



City of Sebastopol
Incorporated 1902
Planning Department
7120 Bodega Avenue
Sebastopol, CA 95472
707-823-6167
707-823-1135 (Fax)

www.ci.sebastopol.ca.us

Email: kwebster@cityofsebastopol.org

PLANNING COMMISSION
MEETING OF: March 27, 2018
SEBASTOPOL YOUTH ANNEX
425 MORRIS STREET

APPROVED MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF MARCH 27, 2018

SEBASTOPOL YOUTH ANNEX
425 MORRIS STREET

PLANNING COMMISSION:

The notice of the meeting was posted on March 22, 2018.

ANNOUNCEMENT: Please turn off all cell phones and pagers during the meeting.

1. CALL TO ORDER: Chair Fritz called the meeting to order at 7:02 p.m.

2. ROLL CALL:

Present: Chair Fritz, Vice Chair Douch (departed at 10:00 p.m.), and Commissioners Glaser, Wilson, Doyle and Jacob (arrived at 7:07 p.m.)
Absent: Commissioners Fernandez and Kelley (excused)
Staff: Kenyon Webster, Planning Director
Rebecca Mansour, Planning Technician

Linda Berg, a member of the public, interjected and requested that the Chair ask those in attendance to power off their cell phones.

Chair Fritz invited those in attendance to power off their cell phones.

3. APPROVAL OF PLANNING COMMISSION MINUTES: March 13, 2018.

Chair Fritz amended the minutes.

Commissioner Glaser made a motion to approve the minutes as amended.

Vice Chair Douch seconded the motion.

AYES: Chair Fritz, Vice Chair Douch, and Commissioners Glaser, Wilson and Doyle
NOES: None
ABSTAIN: None

4. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA - This is for items *not* on the agenda, but that are related to the responsibilities of the Planning Commission or City Council. The Commission and Council receive any such comments, but under law, may not act on them. If there are a large number of persons wishing to speak under this item, speaking time may be reduced to less than 3 minutes, or if there is more than 15 minutes of testimony, the item may be moved to the end of the meeting to allow agendized business to be conducted.

Chair Fritz asked for comments from the public.

Linda Berg, a resident of Sebastopol, commented:

- Her life revolves around prudent avoidance of wireless radiation.
- An expert on magnetic fields, Mr. Karl Riley, recently visited Sebastopol.
 - Referred to an article about our need for a cell tower moratorium that was recently published in the Sonoma West Times & News. The article was written by Paul-Andre Schabracq.
 - In doing a field survey of our library with his own professional equipment, Mr. Riley found excessively high and unhealthy levels of magnetic fields.
 - City staff was very accommodating to Mr. Riley.
- The General Plan from 20 years ago calls to minimize community exposure to electromagnetic fields so the Planning Commission should have a good understanding of all of this.
- Now that Mr. Riley's has conducted a survey of the library, they intend to survey the rest of Sebastopol as well.
- Strongly encourages the Commission to educate themselves and to get their own meters.
- Electromagnetic fields are probably the largest global health issue right now.
- Requested that the Commission allow Paul McGavin to give them a 20 minute presentation on this topic.
 - This will be helpful if/when the Verizon application comes before the Commission.
- Thanked the Commission for their time.

Alan Horn, a resident of Sebastopol, commented:

- Owns a business in Sebastopol.
- Has lived in Sebastopol for a long time.
- Has been a member of the Chamber of Commerce for 21 years.
- Is a member of three different organizations; SCREAM (Sonoma County Radiation Education Mitigation), MVRS (Military Veterans for Radiation Safety) and EMF Safety Network.
 - The groups he mentioned will be a part of the process to help the Commission discharge their duties in the public interest.

- The City of Monterey and the Town of Hillsborough recently defeated Verizon's application for so-called small cell tower applications using a number of legal reasons and justifications.
 - They will provide this information to the City so that they can be apprised of the reasons and justifications that were used so that they may act in a similar fashion.
- World renowned author and lecturer, Karl Riley, generously donated his time to find highly magnetic fields in our library.
 - He identified wiring problems, diagnosed the source, and told City officials how to fix the problems.
 - Wiring problems and dirty electricity are much more common than people realize.
 - Wants to inform the public and City representatives about these problems so that we may start to fix them.
- While it may be better to have no cell towers in Sebastopol, there may be some justification to have some in nonresidential areas, if at least 1,000 feet or more away from the closest residence.
- Urged the Commission to seriously consider meeting with him and the groups he's involved with, and to open up the process so that the general public can have its input included in the process of updating Sebastopol's Telecommunications Ordinance.
- The Verizon application is dangerous.
- Thanked the Commission for their time.

Dave Hubert, a resident of Sebastopol, commented:

- Has been a resident of Sebastopol since 1980 and has owned a home here since 1985.
- His family grew up in Sebastopol.
- Speaking from firsthand experience.
- Is a victim of what is going on with regards to radiation.
- A lot of people oppose PG&E's SmartMeter installations because some people can feel this stuff.
- He does not have cell phones or Wi-Fi in his home because his wife is badly affected by radiation.
 - There are a lot of people like his wife.
 - Effects of radiation aren't as obvious as secondhand smoke, but everyone is affected by it to some extent.
- The large studies that came out from the National Toxicology Program were just replicated by the Ramazzini Institute who did a longer study.
 - Sent some of that information to the Planning Department.
 - Radiation really does have negative long term effects.
- Is not an alarmist or someone who likes to complain, but he is sick of this.
- Doesn't want to move out of Sebastopol but feels he may have to in order to get away from all of this radiation.
- Verizon is selling you a bill of goods.
 - Health is more important than this.
 - You have to weigh the benefits with the costs.
 - The effects of radiation can take years to show up.
 - His wife considers herself lucky to be able to feel the effects of this now.
 - As Mr. Horn just mentioned, Monterey just voted against Verizon's proposal.

