



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

www.ci.sebastopol.ca.us

UNAPPROVED DRAFT MINUTES

TREE/DESIGN REVIEW BOARD
CITY OF SEBASTOPOL
MINUTES OF July 25, 2023
2:00 P.M.

The notice of the meeting was posted on July 20, 2023.

DESIGN REVIEW BOARD:

1. CALL TO ORDER: Chair Langberg called the meeting to order at 2:00 P.M. and read a procedural statement.

2. ROLL CALL:

Present:	Lars Langberg, Chair Melissa Hanley, Vice Chair Marshall Balfe, Board Member Cary Bush, Board Member Lynn Deedler, Board Member Christine Level, Board Member
Absent:	None.
Staff:	Kari Svanstrom, Planning Director John Jay, Associate Planner

3. APPROVAL OF MINUTES:

November 16, 2022, January 18, 2023, February 1, 2023

Board Member Bush moved to approve the minutes of **November 16, 2022** as presented.

Board Member Balfe seconded the motion.

AYES: Vice Chair Hanley, and Board Members Balfe and Bush
NOES: None
ABSTAIN: Chair Langberg, Board Members Deedler, Level, and Luthin
ABSENT: None.

Board Member Bush moved to approve the minutes of **January 18, 2023** as presented.

Board Member Balfe seconded the motion.

AYES: Chair Langberg, Vice Chair Hanley, and Board Members Balfe, Bush, Deedler, and Level
NOES: None
ABSTAIN: None
ABSENT: None.

Vice Chair Hanley moved to approve the minutes of **February 1, 2023** as presented.

Board Member Balfe seconded the motion.

AYES: Chair Langberg, Vice Chair Hanley, and Board Member Balfe
NOES: None
ABSTAIN: Board Members Bush, Deedler, and Level
ABSENT: None.

4. PLANNING DEPARTMENT UPDATE ON MATTERS OF GENERAL INTEREST:

Director Svanstrom reported that:

- The Woodmark 48-unit project's phase one is under construction.
- The EIR scoping meeting for the City Ventures project was held July 20th. They are still in the comment period on items that could be environmental concerns as they launch into the consultant preparing the Environmental Impact Report.
- St. Vincent de Paul has submitted a grant application to the State for funding for a permanent affordable housing project at 845 Gravenstein Highway North, the site of the Horizon Shine safe RV parking.
- The Hotel Sebastopol is pending approval of their archeology, which the State has approved and it is now at the federal level; that's part of their funding requirements. They have also submitted their Caltrans Encroachment Permit, and are working with PG&E on the electrical for the EV chargers and solar shading in the parking lot across the street.
- Habitat for Humanity has received its Building Permit for the four townhomes across from Safeway and is moving forward with its project.
- The County and Burbank Housing will be transitioning the Sebastopol Inn, now known as Elderberry Commons, converting the hotel rooms to studio apartments. Burbank Housing and West County Community Services will operate the building.
- The City received a grant of \$250,000 from ABAG MTC to look at flexible zoning along Sebastopol's commercial corridors, specifically in between downtown and the south of town, downtown and the north gateway, and Redwood Marketplace and what it might look like as a mixed-use development.

The Board asked questions of Associate Planner Jay.

5. COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THE AGENDA: None.

6. STATEMENTS OF CONFLICTS OF INTEREST: None.

7. REGULAR AGENDA:

- 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 development (vis SB 35).

Associate Planner Jay presented the staff report and was available for questions.

Chair Langberg asked for Board questions of staff.

Lynn Deedler, Board Member

What flexibility is there to change if we adopt all these standards if we feel in the future that we can improve them?

John Jay, Associate Planner

That would go through an amendment to a resolution from City Council.

Kari Svanstrom, Planning Director

This would be adopted by resolution by City Council to adopt the changes. It's under the design review part of our municipal code that allows them to adopt our Discretionary Design Guidelines as well. It's just like the current process.

Lars Langberg, Chair

My understanding is the subcommittee has gone through the Objective Design Standards and we now have a final draft. The SB 9 standards are separate. The staff report made it sound like they are all together, but that's not the case.

John Jay, Associate Planner

Yes, the SB 9 standards will be coming back at a later time. That requires a zoning amendment, because it's an ordinance change to our subdivision section of the municipal code, so adopting this document by a resolution is an easier process to start off with, and then SB 9 standards would come later as a ordinance adoption.

Kari Svanstrom, Planning Director

For those of you who are thinking, "We're adopting these Objective Design Standards, they only apply to SB 35 but we're not subject to SB 35, so what the heck?" obviously this helps in the future. There is the potential that the City could decide to adopt these for everything and not have discretionary design, but Sebastopol is not there now; we need to have these in place and see how they work. The other component that this will help us with is the State of California has the Housing Accountability Act with the intent to make sure that communities aren't being NIMBYs about projects and denying projects illegally. One of the things this will help us with is that it provides clarity in terms of the City's expectations if something were to come up in that contingency. Even with discretionary projects there is a lot of State law that applies to housing development in California. This document, if you were to say no to something because it doesn't meet the design guidelines regarding grading or a design feature, etc., you have to have a preponderance of evidence to be able to deny a housing project, and this document will help by making clear what the City's expectations are as a back-up to your discretionary design guidelines.

Christine Level, Board Member

It is my belief that the City will end up adopting this for everything and we'll see a lot of cities doing that. In the TCAC opportunity map, which is part of the RHNA final draft, they talk about this area here in Sebastopol being a "high resource area," and therefore set up to bring a lot more density, a lot more population into this area, and I don't understand what they mean by high resource.

Kari Svanstrom, Planning Director

That's related to income, education, equality, and other kinds of opportunity metrics. That's a whole other subject that's not on our agenda today, so let's talk about that offline.

Melissa Hanley, Vice Chair

In Section 2.040 the form-based district map seems to be missing. Has that been defined? It would be good to know where these form-based districts exist.

Kari Svanstrom, Planning Director

It has been defined and we can bring it up and make sure you all have that.

The City consultant gave a presentation and was available for questions.

