
- What is it that we are talking about when we talk about growing our town?
  - Expressed a concern over the impacts on our infrastructure alone.
- Structures should be attractive, enticing, and appealing.
- We don't want to create ghettos by clumping people together.
- Commended the urgency ordinance which allows occupancy of RV's, etc. for fire victims.
- Wishes for an opportunity to sit and have an easy conversation with the Commission.
- Hopes the format of these meetings can be broken down to facilitate a more collaborative relationship between the Commission and public.
- Thanked the Commission for their time.

Hearing nothing further, Chair Fritz closed the public comment period and brought it back to the Commission for discussion.

Chair Fritz discussed process.

Chair Fritz asked to hear from the Commission on the residential district changes as outlined in the memo from De Novo Planning Group.

Commissioner Glaser commented that districts still need to be renamed.

Ms. Thompson responded in the affirmative and Commissioner Glaser's point and suggested that that be addressed during the full zoning ordinance discussion.

Commissioner Glaser concurred.

Commissioner Glaser referred to Table 17.20-2 and commented that some of the phrasing is confusing.

After some discussion, the Commission agreed to leave it as is.

Commissioner Kelley commented:

- Expressed concern over not requiring properties that may be rezoned to conform to existing setbacks for adjoining parcels.

Commissioner Doyle commented:

- Understands transition when from residential to commercial, but not when from one residential zoning district to another.
- It does not make sense to require smaller residential lots to conform with the setbacks of larger residential lots just because they're adjoining.

Commissioner Kelley commented:

- If we go with this as written we would be reducing the size of the parcels and diminishing their setbacks.
- Reiterated her concern and expressed not being in support of going this path this quickly.
- Even a 1' reduction in setback, when looking at percentage, could make a huge difference.

Chair Fritz commented:

- Going with the setbacks of the designated district is fair.

Commissioner Doyle concurred

Vice Chair Douch concurred and commented:

- The setbacks should be based on where the zoning is applied.

Chair Fritz commented:

- A lot of the older neighborhoods in the RSF-2 zoning district have a front yard setback that is less than the required front yard setback of 20'.
- A 20' setback in the RSF-2 zoning district seems excessive.
- Expressed being unsure how to remedy that.
  - Could be done by either changing areas within the district to an RSF-3, or by reducing the required front yard setback to 15'.

Commissioner Doyle responded:

- Would prefer to save that for a future discussion.
- Referred to a provision under, 'Chapter 17.245 Small Lot Subdivisions' which states, 'B. Front Yard Setback. The front yard setback shall be varied but not less than 16 feet, except that a covered porch may extend six feet into the required front yard setback.'
  - While those numbers may not be right for the subject that Chair Fritz brought up, he supports this line of thinking.

Chair Fritz commented:

- There are a variety of non-conforming lot sizes that can be seen when looking at the Zoning Map.
- Doesn't have a problem with the minimum lot area for corner lots being the same as interior lots.
  - Suggested lesser side yard setbacks when on a corner instead.
- There are corner lots in older neighborhoods that have very small side yard setbacks which he was fine with.
- This matter can be something to look out for when it comes time for the Commission to review the Zoning Map.

Commissioner Jacob commented:

- Asked if there was interest in trying to expand the ability to do small lots in pockets within the city without doing small lot subdivisions.

Chair Fritz responded that he would be interested in that although he was unsure how that could occur.

Commissioner Jacob commented that he and Chair Fritz seemed to be on the same page in terms of looking for opportunities to have more flexibility.

The Commission agreed to continue discussion of this when looking at the Zoning Map.

Ms. Thompson interjected that those issues could be looked at outside this process of trying to move the housing-related Zoning Ordinance amendments on to the City Council.

Commissioner Doyle referred to Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Single Family Districts and clarified that, 'Homeless shelter' is not intended to be a conditionally permitted use in the RD-2 district.

Ms. Thompson responded in the affirmative.

Commissioner Doyle referred to Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Single Family Districts and clarified that, 'Transient' is not intended to be a permitted use in the RD-2 district.