- 5G is just around the corner.
- Verizon may be talking about two antennas right now, but there will be more to come if we let them.

Chair Fritz asked Mr. Hubert to wrap up his comments as his three minutes were up.

Mr. Hubert comments continued:

- Studies have been done around the world.
- These antennas end up in slums because the people with money don't want them near where they live, and that's not just because of their appearance.
- These cell towers cause people to die.

Paul McGavin, a resident of Petaluma, commented:

- Thanked the Commission for their time this evening.
- Is an expert in measuring and mitigating radiofrequency microwave radiation.
- Has been working with a number of communities, including Palo Alto, Hillsborough, Monterey, Piedmont and Sonoma, to make sure that they have the best information to arm themselves against the onslaught of applications that will be coming.
 - Once you approve one of these towers in a residential area, you've opened up everything.
- Some jurisdictions have already prepared themselves for this.
- Sebastopol's Telecommunications Ordinance is from 1996, needs to be updated and expounded upon.
- The City has a right to say no to applications, like Verizon's, when asking to place a cell tower in residential areas.
- Burbank fixed their ordinance last October after having a duly noticed public hearing for the amendments.
 - That same process is needed in Sebastopol.
 - This cannot be put in the hands of a Planning Director.
 - You must have a public hearing and look to the subject matter of experts and the people affected by this so that good code that looks at the power levels can be put in place.
 - This is all about the power levels.
 - If you don't understand the power levels, you don't understand the first principles of what is going on.
 - Read from Burbank's ordinance.
 - Permits should always be discretionary, never ministerial.
 - Regardless of the size, these applications should always be considered major wireless facilities.
 - Discretionary permits should be required for the installation, construction, and modification of wireless telecommunications facilities.
 - These permits should be reviewed every five years.
 - An independent, objective, third party that has been approved by both the public and the City should be involved when reviewing these applications. Their services should be paid for by the applicant.
 - City staff is too close to the wireless industry. We have to break that and include the point of view of the public.
 - Burbank included ADA requirements as well.
 - Will provide additional information to the Planning Commission on this.
- Thanked the Commission for their time.

Hearing nothing further, Chair Fritz closed the public comment period.

5. STATEMENTS OF CONFLICTS OF INTEREST: There were none.

6. PLANNING DIRECTOR'S REPORT (Update on Future Agendas, Action of Other Boards and City Council)

Director Webster provided the following update:

- At the last City Council meeting, the Council:
 - Approved a design review application, submitted by Armstrong Development, for the second building at the CVS site. Various pieces of the project will have to return to the Council at a later date, but the building itself was approved.
 - Considered a proposal by one of the Councilmembers to change the way Planning Commissioners are appointed to have direct appointment by individual Councilmembers as opposed to the full council. The Council majority did not support that idea.
 - Passed a resolution to initiate the process to update the Telecommunications Ordinance. This will be a public process.
- At the City Council meeting on April 3, the Council will:
 - Consider a revised design from artist, Ned Kahn, for the Highway 12 public art installation. The redesign came as a result of various Caltrans issues. The Public Arts Committee loved the redesign.
- At the Planning Commission meeting on April 10, the Commission will:
 - Review one minor Use Permit application along with a modest park improvement item for a new restroom at the Burbank Experiment Farm.
- At the Planning Commission meeting on April 24, the Commission is anticipated to:
 - Have an initial discussion of the Telecommunications Ordinance.
- One item that is under discussion, on a countywide basis, is the idea of an affordable housing bond that might be on the November ballot.
- Noted some public comment that had been provided to the Commission in response to both items on tonight's agenda.

The Commission asked questions of Director Webster.

Ms. Berg interjected several times.

Chair Fritz asked Ms. Berg to refrain from speaking out of turn.

Commissioner Glaser commented:

- Hasn't been able to find many peer-reviewed articles on EMF.
- Expressed being interested in seeing technical information on the power level issue as raised by Mr. McGavin.
- Wants information on large antennas versus small ones and their relative coverage areas.
- Does not have good cell coverage at his house.
- Would like information on the difference between broadcast antennas and cellphones themselves in terms of which is more dangerous to humans.

Director Webster responded that staff would look into that.

7. CONSENT CALENDAR (PUBLIC HEARING IF REQUESTED): (none)

8. PUBLIC HEARING:

- A. DRAFT ZONING ORDINANCE COMPREHENSIVE TEXT UPDATE:** This entails a comprehensive update to the City's Zoning Ordinance to make a variety of amendments. The Planning Commission has been working on the revisions at a series of public meetings since fall 2017 and this is expected to be the Commission's final review before transmitting its recommendations to the City Council, which will also have a public hearing on the matter. The amendments include changes related to definitions, use allowances, general development standards, zoning districts, and additional revisions. Specific revisions include but are not limited to consolidation of several similar zoning districts, standards for mobile food trucks and commercial outdoor barbeques, downtown noise standards, updating of formula business provisions, and organizational changes. The intent of the revisions is to achieve consistency with the City's new General Plan, address selected policy issues, streamline provisions, provide standards for several uses not currently addressed, and address internal consistency issues.

