

Agenda Report Reviewed by:
 City Manager: 

**CITY OF SEBASTOPOL
 CITY COUNCIL
 AGENDA ITEM**

Meeting Date: September 21, 2021
To: Honorable Mayor and City Councilmembers
From: Kari Svanstrom, Planning Director
Subject: Discussion of Geographical Boundaries for Planning Commission
Recommendation: Receive the report, discuss, and provide direction to staff
Funding: Currently Budgeted: _____ Yes _____ No X N/A
 Net General Fund Cost: N/A
 Amount: \$0

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

INTRODUCTION:

This item is to review potential revisions to the geography for the Planning Commission position for a resident located within the Sebastopol area but outside of city limits. The current limitation is the 95472 zip code.

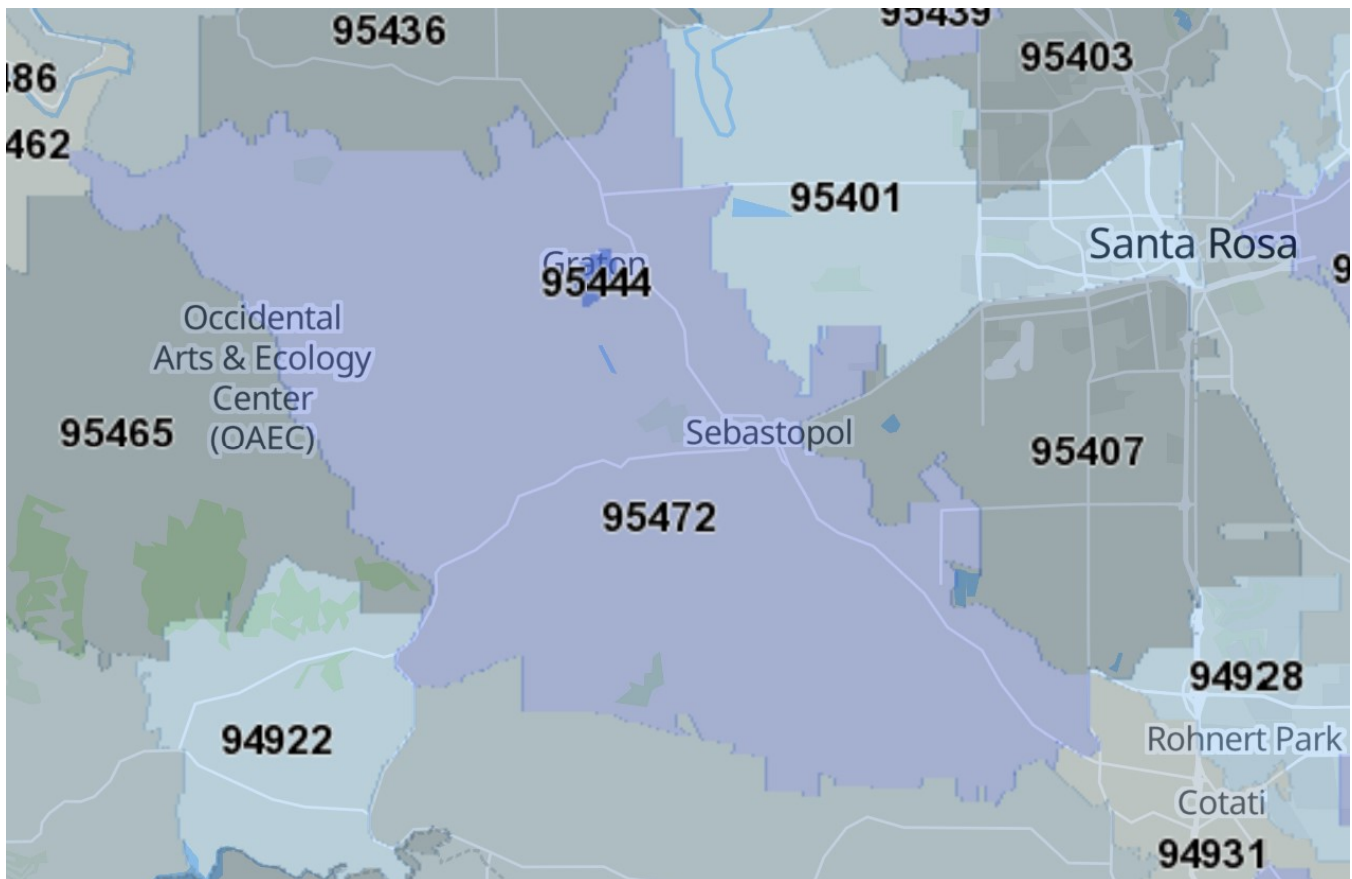
DISCUSSION:

Council previously discussed this item at its March 16, 2021 regular meeting. At this meeting, the Council reduced the size of the Planning Commission to seven members by eliminating the Alternate position, with the Council open to the potential to further reduce the size of the Commission to five, as recommended by the Planning Commission, at a later time. Since that discussion, the Alternate has resigned for personal reasons, and an additional member of the Commission has resigned due to a business conflict with California Government Code 1090, so there are currently six members of the Commission. The Council approved delaying further recruitment for the Planning Commission until either changes to the Planning Commission composition are completed (updating the ordinance to the Municipal Code Section 2.24) or the December 2021 committee recruitment period, whichever comes first.

Council also provided direction to staff regarding the number of out-of-city limit positions for the Commission (currently there is no limit stated in the code). Additionally, they requested staff review potential changes to the geography for eligible applicants for the out-of-city limits resident position. The Council felt the 95472 zip code, which is quite expansive but does not extend in logical ways from the city boundaries, be reconsidered. The Council requested staff provide options for a 2-mile and 3-mile buffer from the City’s existing city boundary limits.

Staff has prepared the requested maps, which are attachments to this report, along with a map of the current zip code boundary.

Zip Code Boundary (Current)



GOALS:

This item relates to Council Goal 5: Provide open and responsive municipal government leadership, by providing a more appropriate geography for individuals eligible to serve on the Planning Commission.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, public comment from interested parties following the publication and distribution of this staff report will be provided to the City Council as supplemental materials before or at the meeting.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to scheduled meeting date.

FISCAL IMPACT:

There is no direct fiscal impact associated with the recommended action tonight.

RECOMMENDATION:

Review the alternative geographies and provide direction to staff.

Staff will return to the Council with an updated Ordinance for the Planning Commission structure (SMC 2.24) and eligibility based on Council's direction given at its March 16, 2021 meeting and direction on this item.

