



City of Sebastopol
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UNAPPROVED DRAFT MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF August 15, 2023

PLANNING COMMISSION:

The notice of the special meeting was posted on August 10, 2023.

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

- 1. ROLL CALL:**
 - Present:** Chair Fernandez, Vice Chair Fritz, and Commissioners Burnes and Oetinger
 - 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:

January 10, 2023

Commissioner Oetinger moved to approve the minutes as presented.

Vice Chair Fritz seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioners Burnes and Oetinger
NOES: None
ABSTAIN: None
ABSENT: None

March 14, 2023

Members of the Commission amended the minutes.

Vice Chair Fritz moved to approve the minutes as amended.

Chair Fernandez seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioner Burnes
NOES: None
ABSTAIN: Commissioner Oetinger
ABSENT: None

5. PUBLIC HEARINGS: None.

6. REGULAR AGENDA ITEMS:

- A. Objective Design Standards Final Draft** – The Design Review Board will be reviewing this document and making a recommendation via resolution for the City Council to adopt the Objective Design Standards document. The State of California has adopted legislation in recent years that impact the ability of a local jurisdiction to implement their adopted discretionary Design Guidelines and requirements for certain residential projects, including certain multi-family residential developments (vis SB 35).

Director Svanstrom presented the staff report.

Chair Fernandez asked for Planning Commission questions of staff.

Paul Fritz, Vice Chair

This is a process question. If we're being asked to adopt this resolution tonight, but the Design Review Board may be changing these, do they get the final say and they get to make the referral to the City Council, or do we get to see the final one?

Kari Svanstrom, Planning Director

Normally design guidelines would only go the Design Review Board and then to City Council, but because of the housing and other implications, and the structure of the subcommittee, we wanted to make sure we had a lot of transparency and input. What I would request is they are parallel. If you feel comfortable tonight adopting a resolution recommending approval, knowing that there may be some tweaks from the Design Review Board, then I would say go ahead and adopt it. If something major changes with the DRB, we will let you know and give you an opportunity to review that as well. If they are fairly minor changes mostly related to design but not significant, we'll report those back to you, Vice Chair Fritz, as a member the Design Guideline Subcommittee I can let you know where those go in terms of if you feel like it needs to come back to the Planning Commission as well. So far the couple of modifications the DRB has requested are things they think would allow more modern design.

John Jay, Associate Planner

I don't think there was anything specific outside of that. Some of the DRB modifications might have been related to parking landscaping standards, but overall nothing major so far.

Kari Svanstrom, Planning Director

I know the DRB caught the look and feel of the objective design standards being more of a traditional architecture and wanting to make sure that we had representation of more modern and innovative architecture.

Kathy Oetinger, Commissioner

I kind of had the same question, wondering about if there were—since we have small lots—a modular multi-family structure that was built up where it's a repeated design element rather than the more traditional one? I guess they would have to get a variance on that.

Kari Svanstrom, Planning Director

It would not be a variance process. The way SB 35 or other ministerial processes work is that if you don't meet the metrics or the objective design standards you can always opt to go through the discretionary process. These guidelines are based on both existing guidelines and the discussions with the Design Guideline Subcommittee of where the City wants to go from a design perspective, but most of them have basis in our discretionary design guidelines so they don't conflict, so you would still be able to go to the Design Review Board and have them review it. That was part of the discussion that the subcommittee had, and it is possible to have a modular design that meets the standards anyway.

The Opticos consultants, Tony Perez and Singeh Saliki, gave a presentation and were available for questions.

Chair Fernandez asked for Planning Commission questions of the consultants.

Paul Fritz, Vice Chair

As a member of the Design Guidelines Subcommittee, this is a really good document and I would love to see this adopted beyond just SB 35 projects, because we won't get a great deal of SB 35 applications and it would be a shame to have a lot of really good information in this document that would hardly ever be referenced, and I'd like to have a bigger discussion about this. I know Director Svanstrom has said the Design Review Board doesn't like that idea, but I hope I can convince them otherwise.

Seeing no other Planning Commission questions of the consultants, Chair Fernandez opened public comment.

Calum Weeks, Generation Housing

I echo Vice Chair Fritz's comments. If it is at all possible somewhere down the road we could consider expanding this to just a little bit beyond SB 35 projects, because I don't anticipate a lot of those in Sebastopol either.

Seeing no other speakers, Chair Fernandez closed public comment.

The Commission discussed the application as follows:

Paul Fritz, Vice Chair

There were things we talked about that I don't see in the document, and one of them has to do with setbacks. Pages 30-31 (PDF page 42) discuss the side yard setbacks, and one of them had a note about referring to the underlying zoning district, because in most cases side yard setbacks are 3 feet in the R3 and R4 zones, correct?