Ms. Thompson responded in the affirmative.

Commissioner Doyle referred to Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Single Family Districts and suggested that, 'Two detached single family dwellings' be a permitted use in the RD-2 district.

Ms. Thompson responded in the affirmative.

Commissioner Doyle referred to Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Single Family Districts and suggested that, 'Minor telecommunications facilities and commercial minor antennas (>35 ft and <100 ft in height)' be a conditionally permitted use in the RE, RA, and RR districts since they are conditionally permitted in RSF-1, RSF-2, and RSF-3 districts, if appropriate.

Ms. Thompson and Director Webster responded that they could look into that.

Commissioner Doyle referred to Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Single Family Districts and suggested that, 'Minor antennas, Class A,' and, 'Minor antennas, Class B,' be grouped together as one line since both are permitted in every district.

Ms. Thompson concurred.

Commissioner Doyle referred to Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Single Family Districts and suggested that, 'Minor antennas, Class C,' and, 'Minor antennas, Class D,' be grouped together as one line since both are conditionally permitted in every district.

Ms. Thompson concurred.

Commissioner Doyle referred to Table 17.20-2: Development Standards in the Residential Zones and commented that footnote (12) should remain in place and requested that it be unstricken.

Ms. Thompson concurred.

Commissioner Doyle referred to 17.20-2: Development Standards in the Residential Zones and commented:

- With the exception of one district, the interior side yard for an accessory building is equal to or less than the interior side yard for the main building.
- In the RE district, the interior side yard for an accessory building is 20' or 10% of lot width, whichever is greater.

- The interior side yard for a main building is 10' of lot width, or 15' whichever is greater.
- Suggested that the consultant review that and either lower it, or make it the same as the other districts.

Ms. Thompson and Director Webster concurred.

Commissioner Jacob suggested that a clear reference to accessory dwelling units be added to Table 17.20-2: Development standards in the Residential Zones.

Chair Fritz commented:

- Suggested that the front yard setback in RSF-2 be reduced.
- The front yard setback for RD and RD-2, as both are intended to be high density, should also be reduced.
  - Suggested that the front yard setback for RD and RD-2 be reduced to 15 ft.

The Commission concurred on reducing the front yard setback for RD and RD-2 to 15 ft.

Commissioner Doyle suggested that a 20' setback for garages and carport openings that face the street be applied in the RSF-3, RD, and RD-2 districts.

The Commission concurred.

Chair Fritz asked to hear from the Commission on the changes related to very small homes as outlined in the memo from De Novo Planning Group.

Commissioner Doyle commented:

- In terms of definitions, the term 'household' is more appropriate and encompassing than the term 'family'.
- Suggested that the definition of, "dwelling, single family" be revised to read, "'Dwelling, single-family" means a detached or attached building designed for, or used exclusively for, residence purposed by one household, which includes facilities for sleeping, cooking, bathing, and sanitation.'
- It is important to include this clarification because a guest house is not a dwelling.

The Commission concurred with Commissioner Doyle's suggested revision to the definition of, "dwelling, single-family".

Commissioner Glaser noted that references to, 'family' can be found throughout and stated that those should be cleaned up as appropriate.

Ms. Thompson commented that she would swap out the term, 'family' for 'household' in the definition of, 'dwelling, temporary,' as well.

The Commission concurred.

Chair Fritz asked to hear from the Commission on the changes related to residential development in the commercial, industrial, and office districts, as outlined in the memo from De Novo Planning Group.

Commissioner Doyle referred to 17.25.030 Development Standards, C. Residential development, and suggested that number 2. be revised as follows: 'Residential uses

permitted as mixed-use projects shall be located on upper floors above non-residential uses or, if located on the ground floor, shall be located along side street frontages behind commercial or office uses. Access to the residential use may be located on the primary street frontage, provided that the access is 25% or less of the building width along that frontage. This paragraph does not apply to deed-restricted affordable housing projects.

The Commission concurred.

Chair Fritz commented that he would like to see residential allowed by right in some commercial districts.

