



City of Sebastopol
Incorporated 1902
Planning Department
7120 Bodega Avenue
Sebastopol, CA 95472

www.ci.sebastopol.ca.us

APPROVED MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF December 13, 2022

PLANNING COMMISSION:

The notice of the meeting was posted on December 8, 2022.

CALL TO ORDER: Chair Oetinger called the meeting to order at 6:00 P.M. and read a procedural statement.

1. ROLL CALL:

Present:	Chair Oetinger, Vice Chair Fernandez, and Commissioners Burnes, Fritz, and Kelley
Absent:	None
Staff:	Kari Svanstrom, Planning Director John Jay, Associate Planner

2. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA: None.

3. STATEMENTS OF CONFLICTS OF INTEREST: None.

4. APPROVAL OF MINUTES:

August 9, 2022

Commissioner Burnes moved to approve the minutes as presented.

Chair Oetinger seconded the motion.

AYES: Chair Oetinger, Vice Chair Fernandez, and Commissioners Burns and Kelley

NOES: None

ABSTAIN: Commissioner Fritz

ABSENT: None.

5. PUBLIC HEARINGS:

A. Housing Element Review/Recommendation to City Council for Adoption

- i. The Housing Element provides information on housing issues and sets City housing policy. The proposed Housing Element has been the subject of

community outreach and several public meetings beginning in September 2021. The preliminary draft was transmitted to the State Department of Housing and Community Development (HCD), which is required under State law. HCD has completed its review with resulting revisions to the draft Element. An addendum to the General Plan Environmental Impact Report (EIR) has been prepared for this General Plan Amendment.

Director Svanstrom and consultant Elliott Pickett of 4LEAF presented the staff report.

Chair Oetinger asked for Planning Commission questions of staff and the consultant.

Paul Fritz, Commissioner

Does the draft document we're looking at tonight have all of those HCD comments included in it?

Kari Svanstrom, Planning Director

Yes, all our responses to the HCD are in the redlined version, and then they're also in the clean version.

Elliott Pickett, 4LEAF

With the exception of the R5 discussion about allowing the taller height limit. HCD staff got back to us recently to say that is not something they will be expecting to see as long as the draft has some additional description of the purpose and maybe some of the history of the R5 zone.

Kari Svanstrom, Planning Director

We had the discussion with HCD last week and they had asked for additional information. We got it to them that day and they responded yesterday and said we don't need to include that, however they did want us to include a description of the intent of the zone and basically the stuff I just told you. So you're right, Elliott, we have not yet added that in.

Paul Fritz, Commissioner

That leads to another question. I noticed that the R5 was taken out of the multi-family zoning description, even though it does allow multiple units, so I assume that's a clean way to say that R5 is not technically a multi-family, so therefore it doesn't have to meet the 35-foot requirements? It's in the technical report, the clean version, at the bottom of page 17, or page 19 of the PDF.

Kari Svanstrom, Planning Director

You're right, the R5 is technically multi-family and it would be available with the objective design standards being involved as a multi-family zone. My guess is it's not included here because there aren't any site inventory sites within the R5 zone. There are a few of them that we may have missed putting in here, but rental housing can be anywhere in town, so it would be perfectly appropriate to add in R5 here as well, Elliott, I assume?

Elliott Pickett, 4LEAF

I think some of these changes were made in trying to provide clarity to HCD that R5 is not the typical multi-family zone that they're expecting. When they see an analysis of multi-family residential housing they're saying where is our three- or four-story big box apartment building, and why aren't these other uses and height limits and all these other things that we're looking for for multi-family housing allowed in these zones? So that change could be made and the R5 could be added back to that analysis, if you'd like. That was an option to

provide clarity to HCD in keep them focused. In this discussion of multi-family rental housing what you're looking for is probably what's going on in the R6 and R7 zones.

Kari Svanstrom, Planning Director

HCD won't automatically accept a site less than half an acre for their site inventory when they're looking at multi-family housing. They're not used to small towns and the small infill development that Sebastopol likes to do, so when you say multi-family housing to HCD they think much larger developments like the Woodmark or even Huntley Square where it's clearly a more dense development. Right now we have some duplexes in R5 but we don't even have any triplexes, let alone a larger apartment building, and since that zone is likely to be expanded more around the cottage small lot development it may not be appropriate to describe as what this is doing, which is trying to describe areas where a larger multi-family development could go. Maybe we can revise it to say larger multi-family dwellings are allowed in the R6 and R7?

Paul Fritz, Commissioner

Or maybe a sentence that says smaller multi-family up to three or four units, whatever it is, are allowed in the R5 just as a frontispiece or something.

Kari Svanstrom, Planning Director

We could use this, Elliott, as part of our clarification of what the R5 zone is.

Paul Fritz, Commissioner

So maybe add a sentence in there about the R5 and how it is different from R6 and R7 in that regard in terms of large site development versus smaller infill development.

Kari Svanstrom, Planning Director

R5 provides smaller opportunities for duplexes and triplexes.

Paul Fritz, Commissioner

Also a clarification in the clean technical report PFD, page 49, table 21, and this is the ADU development standards. Isn't this 4-foot back and side setback state law, not 5 feet?

Kari Svanstrom, Planning Director

It is 4 feet, yes. Elliott, can you mark that down for correction? If it is above a garage I believe it is no less than 5 feet, and John is nodding.

Paul Fritz, Commissioner

Again in the technical report having to do with the cost of construction on page 37 of the PDF, I think the \$400-\$500 per square foot is good, it's the cost per unit, and I see the footnote describes the unit size, but it's a little unrealistic. A 600 square foot multi-family unit comes out to \$400 a square foot, or \$240,000, and that's the right number but that's a pretty small multi-family unit. \$240,000 per unit makes it sound kind of reasonable, but it's really not. And \$480,000 for a single-family, that also seems very low. Again, that's based on a 1,200 square foot unit, but I think the average new home construction size is more than 1,200 square feet.

Kari Svanstrom, Planning Director

Yes, and this certainly doesn't include land cost either, and potentially the utilities are excluded from this, but utilities impact fees.

Paul Fritz, Commissioner

\$400 a square foot does not include land and soft costs at all, so I think those numbers are low from my current experience. I don't know if that's really important in this report, but you look at it and think you could build a house for \$480,000, and that's pretty much not the case.

Kari Svanstrom, Planning Director

One of the things they did ask us was any local knowledge of trends and analysis that aren't necessarily showing up in demographics, and I did my best in the report to talk about the pressure from people in heart of the Bay Area to be able to do more remote work during COVID and the trend toward moving up here. Mostly that's the market rate stuff, but it's certainly keeping pressure on prices.