Kari Svanstrom, Planning Director

They are 5-9 feet in the R-4. The minimum we have is 5 feet; 3-foot is for the accessory structure, and 4-foot is State law for an ADU, but for a multi-family or just an R4, R5 zone based on 10% of the lot width.

Paul Fritz, Vice Chair

A lot of these have 10-foot minimums, and I'm not sure why the 10 feet would be a minimum. It seems like if the zoning code would allow less, then we should defer to that, so maybe there could be for the side yards a deferral to the underlying zoning district. I thought there was one of them that did say that.

Tony Perez, Opticos Design

On page 35, the T4 Neighborhood Small zone is what you are talking about. The side yard setback referring to the underlying zone, and the T4 Neighborhood Small zone. Of the two residential zones, it covers the majority of the non-mixed-use areas.

Paul Fritz, Vice Chair

I see that. I didn't know if we wanted to adopt that generally just to refer to the underlying for the side yard setback rather than a larger setback than we typically would require.

Kari Svanstrom, Planning Director

You were talking about R4, but that's single-family zone, but we can make sure that they're consistent.

Paul Fritz, Vice Chair

Then page 42 (PDF page 59) is on the stories allowed. This is the downtown zone where we do allow four stories per residential, correct? So shouldn't the stories for the primary building allow it be four, since we're talking about residential? SB 35 would only apply to our residential project, or is that something that needs a use permit to go to four stories?

Kari Svanstrom, Planning Director

In downtown you can do three stories and 40 feet. There's a footnote. It's four stories and 50 feet allowed for projects with residential uses on upper floors if it's 100% affordable housing. That does require a conditional use permit and Planning Commission review. I think we wanted to keep it that way because that's pretty small.

Tony Perez, Opticos Design

Just to confirm that, the direction we all received at Opticos was to rely on your discretionary process for that fourth story, but to allow three stories in the zoning.

Paul Fritz, Vice Chair

I know we talked about the downtown lighting, and this is on page 50 (PDF page 67). We talked about the lighting should be turned off a half an hour after the close of business, and I see that's been revised to, "Exterior lighting should be turned off by 3:00am." Is that feasible? The businesses downtown that have the white lights on their awnings, are we expecting them to turn those off by 3:00am? I'm sure most of them are not a timer.

Kari Svanstrom, Planning Director

That would be great to discuss as a group, since we have a business owner on our commission.

Paul Fritz, Vice Chair

Do you have lights on your awning? No other businesses do downtown.

Deborah Burnes, Commissioner

Sometimes they'll ask us communally to put lights on for different events; some people do and some don't. We turn all of our lights off when we close, and I personally think everyone

should turn their lights off so as to not waste electricity and tax the power grids. Yes, people do leave them on all night long, and not just lights on an awning, but lights in a window.

Evert Fernandez, Chair

Aren't lights in the windows left on for safety to discourage break-ins?

Deborah Burnes, Commissioner

As far as I know, it isn't a safety issue. Most of them are in the windows so people can see their display, so it's kind of like advertising for them. As far as safety issues, if people have cameras, obviously they wouldn't pick up as much if there weren't light in there, but I don't see lights throughout entire buildings, and generally in most retail it's in the front.

Paul Fritz, Vice Chair

I like the festiveness of the lights, even if a business is closed. When people are walking in the downtown in the evening it's nice to have that ambient light. They should turn off everything when they close; otherwise no one is going to come back in the middle of the night to turn off the lights.

Deborah Burnes, Commissioner

There are two lights here. Some of them are inside, and then there are the little lights outside on the awning, and you can have them on timers.

Evert Fernandez, Chair

Yes, it seems odd to have that time on there.

John Jay, Associate Planner

I think the time came up in the Design Review Board meeting. They wanted to make sure that if there were businesses open a little later, like bars, that they were still providing some sort of lighting for pedestrian safety. But I completely understand the timing and that kind of stuff.

Deborah Burnes, Commissioner

We have the streetlights downtown though.

Kari Svanstrom, Planning Director

I'm not sure if part of this is if we're going to have more residential downtown, do you want to limit the light pollution at all? We already have the streetlights. The 3:00am seems really late to me for Sebastopol, but I understand we do have a couple of bars that are open until 1:00 or 2:00am. Having exterior lighting off does save energy, and for residents it might be nice to have a slightly darker downtown.

Paul Fritz, Vice Chair

I was just concerned about the policing of it, but if everyone is happy with it, that's fine.