Chair Langberg asked for Board questions of the consultant.

Christine Level, Board Member

Can you define precisely what "walkable" is? I read the definition in this chapter, but it is not very precise. It says it is compact, walkable, transit ready, but that is somewhat vague, because is Sebastopol compact, or all of Sebastopol compact, or is downtown Sebastopol compact?

Tony Perez, Opticos Design

We can work on that definition with you all, but generally the term "walkable" is intended to describe a physical environment where because of the proximity of something within a reasonable walking distance, say, five to ten minutes, to an area, then you can draw a circle around that and say it can be argued that some, not all, people will use the opportunity to walk instead of drive to that thing that is five minutes away. So that kind of environment with that proximity to something to walk to is called "walkable". The opposite is called "auto-dependent," or "drivable," where nothing is within walking distance, and if it is it's not worth walking along that really sunbaked corridor without shade to walk half a mile to get to your destination, so instead people drive their cars.

Christine Level, Board Member

So how is walkable achieved in the ODS?

Tony Perez, Opticos Design

Walkable already exists in many cases for Sebastopol, we're simply reinforcing it through the way that the development on each parcel is being proposed, as opposed to let's say, large site standards. If you wanted to produce more auto-dependent development instead of walkable development the large site standards could say instead of making blocks that have X number of buildings per block and these different building types, we're not going to require, we're going to let you subdivide it in a very low-intensity way and let you not have an interconnected grid of blocks and streets that would give people multiple choices to get to different places, we're going to let you do the opposite of that. The standards work to take an already a walkable town—most of Sebastopol is already walkable—and reinforces that and it serves to make it so that when you divide big sites, like a shopping center transforms into a neighborhood, they would make it a walkable pattern as opposed to an auto-dependent pattern.

Christine Level, Board Member

So for example, like a neighborhood with meandering streets would not be walkable?

Tony Perez, Opticos Design

No, no, sorry. The meandering street, or rectilinear street, has not much to do with walkable. If that meandering street was going up a 10-15% slope street, that might limit how far you'd walk, but it wouldn't change that it's walkable in other areas. The meandering or rectilinear is not a factor in walkable, it's the walkable distance to things that are nearby. If a restaurant is on Highway 116, for homes that are 1,500 feet on either side of that restaurant it could reasonably be expected that some people would walk to that restaurant. The auto-dependent opposite of that is it is five minutes away on foot, but the street is dangerous, has no shade, and is not fun to walk, so although it is within walking distance it is in an auto-dependent state and would need to be transformed to walkable, so some of the standards in the set of objective standards aim to fix those kinds of things when the opportunity arises.

Christine Level, Board Member

So having a nice sidewalk would be walkable?

Tony Perez, Opticos Design

That's one factor. The basic thing in walkability is not just the fact that somebody could walk, it's that there is something to walk to within short walking distance.

Kari Svanstrom, Planning Director

There are a lot of different ways to look at this, but say a quarter mile for if you were to walk to a store or a restaurant downtown or on Highway 116, people will walk a little farther if it is a commute to get to work where you're going to be for a long time, especially if parking is tight, as opposed to if you're getting groceries and will be carrying bags, and that depends upon a one's physical ability. But yes, do you have sidewalks and are the sidewalks shaded? There are a lot of different factors that go into all of this, such the topography. For schools Sebastopol has a Safe Routes to School to ensure there are safe sidewalks or pathways. These all factor into that walkability.

Christine Level, Board Member

The term "walkable" is flung around in all this, and it seems what that means is very subjective. I'm not any clearer now than I was when this conversation started.

Tony Perez, Opticos Design

The standards aren't dependent on the definition of "walkable" being absolutely scientifically precise, but they could be. Some cities produce a map that says they are going to determine that certain areas are walkable according to certain factors such as shade, topography, access, proximity, and by the same token other areas are not walkable. Cities use that in the general plan to learn which areas they thought were walkable are actually auto-dependent and work to change that; or their policy direction for some of the auto-dependent areas will remain the same, because the community expects that area to stay auto-dependent. Once a city has a lens to gather this information they can make choices at a policy level. With the objective standards Sebastopol doesn't have that tool, so they are using their understanding of what a walkable development needs and applying that.

Chair Langberg asked for further questions of the Opticos consultant. Seeing none, he opened Public Comment.

Calum Weeks

I'm the policy director for Generation Housing. I want to thank staff and the consultants for their hard work in bringing this together.

Director Svanstrom shared the Sebastopol ODS Map of Districts and reviewed it in detail.

Chair Langberg asked for Board questions of staff regarding the ODS Map of Districts.

Melissa Hanley, Vice Chair

Since the map is missing from the final guidelines, can these guidelines be amended to include the map?

Kari Svanstrom, Planning Director

Absolutely, yes.

The Board discussed the application as follows:

Cary Bush, Board Member

I've been looking forward to this for a long time. Could the subcommittee to report out regarding its challenges and possible key points that summarize the final ODS draft? Were there certain subjective notions that were then made objective? I'm primarily looking at Chair Langberg and Board Member Level.

Christine Level, Board Member

I looked at some examples, I believe 11 Opticos Objective Design Standards in Marin and ten cities in Marin County. I looked at some of the Objective Design Standards that were adopted, and it's basically the same document, so I felt like I was asked to take a boilerplate ideology and try to somehow make it specific to Sebastopol, and a lot of times that did not make sense to me. One example is there was language in the parking standards that Opticos had told me would be stricken from the document, but in the final draft it is there. I feel if I'm going to go along with this I need to go back through and review and look for examples of things that we were told would be changed in the document, or that were custom to Sebastopol, and were they or were they not, and I certainly do not have time to do that. My big picture concern: 1) It seems to be the same document everywhere, and 2) It doesn't seem to have been proofread by the consultant. This is changing to form-based code, and it is a fundamental, massive change. I don't see how you even get an understanding of this without understanding the final RHNA plan, and that's a whole other document. You get into the RHNA numbers and why they're designated, and who is designating them and their methodology, and that noodles its way all the way back to the American Community Survey, which is the basis data for all of this, and that is 100% self-reporting, so data from the basic point is skeptical. All along I have asked for more time that we need to consider this final draft. Personally, I feel like this is getting shoved down our throats.

