City of Sebastopol

8100 Valentine Ave. Subdivision Frequently Asked Questions

About the Project

What is being proposed? A 20-lot, for-sale single-family subdivision on the former Church of Jesus Christ of Latter-day Saints property. Each lot would have one home, and up to 19 lots could add a detached accessory dwelling unit (ADU), for up to 39 homes in total. The project includes three units which will be made available for sale to moderate-income households making up to 120% of the Area Median Income (AMI).

Who is the applicant? The applicant is Rob Toste for Grupe Investment Company, Inc., with the Church of Jesus Christ of Latter-day Saints as the property owner. City file number 2025-067.

Where is it, and how big is the site? 8100 Valentine Avenue (APN 004-510-054), on the west side of Valentine Avenue in an established residential neighborhood. The property currently contains a former church building, which is no longer in operation. The project site is 2.69 acres; some applicant materials incorrectly cite 2.96 acres. The church building, which closed about 18 months ago, would be demolished.

What would the homes be like? One- and two-story homes of about 1,422 to 1,640 square feet, each with 3 or 4 bedrooms and 2 baths. The ADUs are envisioned as detached single-story units of about 748 square feet. A homeowners association (HOA) would manage shared areas.

What approvals are requested? A Vesting Tentative Map, Design Review, a State Density Bonus with waivers from certain development standards, a Tree Removal Permit, and a CEQA determination under Guidelines Section 15183.

Housing, ADUs and Affordability

How can there be 39 homes on 20 lots? State law allows for each single-family lot to add an ADU with only a building permit. Under AB 1033 and the City's 2026 implementing ordinance (SMC 17.220.025), ADUs can then be split off as condominiums and sold separately. Under state law, ADUs do not count toward the site's zoning density, but they do count toward the housing units the City reports under its state Regional Housing Needs Allocation (RHNA).

Is the density allowed? Yes. Only the 20 single family detached units are considered when calculating project density, not the ADUs. Twenty lots on 2.69 acres is 7.43 units per acre, which is within the R-4 zone and the General Plan's Medium Density Residential range which allows up to about 8.7 units per acre.

Is this an affordable housing project? No, this is a market-rate housing project. However the project provides three for-sale single-family homes (not ADUs) on site that will be affordable to moderate-income households, at or below 120% of Area Median Income, and deed-restricted in perpetuity. Under the City's Inclusionary Housing Ordinance (SMC Chapter 17.250), the project is required to provide at least 15% of the units as affordable to moderate income households. These on-site affordable homes are what qualify the project for State Density Bonus Law. The remaining homes and ADUs would be sold at market rate. An Affordable Housing Agreement must be recorded before building permits are issued.

Who is the project aimed at? The applicant describes it as "missing middle" ownership housing: smaller, lower-cost homes than typical new construction, without public subsidy. Three of the units will be restricted and only available for sale to qualifying moderate-income households.

Neighbors: Outreach, Setbacks, Privacy and Views

Was notification for the initial public outreach meeting provided to all the neighbors? Please explain. The initial March 17, 2026, meeting conducted by the City was not a public hearing or a designated outreach meeting. It was a joint workshop of the combined Planning Commission/Design Review Board to provide the applicant with early input on the proposal. This type of workshop does not require published or mailed notice. It received the normal agenda notice required by law, and public input was welcomed but a mailed notice to neighbors was not made or required for this preliminary meeting. The project website with application submittal materials was created 2 weeks before the meeting, the Sebastopol Times published an article about the project and the meeting on March 15, and the City has maintained an email list of interested parties who are notified of any upcoming meetings.

Is it possible to create an ordinance, or amend an existing ordinance, to mandate neighborhood notification (within 500ft?) when a project is proposed and prior to any public hearings? The municipal code requires public hearing notices to be mailed to all property owners within 600ft. For projects, including the 8100 Valentine Project, that include 15 or more lots or dwelling units, a sign is also required to be posted on the project site at least 30 days prior to any public hearing. Amendments to the City's Public Noticing requirements are within the jurisdiction of the City Council. The Council could, if they desired, amend the noticing requirements to include additional neighbor notifications. The City could not use this notice to delay, downsize, or deny a housing project utilizing State streamlining provisions.

How close would the new homes be to neighboring property lines? The project requests density bonus waivers from the R-4 zone's setbacks:

Setback	R-4 standard	Proposed
Front yard	20 ft	15 ft
Interior side yard (main home)	5–9 ft	4 ft
Rear yard (main home)	20–30 ft	10 ft
Side yard (ADU)	4 ft	4 ft

Setback	R-4 standard	Proposed
Rear yard (ADU)	4 ft	5 ft or more

On the west, north and east sides of the project how much space is there between the proposed homes and the neighbors property line? Can this be shown on a site plan? The setbacks to the property lines on the west and north sides are as little as 5' from the property lines. On the east side, the setbacks are 25'. The setbacks are shown on the maps submitted as a part of the application and are available online and in the Planning Commission packet.