Director Webster provided a brief introduction.

Beth Thompson, De Novo Planning Group, discussed process and provided an introduction.

The Commission asked questions of Ms. Thompson and Director Webster throughout their discussion.

Ms. Thompson asked to hear from the Commission on, '17.220.030 Junior Accessory Dwelling Unit Criteria'.

Commissioner Doyle recalled that the Commission had discussed and then rejected the idea of including junior accessory dwelling units in the Zoning Ordinance.

Vice Chair Douch responded:

- Agreed that the Commission had discussed the issue.
 - The issue came back up after a member of the public expressed a need for junior accessory dwelling units.
- Sees no harm in including junior accessory dwelling units.

Commissioner Jacob expressed being in agreement with Vice Chair Douch.

Commissioner Doyle clarified that a junior accessory dwelling unit could be done in addition to an accessory dwelling unit.

Ms. Thompson concurred.

Commissioner Doyle commented:

- Does not see why anyone would want to restrict their deed by creating a legal junior accessory dwelling unit.
 - This would also require that either the main house, or junior accessory dwelling unit, would have to be owner occupied.
- People can already do this without having all of the regulations to worry about.

- The process to legalize a junior accessory dwelling unit is onerous and doesn't help.

Chair Fritz commented:

- Agrees with Vice Chair Douch in seeing no harm in including junior accessory dwelling units.
- Agrees with Commissioner Doyle on people already being able to do this.
- Supports including this section for people who may wish to have a legal junior accessory dwelling unit.

The general consensus of the Commission was to leave the language on junior accessory dwelling units in as drafted.

Ms. Berg interjected and asked if members of the public would be allowed to comment on this item.

Chair Fritz responded that he would be opening this item up for public comment.

Ms. Thompson asked to hear from the Commission on, '17.110 Mechanical Parking'.

The Commission concurred with keeping the language in as drafted.

Chair Fritz opened the public hearing.

Ms. Berg commented:

- The effects of EMF have been omitted and ignored.
- The Commission's lack of information on this subject appears to have to do with them not receiving copies of the piles of information that she and others have provided to staff with a request that they be forwarded on to the Council and Commission.
- Lives in a 60-unit apartment complex.
 - Cell phone signals pass right through her unit.
 - 2.4 GHz were designed to penetrate through things and bodies.
 - She is not safe in her own home.
- Mr. Hubert and his wife, who is a real estate broker, cannot live in their own home anymore due to electromagnetic fields.
- This is major health issue and it needs to be addressed in the Zoning Ordinance.
- There are over 25,000 published peer-reviewed studies on this topic.
- There are millions of electrosensitive people.
- Our town and our houses are killing us.
- The choice of material used at The Barlow deflects microwave radiation.
 - These things should be considered when reviewing applications.
- Sebastopol is getting fried thanks to ill-advised and stupid policy decisions.
- In terms of technology, we're innovating ourselves into oblivion.
- Stephen Hawking said that stupidity and greed would do us all in.
 - The Commission is optimizing that through the decisions that they're making.
- The Commission doesn't seem to want to learn about this.
- Reiterated her request for the Commission to allow Paul McGavin to present to them.

Chair Fritz thanked Ms. Berg for her comments, and noted that the City Council has directed the Planning Commission to begin the process of updating the City's Telecommunications Ordinance.

Hearing nothing further, Chair Fritz closed the public hearing and brought it back to the Commission for discussion.

Chair Fritz commented that he would like to further discuss the Development Standards tables now that the Commission has had a chance to look at the draft Zoning Map.

Commissioner Glaser commented:

- Because a number of the ideas on inclusionary housing are substantially different than the approach that we take currently, with an objective of having more effective inclusionary housing, we should evaluate this further before moving it along to City Council.
- Wants to discuss where in the zones a zero lot line could be acceptable.
- A member of the public, Kee Nethery, submitted a number of very good observations that should be looked at by the consultant.
- From a practical standpoint, the definitions should be given a hard look and be cleaned up a bit.

Commissioner Wilson commented that he would like to have additional discussion on our Formula Business Ordinance.

Because significant time may be taken when discussing this item, Vice Chair Douch suggested that the Commission move to item 8B, Draft Zoning Map, to allow for public comment as there are members of the public present and wishing to speak.

Commissioner Doyle suggested that the Development Standards tables be discussed during their discussion of the Draft Zoning Map as well.

Commissioner Glaser suggested opening 8B to allow for public comment and to then discuss both items, 8A and 8B.

The Commission concurred.

The Commission suspended their discussion of this item for the time being.

- B. DRAFT ZONING MAP:** Following adoption of a new General Plan, the Commission has been engaged in a comprehensive revision of the Zoning Ordinance. A related element is corresponding revision of the Zoning Map to achieve consistency with both the new General Plan and the revised Zoning Ordinance. The General Plan mandates various specific changes. In addition, the Zoning Map revision is intended to address anomalies and inconsistencies in the current Zoning Map and better align zoning with actual existing land use and lot sizes. Once the Commission has completed its review, the proposed Zoning Map will be forwarded to the City Council, who will also conduct a public hearing prior to its adoption.

Beth Thompson, De Novo Planning Group, provided an introduction.