Kathy Oetinger, Chair

I'm reading Item 5A-3, Part 1, and I'm looking at pages 62-63 where the redlined text says, "The City will modify its code to allow purely residential uses by right in commercial and downtown zones when at least 40% of the units are affordable, subject to objective design and development standards." Did you go through parcel-by-parcel to say that that would be okay? Aren't there commercial and downtown places where housing wouldn't be appropriate, or would that be covered by the objective design and development standards?

Kari Svanstrom, Planning Director

I think the intent was that we are working through objective design standards and so yes, part of the objective design standards would have contextual and subject to locational standards or something like that, and the HCD requested we take that out. In terms of those things, yes, with the objective design standards we would be looking at you can't have a 300-foot wide apartment in the middle of a block with a 50-foot wide retail on either side and only have one door in the middle. It's probably not going to happen in Sebastopol, because we'd have to consolidate a lot of parcels, but that would be one big apartment block in downtown with two doors and it would interrupt the retail and potentially have issues with the downtown retail environment, which is why we have what we have now, which is residential is permitted on anything above the first floor, or it could be on the ground floor with a use permit to make sure that we can control those things. So we would still be including the design and the form features of it in the objective design standards that would make sure that it is an appropriate design and place for residential within a commercial district.

Kathy Oetinger, Chair

Part of my concern with that is that there are some parts of our downtown zones that are subject to flooding. Would that preclude putting housing in there? I could understand if the housing was on the second floor, it's less of an economic arm to the new people who can barely afford to live there, let alone now they have the tragedy of losing their property, so there wouldn't be any first floor subject to flooding housing, would there?

Kari Svanstrom, Planning Director

We recently adopted our Local Hazard Mitigation Plan, which talks about minimizing new development in the floodplain. We do have the Sebastopol Inn, which was purchased by the County, and it met the Flood Ordinance when it was constructed. I don't know what the level is at this point, but it is in the floodplain, and as floodplains keep going up and up they may need to do some things for those first floor units, and that is definitely something that the City wants because of what Chair Oetinger is noting, that protecting businesses is one thing, and they certainly deserve protection, however they're not your home and everything you own being flooded. Elliott, I don't know if when we do this rezoning that that could be

one of the conditions. Certainly if it's residential above the first floor that's not going to be an issue, but it may be that that's part of the objective standards as well that we can look at.

Kathy Oetinger, Chair

Another element for that housing is it's public and nonprofit money being wasted in those areas where you're going to have repeated damage. I might take it a step further to say that all the way up to the downtown the plaza used to be the fire station and it flooded, so we moved the firehouse, so the floodplain really goes all the way up to Main Street. Maybe that was a 500-year flood, but we could be subject to those. My question is on page 57 where we went from identifying additional sites to identifying at least 20 additional sites, was the state requesting those 20 additional sites for the R5 zoning, or had you covered that?

Kari Svanstrom, Planning Director

That was when I was talking about how the State wanted us to include metrics on various things; that was one of those questions like how many R5 sites? I don't know, because we haven't done the work yet.

Kathy Oetinger, Chair

But we came up with that metric?

Kari Svanstrom, Planning Director

Yes, we came up with that, and part of that was based on what was proposed in 2018 if we were to modify the R5 zoning. One of the solutions, if you're worried about consolidation and loss of those opportunities of those small lots, is to simply have a maximum lot size. In Oregon, where they have some really strict urban growth priorities, they have maximum lot sizes too, so you can't just buy up a whole bunch of properties and consolidate them and do what Mark Zuckerberg did, which was keep them all as guest houses and then they're not housing anymore, so that would be dealt with easily that way. We did have a number of parcels that were proposed in 2018 that could be something re-proposed for the R5 zoning. There are also a few other places where there is potential transition between multi-family or commercial and single-family that might be appropriate.

Kathy Oetinger, Chair

I noticed on the redline version that Chart 93 is pretty ineffective and hard to read, but I'm guessing you've fixed that.

Elliott Pickett, 4LEAF

I remember working with this table to trying to fix it. It's page 93 on the redline version, Table 19. I can double check to make sure that it's correct in the real version, but sometimes the tracked changes show interesting things.

Kathy Oetinger, Chair

There are a couple of references, or maybe just one, to the Greenacre Homes & School on Eddie Lane.

Kari Svanstrom, Planning Director

That came up with adjacency to the proposed RV village. It's either Eddie Lane or Johnson Street, but I'm pretty sure it's Eddie.

Kathy Oetinger, Chair

I'm not certain that's in the City limits. I noticed it outside the line when I was browsing the map, although they might have City water. I don't know whether that tactical issue is important to the context of the types of housing we have for disabled people.

Kari Svanstrom, Planning Director

You may be right, so we'll double-check that. That's certainly part of the Sebastopol community.

Kathy Oetinger, Chair

It may have City sewer too, I don't know. It's right there.

Kari Svanstrom, Planning Director

Yes, it is right there, so we can check on that, but they certainly have City streets and other utilities there.

Kathy Oetinger, Chair

I have a question about the fact that we have to keep finding these sites for affordable housing and identifying them and not reusing them. When we were working on the General Plan, when you go north on Highway 116 to the road where you turn right there are some properties back there that are outside the City limit, or just outside the sphere of influence where working on the Urban Growth Boundary, but we identified them as potential affordable housing sites. So they're outside the City but they're identified as sites that are close to City services and could be included in the UGB, or could be included in the City for affordable housing.

Kari Svanstrom, Planning Director

You're right. Normally as a City policy in the General Plan you can't be annexed to the City unless you're in the sphere of influence, and the same with City services unless there's an emergency need, septic fails, etc., but the Growth Management Ordinance does allow that. If someone wants to develop affordable housing they can still be annexed even if they're not in the sphere of influence. We're not including any of those on the site inventory for two reasons. One is that it's not very unlikely. You have to have a level of certainty that stuff might happen, and that's a huge discretionary factor there. The other reason comes up, for example, with Santa Rosa and the County. The County was given a huge RHNA number, like 5,000 units. If there are areas in southwest Santa Rosa that's not yet annexed, that number is for the County, but if it gets annexed and developed in the City of Santa Rosa there is some number swapping math that could go on as part that, and so if we were to develop one of these parcels as affordable housing but it's outside the City limits does the County or the City get credit for that, or does it get split? It's a more complex process and I think that's something that requires approval by HCD or ABAG, who did the RHNA assignments. It's a lot easier to just know that you can satisfy your needs within your city limits as a sure thing.

Kathy Oetinger, Chair

And the logic that there is no intent there; no one is trying to sell it.

Kari Svanstrom, Planning Director

If we had something in the pipeline, that would be very different than just our policies allow it.

Kathy Oetinger, Chair

Or some work going on with ABAG to approve the change. There were four proactive outreach programs on page 71 and I'm wondering how many of those four programs were already doing something, or whether they're all new, or whether just their timelines changed? Are those all new programs or did you get timelines put in there?