Kari Svanstrom, Planning Director

I think B 1-4 are much more important, which is about the cutoffs and having all of the lighting downcast.

Paul Fritz, Vice Chair

Tony and Singeh, you talked a lot about retaining walls, and it sounds like the Design Review Board is getting into that as well. Whenever the dust settles on that are we going to get some diagrams? It's complicated to just read about retaining walls. Could that be added to the final version?

Tony Perez, Opticos Design

Yes, we will provide a diagram. We need direction of the details of that diagram, obviously.

Paul Fritz, Vice Chair

Page 65 (PDF page 82) has to do with the sidewalk location, because the standards talk about a planter, but that's not a condition we have anywhere in Sebastopol, the planter between the sidewalk and the curb.

Kari Svanstrom, Planning Director

We have that approved for the Huntley Square project where they have a retaining wall, and then they actually have a planting area.

Paul Fritz, Vice Chair

This is between the curb and the sidewalk; that's still in the document and I thought we talked about removing that, because everywhere in town we have sidewalks adjacent to a curb.

Kari Svanstrom, Planning Director

Right, wherever we have these zones, there isn't that space.

Paul Fritz, Vice Chair

I understand that condition, and I'm not opposed to street trees and that kind of thing, but we just don't have that anywhere in town, so to require that for new development wouldn't really be in the existing character. I don't know where this would apply necessarily, but even take the Woodmark project, it would be a little strange because you're walking down Bodega Avenue right next to the curb, and then all of a sudden at Woodmark you go in and have a planter strip that doesn't really occur anywhere else.

Kari Svanstrom, Planning Director

I think we determined that we don't actually generally have that kind of landscaped strip conditioned where that would be a potential.

Paul Fritz, Vice Chair

We should revise that standard to be that more typical condition. Page 75 (PDF page 92) is to do with the open space requirement, which says that required setbacks and driveways did not count towards open space, but I would imagine that a rear setback is okay? If you have a 25-foot rear yard setback, that would give you a decent size back yard and that should be able to be counted as your open space, but if you read this strictly, that's not allowed to be counted as your open space.

Kari Svanstrom, Planning Director

You're right, it should be front and side setbacks, because those are generally excluded because those are the smaller; and if you have additional setback in that area that's part of it, then it can count, and that's how our code reads as well. You can't count the 2 feet between your driveway and your building; that's not open space.

Paul Fritz, Vice Chair

You talked about this a little bit in your presentation, but the roof edge profiles are very traditional profiles. The standards only apply if you're doing a profile like that, and if you're doing something different with your roof edge then you don't have to comply with that standard, is that the way that that would work?

Singeh Saliki/Opticos Design

The standards would only apply if you're doing that kind of profile, or if you have that specific element in your design.

Tony Perez, Opticos Design

If you look at those, like the first one on page 141, it shows traditional forms for those eave brackets, but the artistic shape of it is not regulated. The size of the member is regulated so that if you wanted to do something totally different or just square, that would be fine.

Paul Fritz, Vice Chair

I'll jump back a little bit. This is on page 89 (PDF page 104). There was a diagram about what was common open space and private open space, and I think the key is wrong; the shading didn't match up the way it was supposed to.

Tony Perez, Opticos Design

Are you talking about the pocket neighborhood, Vice Chair Fritz? You comment about open space is labeled as O and R, and that's correct, and the private is P, and that looks correct.

Paul Fritz, Vice Chair

It's the key, because there's kind of a solid shade, which looks more like the porch, and that was like a heavy shade, and then there's a lighter shade.

Tony Perez, Opticos Design

I think the problem is the pattern inside the private open space key is not at the same scale as on the diagram. It's a small grid and it's not scaled in the same size, so when you're looking at the key it looks like a shade and it looks different. We totally see what you're saying.

Paul Fritz, Vice Chair

Yes, the key looks like just the porch area is the only private open space, which is not the intent.

Kari Svanstrom, Planning Director

The intent is that for each of those buildings they have the private open space for the porch. Do they also have the rest of their little frontage there as their private open space?

Tony Perez, Opticos Design

Yes, the idea is to have this reserved area along the front of the buildings, either adjacent to the path if they're not abutting the open space, or adjacent to the open space if they're right next to it, and that way you always have this landscaped area along the front façade that then receives the entry elements of the building, such as a porch or a door yard.

Kari Svanstrom, Planning Director

And that can be the individual landscaping. It's a little like the Kathy Austin use permit that the Planning Commission just reviewed where we were trying to figure out where the various private open spaces were for each of those units.