The Commission asked questions of Ms. Thompson and Director Webster throughout their discussion.

Commissioner Glaser commented:

- Some areas on the map are not labeled.
- The map is much improved in terms of coloring and labeling overall.

Commissioner Doyle commented that the consultants should ensure that the minimum density of the various zoning districts matches with the General Plan.

Chair Fritz opened the public hearing.

Nina Faulker, 635 Robinson Road, commented:

- Read a written statement that she had provided to the Commission prior to the meeting.
 - Her family has lived at 635 Robinson Road for over 40 years.
 - The land has Calder Creek running through it, about 350 feet back.
 - The property is 400 feet deep.
 - Does not plan to develop, sale or subdivide this land.
 - Loves how wild her property is, and the wildlife does as well.
 - The property is currently zoned 'RA' (Residential Agriculture) which fits her property and the surrounding area.
 - The proposed new Zoning Map intends to cut her property in half.
 - The City is proposing to give the single lot two new zoning districts, 'R2' and 'R3', which she strongly disagrees with.
 - Expressed disappointment.
 - Does not support two zoning districts for her property.
 - Expressed concern with development near the "imposed division line" of her property.
 - Her property is not similar to the much smaller northern properties which are set to become 'R3'.
 - The areas around the balance of her property are proposed to be, 'R2'.
 - Requests that her entire property be zoned 'R2'.
- Thanked the Commission for their time and for seriously considering her request.

Rich Murphy, First Street, commented:

- Asked if the change from 'RR' to 'R3' was due to some underlying plan for the city.
- Most of First Street is really narrow and lacks the infrastructure to support increased development.
- Was annexed into the City without wanting to about 20 years ago.
- People use First Street as a shortcut and the street is very unsafe.
- 'R2' may be more appropriate.
- Thanked the Commission for their time.

Robert Rawson, 635 Robinson Road, commented:

- Recently retired as the General Manager for the Graton Community Services District.
- Recognizes the difficult task that is in front of the Commission.
- Currently serves as the Vice President of California River Watch.
- Is greatly committed to watersheds and wildlife protection.
- Recently became a resident of 635 Robinson Road which is currently zoned 'RA'.
- On March 23 he became aware of the City's proposal to divide the zoning of this property to 'R3' and 'R2'.
- It is hard to figure out what is going on here.

- Concerned about urban encroachment into agricultural, and open space areas.
- Expressed a concern about wildlife being displaced or otherwise affected.
- Asked if all of the affected property owners were noticed and whether or not anyone in particular requested this.
- Assigning two zoning districts onto one parcel is a clear error and should be corrected.

Chair Fritz asked Mr. Rawson to wrap up his comments as his three minutes were up.

- Questioned the ways that the change from 'RA' to 'R2' and 'R3 zoning could affect their agricultural rights.
- Provided a copy of his written statement to staff and the Commission.
- Thanked the Commission for their time.

Jane Lynn, a resident of Sebastopol, commented:

- Asked for instruction on locating the draft Zoning Ordinance on the City's website.
- Relieved that her property is proposed to go back to multifamily residential as that is what it was when she bought the property 30 years ago.
- Asked questions on process.

Chair Fritz explained that the draft, as agreed upon by the Commission, would go to the Council for a public hearing before adoption.

Chair Fritz asked to hear from the Commission on Ms. Faulkner's property which is located at 635 Robinson Road.

- During questions of Ms. Thompson, Ms. Faulkner interjected and reiterated her request that her entire property be zoned 'R2'.

Chair Fritz asked Ms. Faulkner to refrain from talking out of turn as this is a time for Commission deliberation.

Commissioner Jacob commented that it makes sense to have one zoning district, not two.

The Commission concurred.

Chair Fritz suggested that this parcel be placed on the General Plan amendment clean up list.

The Commission agreed.

Commissioner Doyle commented that Ms. Faulkner may want to look into 'R3' because it could allow her to do everything that she wants to do while making her property more valuable in the long run.

Ms. Faulkner commented that a designation of 'R3' would not allow her to do everything that she wants to do and reiterated her request for the entire property to be 'R2'. In addition, she commented that 'R2' was the dominant designation around her property, not 'R3'.

Commissioner Doyle expressed supporting 'R2' for the entire property as Ms. Faulkner has requested.

Director Webster requested that the Commission formalize their position on this property in the form of a motion.

Commissioner Doyle made a motion recommending a General Plan amendment for 635 Robinson Road to the lower density on the General Plan Land Use Map, followed by an 'R2' zoning designation through the cleanup package.

Vice Chair Douch seconded the motion.

Commissioner Jacob announced that he would be abstaining from the vote due to a proximity conflict.

Commissioner Glaser commented:

- Understands Ms. Faulkner's position, however, he does not support the motion due to the areas to the north and south (within our Sphere of Influence) of her property being zoned 'R3'.

The Commission voted on the motion as follows:

AYES:	Vice Chair Douch, and Commissioners Wilson and Doyle
NOES:	Chair Fritz and Commissioner Glaser
ABSTAIN:	Commissioner Jacob

The motion passed.

In response to questions raised by a member of the public, Chair Fritz asked to hear from Ms. Thompson and the Commission on the questions that were raised about the zoning change along First Street.

After some discussion, Chair Fritz expressed being in support of the changes as presented on the draft Zoning Map.

The Commission concurred.