Kari Svanstrom, Planning Director

I think some of this is to try to do it more consciously. For instance, in some ways the City did outreach to builders and developers, including developers of affordable housing, within the Planning Commission's speaker's series on affordable housing last year. That was not just staff but the planning commissioners as well talking with developers of affordable housing, talking about the issues, so yes, some of this stuff is ongoing. I've had a number of conversations with developers like Burbank Housing, and Associate Planner Jay has as well. We are now tracking those in a spreadsheet to make sure that we are doing a certain number of contacts per year, so it's a little bit more conscious on that level. The utility providers part of this is a standard law. We do all our own utilities, so we know we're not going to have a problem with this, but say you had an outside water agency like Sonoma Water instead of the City doing it, then you'd have to make sure that they have planned for the capacity. We have a Housing Interest Group List that is maintained by our public information person. We haven't done a newsletter to include information about tenant rights for housing. In 2018 we did a housing fair to talk about ADUs when the State law was changing and they were pretty big. Our future housing fairs may not be that big and may be oriented towards different things, but the intent is to have an educational forum to be able to make sure we know about those things. We also do the ADU seminars and things like that, but some of that has become more video-oriented.

Kathy Oetinger, Chair

There was a line that said what does it cost to market our housing sites, and do we need permission of property owners to market their sites, or is it just City-owned sites?

Kari Svanstrom, Planning Director

We don't have any City-owned sites. I think the cost would depend upon what your strategy is. For instance, former-Mayor Slater did his Sebastopol Walks on housing opportunities and that didn't cost anything, but sending that information to potential developers and the general public that might be interested in the Sebastopol Walks program would be another thing. If you have a particular site and you market it in conjunction with the owner, that would be more similar to the Hotel Sebastopol site where that was vacant and the City marketed that, but it was a property owner who was interested in working with the City to market that.

Kathy Oetinger, Chair

Does the City look at potential sites and sends the list out to developers and list how big it is?

Kari Svanstrom, Planning Director

We did have an opportunity to put together a list of potential sites and get developer feedback on them as part of our Housing Element. Elliott were you involved in that?

Elliott Pickett, 4LEAF

The site inventory is a list of sites that would be available for housing that would have the capacity and the zoning to allow this housing. Right now what we're looking at is there are the pipelines of things that are actually happening and then there is look at these places where housing could be built, and sometimes to prove housing could be built there you do

need owner and developer interest, but if we're just looking at a vacant parcel it's okay if there's no interest there, because it's available, properly zoned, and could be developed, and that's what we're looking at for most of these sites.

Kathy Oetinger, Chair

So you're listing it but not marketing it to developers? I guess in a way the document does do that, doesn't it?

Kari Svanstrom, Planning Director

In a way it does, certainly. It's saying these would be appropriate. Anything along Bodega Avenue is in a multi-family zone; all of these other sites are in a residential zone already. And just because a site is not on the inventory list doesn't mean it couldn't be developed, or that we're not going to talk about it with developers. For most of the sites on here the owner is interested, or the Planning Department has heard from people that there is an interest in developing it, or it's a single-family lot that is vacant, so clearly that potential is there.

Linda Kelley, Commissioner

I'm amazed at how expensive everything is and how inaccessible for so many seniors and folks with lower incomes. I see when we look at AMI for Sebastopol, the County, and the Bay Area it didn't let me compare what the actual incomes are to compare how we are doing in Sebastopol to the Bay Area. It didn't look like an adequate comparison for me to understand if we are more expensive than the Bay Area in terms of actual income amount.

Kari Svanstrom, Planning Director

I don't have an answer for that in terms of the income versus home sale price. We did some initial analysis however on rates for rental housing, and when you compare the rental rates in 2010 versus the rates in 2020 the rental rates in Sebastopol have increased less than in Sonoma County over that ten-year period with a 45% increase in Sonoma County versus a 30% increase in Sebastopol, and that was surprising to see. Maybe it's because we have a very strict vacation rental policy. At the same time the household income increased 60% in Sebastopol and only 36% in the County.

Linda Kelley, Commissioner

That's interesting about the rentals, because for folks who want to move to Sebastopol it seems impossible, but maybe availability is the issue and not the actual rental increases.

Elliott Pickett, 4LEAF

In the Housing Element itself, around page 21-22, has a conversation about income and affordability and there is the census data on the median rent of everybody versus what the asking rate is currently, and there's a conversation about affordability in actual median income in relationship to your County; that's usually the AMI metric that's used. There are lots of different ways to measure affordability and income and more data that could be added if that's helpful for people to understand that.

Linda Kelley, Commissioner

Did I miss where how many rentals are Section 8, and are there ways of trying to incentivize the owners or allay their fears about doing Section 8 housing?

Kari Svanstrom, Planning Director

One of the programs is landlord education. It was a previous action and those have been combined, but that's something we'd like to be able to do. Part of that will be proactive on

the City's website and I hope we can work with the CDC to provide more education and other things the City can do to encourage landlords to do that.

Linda Kelley, Commissioner

Do we track the percentage?

Kari Svanstrom, Planning Director

I don't know, but the other thing I do know is that Park Village utilizes Section 8 as well, whereas they didn't used to, but they've figured out a way to qualify some of their affordable units under the HUD regulations to be able to use Section 8.

Elliott Pickett, 4LEAF

There is data available on how many people have housing choice vouchers as a percentage of the total, but I don't believe the total number is available. You could reverse calculate it but it would have some margin of error. I'll wait for direction on whether that's included in the Housing Element or not, but we could find more information on that.

Linda Kelley, Commissioner

If it's not necessary for us to get it through the State, it's just worth it for discussion for us to be mindful.

Evert Fernandez, Vice Chair

There is a lot of talk about identifying different parcels and throughout this housing report I see outreach. I know we've talked about education on ADUs, and I wanted to make sure there's education outreach for spaces that might be of (inaudible). (Inaudible) we have for the Planning Commission on First Street when they purchased an area and they had structure in the back that really wasn't set to be livable and they wanted to get some money to have it and we were able to encourage them through a couple of different ways, so there could be a (inaudible) base of our City that is outreached cost (inaudible) being a room or attic or barn, when you add them together a lot more space than what it takes to develop (inaudible), so we shouldn't underestimate that kind of possibility where we might be able to get more living space in that manner. That's in a way technical because it's kind of spread throughout and I don't know if it's anything that like brings it together as a separate section, but I do see a lot of it on there and I think that's good.

Kari Svanstrom, Planning Director

For ADUs we do have a couple of things that are included in the programs, because we are doing 8-12 units per year, so that's about 60 units over the next eight years in terms of what our housing production is likely to be just from Accessory Dwelling Units or Junior Accessory Dwelling Units. We are looking at a couple of modifications. One is ADU legislation has slowed down and stabilized, however they did change the height for a one-story that needs to be allowed to 18 feet; we had 17 feet, so we're going to have to change that by one foot. Then we do have the ADU Napa/Sonoma Collaborative that we've been working closely with and they have an ADU cost calculator that includes construction costs and various city fees, and we have continued support and coordination with them as one of our ongoing programs.