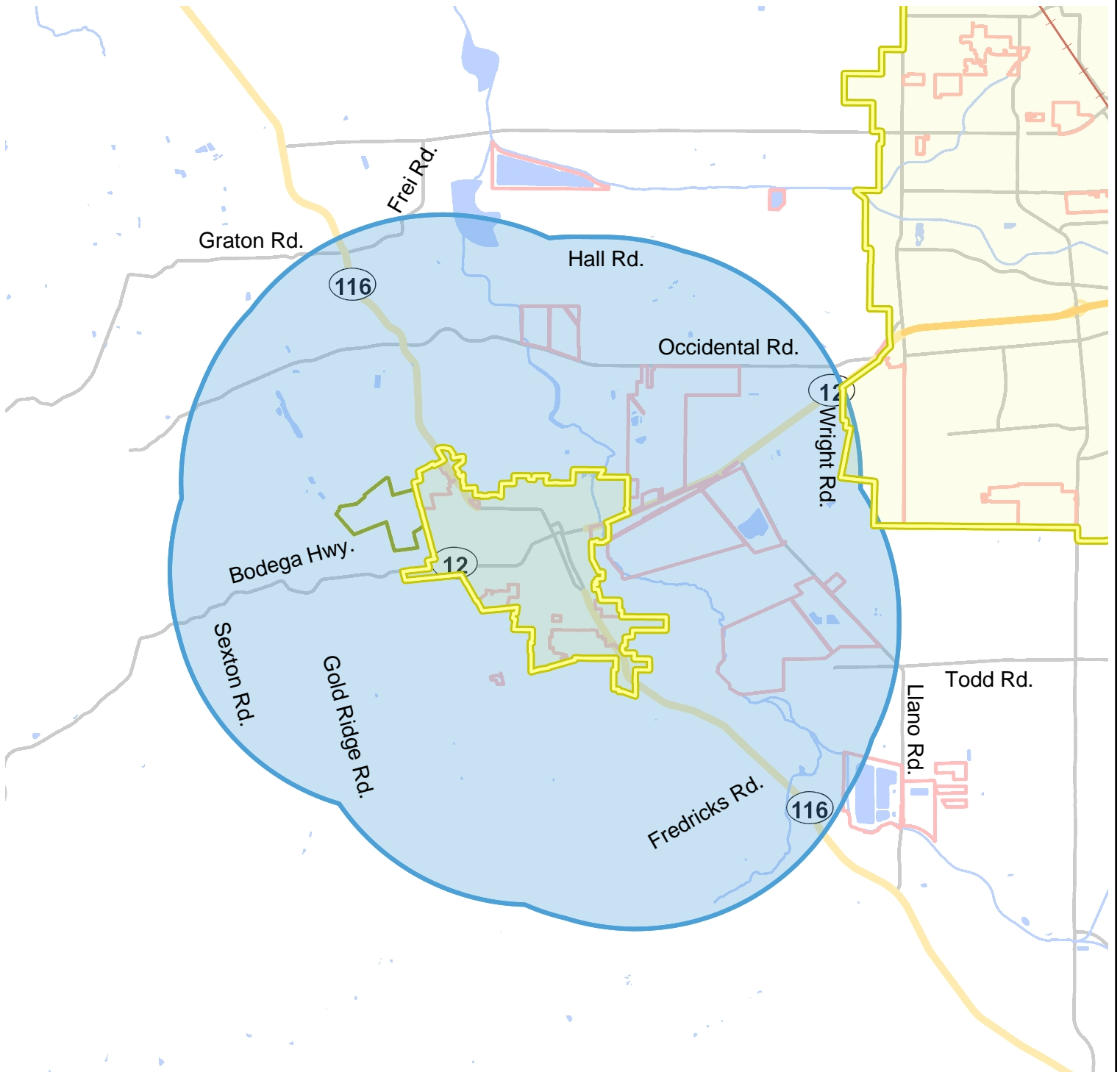
Attachments:

2-mile and 3-mile buffer maps

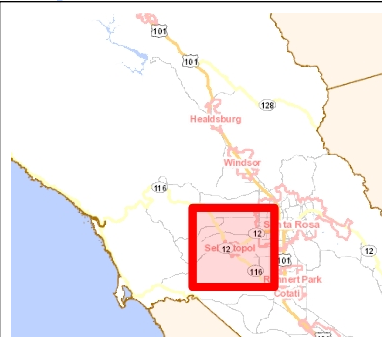
SMC 2.24 Planning Commission (existing ordinance)

March 16, 2021 City Council report and Council minutes (excerpt) related to this item

Sphere of Influence - 2 miles



City of Sebastopol



5/4/2021

Scale 1: 76,800

0 Miles 1.21

Chapter 2.24

PLANNING COMMISSION

Sections:

- 2.24.010** **Creation.**
- 2.24.020** **Members and terms.**
- 2.24.030** **Vacancy and removal.**
- 2.24.040** **Meetings.**
- 2.24.050** **Officers.**
- 2.24.060** **Quorum.**
- 2.24.070** **Duties.**
- 2.24.080** **Expenses.**
- 2.24.090** **Conflicting ordinances.**

2.24.010 **Creation.**

A Planning Commission is hereby created and established. The term "Commission" as used herein shall mean and refer to such Planning Commission.

2.24.020 **Members and terms.**

- A. The Commission shall consist of seven members or such other numbers as the City Council shall, from time to time, determine by resolution, but in no event less than five members. An alternate may also be appointed who may serve as a member in the absence of a regular member, or if there is a vacant member position.
- B. The members of the Commission and the alternate shall be from among residents of the City of Sebastopol or shall be the owner of a business within the City of Sebastopol, and up to one person who is not in one of the above categories, but who is a resident of the 95472 zip code area, may also be appointed. Members and the alternate shall be appointed by a majority of the members of the City Council.
- C. Members shall serve at the pleasure of the City Council, and may be terminated without cause, by a majority of the City Council.
- D. Members shall not serve for more than four years unless reappointed by the City Council.
- E. In the event new Commissioners are appointed by reason of any increase in the number of the Commission, they shall serve for such period of time as to provide for as close to equal a number of commissioners being selected each year as possible.

F. Final determination of the length of the term of new members shall be determined by the City Council.

G. All terms of office shall commence on January 1st of the year of appointment. (Ord. 1082, 2016)

2.24.030 Vacancy and removal.

Any member of the Commission who fails to attend three consecutive meetings of the Commission shall be considered automatically removed and a vacancy shall be deemed to have occurred unless a showing of good cause is presented to the City Council. The City Council shall be the sole judge as to whether or not good cause is shown.

2.24.040 Meetings.

The Commission shall meet at regular stated times and places and all meetings of the Commission shall be open to the public as required by law. The Commission shall adopt rules for the transaction of business and for the proper conduct of its meetings and the discharge of its powers and duties. In the event of a lack of quorum at any regular or adjourned meeting, the Commission may act as "a committee of the whole" and hear any matters before the Commission. No action may be taken, but recommendations may be made to the next regular or adjourned meeting of the Commission.

2.24.050 Officers.

The Commission shall elect a Chairman and a Vice Chairman from among the appointed members who shall serve for a term of one year.

2.24.060 Quorum.

A quorum at any regular or special meeting of the Commission shall consist of a majority of the members of the Commission. No action of the Commission shall be valid without the affirmative vote of three members of the Commission.

2.24.070 Duties.

The Commission shall have the following duties:

- A. To recommend special studies and amendments to the General Plan.
- B. To perform such duties and functions as prescribed by law.

C. To perform such other functions and duties with respect to zoning and other matters as prescribed by City ordinance or as may be directed by the City Council.

D. To act in an advisory capacity to the City Council on public park regulatory issues, improvement needs, and on public park development projects; and to serve as a forum for members of the public to voice their comments regarding such matters.

2.24.080 Expenses.

The members of the Commission shall receive no compensation except such expenses as are authorized by law and the City Council.

2.24.090 Conflicting ordinances.

Ordinance No. 361 and all ordinances in conflict with this chapter are hereby repealed.


The Sebastopol Municipal Code is current through Ordinance 1134, passed May 18, 2021.

Disclaimer: The City Clerk's Office has the official version of the Sebastopol Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

Note: This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

[City Website: www.ci.sebastopol.ca.us](http://www.ci.sebastopol.ca.us)

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Agenda Report Reviewed by:
 City Manager: 

**CITY OF SEBASTOPOL
 CITY COUNCIL
 AGEND ITEM**

Meeting Date: March 16, 2021
To: Honorable Mayor and City Councilmembers
From: Planning Commission
 Kari Svanstrom, Planning Director
Subject: Planning Commission Composition
Recommendation : Receive Report, discuss, and approve modifications/direct staff to prepare Ordinance changes
Funding: Currently Budgeted: _____ Yes _____ No X N/A
 Net General Fund Cost: N/A
 Amount: \$0

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

INTRODUCTION:

This item is for consideration of changes to the Planning Commission Composition, including: number of members and use of alternate; number of members which must be City residents, City business owners, and outside-city-limit members; and, consideration of geography for members ‘outside city limits’.

BACKGROUND:

At its February 2, 2021 meeting, the City Council discussed potential changes to the structure of the Planning Commission to provide additional opportunities for public engagement, and which also may address a vacancy on the Commission. After initial discussion, the Council referred the item to the Planning Commission to discuss and provide a recommendation back to Council. The Planning Commission deliberated this item at its February 23, 2021 meeting, and has provided recommendations on two of the considerations, and recommends additional deliberation on the third, as outlined below.

DISCUSSION:

The Council and Commission are considering a number of adjustments to the Planning Commission Composition, including the overall number of members; number of members residing outside City limits; and, an appropriate geography for the members outside City limits. The Commission deliberated these items, and made separate motions to address these.

Overall Number of Commissioners

The Commission unanimously voted to recommend the Commission be reduced to seven members at this time, and eventually down to five members (but not at this time). There are several reasons for the recommendation in reducing the size of the Commission.