How tall would the homes be? Single-story plans are about 15–18 feet; two-story plans are about 27–29 feet, under the 30-foot, two-story limit. ADUs are single-story, about 16–18 feet.

Can the developer provide a street viewshed of the proposed housing project from the vantage point of Kathleen Court, Hanson Lane and Eileen Drive? What it looks like now and what will it look like after the housing is built? The developer provided the required viewshed from Valentine Avenue. Additional viewsheds are not required by the City's submittal checklists or the code. Due to state requirements for permit streamlining, the City cannot mandate that the applicant provide additional information such as viewsheds from other angles.

What can be done to avoid these situations in residential areas and encourage them as in fill developments in our downtown corridor? There may not be much the City can do. First, a developer can only pursue a project where there is a property available for sale. Second, given high interest rates and construction costs, only certain projects are financially feasible (i.e. a small lot subdivision might be financially feasible, but not a small apartment building). There are a number of things the City could do to incentivize projects in certain area (waiving certain fees, providing other development incentives), but staff does not have the information or expertise to determine what would be effective. If the Council is interested in determining how to effectively incentivize projects in downtown, the Council might want to consider retaining an economic development consultant with an understanding of housing financing.

Legally, projects can be built where they are allowed by the zoning. State law prohibits the City from decreasing the allowable density on any parcel, unless it increases the zoning by an equal amount someplace else. However, even if we offset decreases in density in residential neighborhoods by upzoning downtown, restricting multi-family zoning to limited areas downtown would likely create Housing Element compliance issues.

State Housing Laws and the City's Role

What is SB 330? SB 330, the Housing Crisis Act, aims to expand housing supply by removing local barriers and delays. It works with the Housing Accountability Act to limit the number of hearings on a qualifying project, lock in the development standards in effect when a preliminary application is filed, and operate alongside Density Bonus Law.

What is Density Bonus Law? Density Bonus Law (Government Code 65915) is meant to facilitate building affordable housing units and remove local barriers that would make a project physically or economically infeasible. A developer that makes at least 10% of its units affordable can request waivers from development standards such as parking, setbacks and building height, and a concession in the form of any regulatory incentive that results in cost reductions. This project qualifies for one concession and an unlimited number of waivers because it is providing three units (15% of the total) which will be affordable to Moderate Income households.

What does "objective standard" mean? State law defines an objective standard as one that involves no personal or subjective judgment by a public official and can be checked against a benchmark known to both the applicant and the City before submittal. A 30-foot height limit is objective; a requirement to be "compatible with neighborhood character" is subjective. For qualifying housing projects, the City may apply only objective standards.

Can the City simply say no? The City's discretion is limited. Because the project meets the General Plan and zoning density, the Housing Accountability Act and SB 330 allow denial, or approval at lower density, only if the City makes written findings of a specific, adverse impact on public health or safety that cannot feasibly be mitigated. That impact must be significant, quantifiable, direct, and unavoidable, based on objective, written standards in place when the application was deemed complete.

Is it possible to add qualifications for the type of developer the City will allow to build in the City? The City cannot restrict who is allowed to build on private property.

What are density bonus waivers and concessions? Because the project includes affordable homes, State Density Bonus Law lets the developer ask the City to relax development standards that would physically prevent the project as designed. This project requests waivers for smaller lots, reduced front, side and rear setbacks, ADU height, and covered parking stall size, and qualifies for one concession.

Does the City still set conditions? Yes. The City can and does impose conditions of approval covering fire access, utilities, drainage, trees, design, the HOA, and construction.

Can state laws overrule Sebastopol's General Plan? The short answer is yes. For this type of a project some General Plan policies may not be applied unless they are specific, objective standards. Even then, State law allows the developer of a housing project that provides certain minimum amounts of affordable housing (including affordable to moderate income households) to request concessions and waivers to those policies and standards when they will result in a reduction of development costs, and the City is obligated to grant them unless it determines, based on evidence in the record, that specific, adverse health and safety impacts would result AND that there is no feasible alternative to avoid the adverse impact.