Deborah Burnes, Commissioner

With the State's necessity of the housing, in a town like Sebastopol where we take into consideration the additional housing and the traffic, we can keep up with the demand of housing, but traffic has become an issue, so do we look at both of those in conjunction or is it just completely separate and we have to facilitate this and then back end out the issue?

Kari Svanstrom, Planning Director

It actually ties in with the CEQA addendum that was prepared. The housing sites that we're proposing as part of our site inventory, there are no zoning changes needed, so they were all analyzed at that programmatic big picture level in terms of potential CEQA impacts when the General Plan was done. One of the things that CEQA analyzes is circulation, traffic. It's like flood planes, it doesn't ever get better; it only gets a little bit worse. The General Plan did recognize that there are intersections that are going to have significant impacts, not just from residential but also from all development, as part of CEQA but that didn't stop the City from adopting the General Plan. CEQA is an environmental review document; it's a disclosure document more than anything else, so it analyzes the environmental impacts that might be had in the various categories like circulation and traffic, hazards, public services, and all those types of things so that the decision makers can make an informed decision. If there's going to be a significant but unavoidable impact the City Council can still adopt with a Statement of Overriding Considerations, and they did adopt the General Plan even though there were a few significant but unavoidable impacts. As for reviewing development, we try to take that into account and have each project minimize as much as they can. One of the things Sebastopol has done is we have what is called a priority development area; it's actually pretty large but it's the area of town that's more central. We have not expanded our borders, and in fact when we were talking earlier about the sphere of influence as potential areas that the City might annex in the future, it was actually bigger in 1990 than it is now. The City made a conscious choice to not expand the community in terms of geography and mileage but to focus development on infill development and pedestrian and bicycle infrastructure, safe streets, Complete Streets, etc., so that people could live a little bit more compact but hopefully with less dependency on cars, at least for their day-to-day needs. Obviously, a lot of people in Sebastopol still need to commute to go to work, and so that's always an issue, and most people don't go carless entirely, so that's where the City is at on that. The General Plan did look at the potential need for three additional signal controls in terms of traffic control on the main corridors. One of those is Covert Lane and Highway 116, so right by the Pacific Market; Healdsburg Avenue and Murphy Avenue, an intersection we'll be talking about on January 10th; and Fircrest and Highway 116, so that is looking at ways of potentially mitigating traffic. The City's engineering manager and I have also been trying to talk with Sonoma County as they move forward with their General Plan, because we know that a lot of traffic in Sebastopol is not related to Sebastopol but a huge amount is simply pass-through traffic between areas out west and Santa Rosa, and we know this by using additional data sources like Waze and GPS signals to know their destinations. We're trying to coordinate with the County on whether there are alternatives, better signage, etc. The reality is traffic is here to stay and additional development generally means additional traffic, but we're trying to do it in ways that minimize it and also mitigate it.

Chair Oetinger asked for further Planning Commission questions of staff. Seeing none, she opened the public hearing.

Stephanie Picard Bowen

I'm the Deputy Director at Generation Housing where we lead the movement for more diverse and affordable housing. We want to move swiftly to adopt a Housing Element, HCD certification confirmed or not, but we have a number of concerns. For Program A-3.5 on page 56, we feel this addresses our advocacy around allowing by right in underutilized commercial in downtown zones. For Program A-3.3, Missing Middle Housing on page 57, we ask why the 20 additional sites are not being rezoned now to allow flexibility for site choices for developers? Why not allow flex-style housing for all R5 and R6 zoning district parcels in order to encourage gentle density and create more workforce housing? Waiting until 2024 to implement SB 9 and objective design standards regulations is odd, especially with people

already registering their interest in the County in SB 9 projects. We would like to see all parking standards tied to these projects significantly relaxed or alternative parking plans implemented. For Program A-4.2, Fee Mitigation and Transparency on page 61, AB 602 will ultimately require that the City structure many of its fees to be proportional to square footage, and while the City has no control over interest rates or the price of concrete or lumber, it has complete control over its fees. The major provisions of AB 602 are not triggered until a nexus fee study is conducted. Why then are we waiting until 2029 to complete this? A square footage-based assessment of impact fees would not take effect until this is completed and we believe this should be a top priority. For Program A-3.1 on page 52, which addresses objective design standards, it appears to have gone from a planned implementation of 12-16 months after Housing Element adoption to 16-24 months after adoption. Why has this changed? We encourage additional community engagement with local organizations like our own prior to adoption.

Margaret DeMatteo

I'm a Housing Policy attorney with Legal Aid of Sonoma County and I work with the Coalition on Housing Element Review in Sonoma County. We submitted a letter on behalf of Legal Aid, Sonoma Chapter of NAACP, Public Interest Law Project, and Housing Advocates of Northern California on August 25th. Our organization represents low-income tenants facing eviction and other issues that threaten their housing in Sebastopol and the County at large. We urge you to reconsider submission of the amended draft to City Council for adoption. There are ways to strengthen your Housing Element more affirmatively for housing. We made several recommendations in our August 25th letter and it doesn't appear they have been incorporated into the revisions. Other jurisdictions have posted all the public comment onto their websites and we request Sebastopol do the same. The primary focus of our letter was programs to protect and preserve existing housing. Contributing factors to fair housing issues in Sebastopol include displacement of residents due to rising housing costs. Because more residents rent than own their homes we focused on a list of program options to further fair housing as it pertains to renters and homeless persons. We also focused on a Tenant Bill of Rights, which is being incorporated into the Housing Elements of several Marin jurisdictions. The public survey on page 143 of the technical reports states 80% of respondents agree that rents are too high, but the draft Housing Element fails to address the fact that more Sebastopol residents rent than own their homes. The technical report on page 24 says the majority of homeless are white, and while true obscures the full analysis that details the disparities in the numbers of bipoc rates of homelessness in the County compared to their representation at large. We advocate for the following protections: increase of access to housing for the homeless in Sebastopol; more is needed to address the housing crisis due to skyrocketing rents; public input should inform policy and programs, not just noted in the report; ADUs for extremely low-income units to meet RHNA numbers seems arbitrary and we would want to see how the City would encourage ADU and JADU rental to lower income people to meet those RHNA numbers through financial incentives other than foregoing fees; we urge the City to incorporate the 2022 Point in Time Homeless Count statistics; and the fact that Section 8 discrimination is illegal should be part of education for landlords about accepting Section 8.