Currently there are many meetings where all eight commissioners are present. All members and the alternate participate in discussions/deliberations, as many of the items, such as policy and ordinances or complex hearings, span multiple meetings. (It would be detrimental to the process if the Alternate were not present, or not allowed to ask questions of applicants/staff, etc., for the earlier meetings for an item if they were then asked to vote on the final decision. This could result in either applicants questioning the fairness of the decision, or the Alternate raising questions or concerns not expressed earlier on in the process. The eight member commission meetings often result in lengthy deliberations for each item. Additionally, many times, Commissioners are repeating or agreeing with prior commissioners comments, especially for those commenting after the first few commissioners have spoken.

Commissioners felt that the number of Commissioners could actually be deterring attendance given the time and length of the resulting meetings. They noted that public engagement through public attendance and comment at public meetings is an important way to get a very broad engagement of the public, especially if meetings were shorter. Another idea discussed, which the Commission may pursue, is modifying the start time to an earlier time so that meetings do not run as late into the night.

Reducing the size of the Commission may also help with recruitment for new members in the long term, given the small size of our community, by balancing the number of interested individuals over time.

The Planning Commission recommending reducing the size of the commission at the present time to seven, but to consider a further reduction to five members in the long-term. The Commission felt they could have an appropriate level of review and deliberation with five Commissioners. The Commission recommended a longer-term plan be developed so that the Commission could be reduced through attrition (as members terms ended), however there was a strong desire to have a plan that allowed the reduction in a way that still allowed new members to join within a reasonable time frame (i.e. did not result in reappointments over several years and no new members having opportunities). The Commission felt, if the Council agrees and so directs, that a plan for this would need more time and discussion by the Commission and Council to be successful in meeting the city's goals.

For the process of reducing the current commission to seven members, the Commission recommended eliminating the Alternate position, and moving the current Alternate Commissioner into the full commissioner seat. The elimination of the "alternate" was recommended as some felt it was unfair to have this member participate in deliberations but then not be able to vote (an issue a past alternate has expressed as well). Additionally, as noted above, it would help with continuity for longer-term projects, and the alternate has not been needed to fulfill the quorum requirements for the Commission.

Commissioner Haug, the current alternate, has been actively engaged in the Commission since her appointment, attending most meetings even when all other Commissioners were present. She is also serving on the Planning Commission's Ives Park Subcommittee and arranging various housing speakers to present to the Commission this spring. If this direction is taken, Commissioner Haug has requested that her length of term remain the same as it is (ending in 2023) instead of being extended.

If the Council agrees with the Planning Commission's recommendation to reduce the size of the Commission to seven, this could be done without a change to the City's Ordinance, as the alternate could simply be appointed as a regular member. If the Council further agrees that a plan be developed to reduce the size of the Commission to five members, the Commission recommends that the Council

direct staff and the commission to develop a transition plan that can be implemented at a future time (likely 2023, when four commissioners terms ends).

Planning Commission composition

The Planning Commission agreed unanimously that there should be a requirement that the majority of members (4 of the 7) be City residents. They also recommend that the non-resident members be limited as follows:

- Up to two (2) business owners who own a business in Sebastopol but live outside city limits
- Up to one (1) non-business owner, outside of city limits resident

This would not require any changes from the current Commission composition, which has one business owner who lives outside of city limits, and one non-business owner who lives outside of city limits.

No other jurisdiction in the County allows a non-resident business own to serve on a Planning Commission. However, given the number and mix of small business in the city, is likely in the City most days, the Commission felt that a business owner within city limits has a strong connection and commitment to the City, and has enough vested interest to be eligible to apply (note, while ‘absentee’ business owners would be eligible, they likely would not be selected for appointment by the Council). However, they also felt this should be limited at two members. Additionally, an individual who is both a resident and a business owner (currently one commissioner) would be considered first as a resident and not count towards this category. This is consist with other jurisdictions, which allow residents who are also business owners (e.g. being a business owner does not disqualify them from serving). The Commission felt the “up to two business owners” limitation would allow the Council flexibility while maintaining the “resident majority” membership. Additionally, the Council has the ability through its selection process to control the balance of overall business owner versus resident composition of the Commission.

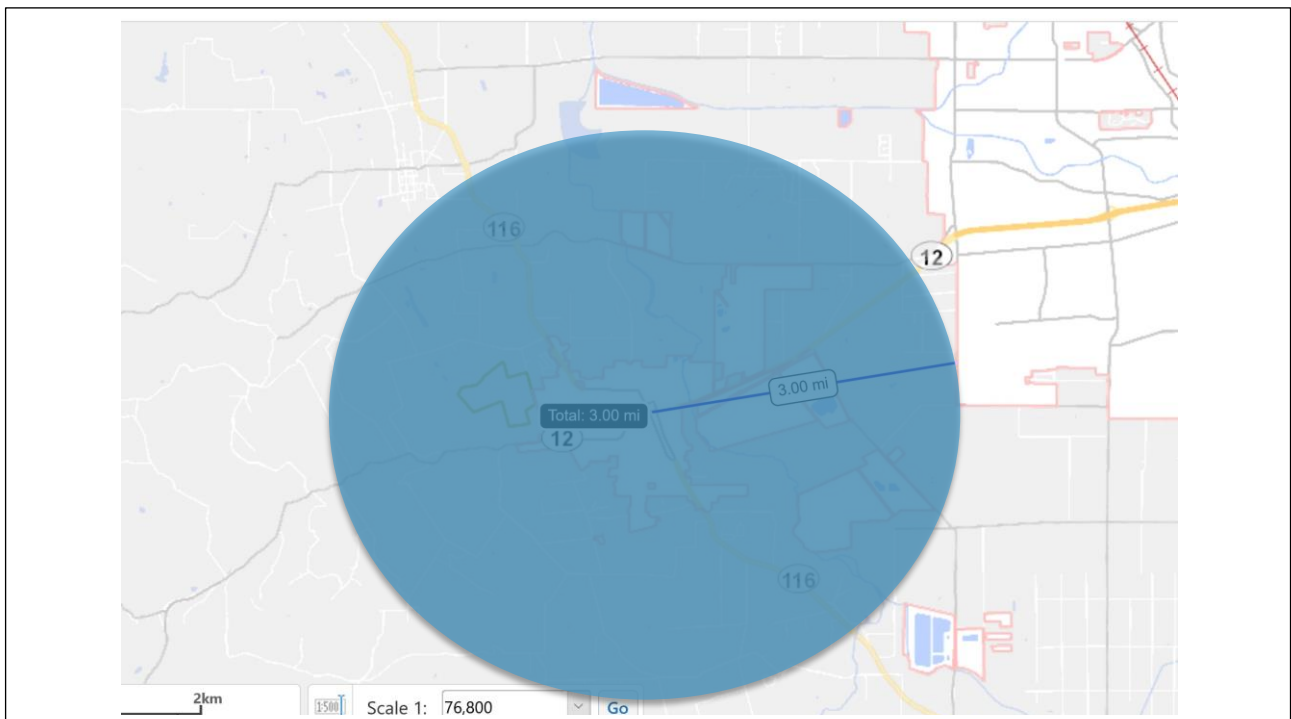
The Commission felt a limitation on one ‘non-business owner / outside city limit resident” was similarly appropriate both because it was consistent with other communities who allow residents from surrounding areas (Cloverdale, City of Sonoma, others do not allow non-residents), and with the goal of ensuring a majority of the Commissioners were residents. As noted above, the Commission felt business owners would be more invested in the City than these non-residents, with some Commissioners noting that most jurisdictions strictly limit eligibility to residents only, so the Commission’s proposed policy is already quite progressive. Some Commissioners also felt that, as many of the projects under review were nuanced, that the more intimate knowledge of neighborhoods and specific locations and issues would be better understood by someone who is spending significant time into town on a daily basis, such as residents and business owners.

Geography requirements for “non-business owner/outside-city limits resident” position

The Commission understood the desire to review the geography given the expanse of the ‘zip code’ geography. However, they could not agree in one meeting what that geography should be, and felt the need for additional time to consider this, as well as some additional direction from Council on how narrow or broad a geography is desired (this perspective also varied among Commissioners).