Is it possible for the City Council to have a say in the type of housing the City needs, for example we currently need moderate and above moderate housing? Is it possible to request a planned community for families? No, the City cannot do this. The City must approve projects that comply with the City's adopted standards, regardless of affordability. The one exception is that the City has an inclusionary housing ordinance which requires a minimum percentage of units in a project to be affordable (the

percentage varies depending on whether the units are provided for moderate, low, or very low income households). However, California law prohibits the City from preventing developers from proposing units with deeper affordability than the minimums required by the inclusionary housing ordinance. Generally, the City cannot restrict the type of housing projects it considers. For most housing projects, if an application is submitted, State laws require the City to consider the project.

What counts as a "public health or safety" impact? State law defines it narrowly: a significant, quantifiable, direct and unavoidable impact, measured against objective, written health or safety standards that were in place when the application was deemed complete. Examples are violations of the fire code. Concerns such as changes to neighborhood character, views, privacy or personal stress, however real, generally do not meet this definition because they are not measured against objective written standards.

What constitutes “public health and safety”? For an HAA project such as 8100 Valentine, the standard would be demonstration of a "specific, adverse impact" that the Act defines as a significant, quantifiable, direct, and unavoidable, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. This is a much narrower test than the general "public health, safety and welfare" standard that the Council is normally able to apply under its police power.

Would major distress or significant stress be considered a “public health and safety” impact? Only if the stress/distress claim can be tied to a specific, quantifiable, and existing standard. Findings for denial would need to document that the distress or major stress would be caused by exceeding a pre-existing adopted, objective, quantifiable standard.

Within the remaining meeting allotment time can the proposed development be changed to a planned community and therefore allow a different housing configuration? No, for the following reasons:

- The Application was deemed complete for processing (except for CEQA) in June, and our opportunity to determine that it needs additional permits or different types of permits has passed.
- State law does not allow us to impose additional requirements (including a planned community) on a project that complies with the City’s adopted, objective standards.

Does the City’s AB 1033 Ordinance make this project possible? The City’s AB 1033 ordinance has no impact on whether or not the physical project is allowed. Under state law, each lot is allowed to have an ADU, and there is nothing the City can do to change that. The City’s AB 1033 Ordinance allows ADUs to be converted into condos and sold separately from the primary unit. That presumably increases the value of the proposed development. However, staff does not have the information or expertise necessary to determine whether or not the project would still be financially feasible if the City had not adopted the AB 1033 Ordinance allowing the condos to be sold separately.

Approval Process and Status

Who makes the final decision? The City Council. The Planning Commission holds a public hearing and makes a recommendation; the Council then holds its own hearing and takes final action on the map, density bonus and CEQA determination.

What has happened so far?

1. December 23, 2025: application submitted.
2. January 22, 2026: City found the application incomplete; the applicant resubmitted in March, April and May 2026.
3. March 17, 2026: joint Planning Commission and Design Review/Tree Board workshop for early feedback (no decision).
4. June 9, 2026: application deemed complete.
5. July 21, 2026: City Arborist field review of trees.
6. August 25, 2026: City traffic consultant's focused study.
7. September 22, 2026: Planning Commission public hearing.
8. Next: City Council public hearing (October 20, 2026).

State law requires a housing project that complies with the City's adopted objective standards take no more than 5 meetings. How many meetings remain? Up to 3 meetings remain, including 1 City Council meeting and 1 Design Review Board meeting. The City is reserving the final meeting to accommodate a potential, and anticipated, appeal of the Design Review Board determination (regardless of the outcome). No other meetings can be accommodated.

How were neighbors notified? The initial March 17, 2026, meeting conducted by the City was not a public hearing or a designated outreach meeting. It was a joint workshop of the combined Planning Commission/Design Review Board to provide the applicant with early input on the proposal. This type of workshop does not require published or mailed Notice. It received the normal agenda notice required by law, and public input was welcomed but a mailed notice to neighbors was not made or required for this preliminary meeting. For the September 22 hearing, the City mailed notice to all property owners within 600 feet, published notice in the Press Democrat, posted three notices on and near the site, and the applicant posted an on-site billboard at least 30 days ahead.

What did the Planning Commission decide on September 22? The Planning Commission recommended 4-1 that the City Council find the project consistent with the General Plan EIR, previously certified by the City, that there are no impacts peculiar to the project or its site that were not analyzed in the General Plan EIR, and that no additional environmental review is appropriate for the project, and that the Council approve the Vesting Tentative Map and State Density Bonus Application for the project, subject to conditions of approval.

When will the City Council hear it? This project is scheduled to be heard at the October 20, 2026, City Council meeting. Notice will be mailed to owners within 600 feet, published in the Press Democrat, and posted at the site.

How long would approval last? The Vesting Tentative Map would expire 24 months after approval unless extended.

