



City of Sebastopol
Incorporated 1902

PLANNING COMMISSION MEETING
MEETING OF TUESDAY, APRIL 11, 2023
6:00 P.M.

AGENDA

Meeting to be held In Person as Well as Virtual/Remote

Zoom Link is to be used for providing public comment/Live Stream is utilized for viewing only of Meeting

In Person Location: Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472

Remote/Virtual Zoom Link: <https://us02web.zoom.us/j/81106999777>

Meeting ID: 811 0699 9777

One tap mobile

+16699006833,,81106999777# US (San Jose)

+16694449171,,81106999777# US

VIEWING MEETINGS ONLINE

For this meeting, the City of Sebastopol will be utilizing the Program ZOOM which allows for audio and visual participation. Further log-in information and instructions are included at the end of this agenda.

CALL TO ORDER

1. ROLL CALL
2. **COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA** – This is for items *not* on the Commission agenda, but that are related to the responsibilities of the Commission. The Commission receives any such comments, but under law, may not act on them.
3. STATEMENTS OF CONFLICTS OF INTEREST
4. APPROVAL OF MINUTES: None
5. PUBLIC HEARINGS
 - A. **771 and 773 First Street - Thrive Construction Builders' Studio – Variance**

Thrive Construction Builder's Studio is seeking approval from the Planning Commission for a Variance to allow the construction of a driveway and associated improvements to 771-773 First Street within a creek setback where typically not allowed by Chapter 17.100.060 of the Sebastopol Municipal Code. The driveway alignment conforms to the location for the shared driveway and easement requirement as approved by the City Council when the subdivision map was approved in 2002 and as recorded on the Final Map. The project is categorically exempt from the requirements of CEQA, pursuant to Section 15303, Class 3, which includes the construction and location of limited numbers of new, small facilities or structures.

B. 6811 Laguna Park Way – Goatlandia - Conditional Use Permit

The request is to operate a full vegan kitchen and restaurant that will have over 50 seats and includes indoor and outdoor seating. Goatlandia also intends to sell beer and wine under a Type 41 alcohol license and intends on playing house recorded music. The project is categorically exempt from the requirements of CEQA pursuant to Section 15301 Existing Facilities.

6. REGULAR AGENDA ITEMS

A. Training Video

7. SUBCOMMITTEE UPDATES

8. PLANNING DIRECTOR'S REPORT

- A. Hybrid Meeting format updates
- B. Other

9. ADJOURNMENT: This meeting will be adjourned to the next regular meeting of the Commission, to be held on April 25, 2023, at 6:00 p.m.

PUBLIC HEARINGS AND PUBLIC COMMENT ON ITEMS

The City of Sebastopol wishes to foster a constructive, respectful, and open process through its meeting procedures. Members of the public have the right to speak on all public hearings under discussion by the Planning Commission including consent calendar items, after being properly recognized by the Chairperson. The Commission requests that members of the public refrain from expressions of approval or disapproval (clapping, booing, hissing) of statements of other participants, which discourages the expression of a range of viewpoints, as well as lengthening meetings. The following is the hearing process:

1. The Chairperson opens public hearing.
2. Presentation of Staff Report from the Planning Department.
3. Commission Questions of Staff.
4. Presentation by the Project Applicant, Questions of Applicant from Commissioners. Applicant presentations should generally be limited to approximately 10 minutes or less.
5. Comments from members of the public. Comments should be limited to 3 minutes or less. Comments from the public will be taken for both in-person and Zoom attendees.
6. The Chairperson may request that the applicant or staff respond to specific issues raised in the public comments.
7. The Chairperson closes the public hearing, but reserves the right to re-open the public hearing later that evening.
8. The Planning Commission deliberates on the project. Commissioners discuss the project; applicant or public comment is not permissible unless allowed by the Commission.
9. The Chairperson may re-open the public hearing to give the public or applicant the right to comment on the Planning Commission deliberation or bring forth new information to the Commission.
10. The Planning Commission takes action on the project by making one or more motions to approve, condition, deny, or continue (schedule further consideration for a future meeting) the matter.
11. Appeals may be filed of official actions upon filing of an appeal form and payment of the applicable appeal fee. Such appeals, including the appeal fee, must be filed within 7 days of the action. Appeals will be heard by the City Council.

STAFF REPORTS ON AGENDIZED ITEMS are available for review on the City's website:

<https://www.ci.sebastopol.ca.us/Meeting-Event.aspx> Reports are generally issued and posted by 6 p.m.

on the Thursday before the meeting. Interested persons are encouraged to review these reports, which evaluate proposals relative to adopted laws and policies.

LETTERS OR WRITTEN MATERIALS regarding agenda items may be submitted to the Planning Department prior to or at the Commission meeting; written materials submitted at least six days in advance of the meeting will be included in the Commission's meeting packet. The public is advised that pursuant to State law, written submittals to the City are public records, will be made available for public review, and may be posted on the City web site. Public Comment can be emailed to the project planner listed in any notices, or kvanstrom@cityofsebastopol.org.

American Disability Act Accommodations/Accessibility: If requested, staff will make the agenda and backup materials available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) Section 202 and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid or service by contacting the City Clerk's Office at info@cityofsebastopol.org or by telephone at (707) 823-1153 who will contact the ADA Coordinator. The ADA Coordinator will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Notification: 72-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Important Notice: The City of Sebastopol shows both live broadcasts and Video Archive of City Council Meetings over the Internet. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice. Videos are available for one year from date of meeting.