Ms. Thompson noted that Tomodachi Park and Park Village would be added to the map. She noted that Tomodachi Park would be zoned 'CF' and Park Village would be zoned 'RMH'.

Chair Fritz adjourned the meeting at 8:51 p.m. for a brief break.

Chair Fritz reconvened the meeting at 9:01 p.m.

Commissioner Doyle asked if the Subdivision Ordinance was in the purview of the Planning Commission.

Director Webster responded:

- The Subdivision Ordinance, which is a key Land Use ordinance, is in the Commission's purview.
 - However, depending on the issue, some matters may not be within the Commission's purview.

Commissioner Doyle commented:

- Would like to discuss things like requirements for sidewalks, undergrounding of utilities, etc.
- These types of requirements can really add up and not allow a developer to proceed.

Chair Fritz asked to hear from the Commission on the draft Zoning Map or related tables.

Chair Fritz referred to, 'Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Districts' and commented:

- Because 'R5' and 'R7' conditionally allow 'Homeless Shelters', he suggested that they be conditionally allowed in 'R6' as well.

The Commission concurred.

Chair Fritz suggested that, 'CD = Conditionally Permitted Use, Planning Director review' be stricken from the key under, 'Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Districts' because it is not used anywhere in this particular table.

The Commission concurred.

The Commission had no further comment on, 'Table 17.20-1: Permitted and Conditionally Permitted Uses in the Residential Districts'.

Chair Fritz asked to hear from the Commission on, 'Table 17.20-2: Development Standards in the Residential Zones'.

In response to a typo that Ms. Thompson pointed out, the Commission agreed to strike, '3,630 sf per unit' under columns, 'R5' and 'R6' and the row labeled, 'Interior or corner lots, multi family or mobile home park'.

Chair Fritz suggested that, 'Main buildings on parcels < 5,000 sf' under, 'Maximum building height' be stricken as the 2' difference was insignificant and expressed being in support of a 30 foot maximum building height, 2 stories, regardless of the size of the lot.

Commissioner Doyle expressed understanding why it was included, however, he supported striking it as suggested by Chair Fritz.

The Commission concurred with striking, 'Main buildings on parcels < 5,000 sf' under, 'Maximum building height' as suggested by Chair Fritz.

Chair Fritz commented:

- A 20' front yard setback is pretty large.
- Suggested that the minimum front yard setback for 'R5' be reduced from 20 ft. to 15 ft.

Commissioner Doyle commented:

- Agreed with Chair Fritz's suggestion to reduce the minimum front yard setback for 'R5' as described, however, based on previous discussions he suggested that 'Special setbacks – garage/carport opening facing the street' be applied at 20 ft.

Ms. Thompson concurred and commented that whatever revisions the Commission makes to 'R5' should be made to, 'R6'.

Chair Fritz concurred.

Chair Fritz suggested reducing the minimum front yard setback for 'R7' from 15 ft. to 10 ft.

In summary, the Commission agreed to:

- Reduce the minimum front yard setback for 'R5' and 'R6' from 20 ft. to 15 ft.
- Applying the 'Special setbacks – garage/carport opening facing the street' at 20 ft. for 'R5' and 'R6'.
- Reduce the minimum front yard setback for 'R7' from 15 ft. to 10 ft.

Chair Fritz referred to, 'Rear yard (main building)' under, 'R2' and commented that it may be appropriate to change the reference to '25 ft.' to a greater number.

Ms. Thompson responded that that may have been a carryover typo and commented that '35 ft.' would be better.

The Commission concurred which changing the, 'Rear yard (main building)' under, 'R2' to, '20% of the lot depth, no less than 20 ft. nor greater than 35 ft.'

In response to a question raised by Chair Fritz, Ms. Thompson commented that header, 'Maximum lot coverage' would be added above, 'On parcels \geq 30,000 sf' to clarify what the percentages in that section of 'Table 17.20-2: Development Standards in the Residential Zones' were referring to.

Chair Fritz asked to hear from the Commission on, 'Table 17.25-1: Permitted and Conditionally Permitted Uses in the Commercial, Office, and Industrial Zones'.

Chair Fritz asked for Commission discussion on allowing exclusively residential uses by right in some locations.

Chair Fritz commented:

- Referred to South Main Street, particularly in areas further from the downtown, which is a mix of residential and commercial buildings, and expressed support for allowing 100% residential.
- Supports allowing 100% residential in the 'CO' zoning district.

Director Webster responded that the Commission could keep the conditional requirement in the downtown and make 100% residential permitted in the 'CO' and 'CG' zoning districts.

Chair Fritz responded that that would make sense.

Commissioner Doyle commented that it is nice to have commercial opportunities mixed in with residential.

Vice Chair Douch commented that 'CO' and 'CG' are not diverse enough to allow 100% residential.

In response to a question from Commissioner Glaser, Commissioner Doyle clarified:

- The Commission has been talking about promoting 100% residential in the 'CO' and 'CG' with a Use Permit.

- Referred to the intersection of Pleasant Hill Avenue North and Bodega Avenue and commented; If we allow 100% residential in the 'CO' and 'CG,' depending on the economic dynamics, we could lose a well-loved commercial center that becomes apartments thus removing neighborhood access to what the commercial center offered.

Chair Fritz commented:

- Supports 100% residential along the 116 corridor as it is very long, diverse, and there is a lot of opportunity, however, he can see other areas within the 'CO' or 'CG' that we wouldn't necessarily want to allow 100% residential by right.