Kari Svanstrom, Planning Director

Generation Housing Questions: Regarding Program A-3.3, why not rezone the 20 parcels now? The reality is we don't know which 20 parcels those might be, and we would want to adjust the R5 zoning to ensure people aren't displaced by someone coming and buying a bunch of properties and making a bigger development. That is a process that needs to be done now and we have the ability for people to go through SB 9 or SB 35 right now. The objective design standards and SB 9 project, the development of those regulations is underway and is fairly complex in terms of understanding the community. An existing

conditions memo is being finalized as a first step and will come to the Planning Commission in late January 2023. We are also starting to develop the actual objective design standards at this point, but that takes time. Regarding why the timeframe changed from 12-16 months after Housing Element adoption to 16-24 months, at the time that was based on what we knew about the project, and I anticipate that if we adopt it in January we will have the draft design guidelines, objective design standards, and SB 9 Ordinance ready toward the end of summer 2023, so it probably will be more in that 16-24 month timeframe. We're not waiting for adoption of the Housing Element to start this; we have already started. Regarding the comment on parking being relaxed, the City did significantly relax our parking in 2018, including authorizing the Planning Commission to reduce beyond what is already allowed in our code. Regarding Program A-4.2, the fee mitigation, there were a couple of comments. One is that new fees cannot be adopted until a nexus study is done and why are we not doing it until 2029? We are required to do a fee study every five years. We did our fee study before State law required by setting impact fees based on square footage. We did that nexus study and it was adopted in March 2021 and we already do development impact fees based on square foot, so I would say we're done with that program. The only reason that we included 2029 as the date in our Housing Element for that program is that is when we would be required by State law to update that study, so that is a program that is done but we are committed to renewing that and continuing to do the fees based on the square footage. *Coalition on Housing Element Review in Sonoma County Questions:* Yes, I appreciate redlines, especially when there are this many pages, and I'm guessing our Planning Commission does as well. That and posting the HCD letter were in that comment letter, and we had posted the HCD comment letter the same day we received it 12 days ago and we will get the public comments up on the website. Protecting and preserving existing housing is absolutely a priority for Sebastopol, and we do have some programs in place. Regarding displacement due to housing costs, there's not a huge amount we can do about land cost, market rate units, etc. There were a couple of comments on rent control, just cause eviction, tenant rights, and anti-harassment. I know the City looked at rent control a few years ago but did not adopt a formal ongoing rent control ordinance; I believe it's an emergency measure. We are a small town and our entire Planning Department is myself and Associate Planner Jay, so there is a limit to what we are able to do, and as noted in the presentation we coordinate with the Community Development Commission on a number of items, but if Legal Aid of Sonoma County can help us with some of those we may be able to add them, not necessarily in the Housing Element but it doesn't mean we can't do those outside of the Housing Element as well, based on Council interest. For the proactive rental inspection program, we are getting together with and will likely contract with the Sonoma County Community Development Commission, who just went to the Board of Supervisors with an enhanced inspection program and they already do rental inspections for pretty much all of the rental affordable housing projects in Sebastopol, about 250 units. We will continue and enhance that to where we're getting additional units like inclusionary units included in that. Regarding the comment about the 2022 homeless point in time stats, I know that we got some of those included, because that's an area where Sebastopol has made progress with about 50% of Sebastopol's homeless having some sort of shelter. We can look at if there are additional statistics to include in that, but the City is tracking those and there is awareness at the Council level as well, even if not in this particular document. Another note was regarding rental registry, and yes, Margaret, I'll reach out to you offline on some of these items where Legal Aid may be able to help us. The last point for ADU income levels, I believe this is based on the breakdown of a survey on what people with ADUs are renting for in Marin, Napa, and Sonoma counties, so based on actual information. We require a conditional use permit approved by the Planning Commission to rent an ADU that was developed after 2017, and at a staff level we would not recommend it unless somehow they still have a permanent resident in those ADUs, so people can't use them as vacation homes in

Sebastopol for short-term rental. Whether or not there is a subsidy program, the City has some capacity issues in terms of we don't have a full-time housing staff to operate various programs, but if something were to come up it doesn't mean we wouldn't avail ourselves to those.

Chair Oetinger asked for public comments. Seeing none, she closed the public hearing and asked for Planning Commission questions of staff and the consultant.

Paul Fritz, Commissioner

In the clean Housing Element, page 33 of the PDF, page 29 of the report, it talks about working with Burbank Housing and the conversion of units to accessible units, and then there's a line about parking reduction was approved. I was confused about the ADA in relationship to a parking reduction.

Kari Svanstrom, Planning Director

The City has a reasonable accommodation where we allow people to reduce the number of parking spaces if they need to increase the number of ADA services. What happened with Burbank Homes at 699 Gravenstein Highway North, as part of renewing their tax credit and the deed restrictions on that is they did a major renovation three years ago. They had some tree removals that went through the Design Review/Tree Board and some other changes, but they wanted to convert three regular units to the ADA units and they needed tree removal for path of travel as well as to expand and change the parking lot configuration and they lost one or two more regular spaces to be able to fit in the additional ADU spaces. Our code allows me to approve that at a staff level if it's for that reasonable accommodation for ADA or other special needs.

Paul Fritz, Commissioner

Maybe the Housing Element could clarify that parking was reduced because ADA parking spaces were also created in addition to the units. The previous Cycle Program A-4 was assessed as City parking lots for possible housing development, and I was confused because the Lesson Learned column says, "When considering the development feasibility and equitable placement, housing development on City-owned sites would not further the City's housing goals nor the obligation to affirmatively further fair housing," and I'm not sure why that is the lesson of looking at City parking lots for development and then saying we're not going to do it. I'm not making the connection between that lesson and that one project that was proposed.

Kari Svanstrom, Planning Director

You're right, I think the lesson was more to make sure you balance the needs of businesses when you're looking at City parking lots that serve downtown businesses, and that was one of the big issues.

Paul Fritz, Commissioner

I think that was more of a political issue. The Council asked for a parking study to look at if we lose those spaces is there enough replacement space, and the parking study was done and said yes there is adequate parking in other places downtown, and it really became a political question at that point. That's a roundabout way of saying we shouldn't completely abandon the possible exploration of City parking lots, especially the City lot across from the Center for the Arts that's adjacent to a parcel that is for sale; there could be some potential synergy there. I don't want to give up on looking at parking lots as possible housing solutions, because there are still some possibilities out there and now that we have a new Council the political winds may be different and it may be possible. Sticking with this table, Program D-7 talks about relaxing development standards and how Huntley Square just used

it, and then it says the City will continue it, but then the program is not continued. Should we continue the program so we have documentation that we're still doing that?

Kari Svanstrom, Planning Director

That's trying to note that we've already gone through this and considered all these things. This is where the R5 zoning comes up where we talk about it as being for small lot single-family and duplex zones. It has been successful. We're not continuing to do that other than looking at updating our Zoning Ordinance in particular, but it's not a particular program, and part of that is because HCD is very much interested in if you say you're going to do something you have to be really specific about what it is, so we have included some of those things like the ADU change to 18 feet and others in more specific zones, but we're not allowed to use words like "consider" anymore. We have done some of those things, but like looking at an easier process for nonconforming development for the ADU in the example I shared, it's basically reducing the level of review to make it easier, so we do have those, they're just where we have specifics and they're scattered throughout the Housing Element.