Lars Langberg, Chair

Board Member Level's comment regarding the proofreading would certainly be a concern to me, because I am not looking back at what we did and talked about and double checking if it's in this final draft; that seems like it's the job of our staff. Could staff comment on if they feel like the draft has been gone through with every comment the Board came up with and wanted to change, and has it been changed?

Kari Svanstrom, Planning Director

We have a sort of electronic interactive process with Opticos. It sounds like we might need to go back through that and meet with Opticos to ensure we picked up all the comments. All of our comments were tracked, and all the meetings were recorded, so we have those should we need to double check. The Board could use this meeting to not adopt the resolution, but provide any direction or specifics where they feel something needs to be

changed, or if just going through and making sure all the edits were done the Board could adopt the resolution with that direction prior to it going to the Planning Commission and City Council. The draft will go before the Planning Commission in August and the City Council's adoption is scheduled for September, so there is time to go back and ensure those comments are incorporated.

Lars Langberg, Chair

There's that more short-term schedule, and then to your comments earlier about the RHNA numbers, we could do this next year.

Kari Svanstrom, Planning Director

There are a couple of things on that one. We are using grant funding for this and we need to adopt prior to the end of this year, so we do have some time but you couldn't kick it down the road three years, or next year.

Lars Langberg, Chair

So actually the goal is to adopt these this year?

Kari Svanstrom, Planning Director

Correct, but we do have additional time. The Planning Commission is scheduled in August, so we can continue this item, and you don't need to go before the Planning Commission for any reason, just when it works on your schedule, so we can continue it to August so that you all have more time now that you've had this meeting to provide the context and general outline from Opticos, as well as the intent of what we're doing with this and why this is of course the follow-on from the existing conditions and the legislative presentation that we did earlier. But yes, if you'd like more time we can certainly do that; we wouldn't lose schedule by continuing it to August at all. If we continued further than that, then we would need to bump City Council forward, but again, we'd have a little bit of time for that.

Lars Langberg, Chair

From just this discussion so far there is a fine grained solution of making sure the document reflects all the work of the subcommittee; that's two-sixths of this Board, so I'd like to hear what the other four-sixths have to say and whether that may prove to be all we have to do is check the edits, or maybe there is a lot more to look at.

Cary Bush, Board Member

My overall feedback, I recognize design as a process and the overarching intent of my initial question was to understand that process. I'm excited to see a formed based code, and this is a wonderful document rich with a lot of detail that provides a lot of guidance that to me, in what I've seen come before the Board, is to eliminate subjective items, and this does that.

Lars Langberg, Chair

My perspective from being on the subcommittee is it's not a unique document, to Board Member Level's point. You see this in other cities and even in other work of Opticos, but with this map we went over the zoning, we went over specific parcels, so we did our best to tailor a very detailed document to our town as well.

Melissa Hanley, Vice Chair

I'll echo Board Member Bush's feedback and appreciation for everyone involved in this; it's a tremendous piece of work. I've used a lot of form based code in my work, so this is not a new concept to me. This document is not particularly user-friendly, and I'd like to make some recommendations to allow it to be so. I'd like the Administrative section moved to the

front of the document, because instructions on how to do this process, where this process is applicable, how it is applicable, and how to implement it as a project should be up front. I love the clarity and definitions; we need a few more in here. "Compatible" is a critical word and should be defined. I'd like additional work done on bringing modernity into this, or accepting modernity in design. There are references to being compatible with existing historic buildings and established neighborhoods, and I understand keeping in the character of our town, but if we were working to the letter of this law then we wouldn't have been able to approve the Habitat for Humanity project we just approved, because it is too modern for what this is recommending, and I think that comes in in the architectural standards. Like there is no zero eave allowed if we were to reduce these standards. It would be great to see something that recognizes that cleanliness in design is not a crime. It would be great to see these reference images marry up with our town. This is a carbon copy of what a lot of other jurisdictions are using, and seeing photos of Target is not a helpful reference. Photos of Safeway or Redwood Market might be helpful references, but we want to make this accessible for folks coming to town and wanting to do projects, and it should be as easy to understand and as legible to the local context as possible, and I don't think we've done that here. I had questions as well about the walkable context. I think this is a nice explanation, but it would be great if we could give some other references, maybe like 20-Minute Cities to provide some additional context for developers trying to do projects. Most of my concerns about this are that in two year's time the City Council will green light this for all projects in town and it won't be just for SB 35, and all of a sudden we'll have this really prescriptive set of guidelines for all projects, so it's really important that we be careful about the precedent we're setting with this document. I think for SB 35, fantastic, let's keep it narrow, but if this potentially could go far and wide, that could be really dangerous. The phrase on page 4 says, "Form based codes foster predictable built results," and that feels very un-Sebastopolian to me; that is not what Sebastopol is about. We're about creativity, the weird and the wonderful, encouraging a plurality of ideas and design, and I am concerned about predictable built results. Page 13-B, Site Standards, Subsection 1, Screening, Subsection B, Improvements to Existing Developments, I'd like to add the phrase, "that are subject to AHJ approval or authority having jurisdiction's approval." There are a lot of references to improvements to existing developments, facades, etc. I think this document would give government overreach into directing paint colors or things that would otherwise not require a permit, so it should only be for things that would be subject to approval anyway, otherwise if things are not subject to approval, then hands off; so if we could add some language that would do that, and that would be for any time that there is a reference to improving an existing development site, façade, etc.

Kari Svanstrom, Planning Director

Would it be acceptable to put that in the Administration section as an overall? My concern is it's better to put that in one place.

Melissa Hanley, Vice Chair

That's probably fine as long as it's not subject to administrative approval. We don't want to add another level of somebody having to submit something, even though they were never required to submit something in the first place. I had a question on page 14, Building Type Standards, Section C, Subsection 1, there is an exception for public safety buildings. Should these just be the ESSBs, essential services buildings, or is it all public safety buildings? I think that needs further refinement.

