



**City of Sebastopol**  
Incorporated 1902  
Planning Department  
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**UNAPPROVED DRAFT MINUTES**

PLANNING COMMISSION  
CITY OF SEBASTOPOL  
MINUTES OF August 22, 2023

**PLANNING COMMISSION:**

The notice of the meeting was posted on August 17, 2023.

**CALL TO ORDER:** Chair Fernandez called the 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

**2. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA:**

**Lisa Pierce**

I want to talk about tiny homes on wheels. Housing is too expensive for many in Sebastopol, and new construction and ADUs are also expensive. Many would like to build an ADU in their back yard, but the amount of work and money involved is daunting, even with reduced fees and restrictions. A tiny house on wheels provides an easier option at a much lower cost because there is no concrete perimeter foundation, less site work and tree removal, and no big construction project in your back yard. A very nice tiny home can be bought for between \$50,000 and \$100,000, while ADUs typically cost over \$200,000. Tiny homes also offer flexibility because they can be moved. Many cities and counties across California, and in other states, now permit tiny homes on wheels as ADUs that count toward the State RHNA housing mandates. Sonoma County recently changed its rules to allow tiny homes on wheels as temporary dwelling units, but these tiny homes are not allowed to count towards RHNA because they are permitted to be temporary instead of being ADUs.

**Steve Pierce**

Sebastopol can be part of the growing tiny homes on wheels movement, and be part of making homes more affordable and allowing the next generation to live in here. In Sebastopol there were eight ADUs and JADU finalized permits in 2018, seven in 2019, and four in 2020, so there is growing interest in ADUs. The Housing Element survey showed ADUs are the most approved or sought after way to get new housing. We are here to help Sebastopol if the City is interested in pursuing tiny homes. Santa Cruz has the best tiny home model, and a lot of the legwork has already been done by other cities. To change the

subject, Ives Park is pretty neglected and there are big plans for its remodel, but I don't know when and if that is ever going to happen, because it would take resources the City doesn't have and could take years. Instead of waiting for that process there are things we can do now to test the waters for opening up the park to public access. Between the ball fields and bathrooms I hope to see the fenced in open grassy area opened up to allow the public to have creek access. If we ever do the creek plan the City will be in the position of having to deal with public access to the creek areas, so try it out during events to accommodate extra people, and it has a straight on view of the stage. We can start thinking about what it would take to open public access to our existing creek area.

**Kari Svanstrom, Planning Director**

I wanted to talk about tiny homes, because it is potentially on tonight's agenda with the Planning Commission Workplan and potential zoning ordinance updates. The State recently changed its building code to add Appendix J, which has specifications to allow tiny homes and Sebastopol has adopted that appendix. The City does require permanent foundations at this point for permanent dwellings, but it has flexibility with mobile home park areas, even though most mobile homes are not on wheels, and West County Community Services has recently put in a couple of tiny homes at Park Village. In terms of tiny homes on wheels, or RVs or any sort of thing like that, Lisa Pierce is right, they don't count toward RHNA because they are temporary. Our zoning code also allows temporary units for a couple other reasons, but both are temporary and not as a permanent ADU. As of 2019 the City allows tiny homes for caretaker units and as temporary housing in the event of an emergency such as fire, but water, sewer, and electrical hookups are required, because items like composting toilets and outdoor showers are not feasible on a small lot.

**3. STATEMENTS OF CONFLICTS OF INTEREST:** None.

**4. APPROVAL OF MINUTES:** None.

**5. REGULAR AGENDA ITEMS:**

**A. Planning Commission Workplan Update**

Director Svanstrom presented the staff report.

Chair Fernandez asked for Planning Commission questions of staff. Seeing none, he opened public comment. Seeing no speakers, he closed public comment.

**Deborah Burnes, Commissioner**

It seems tiny homes currently have to be on a foundation, which eliminates the affordability and ease of installation, and is more if a commitment than having a tiny house on wheels, so how do we make tiny homes more feasible and move them forward in Sebastopol? Tiny homes intermingle with the whole issue of vacation rentals. Would tiny home owners be able to rent them out, or would they be considered toward the City's RHNA quota for new housing, and if it does would it still be able to be rented out? What are we going to do with all of the increased housing and the infrastructure issues Sebastopol is having? This is a much bigger picture and where does it sit in our housing plan?