Paul Fritz, Commissioner

I understand the State not wanting you to have not definitive programs or plans, but as a Commission it's something we should still consider looking at, and it will be interesting to see what comes out of this objective design standards process. One thing I hope comes out of that is a possible setback relief, because some of our setbacks can be excessive, because a lot of them are based on lot width or depth.

Kari Svanstrom, Planning Director

Elliott just reminded me that we have the Work Force Overlay Zone and that will be an opportunity to look at that in the commercial districts and those types of areas, and programs we've done as a City that aren't in our Housing Element.

Paul Fritz, Commissioner

New Program A-1.2 starting on page 55 of that same PDF, the no reduction of density without replacement sites, does that mean if a site comes forward with a housing project, like The Barlow Crossing project where they propose fewer units, because our Housing Element is assuming they're going to build to maximum density does that mean if they don't we have to find another site to replace those units?

Elliott Pickett, 4LEAF

This is very similar to what you're describing. It relates only to sites that are on inventory and it has to do not only with the one size capacity but the overall buffer, so you have sites for about 30% over what you will actually write.

Kari Svanstrom, Planning Director

This would only come in if we get to that point where the number of sites and the sites possible in whatever remaining site we have on our inventory is going to drop lower than what they need to produce, in which case, then yes, we would have to add sites to our inventory, and this is where that administrative list of back-up sites comes from. And yes, The Barlow Townhomes was on our housing inventory and it's a great example for it where it was identified as 36 units. Our Commission actually encouraged them to look at more than the 19 units they came in for when they did preliminary review, however garden apartments weren't possible on that site because it would have been below the flood plane and other encumbrances on the property, so they ended up developing only half of those sites, so if all those 36 of those sites were needed to balance the site inventory with what was supposed to be produced with RHNA, then you'd have to add sites.

Paul Fritz, Commissioner

This probably won't happen for a few years as we start to develop sites, and we have the buffer, so as we get close to the buffer then we're going to have to start picking up new sites, and that's what this program is for.

Kari Svanstrom, Planning Director

Elliott, can you confirm this could be done on an administrative level, or does it need approval by the Planning Commission and City Council if we change what our site inventory is?

Elliott Pickett, 4LEAF

This is done along with the APR, so if your APR gets approved to go the sites would be along with it. In this site inventory the sites were not assumed to develop at 100% of their maximum allowable density, so we assumed 85-92% depending on the affordability based on the previous trends. If there were setbacks, those were taken out of the acreage count, so some of the sites that were in inventory may come in above what you thought, especially if they get some kind of density bonus.

Paul Fritz, Commissioner

Program 3.1, Objective Design Standards, it's for multi-family. Do duplexes count in this? Would they fit under objective design standards or would they be exempt from any kind of design review?

Kari Svanstrom, Planning Director

Duplexes are multi-family under State law. If it meets the affordability requirements they could go through SB 35 if they wanted to. I don't think that happens a lot. A single-family home with an ADU is not multi-family, so they would be under the SB 9 program.

Paul Fritz, Commissioner

Program A-3.3, Missing Middle Housing, says the City will amend the code to allow up to three units on qualifying single-family parcels subject to the objective design standards as allowed by SB 9, but because you split it in half and then you can get two on each, wouldn't that be up to four units on a single-family parcel?

Kari Svanstrom, Planning Director

Right now we allow three units. You can have a single-family home, an ADU, and a JADU; I think the three is referring to that, which doesn't require code amendment. You can as a City allow that same configuration in a lot split, so you could allow up to six. You could allow on each of those splits a single-family, an ADU, and a JADU, and that's where you would be subject to the objective design standards. You're getting pretty dense on some of those lots.

Paul Fritz, Commissioner

Program A-3.5, Opportunities for By Right Housing, allowing purely residential by right in commercial and downtown zones. That 40% affordability is a pretty high bar and I'd like to see it last, because most the sites in those zones are not very large and it's hard enough to make the inclusionary work as it is and I don't see anyone taking that on, so it is a pointless program. With general market rate projects I don't see anything in town being big enough to justify 40% of the units being affordable.

Kari Svanstrom, Planning Director

It would be more of a partnership with an affordable housing and market rate developer, which has happened.

Paul Fritz, Commissioner

But those are usually bigger projects with hundreds of units. The one site that would be good for this is the one next to Big O Tires, but you can only get 10-12 units for the density and 40% affordable would be a nonstarter with that few units. I don't think this is a super helpful program. Kathy Austin just gave me a thumbs up on that. I hope we can continue talking about inclusionary and maybe raise the bar for when it kicks in, because it does stop projects from happening, even with the flexibility, and I speak from experience. For small projects, with construction costs what they are, it doesn't make any sense, so developers don't do the projects at all. Program D-1.1 talks about housing workshops. Are we proposing to do this every year or every other year?

Kari Svanstrom, Planning Director

One a year is a lot of work and cost and it's not something the City can feasibly do, because it's a huge effort. Some form of it is always ongoing in the City, such as the ADU webinars. It depends on what you consider a housing fair, which is just ongoing education. A larger event is more practical to do every other year. Elliott, can be check that and make sure it says bi-annually?

Elliott Pickett, 4LEAF

The current draft is annual housing fair. Bi-annual workshops would be like a Zoom workshop with advocates and service providers and is the outreach for identifying needs and crafting solutions; that's a different commitment in that program.

Kari Svanstrom, Planning Director

For those advocates in the audience, especially on the rental Legal Aid kind of stuff, a lot of the housing fair in 2018 was about ADUs, but to do one that's more focused on rental housing, education for landlords, tenant rights, Section 8 education, etc., could be a housing fair, so it's not always focused on building more housing; some of it is the other sections of our Housing Element.

Linda Kelley, Commissioner

While listening to public comment regarding Section 8 housing and knowing that other jurisdictions are requiring it to be accepted, I've love to explore that further. I'd like to see if our Planning Director, as she's talking to Margaret, could make a list to send on to the City Council of things we would like them to consider, and other suggestions by our Commissioners as well, because we can pass some of this without having to change a Housing Element. The just cause eviction is an important issue for so many people. I know our City Council got a little timid around doing rent control, and that's understandable because there's a lot of pressure against having it happen, but there are pieces of it, especially the just cause eviction, that I think we possibly could get through and tackle and I'm wondering if it would be okay. Also Generation Housing, their ideas as well, and to see if we could come up with something that the Commission would feel comfortable passing onto Council as stuff we could work on in between the Housing Element certification. Of course I'm a supporter of the Inclusionary Ordinance. The inclusionary units have all been moderate income, of course no one is choosing to develop the low- and very low-income, but I would like to not get rid of that, because it's very important, maybe adjusting how many units that applies to.