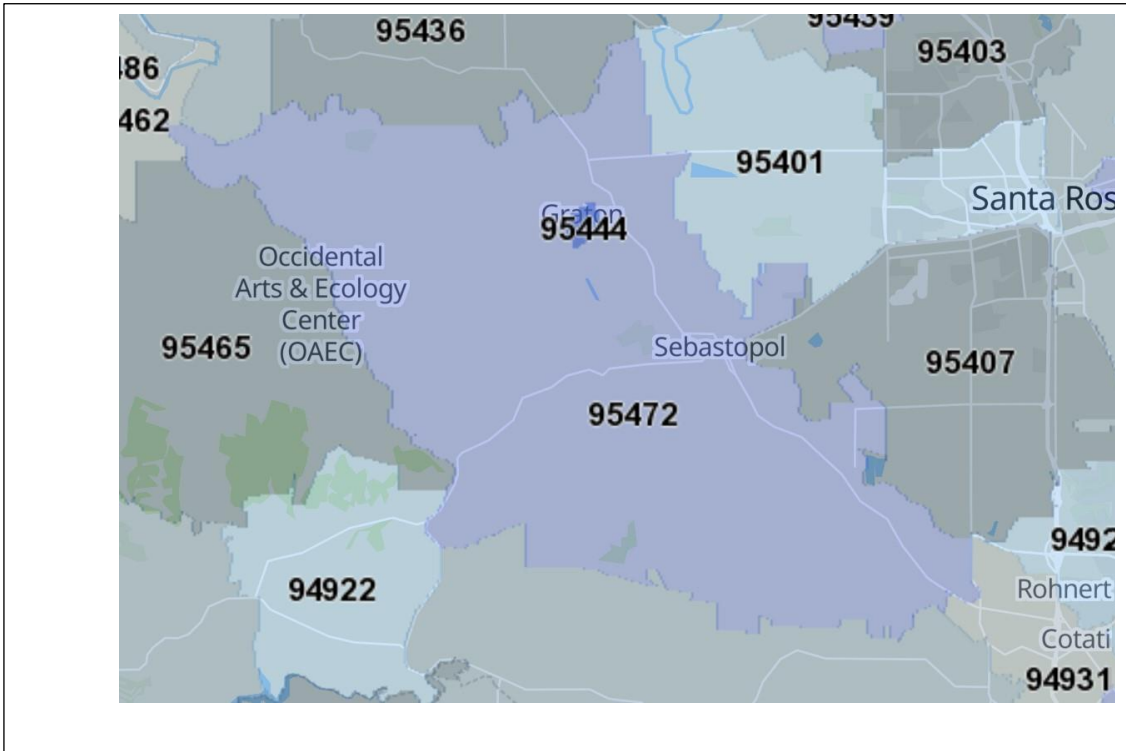
The City’s Geographic Information System (GIS) system now provides staff and the City the capability of utilizing any number of geographies. Some of the geographies discussed by the Commission include:

- Sphere of influence (this is very small, and the Commission felt this should not be the geography utilized, even though the current ‘out of city limit resident’ commissioner is within this geography)
- A ‘radius’ from downtown (Burnett and Sebastopol Ave or Main and Sebastopol Ave) or another ‘central’ location (such as Ives Park or Jewell/Bodega Ave). A three mile radius was discussed, which worked on some levels, such as the south/west/north, but to the east overlaps with Santa Rosa City limits, which the Commission did not feel was appropriate (see below).



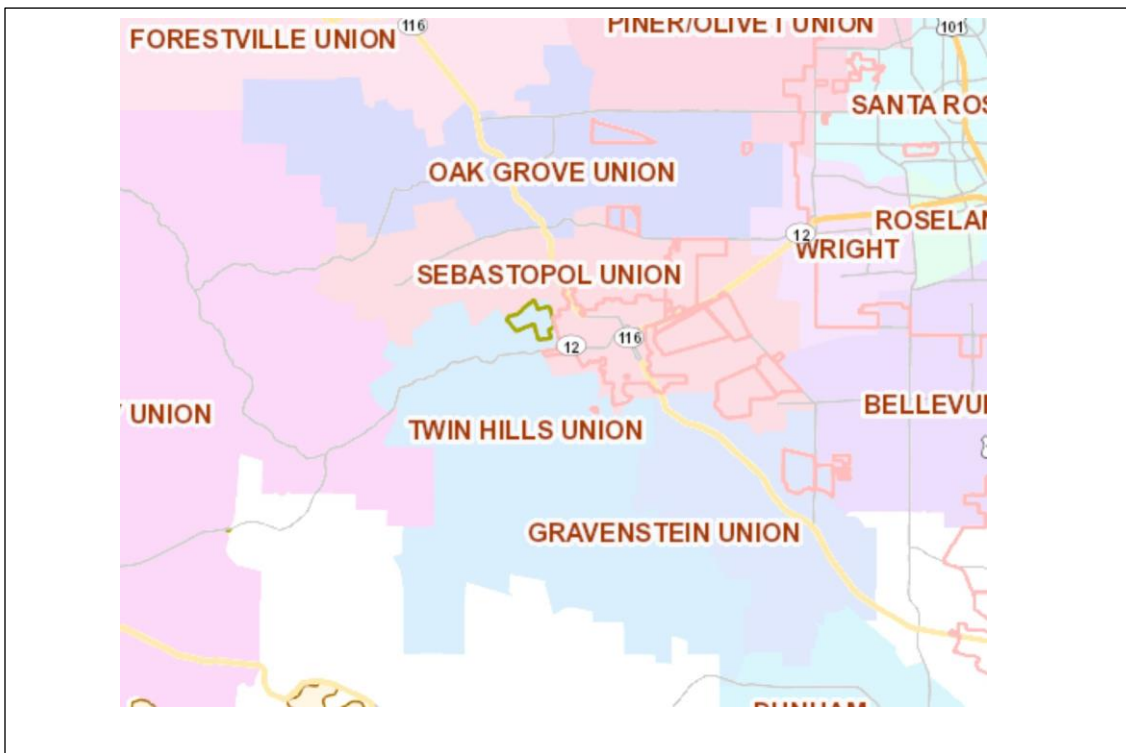
Three mile radius

- A buffer around City limits (such as Cloverdale’s ‘within two mile of city limits requirement)
- Including both the 95472 and 95444 zip codes (the 95444 zip code includes Graton, which is otherwise excluded while areas further north such as Occidental and along the Russian River are included in the 95472 zip code)
- Zip codes and radius could be used together (this was discussed two ways: within the zip code AND within a certain radius, or within a zip code or a certain radius) Both options were discussed by the Commission, with differing views (see below for zip code map)



Zip Code Map

- Utilizing Elementary School District Boundaries (high school boundaries are larger than zip code), such as Oak Grove, Sebastopol, Twin Hills and Gravenstein Union:



School District Map

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, public comment from interested parties following the publication and distribution of this staff report will be provided to the City Council as supplemental materials before or at the meeting. In addition, a consent calendar item may be requested to be removed from the consent calendar if a member of the Council or public requests to provide public comment on this item.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to scheduled meeting date.

FISCAL IMPACT:

There is no direct fiscal impact associated with the recommended action tonight other than staff time and costs associated with updating the Ordinance.

RECOMMENDATION:

The Planning Commission's recommendations are:


1. Reduce the size of the Commission now to seven members by making the Alternate a full member (With the same term expiration of 2023);
2. Direct the Commission to review and recommend a plan to reduce the size of the Commission to five members in the future, with the considerations as discussed;
3. Amend the Municipal Code to require a majority of the Commissioners be residents and allow for "up to" two business owners who do not reside in city limits and "up to" one non-resident/non-business owner (current geography to remain the 95472 zip code); and,
4. Provide direction to staff and the Planning Commission adjusting the geography for the outside of city limits resident position, for the Commission to further review and recommend back to the Council.

Recommendation 1) does not require a modification of the Municipal Code to change the alternate to a regular member, and could be enacted at this time, with formal modification of the ordinance to remove the language regarding the Alternate to be done subsequently. The other actions would require updates to the Ordinance before they could be enacted.