Kari Svanstrom, Planning Director

Which in Sebastopol is our police station, so it is kind of the same, but I believe the fire station would be.

Melissa Hanley, Vice Chair

It would be as well, and sometimes City Hall is classified ESSB, it depends, but it would be worth noting that. Then on that same page 15, Section F, Architectural Design Standards, Subsection 2, "The building façade renovations that propose to change any of the following: wall finishes, window trim finishes, roof materials," and it goes on. Several of these things are not permissible events, so things that would require permits, and I think we need, again, to remove anything that doesn't already trigger a permit. I mentioned earlier on page 18, 2.040, the map is missing. There are some layout issues for the team to look at on page 23. On page 30, the 30-foot max overall building height for the building form, is this reducing from 32 feet?

Kari Svanstrom, Planning Director

What I said before about this being consistent with our zoning, in our residential zones we basically allow a height of 30 feet and two stories in any zone. The 30 feet is the same for what is basically R5, which is a single-family duplex, that transition zone I talked about earlier. In our R6 and R7 one of the State's comments for us was to allow 35 feet instead of 30 feet. We already allow 35 feet and three stories for affordable housing, and so why would it be different for one housing versus another? The reason Sebastopol did that was to try to encourage affordable housing and make it easier to pencil out, but in our adopted Housing Element we changed that—Planning Commission and Council are aware of that—that says that we would be changing our height for the R6 and R7, that's the higher-density multi-family, to 35 feet. So what you're seeing here is consistent with the 30 feet of our current zoning—it isn't 32 feet, it's 30 feet—except that it is showing 35 feet for those areas that are higher-density multi-family.

Melissa Hanley, Vice Chair

I have a question for Board Member Bush. On page 48, Landscaping, Screening Height, landscaping is a 3.5-foot max and that excludes trees on the heights. Should we expand this to bushes and shrubs, or some other reference that would give more flexibility to height?

Cary Bush, Board Member

Yes.

Kari Svanstrom, Planning Director

For Opticos, this is page 48, 2-A, the chart on maximum screening height.

Tony Perez, Opticos

Yes, the footnote says excludes trees. I don't know where we say it, but the intent is not to regulate bushes and shrubs either, so we can take them out. We can be explicit and say, "Excludes trees, bushes, and shrubs."

Kari Svanstrom, Planning Director

Would that then just be eliminating landscaping? You already have fences and walls. What else would landscaping be? Yes, trees and shrubs, planting materials. So I think just Tony taking out landscaping on that chart for all of those. This is actually per our Zoning Ordinance. We do have the front yard fence or other screening, which includes hedges are supposed to be 3.5 feet max. Again, this is just for SB 35 projects. Again, the side and rear is 8 feet, but the front is where I don't consider an individual plant to be screening, but if you have them all lined up and dense enough where it is a solid mass, then it's a screening, but I look to the DRB for guidance on this stuff.

Cary Bush, Board Member

I remember there being a hierarchy in street type, and how this applies to a specific project is where I think this falls into that category. Having a certain vision triangle and not even having anything go above 2 feet, for example, conforms to probably local guidance, maybe administrative guidance instead of a design guideline. That's where I'm a little confused.

Kari Svanstrom, Planning Director

We do have a City Engineer who looks at corners and things like that. We're a little bit more lax than other communities, so I think we do allow the 3.5 feet up to a corner.

Cary Bush, Board Member

Depending on any type of street hierarchy? Major corridors versus...

Kari Svanstrom, Planning Director

We don't have that much detail in our standards at this point.

Melissa Hanley, Vice Chair

Are you happy with it as listed then?

Cary Bush, Board Member

When I read it, yes.

Melissa Hanley, Vice Chair

Okay, then I'll retract my comment. Going to page 49, Mechanical Equipment Screening, Subsection B-1-B, that the roof mounted equipment shall be surrounded by an opaque screen. If you Google modern mechanical screens, there are a lot of great options for semi-opaque, so I hope we can reduce this to no less than 80% opacity.

Kari Svanstrom, Planning Director

So you're thinking of like a perforated panel, that type of thing?

Melissa Hanley, Vice Chair

Exactly right.

Kari Svanstrom, Planning Director

I think that makes sense. And 80% is pretty opaque if you're looking up at an oblique angle, which you would be for mechanical roof screening.

Melissa Hanley, Vice Chair

I would push for like 70% if we didn't want to go crazy. Also, you start to limit yourself by like how close that can be to the units, because a lot of them need ventilation, so if you could do some perf panels then we could actually keep it a little tighter to the unit, and that's to our benefit. Then, also page 49, Section 2, Wall and Ground Mounted Equipment, Subsection D, "Screening shall be architecturally compatible and include matching paint finish and trim cap of the building." I would stop at "architecturally compatible" and eliminate the remainder of the sentence, because we are too prescriptive there. Page 50, the required lighting, there is no reference to dark sky standards, and Director Svanstrom, I wanted to make sure you are happy with that and feel like it complies.

Kari Svanstrom, Planning Director

Yes, I did review this.

Melissa Hanley, Vice Chair

The same page, Section 4, Allowable Landscaping Materials, Subsection A, Subsection 1, Subsection C, says that we can only have decorative, non-living landscaping materials that are limited to 25%. What about like zero-scaping? How does this help us with folks that want to go with a completely drought-friendly design?

Lars Langberg, Chair

You mean if someone wants to have no hardscape?

Melissa Hanley, Vice Chair

Well, sandstone, gravel, wood, and water, like if you wanted to do a rock garden.

Kari Svanstrom, Planning Director

This does not include any walkways or driveways; this is just the open landscaping areas. You would be limited to 25% of your landscaping area to be sand or rocks so we don't get gravel yards throughout, but if you have a gravel yard with planting in them, is that small pea gravel or sand the same as mulch, as opposed to just a barren rock? This would be a good discussion for this group so we can clarify that in both this and the SB 9 standards. The comment from Opticos was that also includes artificial turf. I think if we do allow artificial turf, you want to make sure that it's non-toxic. This is where the Design Review Board does a great job on individual projects.