Commissioner Doyle suggested that the Commission hold off on that discussion.

Director Webster commented that that could be looked at during review of the zoning map.

Chair Fritz commented:

- Agreed to defer discussion of allowing residential.
- Noted that his intent would be to allow residential in commercial or commercial in residential in some districts, regardless.
- Prefers to do things by right, especially when trying to promote more residential development.
- Requiring a Use Permit can discourage people from moving forward with housing projects because they take time, cost money, and approval is not guaranteed.

Commissioner Doyle commented that he agreed with Chair Fritz's points and concurred with Director Webster on their review of the zoning map being a more appropriate time to discuss it further.

Commissioner Doyle referred to Table 17.25-1 (Residential Uses) and suggested the following revisions, 'Permanent residential uses that are permitted in the RM-H District when part of a mixed-use development,' and, 'Permanent residential uses that are permitted in the RM-H District when not part of a mixed-use development.'

Ms. Thompson concurred.

Chair Fritz referred to Table 17.25-1 (Residential Uses) and commented that, to his earlier point, this is where he would like to see more permitted, rather than conditionally permitted allowances under some of the districts shown under, 'Permanent residential uses that are permitted in the RM-H District when not part of a mixed-use development.'

Ms. Thompson restated that that could be looked at during their review of the zoning map.

Commissioner Doyle commented:

- Wants the Commission to talk about live-work dwelling units.
  - Does not like live-work dwelling units.
  - The only thing that would direct a developer to build live-work rather than mixed-use is because the parking requirement is less.
  - Live-work properties are less valuable than mixed-use properties.
  - Live-work developments wind up requesting to change to a mixed-use development while keeping the lesser parking requirement, as was the case for the development at 501 South Main Street a number of years ago.
  - Wants to eliminate live-work altogether.

Commissioner Kelley commented that the Commission could make the parking requirements equivalent for live-work and mixed-use to eliminate the concern.

Chair Fritz concurred.

The Commission agreed to continue discussion of live-work to a future meeting.

Chair Fritz asked to hear from the Commission on the changes related to accessory dwelling units, as outlined in the memo from De Novo Planning Group.

Commissioner Glaser suggested striking, '6. Mobile Homes. Mobile homes shall not be used as accessory dwelling units.'

Ms. Thompson responded in the affirmative and commented that, '7.' could be revised to encompass mobile homes and manufactured homes.

The Commission concurred.

Commissioner Doyle suggested that, '14. Parking. c.' be revised as follows: 'When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, the replacement parking spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts.'

Commissioner Glaser commented that that revision would be helpful.

Ms. Thompson responded in the affirmative.

Vice Chair Douch referred to. 'B. Limitation. In no case shall more than one accessory dwelling unit be placed on the same lot or parcel.' referred to Ms. Ginis' comments and commented:

- We do not define junior accessory dwelling units as a unit.
- Clarified that the reason that the Commission chose not to define junior accessory dwelling units during a prior discussion was due to the fact that somebody could have that use inside their home along with an accessory dwelling unit as it is currently written.

Commissioner Doyle commented:

- Concurred with Vice Chair Douch's recollection of their prior conversation.
- Current rules do not prevent anyone from renting out one, or all of the rooms inside their house
- There are a lot of examples of shared housing in town.

Chair Fritz commented:

- It is important to understand that the argument for codifying junior accessory dwelling units has to do with providing the legal framework for property owners to qualify for financing, etc.
  - Properties with junior accessory dwelling units are assessed differently.
- People can continue to rent out the rooms in their house without them being codified as junior accessory dwelling units.

Commissioner Doyle commented:

- A legal junior accessory dwelling unit is too official and further complicates things for people wishing to rent out rooms in their house as well.

Ms. Ginis interjected.

Commissioner Kelley asked Ms. Ginis to refrain from commenting during the Commission's deliberation.

Chair Fritz clarified that allowing junior accessory dwelling units would not prohibit people from being able to rent out rooms in their house as well.