Attachments:

City Council Agenda Report from February 2, 2021

Planning Commission Staff Report and DRAFT meeting minutes from February 23, 2021

Agenda Report Reviewed by:
 City Manager: 

**CITY OF SEBASTOPOL
 CITY COUNCIL
 AGENDA ITEM**

Meeting Date: February 2, 2021
To: Honorable Mayor and City Councilmembers
From: Agenda Review Committee
 Kari Svanstrom, Planning Director
Subject: Discussion and Consideration of Direction to Staff on Formation of Planning Commission
Recommendation: Receive report, provide direction to staff
Funding: Currently Budgeted: _____ Yes _____ No N/A
 Net General Fund Cost: N/A
 Amount: \$0

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

INTRODUCTION/PURPOSE:

That the City Council discuss and provide direction to staff on the composition of the Planning Commission.

BACKGROUND:

The City’s Municipal Code (Sebastopol Municipal Code/SMC 2.24) is the governing ordinance and ordains the following for the formation of the City of Sebastopol Planning Commission:

- A. The Commission shall consist of seven members or such other numbers as the City Council shall, from time to time, determine by resolution, but in no event less than five members. An alternate may also be appointed who may serve as a member in the absence of a regular member, or if there is a vacant member position.
- B. The members of the Commission and the alternate shall be from among residents of the City of Sebastopol or shall be the owner of a business within the City of Sebastopol, and up to one person who is not in one of the above categories, but who is a resident of the 95472 zip code area, may also be appointed. Members and the alternate shall be appointed by a majority of the members of the City Council.
- C. Members shall serve at the pleasure of the City Council, and may be terminated without cause, by a majority of the City Council.
- D. Members shall not serve for more than four years unless reappointed by the City Council.
- E. In the event new Commissioners are appointed by reason of any increase in the number of the Commission, they shall serve for such period of time as to provide for as close to equal a number of commissioners being selected each year as possible.
- F. Final determination of the length of the term of new members shall be determined by the City Council.
- G. All terms of office shall commence on January 1st of the year of appointment. (Ord. 1082, 2016)

DISCUSSION:

At the last City Council meeting, the Council received a report and survey from CoMission for additional community involvement and engagement. The recent survey from CoMission and subsequent discussion by

Council noted: 1) a desire by some respondents both inside and outside of city limits to engage in city meetings, and 2) a desire by Council to increase engagement in city activities by renters/tenants. After receiving this information, the Agenda Review Committee requested an agenda item to consider ways to further the goal of community engagement and involvement, including discussing composition of one of the city's appointed bodies, in particular the Planning Commission, to potentially enhance this participation, by potentially increasing the number of seats that can be held by someone living outside of city limits but in the 95472 zip code.

The City Council within the past 8 years has discussed and considered possible scenarios that could be used to add or modify membership to the Planning Commission. As listed above, the formation of the current Planning Commission is based upon the decision of the City Council.

Considerations

There are a number of options available to the Council as outlined below:

- 1) No change.
- 2) Inclusion of one additional seat in the 95472 zip code.

If the number of seats held by "95472 zip code" residents was increased to two, this would provide flexibility to the composition of the Commission. The ordinance can be changed to add an additional seat (8 seats plus alternate) or be changed that it would continue to read "up to" (7 plus one alternate) as this provides flexibility to the Council in appointing members and would not limit the Council from appointing members from within city limits to those positions.

If this option is chosen, the Council should also consider and provide direction on the amount of flexibility regarding seated members who might relocate during a term. For example, if all seated members reside in city limits, and a member sells a business or moves outside of city limits but remains in the 95472 zip code (or remains employed within city limits), what approval process would be needed to 'reassign' the member to an available "95472 resident /outside city limits" slot (while maintaining the limit of 'outside city limit seats' authorized by the SMC). Staff would recommend some form of Council review, such as review and approval/denial through a regular agenda item approved by minute order.

If the Council is considering changes to the composition of the Commission, it may want to review and consider additional options based on Planning Commissioner feedback over time:

- 3) Eliminating the alternate position, through attrition.

Staff has received feedback from various members of the Planning Commission over the last few years regarding the size of the Commission and the alternate position (7 members plus 1 alternate, for 8 total), which is larger than most other commissions. In particular, the use of an alternate, who often cannot vote on items (since the Commission is often fully attended), and cannot serve as either Chair or Vice Chair, has presented some frustration to past Alternates, and presents a certain level of discontinuity when the Commission is hearing continued items where an Alternate is either stepping into a continued item due to an absence, or began as a voting member in deliberations only to be excluded from final votes due to a full complement of regular members at a final meeting/vote. If desired, elimination of the 'alternate', which is allowed by the current governing ordinance as noted above, could be done through attrition the next time either a full member or alternate resigns or declines to reapply by simply not filling the alternate position or one of the regular positions.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, public comment from interested parties following the publication and distribution of this staff report will be provided to the City Council as supplemental materials before or at the meeting.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to scheduled meeting date.

FISCAL IMPACT:

There is no direct fiscal impact associated with the recommended action tonight.

RECOMMENDATION:

Receive the report and provide direction to staff and the Planning Commission to review possible scenarios and direct the Planning Commission to provide a recommendation to Council. There are many options for Council to consider, as listed below, along with other possible options the Council or Commission might consider.

Options for Council and the Commission to consider include, but may not be limited to:

1. No change (composition to remain 7 members and 1 alternate, and up to 1 person outside of city limits but in the 95472 zip code)
2. Direct staff to modify the Ordinance to allow up to 2 seats to be held by persons residing outside of city limits, but in the 9452 zip code (changing the overall number of commissioners to 8 plus one alternate). If this option is selected, the governing Ordinance (SMC 2.324) will need to be revised to reflect the change, as would procedures on how to break a 'tie' given an even number of commissioners.
3. Direct staff to modify the Ordinance to allow up to 2 seats to be held by persons residing outside of city limits, but in the 9452 zip code (without changing the overall number of commissioners (7 plus one alternate). If this option is selected, the governing Ordinance (SMC 2.324) will need to be revised to reflect the change. Any further direction regarding seated members moving from one category to the other (moving from inside to outside city limits) should be addressed (The overall number of seats outside of city limits allowed for in the Ordinance would still need to be met.)

Attachments: None.

- I think we just need to bite the bullet, move forward with the first and the second, and then agenda review will do something tomorrow to get this agendized and look at how We support events.
- We'll work on getting that on the agenda.

Councilmember Rich commented as follows:

- Councilmember Slayter Is absolutely right.
- The one-off approach is wrong.
- If there were a way in this meeting to have a commitment to support other events in sponsorship, then I would be okay supporting this effort.
- I understand that there isn't at this point.
- There isn't a way to look at this money and assess it in this particular context and go, oh, yeah, we can set aside \$15,000 from that line item for sponsorships for other organizations.
- From purposes of integrity and honesty and respecting the other groups in whom I believe and are equally valuable, I can't support a sponsorship, unfortunately, of this particular event. I can certainly support the allocation of police services.
- That's the hard decision.

Mayor Glass called for a roll call vote. City staff conducted a roll call vote.

VOTE:

Ayes: Councilmember Hinton, Vice Mayor Gurney and Mayor Glass

Noes: Councilmember Rich and Councilmember Slayter

Absent: None

Abstain: None

City Council Action: Approve Sponsorship of the "Bite-Sized" Gravenstein Apple Fair 2021 at Ragle Ranch Park on Saturday, August 14, one day only; and Traffic Control at the Intersection of Covert Lane and Ragle Road by the Sebastopol Police Department

- **\$2000 Sponsorship**
- **Police Support In Kind Donation/Traffic Support**

Minute Order Number: 2021-057

8. Consideration of Planning Commission Formation (Responsible Department: Planning)

Planning Director Svanstrom presented the agenda item recommending the City Council Consider Planning Commission Formation and provide direction to staff.

Chair Fernandez commented as follows:

- The only other thing I would add would be the discussion on, for example, a commissioner moving out of the area.
- If they're within city limits, and they're taking that spot, what would happen when they move out?
- It could be left to Council interpretation, or it could be more narrowly defined.
- My concern would be if it wasn't clearly defined, and one person was allowed to continue, and maybe they're more liked than somebody else, and if somebody else does it, that could send a bad signal.
- That would be something for you guys to consider.