Link: <http://bit.ly/sebcctv> or <https://www.ci.sebastopol.ca.us/City-Meetings-TV>

City of Sebastopol Public Meetings

The public may also view the meeting by use of You Tube. Important Notice: The City of Sebastopol shows both live broadcasts and Video Archive of City Meetings over the Internet. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice. Videos are available for one year from date of meeting.

Here is the link: <http://bit.ly/sebcctv> or <https://www.ci.sebastopol.ca.us/City-Meetings-TV>

Please note that minutes of meetings are not meant to be verbatim minutes and are meant to be the City's record of a summary of actions that took place at the meeting. The vote/action is the required information of the meeting actions that took place. Approved minutes are available on the Meetings page. <https://www.ci.sebastopol.ca.us/Meeting-Event.aspx>

Please click on the special Council meeting date. If minutes were approved, they will be listed under that specific Council Meeting date.

As a courtesy, please turn off all cell phones, electronic devices, and pagers during the meeting.

The public is advised that pursuant to Government Code section 54957.5 all writings submitted to the City are public records and will be made available for review.

Government Code Section 54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

There are times that the City open meetings may not be live streamed due to technical issues; if that is the case, the meeting will be video-taped and uploaded as soon as possible to the City Web Site. In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

PROTOCOLS FOR MEETING:

This in person and virtual/remote meeting is compliant with the Governor's Executive Order allowing for a deviation of teleconference rules required by the Brown Act. Traditional Brown Act and AB 2449 requirements can be utilized for City public meetings as long as required notice and posting is conducted per the Brown Act.

Please Note the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting.

Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b). (b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

ZOOM LOG IN INFORMATION *Please Note: The City of Sebastopol has scheduled a Zoom Meeting (A video communications technology platform for video and audio conferencing).*

In order to minimize the spread of the COVID-19 virus, the City of Sebastopol is providing multiple alternatives to viewing City meetings and providing comments on items on the agenda. These alternatives allow the City to conduct City Meetings via teleconference pursuant to AB 361. Options for observing the meeting and participating in public comment are listed below.

IMPORTANT NOTICE TO PARTICIPANTS: *If you are logged onto zoom whether by computer or phone, your information (such as name or phone number) is shown publicly as a participant. If you do not wish to have this information public, please submit written comments as the City does not yet have the capability to hide names and/or phone numbers in zoom.*

PARTICIPATING IN CITY MEETINGS IN CONFORMANCE WITH SOCIAL DISTANCING REQUIREMENTS: *The City Council special and regular meeting will be held via teleconference pursuant to AB 361. Options for observing the meeting and participating in public comment are attached.*

VIEWING MEETINGS ONLINE: *For this meeting, the City of Sebastopol will be utilizing the Program ZOOM which allows for audio and visual participation. However, Closed Session items are not open to the public but prior to adjournment into Closed Session, the public may speak up to 3 minutes on items to be addressed in Closed Session.*

VIRTUAL PARTICIPATION BY ZOOM VIDEO CONFERENCING: *The City of Sebastopol is now offering the ability to view and participate in City meetings via video meetings and telephonic conferencing via "Zoom" video conferencing computer technology. Instructions for participating via Zoom are provided below.*

How do I join the City of Sebastopol City Council meeting via Zoom Video Conferencing?

Please visit <https://zoom.us> and either sign-up for a free Zoom account or continue as a guest. Once you have downloaded the app on your smart phone, joined from your web browser, or downloaded the Zoom software on your computer you will be ready for the Council meeting .

If you have previously signed up for Zoom, you can enter the meeting ID to join the meeting.

I do not have a computer or smart phone; can I still use Zoom?

If you don't have a smart phone or computer to access the meeting via Zoom, no problem! You can participate on the phone, by calling 1-669- 900- 6833 and entering meeting ID

Public Comment While Attending Council Meeting Through Zoom Virtual Platform?

The Mayor will request public comment during the Public Comment periods on the agenda (Consent Calendar, Informational Items, Public Hearing (if any) and Regular Calendar Item(s). Once the Mayor has announced the public comment period, please do one of the following.

USING A COMPUTER OR SMART PHONE:

- *Click on the "Raise Hand" feature in the webinar controls. This will notify Meeting Host that you have raised your hand.*
- *Meeting Host will unmute your microphone when it is your turn to provide public comment.*
- *A prompt will appear to confirm you would like to be unmuted and then you will have three minutes to provide public comment.*
- *Once your public comment has ended, you will be muted again.*

USING A REGULAR PHONE:

- *Dial *9 (star 9), this will notify the Meeting Host that you have "raised your hand" for public comment.*
- *Meeting Host will unmute your microphone when it is your turn to provide public comment.*
- *You will hear "you are unmuted" and then you will have three minutes to provide public comment.*
- *Once your public comment has ended, you will be muted again.*

I don't want to provide public comment live; can I provide my public comment for the record another way?

Of course! Please submit all public comments via email for inclusion into the public record.

You may also leave a voice mail that will be made a part of the public record (but will not be read into the record). Please call 707-823-1153 to leave a message (by recording or comments provided verbally to City staff). If recorded, your voice mail will be transcribed by the city and provided to the City Clerk as a public record but will not be read into the minutes at the City Council meeting. Comments should be received by 4:00 pm of the meeting date.

I am having difficulties preparing for the meeting and learning Zoom, do you have any resources to help me?

Yes, please visit Zoom's website support page on helpful tips to prepare for the meeting:

<https://support.zoom.us/hc/en-us/categories/201146643>