Melissa Hanley, Vice Chair

Director Svanstrom recommended that we chat as a crew about the 25% limit on decorative, non-living landscaping materials, and I might look to Board Member Bush for some recommendations on that. Page 50.

Cary Bush, Board Member

I actually went through some of these types. I don't have any specific comments at this very moment.

Melissa Hanley, Vice Chair

Page 51, Section D, Subsection 3, Subsection C, "Articulation such as buttresses or plasters if over 50 feet in length." I think this is probably unnecessary articulation and I would request that we allow this to be clean and simple, like if someone does a nice cast-in-place wall. Same page, Section E, how are our maintenance requirements enforced?

Kari Svanstrom, Planning Director

They are very difficult to enforce, and we did discuss as a committee that it's not a bad thing to put in, even if it is not enforceable, to encourage people to maintain their properties. But you're correct, unless it becomes like the failed retaining wall on Highway 116 that is failing onto a public right-of-way, and so now it's an issue. The City will notify people about buckling sidewalks from trees or maintenance that is needed. Usually that is when it is adjacent to a public right-of-way. And again, that's going to be more of structural issue than an aesthetic such as peeling paint.

Melissa Hanley, Vice Chair

Page 52, Parking and Loading, Large Vehicle Parking, Subsection 1, Trucks, Tractors, Trailers, etc. Some of the lots that we've looked at are CO that would allow for a certain amount of businesses that might have large trucks.

Kari Svanstrom, Planning Director

This is actually an example Board Member Level's comment that we asked this to be stricken but it was not removed. So yes, we did note that if it's fair market housing they're going to have larger trucks, or if people are tradespeople they're going to have larger trucks. So yes, the committee did strike this.

Melissa Hanley, Vice Chair

What about Subsection D, "The storage of unregistered or inoperable motor vehicles," as much as I would love for this to be law?

Kari Svanstrom, Planning Director

That is actually allowable, so yes, we are going to include that. And the cargo freight container, that's actually in our municipal code that we don't allow that anyway, so it's just reiterating that.

Melissa Hanley, Vice Chair

Page 59, Section 4, Grading and/or Regrading of Design Sites, Subsection G, what does "top to toe" mean? Top of bank to toe of slope, okay. Then for the Opticos team, you have a second period after the last sentence in Section 5, Subsection A. Then something to discuss as a team would be Page 60, Massing, Subsection B and its subsections. There are some design things there that feel pretty prescriptive and that might be appropriate, but again, I worry about the precedent that that is setting.

Lars Langberg, Chair

We just talked about that in the SB 9 standards too.

Cary Bush, Board Member

Since we're on this chapter, Page 57, the number of parking spaces, percent of gross parking area required to be landscaped for 51%, and the idea of a 5-foot minimum wide planter between every five spaces. There is such a contingency on parking, especially for larger areas, and I'm wondering if we could make that a 10-foot wide minimum planter instead of a 5-foot minimum wide planter to create a greater over-story canopy?

Kari Svanstrom, Planning Director

So this would be a larger planting, a ten-foot for every five spaces?

Cary Bush, Board Member

Yes, or some modification to maybe every six or seven spaces. You're still looking for parking requirements; it's hard to make those in that big area, but what we're looking for is a much bigger area to contain a larger scale tree.

Kari Svanstrom, Planning Director

Got it, so you don't get something like the Redwood Marketplace where all the trees have basically died out. There are not nearly enough to cover the 60-foot bay of the double-loaded parking bay.

Cary Bush, Board Member

Precisely.

Melissa Hanley, Vice Chair

My only other comment would be that in the samples, like neighborhood courtyard, I think the images are perhaps a little redundant or similar. Like page 84, the middle image is very similar to the top image, and that kind of comment happens in a lot of places where we're

showing a lot of very similar samples, but I think you want to show a variety of samples so as to not be prescriptive. Page 87 has two photos from the same project. I might direct the Opticos team to Keller Court Commons as a really nice example of a pocket neighborhood project in Petaluma to look at. Page 97, Pedestrian Access for Main Street Building Types, Comment C, there is a recommendation for upper floor units to be accessed by a common entry along the front streets. If there is room I'd like to add, "if a public use is provided on the second story." Because it's residential on the second story perhaps a side street access is actually more appropriate for residential functions than a front street access. I think the rest of my comments are around the zero eaves or more modern building techniques that aren't specifically allowed, or disallowed but not called out. Page 131, Corner Parcels, there's a request for public arts or sculptures or fountains or something. Are these all in compliance with our open space standards as they currently are written, and then also public art requirements for projects of a certain size?

Kari Svanstrom, Planning Director

Public art requirements do apply to commercial; they do not apply to residential only. A larger development like this would certainly hit that mark, so they could do it onsite, and obviously this is encouraging them to do that. In terms of the other kind of open space, that is not required, but this was looking at the very large sites. So this is the Redwood Marketplace kind of example if you were divide that into the design sites that are the blocks, even if it's the same ownership.

Melissa Hanley, Vice Chair

I would have a complaint about the corner elements outlined on page 132. They're quite prescriptive and not very modern or clean at all. Again, I think we're getting a little too narrow in our interpretation here. Page 134, 7.070, Durability, Section 1, Subsection C, for types of unpainted wood. I'd like the team to take another look at this about species that are environmentally and ethically sustainable, so we probably shouldn't be putting Brazilian walnut.

Lars Langberg, Chair

I believe that was covered by the Committee.

Kari Svanstrom, Planning Director

Yes, that was, actually.

Christine Level, Board Member

It's another example of stuff that didn't get picked up, and stuff on the bird safety too.

Lars Langberg, Chair

Though black locust was added per my suggestion.

Kari Svanstrom, Planning Director

Yes, we did modify this list. So Tony, I think we need to regroup and go back through and make sure that you caught all the comments from the meetings. I know it's pretty easy to track the comments that we had in the online version, but it looks like there are a number of comments from our meeting that did not get picked up.