Mayor Glass asked for questions.

Vice Mayor Gurney commented as follows:

- I'm wondering about the three seats that are up to two business owners and only one non-citizen, non-resident.
- Theoretically we can have all seven commissioners be residents if that was the applicant pool.
- There's no assignment to the seat, it's just a possibility of appointment.

Director Svanstrom commented as follows:

- We're recommending that it continue to be the current way, we have two business owners, but one lives in town.
- We have one business owner who lives outside of city limits and one member who lives outside of city limits.
- Right now, our ordinance, technically, Council controls it.
- Under the code, we could have six business owners who don't live in the city and a non-resident in the zip code area.
- When the Council asked us to review, we said this doesn't really make sense.
- Many communities allow the business owners to be a qualification.
- The other communities that do allow one non-resident, it's in a specific area.
- It's a two-mile radius, in a buffer around the town.
- The city allows one.

Vice Mayor Gurney questioned they do not allow business owners.

Director Svanstrom commented nobody else in the county allows non-resident business owners.

Vice Mayor Gurney commented as follows:

- These are the maximum seats, but no seat is assigned.
- It's a minimum of four residents.
- That would be the only minimum requirement.
- You can't be more than that.
- We don't have to do this.
- Because we have this issue, the applicant pool doesn't always meet the requirements of the Design Review Board.
- We need to lead on flexibility.

Councilmember Rich commented as follows:

- I'm sure the Planning Commission spent a whole bunch of time addressing all these questions.
- I had a couple of questions.
- One is, there's a mention in the report of just kind of almost an off-hand comment about absentee business owners that while absentee business owners would be eligible, they likely would not be selected for appointment by the Council.
- That raised the question of, if we don't want absentee business owners, whatever they are, shouldn't we be specifying that since we're making these other changes?
- That was one question.
- What is your perspective on that?

- Secondly, what is your perspective on the comment that Chair Fernandez had on disqualification if a person moves out, is no longer meeting the qualifications that got them on to the Planning Commission?
- I had a third one.
- Actually, the first one, please answer the first one, which is why not, should we be defining something about absentee business owners?

Director Svanstrom commented as follows:

- I put that in the report – technically they could apply to be on our Planning Commission. However, obviously, you're not going to select somebody who isn't involved in the community .
- You have a really good application that talks about their involvement in the community, and it will be clear through the process itself if someone is in town and whether they are committed to the town or not.

Councilmember Rich questioned what about Chair Fernandez's suggestion that we specify the consequences of an individual moving out of the area, no longer qualified.

Director Svanstrom commented as follows:

- The Commission discussed this and they were happy for Council to decide how to do it.
- There are two options.
- One is if someone does something, and they move out of town and they're a business owner, if one of the out of town slots is available, if someone moves out of town, whether a resident or a business owner, would Council want to review that?
- It could be done in two ways.
- They would need to just leave the Commission and reopen that.
- Or it could come to Council as just a regular agenda item to review, does that fit with whatever the Commission is dealing with at that time?
- Chair Fernandez did express concerns, as to whether that would seem fair to applicants.
- That's something we can make a determination on.
- It should be specified about how it should be handled.

Councilmember Rich commented as follows:

- In regard to setting the geographic parameter.
- You laid out various options.
- One was a buffer around the city limits, such as the two-mile requirement.
- There's no explanation as to why that might not be a good option.
- Your other options, you explained what were the concerns about it.
- Was there a specific concern, or does that seem like a viable option?

Director Svanstrom commented as follows:

- I think the buffer, the way the Commission discussed it, and please chime in as well, it was a discussion to pick the center of town, and do a radius from there out.
- We have a little bit of a weird outline to the city boundaries.
- With three miles, you start getting into different territory, somebody will identify more with other places.
- Thinking about it became more complex.

- We discussed the three miles first, then looked at what it encompasses, rather than the way around.
- Three miles was arbitrarily picked - two miles may work.
- After we looked at the area, we realized some of it may be, we don't want Santa Rosa being part of that.

Mayor Glass opened for public comment. There was none.

Council Deliberations:

Councilmember Slayter commented as follows:

- We keep hearing requests to reduce the size of the Planning Commission.
- We see a dearth of applicants for Planning Commission.
- I think I have not been in favor of reducing the size of the Planning Commission but I'm beginning to see the value in it.
- I think that the quality of the deliberations would not go down.
- I don't know that they would get any better.
- I'm not sure that additional public would attend just simply because the number of Planning Commissioners has been reduced.
- If that happens, that's great.
- I think reducing the size of the Commission now down to seven, by the elimination of the alternate, is something that I can support at this point.
- There appeared to be a fairly large amount of lobbying going on for appointing the current alternate into the vacant seat.
- That seems like a different conversation than this one.
- I'll leave that kind of an unanswered question.
- Which leads to the second one about reducing down to five.
- I think I'm in support of that at this point.
- That seems like it would produce a more lithe and manageable Planning Commission.
- And it would start to mirror what other communities have on their commissions as far as size.
- The third is amending the Municipal Code to allow for up to two business owners who do not reside in the city limits.
- I think for me, the important thing is that a majority of the Planning Commissioners reside in the city.
- If we have one business owner and one resident who is not a business owner, who are outside city limits, that allows for that.
- That is if the body reduces to five.
- If it remains at seven, I think it's four, and we'll look at other breakdowns for that.
- Even two seats in a body of five feels generous to me if somebody is an active business owner and I think that is an interesting question.
- What if the CEO of Safeway applied?
- Can we say no?
- Yes, we can say no.
- It's a curious question.
- I think there needs to be some sort of bounds put on, or a definition of what a business owner in Sebastopol means.
- Maybe a non-franchise.

- Vice Mayor Gurney knows exactly what I'm going to say about the geography.
- How about we use the City water storage site on Pleasant Hill as the center of a circle.
- That's as arbitrary as any other point.
- Something that extends outward, some unknown distance of space, kind of feels right to me.
- It also may exclude some areas.
- I'm not sure what that should look like, as far as a boundary.
- I continue to think that 95472 is much too large.
- I looked at the school district maps and those are even more problematic.
- Those are my initial thoughts.

Councilmember Hinton commented as follows:

- I'm for reducing the size down to five.
- It always felt strange to me, five members on the City Council, and the Planning Commission was seven members plus an alternate.
- I think if they're asking for us to reduce it, then I think they know best.
- They attend more meetings than I do, for sure.
- I like the idea of just having it kind of happen over time.
- Naturally, as people leave the Commission.
- Certainly not wanting to kick somebody off.
- Then the two members, I agree with Councilmember Slayter as well on it should be the majority are from inside the city limits.
- That would mean in a five-member Planning Commission, three would have to be from inside city limits and we would have a little more room in a seven-member Planning Commission.
- I thought about the geography today.
- Very similar to how I think about our conflict rules, which we experienced earlier tonight, we have a 500-foot conflict rule.
- I think we need to pick a distance from the city lines.
- City lines are city lines.
- I didn't draw them.
- I know it's kind of weird.
- There's one when you walk behind Pacific Market, one street.
- A bunch of streets are inside, then all of a sudden, you're outside, then you're back inside.
- I think that's what we have to live with.
- Anything within 500 feet or 1,000 feet seems appropriate to me.
- It would be easy to figure out because we'd be able to measure it.
- Maybe now is not the time to talk about the alternate rolling in but I guess I generally would be in favor of that since she's not asking to extend her term.
- She's been an active member of the Planning Commission.
- Her colleagues seem to be in favor of that.
- I weigh to what our Planning Commissioners have already spent a long time updating us on.
- Those would be my initial thoughts.

Vice Mayor Gurney commented as follows:

- I want to start by thanking the Planning Commission for experiencing this situation with an alternate.