**Kari Svanstrom, Planning Director**

If tiny homes on wheels do count toward the State RHNA targets, the whole point of that is permanent housing, not vacation rentals, and Sebastopol has taken a strong stance on that. If tiny homes are used as accessory dwelling units we anticipate about 12 a year, and that would be about a third of our housing stock production. Tiny homes and ADUs could fill the

gap for the “missing middle” people who make too much to qualify for low-income housing, but not enough to afford market rate. The easy way to deal with tiny homes if they count towards RHNA is to consider them an ADU. Instead of requiring an ADU to be on a permanent foundation allow tiny homes to be used as ADUs, and then they are subject to all the same laws as an ADU. The current ADU legislation says a use permit approved by the Planning Commission is required to rent an ADU short-term. You could also say you just can’t do this, and there are ways you can write that into the legislation.

**Deborah Burnes, Commissioner**

Can we get the tiny homes put on the workplan if the Commission is interested, so the subject can be discussed further?

**Kari Svanstrom, Planning Director**

All those are policy questions, should you wish to discuss and consider it.

**Evert Fernandez, Chair**

I’d support it. I think that’s something we need to discuss at some point.

The Commission discussed the application as follows:

Item 1: Objective Design Standards

**Paul Fritz, Vice Chair**

The objective design standards are here and we’re adopting them, so it makes sense to keep this topic at the top of the list.

Item 2: Vehicle Miles Traveled Thresholds

**Paul Fritz, Vice Chair**

This also makes sense to keep at the top of the list, because the VMT is in progress already.

Item 3: Sonoma County Transportation Authority Active Transportation Plan

**Paul Fritz, Vice Chair**

If the County is preparing that, will it come to the Planning Commission at some point as a draft review?

**Kari Svanstrom, Planning Director**

It will actually come to the Planning Commission at a number of different points. I believe your next meeting will have a kick-off presentation from SCTA and their consultant, Fehr & Peers, but part of it will also be working with Sebastopol to update Sebastopol-specific improvements, so yes, that will be a little more intense review with meetings with the Planning Commission.

Item 4: Local Hazard Mitigation Plan (LHMP)

**Kari Svanstrom, Planning Director**

Developing the Local Hazard Mitigation Plan has already been done and the Commission has reviewed it several times, so it won’t be a huge lift for the Commission, it is a smaller work item in terms of the staff and the Commission, so it could be moved down or up; it will get done regardless. An annual review of this plan is required, and like the Level of Service report, you are only required to receive the report.

## Item 5: Housing Element Implementation – Workforce Housing/Flexible Zoning Modifications

### **Paul Fritz, Vice Chair**

An item I have talked about a lot is the general office or general commercial zone and the use permit for housing. I don't know if it is appropriate for this section, but maybe under Municipal Code "Clean-up Modifications on page 3, Section 8. I'd like to talk about the ability of housing to be built in a commercial industrial zone, which is The Barlow basically. It is difficult to do housing in The Barlow because of the way the zoning code is written, because it has to be a secondary use to the commercial industrial primary use, but we have a huge need for housing in this community and I don't see that we have a huge need for commercial industrial. There are buildings at The Barlow that have been vacant since The Barlow was finished. Also, on the south side of Sebastopol Avenue is the Downtown Core district where you are allowed to do 100% housing projects with a use permit, and The Barlow Crossing townhomes is an example of that. Then across Laguna Park Way from The Barlow high-density housing like R-6 is allowed. Also, the west side of The Barlow is the Downtown Core, which also allows 100% housing to be built with a use permit. I want to throw out as a discussion item for the coming year that it could be an area in which to develop more housing similar to the downtown and The Barlow Crossings project. Speaking of specific plans, the Northeast Area Plan, originally envisioned to be mixed-use—and The Barlow is sort of evolving in that way anyway—we already changed the zoning to allow retail there, so that is something to consider as a way to make as many possible options for housing as possible, and I think tiny houses are a great idea for housing.

### **Kari Svanstrom, Planning Director**

This is Sebastopol's workplan and we can do whatever we want. I suggest changing Item 5 to have a subcategory of A, which is the grant thing; and then a B, which is other Housing Element potential topics, to have one area to list all potential topics for now.

### **Paul Fritz, Vice Chair**

Related to Item 5, Housing Element Implementation, contains an item regarding tenant protection, and we had a presentation about that subject. I think that's something important to consider sooner rather than later.