Ms. Thompson responded:

- The Commission could require a Use Permit for 100% residential along certain corridors and allow 100% residential by right in others.

Chair Fritz commented:

- He would be in favor of doing that.
- Use Permits can be very difficult to obtain.
- Approved Use Permits can be appealed and possibly overturned.
- The requirement of a Use Permit can be discouraging to a potential developer/applicant.

Commissioner Doyle commented:

- Mixed-use developments are allowed by right.
 - The Commission has recommended reducing the required commercial component for mixed-use as well.

Chair Fritz commented:

- It can be difficult to finance mixed-use developments.

Commissioner Doyle commented:

- Hears what Chair Fritz is saying.
- Would prefer to take it one step at a time, require a Use Permit for 100% residential in 'CO' and 'CG' and see how it goes.
- If there is a will in a few years to encourage even more housing, we can look at that then.
- Doesn't want to dilute the 'CO' and 'CG' zones.

Ms. Thompson commented:

- The Commission could make 100% residential conditionally allowed with Planning Director approval along the 116 corridor.
 - Elsewhere, a Use Permit could be required from the Planning Commission.

Chair Fritz commented that he was willing to drop it as he was not getting much support from the Commission.

Hearing nothing further on, 'Table 17.25-1: Permitted and Conditionally Permitted Uses in the Commercial, Office, and Industrial Zones', Chair Fritz asked to hear additional comments on the draft Zoning Map.

Commissioner Glaser commented that the Davis townhomes property, 6737 Sebastopol Avenue, should not be in the 'CD'.

Chair Fritz responded that a General Plan amendment would be required in order to change that.

The Commission agreed to leave the zoning of 6737 Sebastopol Avenue as 'CD'.

Chair Fritz clarified that 'SOS' should be 'ESOS'.

Ms. Thompson concurred.

Chair Fritz commented:

- Referred to the 'R2' area that is in the 'ESOS' on the edge of the Laguna, where Walker Avenue dead ends.
 - Questioned the appropriateness of designating it 'R2' given that it may not be all that developable.

Director Webster responded:

- There are some single-family residences at the north and south end.
- The Laguna Foundation owns that land.

Chair Fritz commented:

- Doesn't know what the zoning should be changed to, but it seems strange to keep it zoned 'R2'.

Ms. Thompson commented:

- The General Plan has an 'OS - Open Space' Land Use designation for the area Chair Fritz is referring to.
- The City doesn't have an Open Space district, it has 'ESOS' which is applied as an underlying district.
- It may make more sense, in some cases, to call for an Open Space district, rather than an underlying one.
- There are a number of places where this could apply.
- Will think about this further and return to the Commission with what she comes up with.

Commissioner Wilson commented:

- Expressed being uncomfortable with changing the zoning from 'R2' to Open Space because while it may be difficult to develop there now, changing the zoning would make it impossible for those private property owners.

Chair Fritz noted Director Webster's remark on the property being owned by the Laguna Foundation.

Ms. Thompson suggested:

- Turn the 'ESOS' district into a combining district in the locations where it is shown as combining and where there is a non-Open Space designation on the General Plan Land Use Map.
 - In areas where there is an open Space designation on the General Plan Land Use Map, we'd make the Environmental and Scenic Open Space combining district a base type of district.
 - Limit any development in said areas to require a Use Permit which would remove the 'R2' potential that is currently occurring.

- Can come back with that change if support from the Commission.

The Commission responded in the affirmative.

Chair Fritz commented:

Referred to the three parcels at the end of Brookside Avenue that are designated 'R3' and commented that they should be zoned 'R4' to be consistent with the surrounding area.

With the exception of Commissioner Glaser who abstained due to a proximity conflict, the Commission concurred with changing the zoning of those three parcels at the end of Brookside Avenue to 'R4'.

Commissioner Glaser commented that the street names are really helpful on the map.

The Commission concurred.

Commissioner Jacob commented:

- Referred to the areas between McFarlane Avenue and Jewell Avenue and noted that they were a jumbled mix of 'R3' and 'R4'.
 - Seems like they could be on or the other.

Chair Fritz commented:

- Suggested that everything east of Jewell Avenue and down to Lynch Road be designated 'R4'.

Director Webster and Ms. Thompson commented that the proposed zoning was keyed to the lot sizes.

Commissioner Doyle commented:

- Because these properties are already built-out their zoning doesn't really matter.
- Happy to leave them as proposed.

Vice Chair Douch concurred.

The Commission agreed to leave the zoning as shown on the draft map.

Chair Fritz commented:

- Referred to the area of Calder Avenue and High Street and commented that the cluster of 'R5' felt like it should be larger in area.
 - Proposed going further south down High Street, at least to Palm Avenue.
 - Proposed going further west to Vine Avenue as well.
 - 'R5' is a bolder, denser designation for the character of these neighborhoods.

Commissioner Doyle commented:

- Changing the zone due to the lot size is not compelling.
 - Expressed being okay with lots being legal nonconforming.
- Use is much more important.
- Anticipates a lot of pushback if the Commission goes with what Chair Fritz is recommending.
- Doesn't understand why some of these lots are proposed to be 'R5' in the first place.

- We should be careful when changing from single-family to multiple-family.

Vice Chair Douch excused himself from the meeting at 10:00 p.m.