- They've lived with it for a long time. We're getting some feedback based on what they've lived through.
- I'm grateful that they're willing to evaluate it and recommend with such clarity after hours of conversation.
- I'm fine with deleting the alternate seat.
- Their experience tells us it's been difficult.
- I'm not sure if the difficulty is with numbers or how the alternate seat has been filled and lived.
- My understanding is, they come in when somebody is absent, so you don't get a body with a plus one who is fully there, fully participating.
- In any event, I think they've demonstrated to us the concept that has been tried out is unworkable and not helpful to them.
- I'm willing to just go down to seven.
- I'm not willing to automatically seat an alternate, because we have a former process for filling real seats.
- I would rather pursue that interview process.
- Our alternate could apply and be interviewed, and perhaps nobody else would apply.
- I think we need to treat our public consistently.
- When we have a vacancy, we have a vacancy.
- I'm fine with leaving the Commission as a seven-member body.
- In part because it's such a great opportunity for a community member to participate in governance, land use, the open space decisions are really important, too. The parks decisions.
- Our problem is, historically, we've never had money.
- We always have some development, and we seem to roll from one big controversy to the next incoming controversy.
- When we look at a three-person majority, potentially deciding a land use issue, I just don't think that's enough citizen participation.
- Especially if the three-person majority might exclude members of our business community, it might exclude members of our community who live within 500 or 1,000 feet or some blown-up extension of our city.
- I find that is really important, too, because Planning Commissioners are not responsible to the electorate.
- They're not even responsible one-on-one to a Councilmember.
- I can't see that we would empower few people that greatly.
- That's why I like staying at seven.
- I would direct the Planning Commission to put further thought into that.
- I'm comfortable with a four-member majority being residents.
- I think historically, if we track all the appointments, residents have always outnumbered businesspeople.
- Or people who live outside of the city limits, if we include the community member who could live outside.
- I mentioned my problem with restricting seats.
- As long as we have flexibility and they're not assigned, I trust this Council, and any future Council to make the appointments wisely.
- I don't think we need to worry about these theoretical possibilities like the owner of CVS to apply to sit on the Planning Commission.
- Even if somebody did, I would trust the decision makers to handle that circumstance.

- I think the honest part of this is trying to figure out the geography and I'm not sure that 95472 is workable.
- I'm kind of leaning towards Councilmember Hinton and Councilmember Slayter's suggestion, bulging out the city a little bit, some distance.
- I just want to mention, and Councilmember Slayter knows this, the water tank on Pleasant Hill is not the center of the city.
- I thought Councilmember Slayter was going to say, look at the geographic center of town.
- That's literally the geographic center of town.
- If we were to go from a radius from there that was a little bigger than the one-mile radius that includes almost all of town on the map that was circulated, that I circulated, the walk to it map.
- Maybe we can just draw that bigger, or maybe we just bulge out.
- Either way, I think we can come up with some practical solution.
- It would just be great that it would be clear.
- I think we can benefit from defining with examples perhaps the indicia of community-mindedness.
- I trust the decision of future Council to be able to handle that.
- If it would help other people to define that, I think we could work on that, too.
- That's where I am right now in the discussion.

Councilmember Rich commented as follows:

- Looking at the recommendations, just to make this brief here, I'm in agreement with all of the Planning Commission's suggestions.
- The one that I would vary on is having heard Vice Mayor Gurney's comments, in regard to reducing the size of the Commission to five members, I would ask that to the extent that the Planning Commission continues to feel that's a good idea, our direction to them should be to consider as Vice Mayor Gurney suggested what the implications are for the vote balance.
- For instance, if you think about the potential extreme, if you have five, and we continue to have two business owners and two non-city people, you could actually have the majority being non-residents.
- Maybe that's not going to happen, because they would re-define it to require that a majority of the five still be residents. It affects the math.
- I would want a recommendation about whether they had thought through the applications and still want it to be reduced to five.
- In the absence of that, I would stick with seven.
- In terms of moving the alternate in, I understand to become a regular member, I understand Vice Mayor Gurney's concerns.
- I hear a lot of strong support from this particular Planning Commission.
- I would support that decision.
- In terms of the geographic boundary, I'm in agreement with the prior comments that we look at the existing city limits and create some sort of buffer around those city limits, between the amount that Councilmember Hinton was suggesting and the two-mile amount that Cloverdale proposes.

Mayor Glass commented as follows:

- I'm in agreement we should delete the alternate.
- I tend to think that after deleting the alternate, I would tend to think we should leave it at the seven members and see how that goes.

- What I'm understanding is, first of all, the complexity of having the alternate, that makes for longer meetings, more complex decision making process, et cetera.
- If we go down to seven, all the time members, I think that would be a good idea.
- Revisit moving it down to five after we see how the seven works when we're not in alternate universe.
- If that does speed up the process, make it less confusing, et cetera.
- I want there always to be a majority that lives in the city limits.
- No matter what, I want flexibility, but always make sure that we have a majority that lives in the city limits.
- Which always is going to mean if we leave it at seven, that would be four people.
- In terms of the geography, I would advocate for doing "X" number of miles from the city limits, going in a Northerly, Westerly, or Southerly direction.
- Make the Laguna our boundary with the exception of the part of the city limits that falls into that area.
- If we make it a boundary, like, you do the radius thing, our city and our community is pretty much based on what is West of Laguna.
- If we say we're going to make it two miles outside of the city limits, but two of those miles could be going towards Santa Rosa, then you're going to really a different community.
- That's the Santa Rosa universe.
- We're the Sebastopol universe.
- I would suggest that we go perhaps two miles outside of our city limits, except for on the other side of the Laguna.
- Just keep the city limits, on the other side, make it the Laguna, make it the city limits.
- I think we should stick with the process of, we eliminate the alternate, and open up the position because that's our existing process.

The Council was in consensus to eliminate the alternate position.

Chair Fernandez commented as follows:

- Regarding the majority I felt it should be five of the seven. Commission felt four.
- If the agreement is to at some point reduce it to five, it should be revisited.
- Maybe it should be only one outside.
- Maybe at that point it makes sense to have an alternate.
- The idea of the alternate was to make sure we had a quorum. That hasn't been any issue.
- I've always thought that an alternate, when they're filling the position, that they moved it in to fill a position of a Planning Commissioner if they don't show up to the meeting.
- Was the idea if somebody leaves, now you have an alternate that understands the Commission, and they can step in.
- The current Commissioner has been outstanding as far as attendance. She's taken on a lot of projects as well. I know that she would not apply if you opened it up for the public because she doesn't want to fulfill that entire term. She wants to finish her term.
- I don't think there was any mention of if a person moves outside of the area.
- Maybe that is something the Council might want to discuss at a later time.
- Going from the seven to the five, I've been on the Commission with seven, it's worked out fine.
- I know what that is like. I think five would work. On the other hand, it's kind of nice to be able to speak to more than one person and to have committees of three people.

- It's important to have a majority, if somebody is absent, make sure it's always a majority in the city limits, individuals making a decision.
- I put myself in the place, if I was living in the city, and it happened to be somebody outside of the city making the decision, that felt unusual.
- Eliminating the alternate will not increase participation.
- It's just one less thing that is not needed, it will streamline and make things go a little quicker.
- Thank you for allowing me to make additional comments.

Staff stated that the current vacancy is to fill the remainder of a four-year term.

- The Council was in consensus to have the Planning Commission at seven for the time being as opposed to an immediate reduction and to calendar this item to be revisited a year from now.
- The Council was in consensus with four-person majority residents
- The Council discussed geography and directed staff to return to a future Council meeting with graphic examples.
- The Council was in consensus to open up the process again for the vacancy for the partial term.

Staff recapped the Council discussion and direction as follows:

- The action tonight would be to reduce the size of the commission down to seven by eliminating the alternate position.
- You would be opening up the process for the vacancy to fill the remaining term of Beau Anderson.
- You will be revisiting this item in one year in regard to reducing it down to five.
- Amending the code to require a majority to be residents, up to two business owners and up to one non-resident, non-business owner.
- Return to Council with options for the radius.

MOTION:

Councilmember Rich moved and Councilmember Hinton seconded the motion to approve the following:

- The action tonight would be to reduce the size of the commission down to seven by eliminating the alternate position.
- You would be opening up the process for the vacancy to fill the remaining term of Anderson.
- You will be revisiting this item in one year in regard to reducing it down to five.
- Amending the code to require a majority to be residents, up to two business owners and up to one non-resident, non-business owner.
- Return to Council with options for the radius.

Mayor Glass called for a roll call vote. City staff conducted a roll call vote.