Evert Fernandez, Vice Chair

I'm torn between wanting to incorporate and do the best job we can, but at what point as far as a delay considering the holidays coming it could even (inaudible) as opposed to incorporating some of these thoughts or ideas (inaudible) see if some of these can be either

adopted or just be a suggestion, and then at Council they can actually make those changes. I wonder if it might be better done there.

Kathy Oetinger, Chair

I'm not sure what the comment was, because some of it was breaking up.

Kari Svanstrom, Planning Director

The general comment was supporting Commissioner Kelley wanting to try to work on the focus on rental protections.

Evert Fernandez, Vice Chair

Yes, and some of the other comments, but I'm trying to move things forward and see if we can incorporate some of those suggestions to the Council who can actually make those changes, whereas ours are just more recommendations. Are we ready to move this forward and we have enough suggestions and information that we can forward it, as opposed to there has been so many suggestions and possible changes that we might need to see it again?

Paul Fritz, Commissioner

Can we recommend adoption by the Council with a list of proposed changes for the Council to consider? Would that be a way to do that?

Kari Svanstrom, Planning Director

Are you asking us to add multiple programs before it goes to Council?

Paul Fritz, Commissioner

I'm not sure. Can you direct us to the programs that talk about renter protection, or do we have such programs?

Kari Svanstrom, Planning Director

Some of it is related to the non-retaliation, so the code enforcement. Any tenant who has an issue with habitability, we don't have a policy against it as a City, but we keep all code enforcement confidential against anti-harassment, but those tenant names are not disclosed to anybody. Obviously, a landlord may be able to figure that out, but from the City's perspective that's how we do our due diligence on that type of a thing. Then we have the rehabilitation assistance, the landlord education, so a lot of it is focused on education. The other component of it is the work of the CDC in terms of the proactive rental inspection where they go onsite and inspect the units for habitability.

Paul Fritz, Commissioner

Do we have any programs that talk about more proactive renter protections like Margaret mentioned, like the rent registry?

Kari Svanstrom, Planning Director

We could probably do it as a general program that talks about enhanced renter protections.

Paul Fritz, Commissioner

Not figure out what the program is right this minute, but have a way to talk about that in the future.

Kari Svanstrom, Planning Director

My tendency is to agree with the Planning Commission in terms of trying to get something in here because the Commission and Council recognize it is important. I would hope that the

HCD wouldn't penalize us for adding a program, even if we don't necessarily have all the ideas worked out. Let's direct staff to also incorporate a renter protection program into the Housing Element before it is presented to Council, especially as I'm assuming the public commenters will also be at our Council meeting to speak to that.

Elliott Pickett, 4LEAF

That is my understanding. Again, in terms of the HCD scrutiny on programs, they would probably want to see a specific commitment.

Kari Svanstrom, Planning Director

One of the other options we have is the educating staff, Council, and the public about housing law. We've had a lot about the housing development at the Planning Commission, but is there an educational component about the various issues and the options to address them? You could either include it in that as more informational, and then if Council is interested in those programs they could direction staff and the Commission to work on those, or you could propose it as a separate program.

Paul Fritz, Commissioner

Merging it into that existing program and talking about educating the Commission or whoever about the various rental protection program opportunities.

Kari Svanstrom, Planning Director

Yes, but also the fact that Section 8 is required by the State. So you're right, it's more than just the landlord education, there is City staff and decision maker education and then what makes sense to go forward with those programs.

Paul Fritz, Commissioner

I have some ideas, but I don't know what is meant by tenant bill of rights or a rent registry and things like that, so understanding those and including that in our educational component, talking about renter protection education as well as housing law. It's not all about law but best practices as well, so a way to word that into that existing program might be the easiest.

Elliott Pickett, 4LEAF

Your Program B-3.1, which includes Planning Commissioner and decision maker training, is among your Housing Trends, Laws, and Issues, so those could be one of the housing issues that is done in that program. Whether you want to provide feedback on wanting to see that, or having an additional bullet point on including but not limited to ongoing efforts, could call out something related to that subject. This would be a policy issue, so one of these ongoing efforts could include a presentation on renter protections for Planning Commission information. There are many options you could use in this program.

Kari Svanstrom, Planning Director

That does seem to fit in there, because it's about housing issues and how to address those, and that would be at both the Planning Commission and City Council level. Does adding that to the educational program resolve the issue in the eyes of the Commission?

Paul Fritz, Commissioner

I think that would be helpful.

Kari Svanstrom, Planning Director

Then we might be able to go from there in terms of what the City might be interested in doing without having to know exactly what all the options are at this point.

Kathy Oetinger, Chair

If Commissioners want to create their own list ideas of things they'd like to work on that perhaps a subcommittee could work on it, or it could be part of our work plan to talk about some of those things.

Paul Fritz, Commissioner

Maybe the Legal Aid Coalition would be willing to come and do a presentation on the kind of things we're thinking about, so we would be educated and then make some decisions at that time.

Kathy Oetinger, Chair

And provide some proposed language for things that could be added.

Paul Fritz, Commissioner

Does anyone have feedback about my 40% inclusionary in commercial zones? Do Commissioners think that's a good number? I think it's meaningless, I don't think it's going to get anything done, but if Commissioners don't agree and want to leave it at 40%, that's fine.

Kathy Oetinger, Chair

There was some thought that when you're working with inclusionary housing, when you look at people's income and the cost of housing, really half the things built should be affordable and if we're not moving in that direction, what's the point? We've already stated that housing is an emergency in the state, that's why we're doing all of this, and if the cost of the property is too high, maybe that's the problem. One of the thoughts in adding inclusionary housing is that it changes the value of the land. Developers always complain that they couldn't build it, and yet we're seeing some of it being built, so I would object to changing it at this point. It really should be 50% of housing; 50% of everything we build should be affordable.

Paul Fritz, Commissioner

We can say that, and that would be great, but it doesn't mean that's going to be a fact. From someone who builds, designs, and works on housing projects, unless there is a heavy subsidy, unless the City is kicking in some money, a developer is not going to come to town and say they'll build 50% affordable housing, because they can't sell the other 50% of the units for what they have to sell them for. Those units are going to cost more money, because they are the ones that are subsidizing, unless the City is going to subsidize it or there is some other subsidy involved.

Kathy Oetinger, Chair

I think the subsidy is going to be the way of providing housing, and if we don't make that standard, then we won't get that money to build those houses. The State has to look at the numbers as well and know that if you have a developer proposing that, they can get those funds. We shouldn't have to jump through hoops over and over again, but if we're going to be providing funds it ought to be doing something significant.