Commissioner Kelley concurred with Chair Fritz.

Commissioner Doyle commented:

- Expressed a concern with another level of regulation that is unnecessary.
- People may choose to create a junior accessory dwelling unit because they think that that is the only way that they can rent out a room in their house, which is not true.
- Worries that people will wind up regretting the deed restriction that comes with a legal junior accessory dwelling unit.
- Reiterated his lack of support for junior accessory dwelling units.

Ms. Ginis interjected and asked if she could respond to some of what she had heard.

Chair Fritz asked Ms. Ginis to hold her comments.

Commissioner Jacob commented:

- During a prior discussion the Commission decided against codifying junior accessory dwelling units.
- Perhaps continued discussion of junior accessory dwelling units should occur at another time.

Ms. Thompson commented:

- If the Commission decides that they want to reconsider junior accessory dwelling units, she could return with information on what State law says about them for future discussion.

Commissioner Jacob commented:

- Recommended that the Commission ask the consultant to return with additional information on junior accessory dwelling units at a future meeting.
- Doing so would allow the Commission to consider the points that have been raised by Ms. Ginis in her letter and during public comment, as those weren't considered when the Commission first decided against codifying junior accessory dwelling units.

The Commission concurred.

Chair Fritz asked to hear further comment from the Commission on the changes related to accessory dwelling units, as outlined in the memo from De Novo Planning Group.

Commissioner Doyle commented:

- Does not support increasing the size of accessory dwelling units above the currently allowed 840 square feet.
  - Larger parcels are typically in the lower density zones.
  - We're already allowing two bedroom accessory dwelling units on every residentially zoned parcel in town.
  - Believes it inappropriate to double the density of all the parcels in town.
- Reiterated his opposition, however, if it was the consensus of the Commission to support accessory dwelling units that are larger than 840 square feet, he suggested the following:
  - The allowances should be more modest than what the consultant came up with.
  - The two tiers aren't exactly a graduated scale.
  - Perhaps 'D. 1. a.' could read, 'Parcels of 15,000 sq. ft. or greater: Up to 1,000 square feet.'
- Reiterated that he does not support increasing the size of accessory dwelling units above the currently allowed size of 840 square feet.

Commissioner Kelley commented:

- Concerned over the larger accessory dwelling units that may be created on larger parcels due to the lack of affordability that is likely.
- We want accessory dwelling units because we want to create needed housing.
- Expressed a concern over allowing larger accessory dwelling units to become rental units.
- He concern grew when she saw the number of parcels that could qualify for the larger units.

Commissioner Doyle commented:

- Expressed a concern over there being no requirement for parking, especially because these larger units would have an even higher demand and make the issue even more egregious.

Commissioner Kelley concurred with Commissioner Doyle.

Commissioner Jacob commented

- Would leave as drafted.
- This would result in adding a 1,000 or 1,100 square foot house could give us three, or maybe even four bedrooms per unit.
  - These units, as they will be on somebody else's property, will be small enough to be more affordable than a full three or four bedroom single family home.
  - These will provide moderate income wage earners a chance to rent in town.
  - These will provide a type of workforce housing.
  - These would give larger families a change to rent at a lesser rate than they would find if looking for a single family home on a lot.
- Likes what has been done and wants to keep it.
- As for the parking issue; he expressed not having a concern as these will be built on large lots meaning there will be room to provide for off-street parking.
- Would support not allowing these larger accessory dwelling units to be used as short-term rentals (30 days or less).

Commissioner Kelley agreed with Commissioner Jacob on not allowing these larger accessory dwelling units to be used as short-term rentals.

Vice Chair Douch commented:

- Concurred on not allowing the larger accessory dwelling units to be used as short-term rentals.
  - This would be an appropriate limitation for these accessory dwelling units of an increased size.
- Expressed being hesitant over the increase in size initially.
- Would be willing to compromise to 1,000 square foot accessory dwelling unit on parcels of 15,000 square feet or greater.
  - These would speak to a huge need in our community for small housing for small families.
  - These would allow for that in a modest and controlled way.