Melissa Hanley, Vice Chair

This is a personal bugaboo. On page 138, can we please show something that doesn't have a turret?

Kari Svanstrom, Planning Director

This was just an example. We can probably get rid of the turret, but it's really just a guide to show what the elements are.

Lars Langberg, Chair

I'll comment on that, because that's a lot of what Vice Chair Hanley is getting at, and we also talked about it in the committee. If we have a developer who comes to town with not a very good design sense, they'll look at these diagrams and pictures and just copy them, so it's really important that the diagrams and the photos have more variety from not just a hundred years ago, but from now. It's not the first time we've been hearing this.

Christine Level, Board Member

I have a couple quick comments on Vice Chair Hanley's comments. I want to emphasize that I completely agree about the restrictions and not allowing any modern building. This has been an issue I've had with this whole document: it really restricts what kind of architecture we can have; that's troubling and I strongly I agree with Vice Chair Hanley on that. Then page 134, I now just pulled up my notes from when we had our prior meeting and we did strike all of bird safety, and we took out the mahogany, the teak, the Brazilian walnut; we added the black locust. We added copper for 7.0702B4, so I think that whole page got missed, to my previous point.

Marshall Balfe, Board Member

We didn't have a lot of time to review this, and I did the best I could. I made it through the first time and felt this was a huge positive step forward for the City and is fantastic to have. I know we can pick it apart, but I personally did not have time to go back through it with a critical eye, but I'm glad I can be a part of going back through it now. The two times I was being interviewed to be on the Board I got the gist that the City Council felt positive about context and trying to give an eye toward the historic side of the community in terms of design, so when I've sat in these meetings we looked the quality of design, but I still sense that we want compatibility and so forth, so now that there is a conversation about more modern, contemporary design, it would be good to have someone tell me what the real consensus is in the DRB and the Planning Department and where everything lies on this? Should we be striving for more modern design or not?

Christine Level, Board Member

I can speak to that. As a Board I think you will all agree that we've agreed that Sebastopol is eclectically nonconforming and we don't have any one standard or style.

Kari Svanstrom, Planning Director

I can add to that from my perspective, which is very style neutral. When I think about compatible it is how historical standards work where you see historic buildings that have a very modern addition to it, but it is compatible in the scale and language and how it ties together. To me, it's more about the design values—however nebulous they might be—of the walkability, the welcoming, being pedestrian-oriented, how do you embrace and engage with the public realm, how do you address the scale of the adjoining development? To me, it's not about a style—and that's what I like about Sebastopol, it is eclectic—but it is about the rest of those contacts that aren't necessarily about the color or style choices.

Marshall Balfe, Board Member

I appreciate the clarity. Some towns try to enforce a certain look for the whole town.

Lynn Deedler, Board Member

I'm vague about a lot of the details and ramifications of this document and what will happen if it is adopted, and I want to hold back until I understand that better. There are so many things that seem subjective about what we're doing here, and to Director Svanstrom's point when she spoke about what compatibility means, it means different things to different people. I wouldn't quite go along with her definition of compatibility. There are statements in there about work with the historic category of Sebastopol. How you do that is not in here in any detail; it's subjective. I think they've got the easy things subjective but not what really counts, and that can be seen in the many ways that make a place likable, comfortable, and walkable. This is supposed to be about residential, and it seems like most of the information presented here is in the commercial area; that seems off to me. There are a lot of little things in there that I wonder about, like a lot of fencing, but there's nothing about where you can't put a fence, and yet there is the term "walkable" over and over, and fences do a lot to make things less walkable. I can't make a decision on this without looking at it further.

Kari Svanstrom, Planning Director

The SB 35 legislation that this addresses applies to the multi-family residential, but it also applies to where you have commercial. I think you need 35% commercial and the rest can be residential, and then if you're subject to SB 35 you can go through that process. It does also apply in our commercial zones, and so we needed to address both, and that's why they separated them into the different districts, the very small scale, the higher density, and those other areas; and then the two different kind of commercial areas, whether it's downtown versus not downtown. But we do need to address the mixed-use development standards, and that's why those are in there. In terms of context, one of the things we had talked about as a committee is these are for SB 35 projects. One thing this document tries to do is lay out paths forward for development. It is not cutting edge, for sure, but it is hopefully a path forward that is some certainty for developers to see what the town cares about; so we talked a lot about the heritage trees and the retaining wall heights, and the subcommittee decided we're going to lower these heights if it is above, and then if it's beyond that we want to see it, because if you don't meet these objectives then from an SB 35 perspective you would need to meet our Zoning Ordinance and these standards to get approval. You could still opt to go through the discretionary design standards and go through the DRB process; the Board would have the discretion. That is a little on the context of how this document works in relationship to the DRB.

Marshall Balfe, Board Member

So we would keep the old standards still?

Kari Svanstrom, Planning Director

Yes, you are not getting rid of your Discretionary Design Guidelines; those will still apply to every other project other than an SB 35 project. The intent of this was to try to take care of, for example, minimizing grading and retaining walls. This document tells us exactly what that means, and we went through cubic yardage per acre and what is an appropriate level of grading, so if they don't meet that, then yes, even the SB 35 projects would either... It's ministerial, which means you either check the box or you don't, so they need to check all these boxes, plus our Zoning Ordinance boxes, to be able to get approval, so this is an added layer to that, not just our Zoning Ordinance. I absolutely agree there needs to be some modernity in here. You do end up getting a little bit more of the new urbanism coming through the diagrams, and I appreciate the DRB's discussion today about making sure that the images promote good modern design and not just unconsciously direct people towards new urbanism or faux historicism. This is trying to prevent the really bad design of a 15-foot high retaining wall.

Christine Level, Board Member

If we're going to repeatedly say that this only applies to SB 35 so don't worry, how can we have an assurance that it's not going to get adopted generally in the future? Because I think it is.