Environmental Review (CEQA)

Why is there no new Environmental Impact Report? CEQA Guidelines Section 15183 says a project consistent with the density in a General Plan that already has a certified EIR needs no further review, except for effects peculiar to the project or its site, or new information showing more severe effects. Sebastopol's General Plan EIR was certified in November 2016 (SCH# 2016032001).

Was the site actually studied? Yes. Staff prepared a Section 15183 Consistency Checklist covering all CEQA topic areas, including biological resources, transportation, utilities and wildfire, supported by a traffic study, a cultural resources records search, and the City Arborist's tree review. Staff concluded that, as conditioned, there are no project-specific significant effects peculiar to this site.

How did the City evaluate impacts peculiar to this site, such as nesting owls and hawks in the redwood grove, that the General Plan EIR would not have analyzed? Staff evaluated potential impacts peculiar to the project and its site through the CEQA Section 15183 Checklist, and determined that, as conditioned, there are no impacts peculiar to the project or its site.

Were Native American tribes consulted? No. A Section 15183 determination does not require tribal consultation. The project is conditioned so that work at the site will stop and a qualified professional must be called if cultural resources or human remains are found during construction.

Has a qualified biologist surveyed the site for nesting birds or other wildlife? If so, may I have a copy of the report? No biological studies were prepared or provided as part of the CEQA Section 15183 review. A condition of approval is included that requires the applicant to retain a qualified biologist to survey for active nests of special-status birds, migratory birds, and raptors prior to any vegetation clearing, tree removal or trimming, grading, or other construction activity occurring during the nesting season (February 1st through August 31st) no more than 14 days before that work begins.

Trees

How many trees are on the site, and how many would be removed? The applicant's inventory documents 46 trees, including mature coast redwoods in the northeast corner and native coast live, Oregon and valley oaks. The City Arborist's July 21, 2026 review found the applicant used the wrong protection threshold, and the counts were corrected:

Count	Applicant's inventory	City Arborist (corrected)
Protected native trees	18	23
Proposed for removal	7	11
Proposed for retention	11	12

Why did the count change? The tree ordinance protects native trees at 10 inches in diameter on properties other than single-family or duplex lots, and at 20 inches on those lots. The site is a former church, not a single-family lot, so the 10-inch threshold applies. That adds five trees to the protected count.

Which trees are being removed and where are they? Can they be shown on a site plan? A Tree Report with site plan showing the trees to be removed was submitted as part of the application and is available online and in the Planning Commission and City Council packet. The trees marked for removal can be seen on Sheet C2.0 of the project site plans, and they are identified with the notation shown in the "Demolition Legend". The project is proposing to remove 7 of the 15 existing heritage trees and intends to make every effort to preserve the remaining 8 trees. However, as part of the requested Density Bonus application, the applicant has requested a concession from the City's tree ordinance should unforeseen circumstances arise and additional trees need to be removed during the project's construction. Staff and the Planning Commission are recommending a comprehensive project condition which establishes a tree preservation and replacement mitigation program to address and fulfill the requested concession while ensuring that unplanned tree removals remain consistent with the City's adopted ordinance and general plan policies.

What else did the City Arborist find? Most field tags were missing, one oak was misidentified, tree numbering did not reconcile across documents, neighboring trees whose roots extend onto the site were not included, and the submittal was an inventory rather than the tree protection plan the code requires.

Has the Sebastopol arborist been asked to submit a tree report? Yes, it was included in the Planning Commission's packet and is available online. Of note, the City Arborist reviewed the applicant-submitted Tree Inventory prepared by licensed Arborist John Meserve, and determined that given the proposed site plan, at least one of the protected trees shown to be retained would require removal, and others may be weakened by grading & construction activities to the point that additional removals may be needed. More details about construction-related impacts will become known when the applicant prepares Grading and Improvement plans. To address this important issue, an extensive condition of approval requiring additional tree information, a Tree Protection & Replacement Plan prior to approval of the Final Map, and mitigation for loss of all protected trees was included in the Planning Commission's recommendation. This condition of approval is necessary for the City to grant the developer's requested concession to not apply the normal Tree Removal Permit requirements.

Is it true the applicant is proposing an alternative design? In response to comments from neighbors and the Planning Commission, the applicant is offering an alternative design for the Council's consideration that exchanges the placement of primary dwellings and ADUs on the north property boundary and also adjusts one two story dwelling away from the property boundary on the western boundary. The applicant has identified that this proposal would increase the number of protected trees that would need to be removed to 12, but that has not been confirmed by the City's arborist. Any additional removed trees would be subject to the mitigation measures in the conditions of approval.