### **Kari Svanstrom, Planning Director**

The Planning Commission received a presentation regarding tenant protection from Margaret DeMatteo from Legal Aid of Sonoma County, and she will give a shorter version of the presentation to the City Council on September 5<sup>th</sup>. Our thought is we could add this item in, if Council directs, after the September 5<sup>th</sup> presentation, either before it gets the resolution from Planning Commission if it comes back to you on the 12<sup>th</sup>, or when it goes to Council, but this is absolutely one of the items that I had originally intended to put in here. Also at the Council's September 5<sup>th</sup> meeting they will review a mobile home rent stabilization ordinance, which is also part of the tenant protection stuff, but it is financial and not about land use so it doesn't need to come to the Commission, but just so you are aware that certain City Council members are aware of and interested in advocating for those things.

### **Evert Fernandez, Chair**

Also, we would like to look at the parking requirements in general and set up a meeting in October at the library or City Hall, and then doing a walking tour.

### **Kari Svanstrom, Planning Director**

I'm going to add that under Item 8, Municipal Code "Clean-up" Modifications. Do you want implementation of those other Housing Element potential items to be a separate item? That

may be useful if it ends up having a different timeline from the grant stuff, which we won't start until 2024, but you can certainly have a preliminary discussion on some of the other things this fall.

**Paul Fritz, Vice Chair**

I think a 5a, kind of breaking it up. It's all Housing Element related, but maybe subcategories make sense as a way to do that.

**Kari Svanstrom, Planning Director**

I'll still leave it 5a, 5b, but I'll make them separate cells so they can move around differently. I will also look through our Housing Element to look at what the relevant actions and policies are, because we need to be consistent with the General Plan and we know the tenant rights issues are in there, because Margaret's presentation to you was the very first implementation thing we did.

Vacation Rental Ordinance Update

**Paul Fritz, Vice Chair**

I know there was background information given on this during the Housing Element in terms of the number of units, etc. Is that something that staff monitors on an ongoing basis?

**Kari Svanstrom, Planning Director**

Yes, we do have a vacation rental monitoring service and contract, and when department budget cuts were discussed the Budget Subcommittee was adamant that this stay in, because of the housing relationship, but also because of potential lost revenue for the City because if a rental is operating illegally they would not be paying for TOTs and have a business license.

**Paul Fritz, Vice Chair**

Do we find that that is an effective tool for bringing people into compliance?

**Kari Svanstrom, Planning Director**

We are finding people now that we have a permanent staff person. Those who were eligible as hosted rentals were brought in through the process, and those who not supposed to be doing it were shut down.

State Legislation Requirements

**Paul Fritz, Vice Chair**

We just have to do what we have to do, whatever the State laws are; we don't have a lot of choices.

**Kari Svanstrom, Planning Director**

Fortunately, I think it will be pretty minimal unless they come up with something crazy. There are more CEQA updates than housing updates this year, but that doesn't require Planning Commission review, it just requires staff to get up to speed and modify how those all work, and that's State legislation and the courts.

## Item 9: Ives Park Master Plan

### **Evert Fernandez, Chair**

Item 9B, Action CSF 2a, says, "Maintenance requirements for new and existing facilities should be considered whenever looking at Capital improvements to Parks." I like that and wonder if looking at maintenance requirements should also be considered for other projects and parks?

### **Kari Svanstrom, Planning Director**

That is definitely something I know the Public Works superintendent looks at especially. He is a very practical guy with a lot of experience and he is always very conscious of that.

### **Evert Fernandez, Chair**

Item 9, n/a, Short Term, says, "Identify short-term improvements in City parks (ongoing)." I'd like to not lose that momentum and always keep in the forefront of those types of items what can we do and how can we keep things moving?

### **Kathy Oetinger, Commissioner**

I agree. The fact that we don't really have a parks department means that it gets left behind and it doesn't serve the community that way. I find it hard to do the planning and come up with those lists again, although they have been effective when we have done it in the past; it's just a matter of finding the time and getting together. I'd be interested in looking at some of the other parks and coming up with some low-cost improvements that we could make.

### **Evert Fernandez, Chair**

Maybe the Parks Committee, with potential Planning Commissioners as members, could review some of those short-term improvements on an annual basis.

### **Kari Svanstrom, Planning Director**

That's excellent, and it could even be expanded to be the full Commission. If we could schedule park tours with staff from Public Works it is that much more effective as far as getting their feedback on the feasibility of PW making an improvement, or if it is better for volunteers to do it. Right now I have that as part of the Parks Master Plan, which is bumped down to 9B, to not be on the numbered priority list. Does the Commission want me to move the short-term park improvements up under Ives Park?