Kari Svanstrom, Planning Director

The City Council certainly could decide to do that, but we can make it clear and we can actually add that into the resolution in some way that stresses that, and we can add in the staff report that while this is a somewhat limited design it's appropriate for SB 35 type projects, however, there is a lot more design that can be done in a discretionary design process that is in these guidelines but that are in your regular guidelines, and so we can communicate that to City Council. I can't guarantee anything, they could choose to disband the DRB tomorrow if they wanted to, and I would certainly fight to retain design review in the City of Sebastopol, but as development pressures come in we definitely need to make sure that it's compatible and that we grow in a compatible way.

Christine Level, Board Member

I think some notation in our resolution is something to consider. We just got a little taste of it, but Chair Langberg and I spent time in the committee meetings. You could spend an eternity picking through and modifying this thing. I am more concerned about the broad brush aspects to this, what it means and how it applies. For example, this is very prescriptive and eliminates a lot of opportunity in architectural design. The whole thing—and this is also in the RHNA projects—has an underlayment of a certain ideology, which is the high-density, the get rid of the car, the walkable, the intensity. I'd like to consider what this means. I go back to the RHNA document and you can see plain as day the plan to shift RHNA numbers over to West Sonoma County in the next round. They updated their opportunity map and boy do we go dark blue. I want to consider this thing on a broad brush, and then getting into these little details, I don't even know how to resolve that. Do I want a 3-foot bush? Do I want a 3 foot, 6 inch bush? That could go on forever. I guess I'm being vague here, but I don't know what more to say about it except that I find the whole big picture that underlays all of this troubling, because it's is no command and control on the way people are going to live, and not everybody lives that way. It's funny, because the TCAC opportunity map was produced by the Othering and Belonging Institute. Do you guys know about that? Probably not.

Lars Langberg, Chair

I don't know any of that.

Christine Level, Board Member

I feel like with this whole ideology there are a lot of people getting "othered," and it's troubling to me.

Kari Svanstrom, Planning Director

I'd like to separate the RHNA and TCAC process from this discussion. TCAC is the tax credit financing for affordable housing, and that's the map Board Member Level is referring to.

Christine Level, Board Member

They seem to be joined at the hip, the RHNA numbers and the requirement. We get a certain number we need to meet, we've got our SB 35, we've got to get these units in here, we get bumped up, the next round comes, and here comes another Woodmark.

Kari Svanstrom, Planning Director

We don't have another RHNA process for eight years. I spent a lot of time talking with ABAG during the last round. But again, I want to separate the RHNA, a housing target, from how we're doing design in our community—that's the focus of this—because I want to stay on track and make sure we're making progress and that we and Opticos have direction from this body at the end of this meeting. Tony, could you talk a little bit to your experience with the objective design standards being too prescriptive versus not enough and how that works?

Tony Perez, Opticos

Before I respond, just checking back on my notes I do remember the large vehicle parking, the bird safety, and the copper; I remember those three items specifically that we agreed would be removed, and I apologize that they haven't been. We'll go through the entire document and make sure that other things were not missed. The idea of what you regulate and to what extent vary widely. We're working on these from Santa Barbara, which is probably the ultimate other extreme, and every town and city in California finds itself having to comply with these requirements, because that's the thing to remember: nobody is doing this on their own, they're doing it because the State said only objective requirements can be applied to these projects that apply for the protection of the Housing Accountability Act, or SB 35, project. In your case, the SB 35 projects doesn't apply to you for at least four more years, but the Housing Accountability protections can still apply. Somebody can come in and submit a project under the Housing Accountability Act. Under that it says you can only apply objective content, and so what cities realized very quickly after these laws were passed was that of the content in our zoning code about 15% of it is actually objective and the rest is not, because as you are all seeing, it's very difficult. You can't design by formula, it's a matter of process; like the process Sebastopol has through its Design Review Board. The requirement is you can only apply objective standards, so therein lies the challenge: How far do you go? Because if cities can't have a say and somebody gets to design the project from somewhere else, they don't have to come to City Hall, they don't have to talk to anybody, all they are required to do by law is to apply whatever is deemed objective; and so somebody can put their application together and submit it and the City is obligated to process it and only apply that objective content. Once you put yourself in that mode, and I'm not saying it as any threat at all, I'm saying it as the reality that all these cities and counties and towns are in, then all of a sudden things that we wouldn't regulate, things that designers would recommend not be regulated, we find ourselves regulating, because if you don't you have no say on that topic when that application is submitted. That's why we're talking about so many things that otherwise we would not, but if you don't do something... And again, Santa Barbara is extreme, but there are other ends of that spectrum, like Lafayette and I would encourage you to look at their checklist. I don't recommend it for Sebastopol, understanding the design sensitivities that you have and should have, but that is another option, to simplify it down to that. But remember, somebody preparing an application somewhere else that doesn't have to come and talk to you and meet with the mayor or the Planning Commission and get an idea of the design sensitivities of a particular site, once they don't have to do that, then anything you ever wanted has to be on paper and it has to be objective, and that's why we're in the case that we're in. We don't recommend regulating all these topics on any given day, but in California for multi-family projects and mixed-use projects that are at least two-third housing, that is the law unfortunately. Just one last observation having worked on a lot of these, in California they're called objective standards. Other states are starting to do this, but not to the full extent that California has, but it's probably just a matter of time. Washington state is right behind California with objective standards requirements, but not for all buildings, only what they call middle housing, so buildings with two units up to maybe eight units. It's all because the States of Washington and California have determined that cities and towns and

counties have become obstacles to housing. As guidance I would say as you think about what you should regulate and to what extent, think about the kind of developer that is going to use this process, and those applicants by and large are going to be of the kind that do have a total formula of a building and they don't want anybody messing with it, and they want to plop it down wherever they want to, and so they're going to use standards that take the uncertainty, the contrast of predictability, and we get that that word can be very offensive to designers, but that word is meant to say the outcomes in such systems are knowable and have been designed to be related to what you already have. That's the intent, and the opposite of that is uncertainty, and so the development community is complaining that there is too much uncertainty, and so you get this mandate to have objective standards. The predicament that all towns and cities are now in puts you in a different mode of entertaining topics of be regulated that you otherwise wouldn't regulate.