Linda Kelley, Commissioner

Commissioner Fritz, you're talking about by right. If a developer said I'll just not do it by right and jump through the additional hoops and just goes on our regular inclusionary, would that satisfy it?

Paul Fritz, Commissioner

The issue is right now you can't do 100% of housing in a commercial zone without a use permit, so we're saying either give us 40% affordable housing or you get a use permit, and if that's the way it is, that's the way it is, but I know that both things discourage development from happening. Use permits discourage development from happening, and inclusionary housing, especially at such a high rate, discourages development from happening. If we're happy with the status quo, that's fine, but I don't see that program actually building housing.

Kari Svanstrom, Planning Director

We have had two developments in the downtown zone that have required use permits for residential only, and they've both been approved. One is the Kathy Austin project, the 18 unit townhomes, which is in the downtown core, and the other is the Habitat for Humanity four units. I realize, Commissioner Fritz, that by right does have for developers some certainty compared to not, but if it does make sense as a site and the City has shown that they will approve it...

Paul Fritz, Commissioner

I see I'm getting no support on that, so leave it as it is.

Kari Svanstrom, Planning Director

A way that we may be able to have our cake and eat it too is that the Workforce Housing Overlay Zone could include some additional options for when by right is done. That's a couple of years out, but that's what staff and the consultant sees. We say workforce overlay; to us that's probably how can you better permit mixed-use or other residential in areas of the commercial that are appropriate?

Commissioner Kelley made a motion to recommend adoption of the Housing Element General Plan Amendment to City Council.

Kari Svanstrom, Planning Director

Commissioner Kelley, and that's with the one modification to include something about rental resource and education?

Linda Kelley, Commissioner

Absolutely.

Kathy Oetinger, Chair

And also the resolution recommending that the City Council certify the CEQA addendum? Does that also need to be in the motion?

Kari Svanstrom, Planning Director

That's included in the motion; they're both in one resolution. City Council would usually get them separate, but because it's just an addendum and not a full CEQA with findings, it will just be the one resolution.

Commissioner Fritz seconded the motion.

AYES: Chair Oetinger, Vice Chair Fernandez, and Commissioners Burnes, Fritz, and Kelley.

NOES: None

ABSTAIN: None

ABSENT: None

B. Election for Chair/Vice Chair

- i. An election for the Planning Commission Chair and Vice Chair will be held.

Chair Oetinger called for nominations for Planning Commission Chair.

Commissioner Fritz nominated Vice Chair Fernandez as Chair of the Planning Commission.

Chair Oetinger seconded the nomination.

Vice Chair Fernandez accepted the nomination.

Chair Oetinger opened public comment. Seeing none, she called for a roll call vote.

AYES: Chair Oetinger, Vice Chair Fernandez, and Commissioners Burnes, Fritz, and Kelley.

NOES: None

ABSTAIN: None

ABSENT: None

Chair Fernandez called for nominations for Planning Commission Vice Chair.

Commissioner Kelley nominated Commissioner Burnes as Vice Chair of the Planning Commission.

Commissioner Oetinger seconded the nomination.

Commissioner Burnes did not accept the nomination.

Commissioner Kelley nominated Commissioner Fritz as Vice Chair of the Planning Commission.

Commissioner Oetinger seconded the nomination.

Commissioner Fritz accepted the nomination.

Chair Fernandez opened public comment. Seeing none, he called for a roll call vote.

AYES: Chair Fernandez, and Commissioners Burnes, Fritz, Kelley, and Oetinger.

NOES: None

ABSTAIN: None

ABSENT: None

6. REGULAR AGENDA ITEMS:

A. Preliminary Review of Katherine Austin/Healdsburg Townhome Project

- i. The applicant is proposing to build fifteen two-story townhomes in the R7 zone and a 3,360 square foot +/-two-story commercial building in the CO zone. The townhomes are planned to be 1,120 square feet with two bedrooms and 2.5 baths. The commercial building is proposed to have six 760 square-foot, one-bedroom, 1 bath apartments above the commercial space. Both the

townhomes and the mixed-use building will have their own separate 20-foot driveways. This is a Preliminary Review and no decisions or CEQA determination will be made at this time.

Chair Fernandez and Director Svanstrom reported that the applicant for Item 6.A., Healdsburg Townhome Project, had requested the item be continued to the meeting of January 10, 2023.

Chair Fernandez continued Item 6.A., Healdsburg Townhome Project, to the meeting of January 10, 2023.

B. Update on Parklet Project (no written report)

- i. An update will be provided on the Parklet Project, but this will be informational only and no decision will be made.

Director Svanstrom presented the staff report.

Chair Fernandez asked for Planning Commission questions of staff.

Evert Fernandez, Chair

How did they come to that decision on the parklets? It seems like the one by Screamin' Mimi's is the one that is less intrusive and almost seems natural there, but I know there's more of a process than that.

Kari Svanstrom, Planning Director

The Planning Department is not the lead on this project, but I know that the Engineering Department is looking at whether or not they can get Caltrans to vacate the area where the Screamin' Mimi's parklet is. That includes a drive aisle; it's not just a parking space, so that's a bit more complex of a site. It was less unanimous among business owners in that area as well. There were some business owners nearby who just wanted it gone. We don't have that at the Retrograde Coffee Roasters and Sunshine Café where everyone has been very pleased since COVID until now with that one. I know we had some complaints from surrounding business owners concerning the parklet by People's Music, and that made the most sense to go away. There's no tenant in that building at this point and what happens outside of it could be a later permit if desired. Vice Chair Fritz, you were at those Council meetings.

Deborah Burnes, Commissioner

Did I hear it correctly that the parklet in front of Retrograde is staying, the one in front of Screamin' Mimi's is leaving, and the one in front of People's music is also leaving?

Paul Fritz, Vice Chair

I think they're all leaving in the immediate future, although the ones in front of Sunshine Café and Retrograde may come back at some point.

Kari Svanstrom, Planning Director

Correct.

Deborah Burnes, Commissioner

Is that cost effective to remove it?

Kari Svanstrom, Planning Director

The permit is expiring, so we have to remove it. But yes, they are actually constructed with the bollards that Public Works can move.

7. SUBCOMMITTEE UPDATES

Design Guidelines Subcommittee, Paul Fritz, Vice Chair

We're working on the objective design standards and recently had a meeting. The next meeting is in January 2023.

Parks Committee, Kathy Oetinger, Commissioner

I'll look at some of the suggestions we made for Libby Park and try to prioritize them and see how to move them forward.

8. PLANNING DIRECTOR'S REPORT

Director Svanstrom provided updates.

The Commission asked questions of Director Svanstrom.

9. ADJOURNMENT: Chair Fernandez adjourned the meeting at 9:43 p.m. The next regularly scheduled Planning Commission meeting will take place on January 10, 2023 at 6:00 p.m.