Commissioner Doyle commented that he could support allowing accessory dwelling units of up to 1,000 square feet on parcels of 15,000 square feet or greater so long as they were not to be used as short-term rentals.

Commissioner Glaser had no comment.

Chair Fritz commented:

- Feels differently than much of the Commission.
- Would like to allow larger accessory dwelling units on more parcels.
- This is an opportunity to provide workforce housing.
- Sebastopol is expensive.
- Renting an accessory dwelling unit on a lot with another house on it will be quite a bit less expensive than renting a single house on a lot.
- Not everybody that can build these will choose to do so.
- We should expand the pool in order to provide these units in as many places as possible.
- Would support a graduated scale with larger accessory dwelling units being allowed on lots smaller than 15,000 square feet.
- Expressed being in support of limiting the larger accessory dwelling units to not allow them as short-term rentals.
- Believes that there is a need for these larger accessory dwelling units.
- 840 square feet is pretty small for a two bedroom house.
- Supports small living.

Commissioner Doyle commented:

- It is important to remember that these are lots that are zoned for a single family.
- Accessory dwelling units won't be factored in when looking at the density of Sebastopol.
- We're already doing things to increase our density in other ways.
- We had a liberal accessory dwelling unit policy before.
  - It has sense become even more generous thanks to the State.
- The Commission should wait and see what the impact of all of these changes to the zoning ordinance will be.
- We can always change it at some point in the future.
- Supports accessory dwelling units, however, the impact that make should be acknowledged.

Chair Fritz commented that he was ready to make these changes now, not later.

Vice Chair Douch commented that being careful when it comes to allowing by right development in lower density areas is warranted.

Chair Fritz commented:

- Hears what Commissioner Doyle and Vice Chair Douch are saying.
- Sebastopol has very few development opportunities for housing.
- We need all options on the table.
- Sees that he is in the minority.
- Acknowledged that things would change, however, he believed that was what is needed at this time.

Director Webster commented that the Commission appeared to have reached consensus on allowing accessory dwelling units up to 1,000 square feet on parcels of 15,000 square feet or greater as long as they are not used as short term rentals.

A majority of the Commission expressed support for that.

Commissioner Doyle referred to, 'D. 2.' and commented that it was confusing as written and expressed support for striking it.

Vice Chair Douch agreed.

Director Webster agreed with Commissioner Doyle, however, he believed it was required under State law.

Ms. Thompson responded that she would look into it. If not required by the State, she will strike, 'D. 2.'

The Commission expressed being in support of seeing it stricken so long as it is not required by State law.

Commissioner Doyle referred to, '5. a.' and suggested that it be rewritten as follows, 'No setback shall be required for a garage existing as of July 1, 2017 that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above such a garage.'

The Commission agreed.

Chair Fritz referred to, 'D. 7.' and suggested that it be rewritten as follows, 'Manufactured Homes. Manufactured accessory dwelling units, as certified by the State of California, shall be allowed, provided that they are constructed on a permanent foundation, and adhere to the development standards set forth in this chapter.'

Commissioner Jacob expressed being fine with that revision.

Commissioner Doyle commented:

- While he doesn't think that an accessory dwelling unit should have to be of the same architecture as the principal unit, he hesitates to remove what little discretion is left.

Ms. Thompson commented that, 'D. 4.' covers this discretionary aspect as well.

The Commission agreed with the revision to, 'D. 7.' As suggested by Chair Fritz.

With regards to, 'D. 4.' the Commission agreed to revise it as follows, 'Accessory dwelling units shall be substantially compatible with the principal unit and the neighborhood.'

Commissioner Doyle referred to, D. 11. a.' and commented:

- Would prefer to strike references to a, 'passageway.'
- It should be revised as follows, 'No passageway shall be required in conjunction with the construction of an accessory dwelling unit. For the purpose of this chapter, a passageway is a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.'

Ms. Thompson noted the revision.

Chair Fritz adjourned the meeting at 9:35 p.m. for a brief break.