Will a pre-construction nesting bird survey be a required condition of approval before any tree removal? Yes, a condition of approval is included that requires the applicant to retain a qualified

biologist to survey for active nests of special-status birds, migratory birds, and raptors prior to any vegetation clearing, tree removal or trimming, grading, or other construction activity occurring during the nesting season (February 1st through August 31st) no more than 14 days before that work begins.

Fire and Emergency Access

How do vehicles and fire trucks get in and out? Through one 26-foot-wide private driveway from Valentine Avenue, about 545 feet long, ending in a hammerhead turnaround. A 12-foot-wide, roughly 200-foot route along the west side connects the end of the street back to Valentine Avenue for residents to evacuate on foot or by car in an emergency.

Can fire trucks use the 12-foot route? No. The City's traffic consultant found it too narrow for fire engines, and the conditions of approval state it may not be treated as a fire apparatus access road unless redesigned and approved by the Fire Chief.

What fire conditions apply now?

- A Fire Apparatus Access Plan approved by the Fire Code Official before final improvement plans
- Fire access roads at least 20 feet wide with 13 feet 6 inches of vertical clearance
- A turnaround with a truck-turning analysis for the Gold Ridge Fire design apparatus
- Carports relocated or removed where they conflict with fire truck movement
- Fire lanes, no-parking markings and hydrant clearances, enforced through the CC&Rs
- Fire access and water supply in service before framing begins
- Automatic fire sprinklers in every new home, and in each ADU where its main home is sprinklered

Has the Fire Marshall signed off on the project in writing and if yes can you include it? Yes, he has determined the project complies with the Fire Code and signed off on the project, subject to his recommended conditions of approval. Several meetings were held with the Fire Chief and, although his stated preference is for a looped road through the project, the City lacks the adopted, objective standard that would allow him to require it for this project (the Project complies with the adopted Fire Code). State Fire Code allows a hammerhead turn-around meeting certain dimensions; the Fire Chief provided "signoff" on this configuration through his formal written conditions of approval, which were included in the Planning Commission's recommendation.

Traffic and Parking

How much traffic would the project add? About 284 trips per day, including 19 in the morning peak hour and 28 in the evening peak hour, per the City's consultant W-Trans (August 25, 2026).

Is the driveway safe? Site distance measures about 400 feet to the east and 500 feet to the west, exceeding recommended distances for the observed 30 mph average speed. Two collisions were reported on Valentine Avenue in 2020–2024, neither near the driveway, and both were attributed to driver error.

Is a left-turn lane needed on Valentine Avenue? No. Current traffic volumes are far below the level that would warrant one.

Is there enough parking? The site provides 83 off-street spaces, about 2.1 per home when ADUs are counted, plus street parking on Valentine Avenue. At least 20% of spaces will have EV charging.

Water, Sewer and Drainage

Is there enough water? Yes. The applicant's water study was run through the City's own system model. The project would add a new 6-inch looped water main, with a separate meter for each lot and private submeters for each ADU.

The Valentine Avenue sewer line has had problems. Can it handle this? The City hired engineering firm GHD to model the existing 6-inch sewer main downstream of the site; its technical memorandum was completed August 4, 2026. GHD found the high water levels come from root intrusion and a blockage, not lack of capacity, and that once cleaned, the pipe can carry current flows plus the project without upsizing. GHD's recommended next step is to clean the affected segments and confirm their condition by video (CCTV) inspection. The project must pay its proportionate share, about $88,605, credited against its sewer impact fees, and the City is adding this work to its upcoming Capital Improvement Program. The study looked at typical dry-weather flow only.

Will the project worsen drainage or flooding? Impervious surface would drop from about 85,000 to 66,000 square feet compared with the existing church and parking lot. Two on-site basins would treat runoff, and all drainage must meet Sonoma Water's flood design standards, with no runoff onto neighboring lots.

Who maintains the private street and common areas? The HOA, under CC&Rs that the City must approve. The City keeps the right to enforce conditions tied to maintenance, emergency access and tree protection.

How to Participate

How can I comment? Send written comments to Tori Henkel at vhenkel@cityofsebastopol.gov, or speak at the public hearing in person or on Zoom. Written comments received will be shared with the Council and posted online.

Where can I see the plans and application materials? All application materials, studies and staff reports are on the City's project page. Copies can also be requested at City Hall, Monday through Thursday, 7:30 a.m. to 5:00 p.m. Planning Department: 707-823-6167.

Sources

- Project page: Grupe Investment Company – 8100 Valentine Ave
- Planning Commission meeting, September 22, 2026
- Planning Commission staff report, Item 6A
- Draft resolution and conditions of approval (revised 9/22/26)
- W-Trans focused transportation study, August 25, 2026
- City Arborist tree review, July 21, 2026