Chair Fritz commented:

- His reasoning for wanting to extend the 'R5' in that area is to step down of density.
- Understands Commissioner Doyle's comment about pushback being likely.
- Would like the property at the southeast Corner of Calder Avenue and Vine Avenue, 401 Vine Avenue, changed to 'R5' because it has four units in it.

Commissioner Glaser expressed being in agreement with Chair Fritz's reasoning.

Chair Fritz asked to hear from the Commission on whether or not they'd support changing the designation from Calder Avenue at High Street to Palm Avenue (both sides of the street) and along Maple Avenue (both sides of the street) to 'R5'.

Commissioner Doyle noted that Chair Fritz has a proximity conflict in this area.

Chair Fritz agreed and commented that he would abstain from voting on this piece.

Commissioner Doyle commented:

- Expressed being uncomfortable with changing the designation of these parcels as Chair Fritz has suggested.
 - Property owners will be noticed and given an opportunity to be heard prior to final action.

Commissioner Wilson commented that he was not in favor of doing that at this time

Commissioner Doyle commented that he would be a no vote as well.

Commissioner Jacob and Glaser expressed support.

With Chair Fritz having to abstain, the vote was split and therefore no change was agreed upon.

Ms. Thompson asked if the Commission was in support of changing the designation of the property at the southeast Corner of Calder Avenue and Vine Avenue, 401 Vine Avenue, to 'R5' as suggested by Chair Fritz.

Commissioner Doyle suggested that Ms. Thompson confirm that that property does indeed have multiple units.

Commissioner Doyle commented:

- It may make sense to make all of Stefenoni Court 'R5'.

The Commission agreed to leave it as is.

Hearing nothing further, Chair Fritz asked for a motion on the Draft Zoning Map.

Commissioner Jacob made a motion to adopt a resolution to forward the amended Draft Zoning Map on to the City Council for their consideration.

Commissioner Glaser seconded the motion.

A member of the public interjected with a clarifying question.

The Commission voted on the motion as follows:

AYES:	Chair Fritz, Vice Chair Douch, and Commissioners Glaser, Wilson, Jacob and Doyle
NOES:	None
ABSTAIN:	None

Hearing nothing further, Chair Fritz concluded discussion of this item.

A. DRAFT ZONING ORDINANCE COMPREHENSIVE TEXT UPDATE -

CONTINUED: This entails a comprehensive update to the City's Zoning Ordinance to make a variety of amendments. The Planning Commission has been working on the revisions at a series of public meetings since fall 2017 and this is expected to be the Commission's final review before transmitting its recommendations to the City Council, which will also have a public hearing on the matter. The amendments include changes related to definitions, use allowances, general development standards, zoning districts, and additional revisions. Specific revisions include but are not limited to consolidation of several similar zoning districts, standards for mobile food trucks and commercial outdoor barbeques, downtown noise standards, updating of formula business provisions, and organizational changes. The intent of the revisions is to achieve consistency with the City's new General Plan, address selected policy issues, streamline provisions, provide standards for several uses not currently addressed, and address internal consistency issues.

The Commission returned to their discussion of this item after close of item 8B.

Commissioner Glaser commented:

- We need a different tactic for dealing with our inclusionary because what we have is not working.
- Our requirements for projects within the 'ESOS' should be examined further.

Chair Fritz concurred.

Commissioner Glaser and Chair Fritz commented that those two items would take a good amount of time discuss.

Ms. Thompson commented:

- Can see having one additional Planning Commission meeting to flush out the issues mentioned.
- Hopes to return to the Commission with some recommended revisions based on their previous discussions of inclusionary and 'ESOS'.
- Would like to avoid hitting a point where more than the one additional meeting would be required.

Director Webster responded:

- On 'ESOS' he heard:
 - For sites with areas that are not paved but were fully developed, look at either an exemption or greater flexibility in terms of the ESOS requirements.
 - Look at adding more flexibility in the setback requirements to encompass actual conditions rather than a fixed area.

Commissioner Glaser commented:

- In terms of 'ESOS', he suggested possibly eliminating the special study requirements on developers if they bettered the site, that is to not have impacted the site as much site as the previous use.
 - Seems like a reasonable approach.
 - Referred to two recent applications that had proposals that were very sensitive to the surrounding area.

Director Webster commented that that was good guidance to develop further changes to the 'ESOS' for Commission consideration.

Director Webster asked for feedback from the Commission on the inclusionary issue.

Commissioner Glaser commented:

- Supports the idea of a housing impact fee with the funds collected being used for affordable housing.
 - Likes the idea of a housing impact fee more than the Land Trust option which can be burdensome.

Commissioner Doyle commented:

- Santa Rosa's housing impact fee is 2.5% of the cost for the new housing only.

Commissioner Glaser commented:

- Suggested that collection of fees occur on both new development and on renovations.
- The fee would be higher for new development.

Chair Fritz commented:

- Supports concept of a housing impact fee.

Director Webster commented:

- The Commission could recommend that the Council consider a housing impact fee as an alternative to inclusionary.
- In the meantime, if the Council wishes to keep the inclusionary requirements, the Commission could provide a set of recommendations for that as well.

Ms. Thompson concurred and commented that she could highlight that in the Code for Council consideration.

Commission Wilson commented:

- Likes the fee idea.
- Likes giving incentives to developers as well.

Director Webster commented:

- The Commission could recommend creation of a Housing Impact Fee while giving developers the option of satisfying the fee requirement in another way as well.