Kari Svanstrom, Planning Director

It's the jurisdictions being a roadblock, which is why whether or not you're meeting your RHNA housing targets is the criteria for whether or not you're subject to SB 35. Basically we met our RHNA targets for the last round, therefore the State sees us as not being a roadblock because we are producing the housing that is the goal they set for us, so therefore we're not subject to it. But cities don't develop housing, so we have very little control over how many units are actually created, and frankly, the only reason we were able to meet our RHNA was because of the Sebastopol Inn transition to Elderberry Commons and we were able to count those 31 units of very low-income housing.

Tony Perez, Opticos

Santa Barbara is a good example in this way. They're trying as well. I know they have a reputation of regulating everything, but now they're in this mode of having to have these objective standards on paper, just like every other jurisdiction in California. The workgroup of architects and designers there all said we understand we have to do this, but developers that come to Santa Barbara want to do more than one project and they want to be invited back. There are exceptions, but more often than not the developers are probably going to choose a discretionary path because they want to do something that requires a little more thought in terms of design and they don't want to be boxed in, and they think that applicants are likely going to choose a discretionary path, because even though it is tough, they can point to a project they are proud of, and that could stand for Sebastopol as well. You have a strong design culture expectation, and that needs to be communicated in such a way that applicants know that and wouldn't feel scared to use a discretionary path. Somehow the message that has come through with these laws is you should be scared of discretionary process, and in some cities I guess you should be, but I don't know if that's necessarily true for Sebastopol, and that should be reinforced so that applicants that want to great projects still can and go through your process.

Lars Langberg, Chair

Thanks, Tony, for all the explanation; that's really helpful. It's the law that's coming down from Sacramento that we're dealing with. Part of what I see in the standards is when you get so many requirements it could very well just kick projects out of this process right back into the process we're all used to, so that's a positive outcome in a way. Then I think there is a lot of positive stuff in this document as well, especially I think like Redwood Marketplace and the bigger Safeway. If those were to be developed, there are some great ideas and the planning of a site like that that are in this document, so I think there is a lot here to appreciate and would help the City. Many of us, with the exception of Board Member Level, haven't had a lot of time to read this document, so it feels like we're at a point of continuance on both of those sides, as well as the whole making sure the edits are done correctly.

Kari Svanstrom, Planning Director

We got direction on a number of things from Vice Chair Hanley like the acceptance of modernity, allowing perforated metal for mechanical screening, no articulation needed for retaining walls 50 feet or longer, the 10 foot-planter in parking areas, and other comments. It would be helpful to me to know whether or not that is the consensus of the DRB.

Christine Level, Board Member

I think we should give our other Board members time to come up with comments, because it is such a meaty document. There is a very fascinating concept in this document about what I call the "site design," where you have a bigger site and you're not subdivided.

Kari Svanstrom, Planning Director

Yes, Chair Langberg spoke about that, the large sites like the Redwood Marketplace.

Christine Level, Board Member

Right, but I'd like to talk more about what this is. We had that whole discussion with Tony where we hypothetically put the roads in and we had the different types of buildings, but it's not a subdivision. We would normally see individual lots; this is one lot doing this. I thought that was a very interesting topic, and what that means exactly and how that would apply to some of these State laws would be something to consider.

Kari Svanstrom, Planning Director

In terms of State laws, if it's objective, that's your objective standard and they have to comply with that.

Christine Level, Board Member

Right, but it's a different kind of way of thinking about things, as opposed to having individual lot ownership and individual ownership you have one property with different types of things on it. Since it's one property I suppose hypothetically owned by one entity.

Kari Svanstrom, Planning Director

Yes, so like the Woodmark project, given its size, would actually be subject to that large site.

Christine Level, Board Member

This kind of thinking made like a neighborhood, and what Tony brought out in one of our discussions was we were asking how many lots do we have, but then he brought up the concept of combining existing lots so that you could get something to the size where you could make something, because even on Woodmark I suppose you could go...but it would be hard to make the street, the layout, that we described when we talked about Redwood Marketplace.

Kari Svanstrom, Planning Director

Right, but for instance the Woodmark site was two lots that were purchased and merged, and if it were just individual lots it would not have been subject to that large site, but once they combined them it would be. That whole chapter I very much appreciated, because it's less about ownership and more about scale.

Christine Level, Board Member

This is what I'm thinking forward about, that you can combine individual properties and start to make these types of developments. I hadn't really considered that before.

Tony Perez, Opticos

The other thing it lets you do, let's say it's one existing parcel that has either been merged or is large enough to do this, it gives the owner the option downstream once they've built this, or even as they're building it, to parcel off pieces to sell that are compliant with your standards and deliver the scale that you want, as opposed to somebody doing that before and then having this remnant property that people say is too small, but if you plan it using that design set approach that you're talking about, it actually enables somebody to sell it in a way that's compliant.

Christine Level, Board Member

Yes, and I think it's a really interesting way to think about things.

Cary Bush, Board Member

Ultimately, I'd love this continuance. I love what's been discussed, I love a lot of what's been said, specifically by Vice Chair Hanley. We're designers and we always joke that constraints are a designer's best friend, and this document provides maybe guidelines as constraints, so this is a great document that's almost there, and I think recognizing the site-specific design items that Board Member Level discussed is a really important aspect, especially from my end. I can't provide any further specific comments about the document without reviewing it more, so the continuance makes even more sense to me.

Board Member Bush moved to continue the Objective Design Standards Final Draft review to a date certain of the August 22, 2023 Design Review Board meeting.

Board Member Level seconded the motion.

AYES: Chair Langberg, Vice Chair Hanley, and Board Members Balfe, Bush, Deedler, and Level

NOES: None

ABSTAIN: None

ABSENT: None.

8. SUBCOMMITTEE UPDATES: None.

9. ADJOURNMENT: Chair Langberg adjourned the meeting at 4:52 p.m. The next regularly scheduled Tree/Design Review Board meeting will be held on Tuesday, August 22, 2023 at 3:30 P.M.