Chair Fritz reconvened the meeting at 9:45 p.m.

Chair Fritz asked to hear from the Commission on the changes related to short term vacation rentals as outlined in the memo from De Novo Planning Group.

The Commission agreed to revise, 'C. Findings. 6.' as follows, 'For accessory dwelling units, the approval of the permit would not result in a reduction to the City's affordable housing stock.'

Commissioner Kelley commented that she wants to prevent non-hosted rentals as an investment tool.

Ms. Thompson commented that, 'D. Findings. 2.' could give latitude to address the concern as raised by Commissioner Kelley.

Commissioner Doyle commented that he sees value in allowing short-term rentals.

Based on Commission discussion, Commissioner's Jacob and Doyle suggested adding language to Table 17.110-1: Vacation Rental Permit Requirements directing people to, '10. a.' for accessory dwelling units built after July 1, 2017.

Ms. Thompson and the Commission concurred.

Chair Fritz referred to, 'A. 8.' and commented that he wasn't necessarily opposed to some of the items listed being used for short-term vacation rentals.

Commissioner Doyle commented that enforcement is complaint based so it may already happen without issue.

There were no further comments on, 'A. 8.'

Commissioner Kelley suggested adding language to ensure that accessory dwelling units are legal before allowing them to be used a short term rentals.

Ms. Thompson commented that they could identify and require that a vacation rental unit has to be a permitted primary or accessory structure on the property.

The Commission expressed being in support of that.

Chair Fritz referred to, 'C. 1.' and suggested that the reference to, 'board of zoning adjustments.' be changed to, 'Planning Commission.'

Chair Fritz asked to hear from the Commission on parking changes as outlined in the memo from De Novo Planning Group.

Commissioner Doyle referred to, '14. SMC 17.220.010.C.3.' and suggested that, '3. Tandem Parking Spaces.' be revised as follows, 'Tandem parking is allowed for single family uses and, if spaces are assigned, for multifamily uses.'

The Commission and Ms. Thompson concurred.

Commissioner Doyle commented:

- Wished to discuss the driveway width for single-family parcels.
  - Would like to see the maximum driveway width increased from 20 feet to 24 feet.
  - Would like to require that the driveway width cannot be more than half the lot frontage width.

The Commission deferred discussion of this to their next meeting.

Chair Fritz asked to hear from the Commission on temporary care units as outlined in the memo from De Novo Planning Group.

The Commission had no questions or comments on the proposed changes.

Chair Fritz asked to hear from the Commission on inclusionary housing requirements as outlined in the memo from De Novo Planning Group.

Commissioner Doyle commented:

- Thanked the consultants for all of their work on this.
- Reiterated and emphasized his comment from a prior meeting about not liking the housing land trust concept.
  - Referred to, 'B. 1.' and commented that a provision to allow the City or its designee with first right of refusal to purchase the unit, is really valuable to have.
  - Objects to the language under 17.240.120 that reads, 'Projects that provide affordable units in perpetuity,' because it does not make sense for the City to lose any control over the land forever.
- Everything else looks great.
- Very few inclusionary units have been built because developers don't build market-rate projects here.
- A lot of affordable housing gets built in Sebastopol.

Commissioner Kelley commented:

- Expressed not being in support of the City letting go of so much without having statistics to back it up.
  - Needs to see evidence that shows that our inclusionary housing ordinance is what has kept people from developing here.

Chair Fritz commented:

- Recently attended a housing workshop by the City of Santa Rosa.

- They did a presentation on inclusionary housing, density bonus, and several other housing issues.
- Santa Rosa has had their inclusionary housing ordinance for about 12 years.
- Santa Rosa does allow an in-lieu fee to be paid.
- Santa Rosa has built 1,600 affordable units with the money they've collected for the in-lieu fee.
- In contrast, 100 inclusionary units have been built.
- The money is important.
- Affordable housing developers need local money to make affordable housing projects work.
- The Redevelopment Agency used to be a source of money which has since gone away.
- Developers are struggling to build because City's don't have money to contribute.
- Sebastopol's fees are too high.
- Sebastopol is not competitive enough when it comes to drawing developers to build here.