Tony Perez, Opticos Design

Also having the private open space band labeled P on this diagram, it also prevents the buildings from being right up against that path and requires them to be set back and have that resulting landscaped area between the path and the building, and that way the entry, that frontage element, really stands out.

Paul Fritz, Vice Chair

I can see that. Also, I'm not opposed to this diagram, but what I wanted to understand is the requirement that in a pocket neighborhood the street buildings have more than one unit. Why is that the case?

Tony Perez, Opticos Design

It's just a technique to try to encourage more housing. Some cities say they're good with those all being single units and having more than one on a property, and fine with them all being allowed to be single-unit buildings. We would love your direction or any clarity in that tonight.

Paul Fritz, Vice Chair

I don't have a strong opinion. I think it's fine; I was just curious as to why and if there was some urban design preference for having two-unit buildings on the street versus a single unit.

Tony Perez, Opticos Design

If there is a design motive behind it, besides wanting to get more units, it's simply that you would introduce multiple units in one building on a street that might not have multiple units in a building.

Paul Fritz, Vice Chair

Maybe this is something the Design Review Board will bring up or has brought up, but I thought we talked about allowing horizontally configured windows. Did we have a conversation about that?

Kari Svanstrom, Planning Director

We did, but I'm trying to think if we did that for SB 9.

Evert Fernandez, Chair

Could you define what that is?

Paul Fritz, Vice Chair

This is on page 144 (PDF page 156).

Singeh Saliki, Opticos Design

There's a footnote there that says you can group windows together and form a horizontal shape, but theirs is not like horizontal windows allowed outright.

Paul Fritz, Vice Chair

I'll leave that for the Design Review Board to get through that one. Page 49 (PDF page 66) has to do with mechanical screening. I see you added that plant materials can be used as a screen, but there's nothing in here specifically about fencing. Item 2(d) says screening "shall be architecturally compatible," but if you had a 6-foot property line fence, it seems like that could be used as a mechanical systems screening element as well.

Kari Svanstrom, Planning Director

Yes, it could be. I think "architecturally compatible" is a little bit discretionary. Maybe we can better define that. The Design Review Board had some questions about things not necessarily needing to match. We'll note that, and some of these comments are definitely things that we can bring up with the DRB and get their input.

Paul Fritz, Vice Chair

It doesn't look like we allow an up/down duplex in a T4 Neighborhood Small zone. We allow side-by-side duplexes. Is there a reason why one is okay and the other is not?

Tony Perez, Opticos Design

This is actually reversed. The side-by-side should be in the least intense zone, the T3, and the up/down, or the "stack" as we call it, would be in a T4 Neighborhood Small, which is the more intense zone.

Paul Fritz, Vice Chair

Actually, both say side-by-side duplexes.

Tony Perez, Opticos Design

Usually we step up the duplex and we allow the stacked in the next zone like this, as opposed to allowing the side-by-side in that T4 Neighborhood Small zone. We'll double-check that, but I think somehow that's reversed.

Paul Fritz, Vice Chair

Page 109 (PDF page 126) has to do with the frontage type depth, Item F. It says 15-foot minimum, but wouldn't that depend on the setback, or would the setback always be 15 feet for this situation? Don't we have some 10-foot setbacks or front yard setbacks that that would be different?

Tony Perez, Opticos Design

Yes, what that's doing is it's saying if you want to add this depth of a porch the way it's proposed here, you need to have the building façade at 15 feet or have a separation between the bottom stair; the first stair in the back of sidewalk. Otherwise, you could end up with a really shallow porch and then you might have to engage the stairs into the porch footprint to keep them away from being too close to the sidewalk. That's the intent, but we're certainly open to your input.

Paul Fritz, Vice Chair

No, I think that makes sense.

Singeh Saliki, Opticos Design

Vice Chair Fritz, with respect to your earlier question about the duplex stacked, the way we're doing it in this code is that it's classified as the Multi-Plex Small, and that's allowed in the T4 Neighborhood Small zone, so it's not a specific building type by itself. The Multi-Plex Small allows two to four attached and/or stacked units.

Tony Perez, Opticos Design

But I guess the question stands if the Planning Commission wants the duplex side-by-side in that zone as it's currently to be allowed?

Paul Fritz, Vice Chair

So that's the T4 Neighborhood Small. I'm trying to think where that is.

Kari Svanstrom, Planning Director

The T4 Neighborhood, the regular one, that is the R6 and R7 zoning, so that's most of Bodega Avenue and some of the stuff around Murphy Avenue, Bately Court, and then there is some around the high school as well, so Johnson Street, those kinds of areas.