### **Evert Fernandez, Chair**

I'd like to see that.

### **Kari Svanstrom, Planning Director**

The reason for the Park Master plan being demoted is this is something than could be done in-house during staff's less busy times and we would not have to pay a consultant. If we did it now we'd have to pay a consultant, because staff doesn't have time capacity at the moment.

### **Paul Fritz, Vice Chair**

In terms of the short-term improvements we have identified, can we have on this list a check-in on where things stand with Ives Park and Libby Park, because I know things have been crossed off the list, but has everything been crossed off, and is there still a list and what does it look like at this point?

**Kathy Oetinger, Commissioner**

I've been working to create a list where short-term projects are low hanging fruit, but other things we've identified are still on that list because they're not low hanging fruit. Then of course with Ives Park in particular we need to do the master plan first, and right now with Libby Park I think the priority is to plan what that fence is going to be and to keep up the regular maintenance. Maybe if Ives Park gets moved along, another item to look at would be improvements at Libby Park, including more landscaping and naturalization for the long-term. Some additional trees in more areas would be a good start for that, but it might require a master plan to decide what to do with those areas too, so those aren't low hanging fruit.

**Paul Fritz, Vice Chair**

We did the Libby Park tour last year. Should we be doing another park tour, for instance the park around the community center, or some other park?

**Evert Fernandez, Chair**

Under Short-term it says, "Consider physical visits to parks on an annual basis." I want to change that to actually doing physical visits on an annual basis. As Park Commission we should be reviewing that, and we can move that to a priority because it's not necessarily an expense item, it's just planning for it.

**Kari Svanstrom, Planning Director**

I'm going to change that to, "Do physical visits to parks (at least one park) annually." That way it's a clear metric.

**Kathy Oetinger, Commissioner**

I think it's good to keep that list growing for more parks than just Ives Park, because Rotary has been great funding Ives Park and Libby Park as well, and if we don't identify the thing we'd really like to have, then they'll come up with something else.

**Kari Svanstrom, Planning Director**

I'd also like to put a note on here to consider this as a special daytime meeting to be able to include Public Works staff.

**Evert Fernandez, Chair**

I don't know if this falls under the parks or not, but I want to keep the Apple Blossom Trail alive as far as possibly reviewing that. Also a trail through the creek area.

**Kari Svanstrom, Planning Director**

The Active Transportation Plan is going to review pathway networks and potential pathways. The Apple Blossom Trail has come up before and it includes private property. The last Council decided not to put that on the list, but this is a new Active Transportation Plan and the process for vetting that would be through that.

**Kathy Oetinger, Commissioner**

I understood that since it's not on the City's map you still could form a nonprofit to work to get easements from property owners for trails so it could happen in the future, and they could be written so if it does happen an easement could be recorded, which goes with the land. It's bureaucratic and expensive, but it could be done in advance.

**Evert Fernandez, Chair**

It also makes a difference if, for instance, you're repairing a sidewalk in a pathway that potentially could be part of it. If it's on the master plan the City could say doing it this way might allow a pathway versus coming back and tearing it up.

**Kari Svanstrom, Planning Director**

That is exactly how those types of longer-range planning pieces work. For the other Housing Element Implementation items we have tenant rights, tiny homes for ADUs or potentially for a primary home, and commercial industrial zoning housing opportunities.

**Paul Fritz, Vice Chair**

Some of the municipal code cleanup items could make other kinds of housing easier to do in some other districts, so it is important to look at that stuff as well. I think the order of this is good. I like having this annual check-in to get an idea of what is coming up and to help us focus our attention, because we have a lot of stuff to do.

**Kari Svanstrom, Planning Director**

There are nine items on here, but they are not going to all get done in one year, because some projects take a long time.

**Evert Fernandez, Chair**

It should be incorporated as part of our routine, just like annual budget reviews, etc., so we don't lose it in the future. The food truck is an important part under Planning Commission Requests for Review, because there is a lot of out of compliance, then just from a responsibility standpoint, but also the consideration of having a food truck pad ready that a truck could pull onto, plug in, and be able to operate.

**Kari Svanstrom, Planning Director**

Would this be a private property improvement, because our code already allows that?