Vice Chair Douch commented:

- It is important to note that the fees are ultimately for the Council to decide, not the Commission.
- Agreed with Chair Fritz on Sebastopol's inclusionary housing fees being out of kilter with every other jurisdiction and they absolutely prevent development.
  - The numbers simply do not add up.

Chair Fritz asked to hear from the Commission on small lot subdivisions as outlined in the memo from De Novo Planning Group.

Commissioner Doyle suggested that the reference to, 'Lot sizes can range from 1,500 to 4,000 square feet or more.' be revised to read, 'Minimum lot size is 1,500 square feet.'

The Commission and Ms. Thompson concurred.

Commissioner Doyle suggested that, '17.245.030 Subsequent alterations or additions.' be stricken as it relates to the chart above it which is being removed.

Ms. Thompson responded in the affirmative.

Chair Fritz suggested that, 'B. Front Yard Setback.' be revised as follows, 'The front yard setback shall be not less than 16 feet, except that a covered porch may extend six feet into the required yard setback.'

The Commission concurred.

Commissioner Doyle suggested that, 'C. Side Yard Setbacks.' be revised as follows, 'The side yard setback shall be not less than 4 feet, except for structures sharing common walls.'

The Commission concurred.

Chair Fritz referred to, '17.245.060 Maximum building height.' and suggested that the height of 28' be modified to accommodate certain types of development, such as two-story townhouses with parking underneath.

After some discussion, the Commission agreed to relate the maximum building height to that of the prevailing zone and defer additional discussion of the scenario as outlined by Chair Fritz to a future meeting.

Chair Fritz and Vice Chair Douch referred to, 'B. Front Yard Setback.' and suggested that the front yard setback be changed to 15 feet, rather than 16, to be consistent with other front yard setbacks.

The Commission and Ms. Thompson concurred.

Chair Fritz asked to hear from the Commission on design review as outlined in the memo from De Novo Planning Group.

Commissioner Doyle suggested that, '3. Hillside development in any district;' be stricken if not necessary.

Ms. Thompson commented that she would look into the definition and determine whether or not it should remain.

The Commission agreed to strike the reference if appropriate.

Commissioner Jacob made a motion to forward the Commission's recommendations, as amended during tonight's discussion, to the City Council for their consideration.

Commissioner Doyle seconded the motion.

AYES:	Chair Fritz, Vice Chair Douch and Commissioners Doyle, Glaser, and Jacob
NOES:	Commissioner Kelley
ABSTAIN:	None

The Commission and Ms. Thompson discussed the process moving forward.

Commissioner Glaser commented that, 'downtown,' is not defined.

**B. ZONING ORDINANCE UPDATE, GENERAL REVISIONS:** As noted, the Commission is in receipt of, and conducted a public hearing on, proposed comprehensive revisions to the policies and procedures of the Zoning Ordinance. The Commission has discussed a number of the amendments, and will continue to work towards completion of its first round of review. After a revised draft returns for Commission review, the Commission's recommendations on the amendments will be forwarded to the City Council for final action.

The Commission deferred discussion of this item to a future agenda.

**C. ZONING ORDINANCE UPDATE, EMERGENCY-RELATED PROVISIONS:** The consultant and staff have developed supplemental potential Zoning Ordinance revisions regarding response to potential future emergencies, for the Commission's review and comment.

The Commission deferred discussion of this item to a future agenda.

**9. DISCUSSION:** (none)

**10. WRITTEN COMMUNICATIONS:** De Novo Memorandum Transmitting Preliminary Zoning Map Revisions. Zoning Map revisions will be the subject of a future Commission Public Hearing.

**11. ADJOURNMENT:** Chair Fritz adjourned the meeting at 10:51 p.m. to the next regular meeting of the Commission. The meeting will be held on Tuesday, December 26, 2017 at 7:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472.

Respectfully Submitted By:

Kenyon Webster  
Planning Director