Paul Fritz, Vice Chair

It seems like a side-by-side duplex would be okay there.

Kari Svanstrom, Planning Director

If you have the space on your site, that can dictate it, and it seems to me like we should allow side-by-side and be flexible.

Paul Fritz, Vice Chair

I'm okay with allowing side-by-side, and like you said, the Multi-Plex would allow a stacked duplex in that situation.

Kari Svanstrom, Planning Director

Right, so you have the option of whatever best fits your site.

Evert Fernandez, Chair

Something is kind of confusing. Page 2, Policy CD 1-2 clearly says, "Ensure that new residential and commercial development is sensitive to the surrounding architecture, topography, landscape, character, scale, and ambiance of the surrounding neighborhood." Yet, I come across two examples in Sebastopol. On Litchfield and Fellers Lane there is a huge new house that does not fit in with any of the other surrounding areas, and then you go to the top of the hill and there is a new structure that looks like a commercial utility building with tiny windows, so how do those fit in to the neighborhood? How do those structures happen?

Kari Svanstrom, Planning Director

Chair Fernandez, you've just made the point of why we're doing these. I know that the Fellers/Litchfield is a new single-family home with an ADU attached. That did not go through design review, because single-family homes do not go through design review in Sebastopol, so that is a good example where something is only subject to the ministerial zoning standards instead of what we're doing here for multi-family. The other one at the top of the hill did go through design review. That is a very tough site with a lot of topography challenges, but I believe it will have a lot more screening so you won't actually even see that side of the house, but that's a good comment on the windows. I don't know if it came up in design review.

Paul Fritz, Vice Chair

I'm really interested in taking this beyond the SB 35 process, and as we discussed in the subcommittee meetings, if the Redwood Marketplace shopping center were to ever be redeveloped this document gives guidelines as to how that should be redeveloped so as not to be developed as one big block, and if that developer would ever want to redevelop that whole site and not do SB 35, they wouldn't have that kind of guidance. That's why I think this document is really important as a guiding document for redevelopment of big properties, especially for those kinds of projects, because it brings it down to a more neighborhood scale of development, so that's one of my reasons for wanting to adopt this in a broader manner.

Kari Svanstrom, Planning Director

To lend a little context to that, whether it's subdivided or not, to treat it not as one big block but to break it down and have it feel like it's a smaller development. For example, the Woodmark project is a little over three acres, so it would have been subject to that, and that's trying, even if it's a big lot, to have it fit into the structure of the neighborhood. We got an ABAG grant for priority development areas to do flexible zoning and look at the zoning in our commercial corridors, and we do have all of our commercial areas basically in

that priority development area, or PDA, and the City has identified it as we don't want to sprawl, we want to do infill development and we want to do it in these places. With that grant we'll be looking at the areas that are already mixed residential and commercial to look at where it makes sense to just allow residential with certain metrics instead of having a conditional use permit that needs to come to the Planning Commission; but part of that will also be looking at the Redwood Marketplace and taking that a little bit further. That will actually be in our regular zoning ordinance where we would be adopting some of those standards, so there is an opportunity coming up. The Planning Commission will discuss the work plan for the next 12-18 months at their next meeting. How can we leverage some of the stuff here that isn't in our design guidelines? If, say, the Redwood Marketplace or Rite Aid were to be developed, and there are those larger sites going through the regular process, as staff we have the regular design guidelines but we can also direct them to this as a fresh document that the City has put together. I see them as compatible back and forth.

Evert Fernandez, Chair

Another property that might come into play in the future is the Big Lots! that is owned by the St. Sebastian Church.

Kari Svanstrom, Planning Director

There are quite a few of them in the City.

Paul Fritz, Vice Chair

I want to thank Opticos for their work on this document. They've done a great job. The document is clear and useful, and is easy to use as a designer, so I hope we can get some good mileage out of it in the future.

Vice Chair Fritz made a motion to approve a resolution making a recommendation for the City Council to adopt the Objective Design Standards document with the Planning Commission's added comments and suggestions.

Commissioner Oetinger seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioners Burnes and Oetinger
NOES: None
ABSTAIN: None
ABSENT: None

7. SUBCOMMITTEE UPDATES: None.

8. PLANNING DIRECTOR'S REPORT: None.

Director Svanstrom and Associate Planner Jay provided updates.

The Commission asked questions of Director Svanstrom.

9. ADJOURNMENT: Chair Fernandez adjourned the meeting at 7:37 p.m. The next regularly scheduled Planning Commission meeting will take place on Tuesday, August 22, 2023 at 6:00 p.m.