**Evert Fernandez, Chair**

If a food truck operator can drive right up, there would be more incentive to bring their business to Sebastopol. I'm thinking of talking to the Chamber of Commerce regarding providing a subsidy program so food truck businesses can come in and be there a period of time for people to start getting used to the fact that there is going to be a food place there. I've seen that in other communities.

**Kari Svanstrom, Planning Director**

In our commercial zones you can be in an on-street parking space for up to two hours at a time, so we already allow that on public streets; we don't provide hook-ups or anything for them, but we do allow them to be on City streets in commercial zones, but not residential zones.

**Paul Fritz, Vice Chair**

Like Chair Fernandez said, maybe partnering with the Chamber to encourage this to happen. Maybe it could be made an event, like a second Thursday is Food Truck Day or Food Truck Evening.

**Kathy Oetinger, Commissioner**

I've seen that done in Denver. A person hires a food truck for a few hours to park in front of their home and they invite friends over, everyone puts their lawn chairs out, kids ride their bikes around, and it's great fun. I don't know what kind of permits they needed, but I think Sebastopol neighborhoods would enjoy doing it if we allowed it.



**Deborah Burnes, Commissioner**

That's exactly the way to encourage it. It also encourages people to come downtown and encourages community. I don't know who would take that on, probably the Chamber.

**Evert Fernandez, Chair**

The reason I bring it up is because when an alcohol license comes to the Commission the requirements are that they need to serve food with the alcohol, and that's not happening because for some of them it is not economically feasible, so this is a way to have them be compliant without causing a problem for them.

**Deborah Burnes, Commissioner**

There is a brewery in Santa Rosa that has food trucks come right to the brewery, and they've gotten a big following.

**Evert Fernandez, Chair**

I was looking at the Rights Of Nature Ordinance.

**Kari Svanstrom, Planning Director**

That is not on the prioritized list, but it's at the bottom of page 5, one of the B items. The City has received correspondence from people interested in working on this and I asked them to gather these resources and get them to staff as a first step. It is probably a timeline of next year's workplan, but the Rights of Nature Ordinance is one of these other components, and then the dark sky regulations come up from time to time, so we have that in our objective design standards and our SB 9 standards as requirements, and that is how we're trying to move that forward without doing a full-on ordinance.

**Evert Fernandez, Chair**

I'd like to change the first word, "Consider," to "Review" or "Establish."

**Kari Svanstrom, Planning Director**

That is the General Plan language and we can't do a General Plan amendment here. What it is doing is saying the City doesn't have to adopt it, but they should look into it, discuss it, and deliberate on it.

**Evert Fernandez, Chair**

But it sounds like you have enough interest that it keeps it a priority.

**Kari Svanstrom, Planning Director**

Yes. It's kind of the same thing with the Tree Protection Ordinance. There has been some interest in updating that, and the Design Review Board, which is also our Tree Board, would do most of that work as the lead on that, but again, it's a staff capacity issue at this point. When we talk about parking regulations there is an action under community design considering a collection of in lieu parking fees to fund the construction of City parking lots/garages, so looking at those in tandem is something I will request if we talk about changing parking requirements, because that is where some of the balance comes in.

**Evert Fernandez, Chair**

Page 8, Section C, Historic Resources, talks about buildings and so forth, but what about agricultural history?

**Kari Svanstrom, Planning Director**

It would have to be related to a physical component. We consider historic resources when we do environmental review. The priority conservation area, the Laguna, includes a couple of the farms out there, but when we do CEQA review for a project there is a section that talks about farmland. We don't have any farmland within the City limits though. The farm just north of the high school is considered high-value farmland, so if someone wanted to annex and develop that, it would be an issue.

Chair Fernandez made a motion to continue the Planning Commission Workplan Update to a date certain of September 12, 2023, and to direct staff to revise and resubmit the plan.

Vice Chair Fritz seconded the motion.

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

**B. Planning Commission Training Video –**

The Planning Commission training video was waived to such time as a new Planning Commissioner joins the Commission.

**6. SUBCOMMITTEE UPDATES:** None.

**7. PLANNING DIRECTOR'S REPORT:**

Director Svanstrom provided updates.

The Commission asked questions of Director Svanstrom.

**9. ADJOURNMENT:** Chair Fernandez adjourned the meeting at 7:47 p.m. The next regularly scheduled Planning Commission meeting will take place on Tuesday, September 12, 2023 at 6:00 p.m.