Commissioner Glaser commented:

- Likes the idea of giving incentives to developers as well, however, from a financial position most developers would elect to pay the fee.

Commissioner Doyle commented:

- The fees are too onerous as they are currently.
- Santa Rosa has the option of satisfying the fee requirement by building on-site as well.
 - Larger developments are required to build on-site.

Commissioner Glaser commented:

- All development should be contributing to the fee, unless otherwise satisfied in some way.
 - This would be a tactful way of changing it while reducing overall costs.

Ms. Thompson commented:

- It can be difficult to assess the impact when renovating a home.
- Doesn't see a basis for the City to collect on renovations unless they were significant.

Chair Fritz commented:

- Suggested consideration of a change to the transfer tax rate.

Director Webster commented:

- The City Council can't change that by ordinance.
 - It may be able to be changed through a voter initiative.

Ms. Thompson commented:

- The City Council could consider a city-wide housing improvement district, similar to a landscape and/or lighting district.

Commissioner Doyle commented:

- Kathy Austin recommended 15% at 120% of median income which would make a big difference from what we currently have.
- A fee wouldn't work for rental units as they won't be placed for sale.
- The inclusionary unit won't work because you can't have controlled rent.

Director Webster clarified that legislature changed so that inclusionary can be applied to rental housing.

Commissioner Doyle commented:

- Santa Rosa applies a housing impact fee for new development unless they're rentals.
 - If rentals, Santa Rosa applies an in-lieu fee that is graduated based on the size of the unit.

Chair Fritz commented:

- Suggests a tiered system based on the number of units.

The Commission concurred.

Director Webster commented that that was good guidance to develop further changes which would return for Commission consideration.

Ms. Thompson commented that the map would return, as amended, for confirmation from the Commission prior to advancing to the City Council.

Chair Fritz commented:

- Referred to, '17.08.115 Definitions "N"' and commented that, "NEIR" should be, "NIER".

Ms. Thompson noted the correction.

Chair Fritz commented:

- Seems like the district name, 'Office Commercial' should be 'OC' not 'CO'.
 - The same is true for a number of other districts.

The Commission acknowledged the issue, however, they agreed to leave it as proposed after an explanation from Ms. Thompson.

Chair Fritz asked a clarifying question on the ability build an accessory dwelling unit in advance of the principal dwelling unit under, 'Chapter 17.48: Recovery (REC) Combining District'.

Ms. Thompson commented that that was addressed under, '17.295.030 Disaster Recovery Housing Provisions, 17.295.030 Accessory dwelling units.'

On the Formula Business Ordinance, Chair Fritz commented:

- Disagrees with listing specific use types.

Commissioner Wilson commented:

- The prohibited uses are already vast.
- Questioned why we are implying that there may be a formula business out there that we'll allow in our downtown without being specific.
 - This can give false hopes to applicants.
- If we don't want formula businesses in our downtown we should be explicit.

Chair Fritz commented:

- Understands what Commissioner Wilson is saying.
- Disagrees with the whole formula business issue and considers it a slippery slope.
- If we're going to have the ordinance, we should be explicit.
 - Doesn't necessarily agree that formula business should be prohibited in our downtown.
- It's ridiculous to put people through all of these processes only to deny them in the end.
- Seems clear that the Council does not want formula businesses in our downtown.

Commissioner Glaser commented:

- Concurs with Commissioner Wilson and Chair Fritz.
- The Formula Business Ordinance is written in the negative which is a problem for him.
 - The ordinance should be written in the positive, and should foster independent businesses.

Commissioner Wilson commented:

- Understands the Council's position.
- The ordinance as written send mixed messages.

Director Webster commented:

- Agreed that the City Council, by their recent action, gave policy direction to not allow formula businesses in the downtown.
- Would be reasonable for the Commission to recommend changes consistent with what they're anticipating the Council would want.

Commissioner Jacob commented:

- Agreed with the comments.
- Likes the idea of leaving some leeway.
- Denial of the Amy's Kitchen application was such a missed opportunity.

Chair Fritz reiterated that it feels dishonest to give the impression that we're open to formula businesses in our downtown when we're not.

Commissioner Doyle commented:

- Would not want to support something stricter than what is already in the Formula Business Ordinance.

Director Webster surmised that the Commission supports eliminating the use of specific uses without changing the other parameters within it. With that the Commission could have additional discussion on other potential changes.

The Commission concurred.

Commissioner Glaser reiterated that member of the public, Kee Nethery, submitted a number of very good observations that should be looked at by the consultant.

Commissioner Jacob suggested changing the maximum building height in the Subdivision Ordinance from 28' to 30' to be consistent with the Zoning Ordinance.

The Commission concurred.

9. DISCUSSION: (none)

10. WRITTEN COMMUNICATIONS:

Chair Fritz commented:

- An organization named TransForm will be hosting GreenTRIP in Sonoma County for a series of presentations. The first will be in partnership with the American Institute of Architects and will be held at Redwood Credit Union's corporate office in Santa Rosa on Tuesday, April 10 from 11:30 a.m. to 1:00 p.m.

11. ADJOURNMENT: Chair Fritz adjourned the meeting at 11:04 p.m. to the next regular meeting of the Commission. The meeting will be held on Tuesday, April 10, 2018 at 7:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472.

Respectfully Submitted By:

Kenyon Webster
Planning Director