VOTE:

Ayes: Councilmembers Hinton, Rich, Slayter, Vice Mayor Gurney and Mayor Glass
 Noes: None
 Absent: None
 Abstain: None

City Council Action: Approved Direction to Staff

Minute Order Number: 2021-058

CITY COUNCIL REPORTS:

9. City Manager-Attorney/City Clerk Reports: There were none.

City Council

Mayor Una Glass
Vice Mayor Sarah Gurney
Patrick Slayter
Neysa Hinton
Diana Gardner Rich



Planning Director

Kari Svanstrom

Associate Planner

Alan Montes

Senior Administrative Assistant

Rebecca Mansour

City of Sebastopol Planning Commission Staff Report

Meeting Date: February 23, 2021
Agenda Item: 6B
To: Planning Commission
From: Kari Svanstrom, Planning Director
Subject: Planning Commission Composition
Recommendation: Receive report, discuss, and provide recommendation to Council

Introduction:

At its January 19th, 2021 City Council meeting, the Council received a report and survey from CoMission for additional community involvement and engagement. The recent survey from CoMission and subsequent discussion by Council noted: 1) a desire by some respondents both inside and outside of city limits to engage in city meetings, and 2) a desire by Council to increase engagement in city activities by renters/tenants. After receiving this information, the Agenda Review Committee requested an agenda item to consider ways to further the goal of community engagement and involvement, including discussing composition of one of the city's appointed bodies, in particular the Planning Commission, to potentially enhance this participation, by potentially increasing the number of seats that can be held by someone living outside of city limits but in the 95472 zip code.

The City Council within the past 8 years has discussed and considered possible scenarios that could be used to add or modify membership to the Planning Commission. As listed above, the formation of the current Planning Commission is based upon the decision of the City Council.

The City Council discussed possible changes at its February 2, 2021 meeting, and agreed to refer the item to the Planning Commission to discuss and provide a recommendation back to Council for its further consideration.

Background:

The City's Municipal Code (Sebastopol Municipal Code/SMC 2.24) is the governing ordinance and ordains the following for the formation of the City of Sebastopol Planning Commission:

A. The Commission shall consist of seven members or such other numbers as the City Council shall, from time to time, determine by resolution, but in no event less than five members. An

alternate may also be appointed who may serve as a member in the absence of a regular member, or if there is a vacant member position.

B. The members of the Commission and the alternate shall be from among residents of the City of Sebastopol or shall be the owner of a business within the City of Sebastopol, and up to one person who is not in one of the above categories, but who is a resident of the 95472 zip code area, may also be appointed. Members and the alternate shall be appointed by a majority of the members of the City Council.

C. Members shall serve at the pleasure of the City Council, and may be terminated without cause, by a majority of the City Council.

D. Members shall not serve for more than four years unless reappointed by the City Council.

E. In the event new Commissioners are appointed by reason of any increase in the number of the Commission, they shall serve for such period of time as to provide for as close to equal a number of commissioners being selected each year as possible.

F. Final determination of the length of the term of new members shall be determined by the City Council.

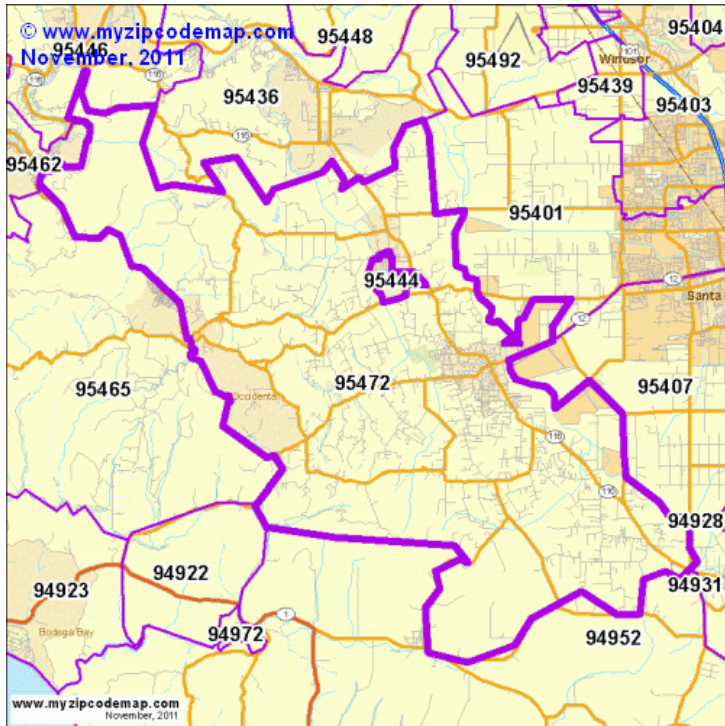
G. All terms of office shall commence on January 1st of the year of appointment. (Ord. 1082, 2016)

Discussion:

As noted above, the City Council held a preliminary discussion of this item in February 2021. In addition to their consensus to refer the item to the Planning Commission, they also provided some considerations in their discussion as follows in response to the initial options outlined in the Council staff report:

- There was no desire to expand the total size of the Commission beyond the current 8 members (7 members + 1 alternate);
- There was interest in exploring a different geography for the ‘outside city limits’ given the extent of the “95472 zip code” (see map below), such as a certain radius/milage outside of city limits;
- There was concern that the majority of members be city residents at all times (which generally happens by default, but is not required in the current Ordinance);
- They were open to discussion of how the alternate position was handled given the current member vacancy and long-term.

The minutes from the February 2, 2021 Council meeting related to this item are attached at the end of this report.



As the Commission considers this item, it may be interested to know how surrounding communities have structured their commissions:

Cloverdale - 5 members + 2 alternates, 1 slot can be filled by someone outside city limits but within 2 miles of city limits

Cotati - 5 members, residents only

Healdsburg - residents only

Petaluma - residents only

Rohnert Park - residents only

Santa Rosa - residents only 7 members

Sonoma - 7 members, 1 alternate, one slot can be from Sonoma Valley

Windsor - residents only

County - resident of each supervisor district

Options to discuss include, but are not limited to:

- retain the same number of Commission members, but change the number of 'outside city limit' seats from 1 to 2;
- change the criteria for outside of city limits
- discuss whether to 'eliminate' the alternate position (through attrition, which could be done presently by converting the current alternate, Kate Haug, to a regular commissioner and either eliminating the alternate position, or leaving it vacant)
- Other options the Commission may wish to consider

A vacancy of the alternate position would not require a change to the Ordinance, while other options would require an update to the Ordinance, which would return to the Commission for review should the Council so direct.

Public Comment:

No public comments have been received as of the writing of this staff report.

Recommendation:

Receive report, discuss, and provide a recommendation on the Planning Commission's composition to City Council.

Attachments:

February 2, 2021 City Council staff report and minutes excerpt

B. PLANNING COMMISSION COMPOSITION – Discuss and provide a recommendation on any changes to the Planning Commission’s composition to City Council for their consideration.

Director Svanstrom presented the staff report.

The Commission asked clarifying questions of Director Svanstrom.

Chair Fernandez opened public comment.

There were none.

Director Svanstrom noted that no written comment had been received for this item.

Chair Fernandez closed public comment.

The Commission discussed as follows:

Evert Fernandez, Chair

I have been on the Planning Commission for 10 years. Vice Chair Fritz and Commissioner Kelley have also had a lot of experience, so I’d like to start discussions and then move to Vice Chair Fritz and Commissioner Kelley to start off. I do not think that the alternate position has been needed. In my experience on this Commission, I can only recall one time where we had a quorum issue and that was due to a miscommunication. Other than that, we have not really had that kind of a problem. As far as how to handle that transition, that is up to Council. Since it is a one-time thing, if they are going to eliminate the alternate position, and we have an open position available, it would seem to make sense to move the alternate to that open position. Regarding the number of commissioners, I have gone back and forth on that. Five would be less than, and more efficient, in some ways. I know the reason for seven commissioners is because we want more people commenting, but there is the ability for someone who does not agree with the Commission to petition for the City Council to review it. Oftentimes, the Commission is not making policy, it is making recommendations to the City Council. On the other hand, with having seven commissioners, one thing that I like is the fact that it gives more opportunity to talk to more commissioners regarding the Brown Act. If we had five commissioners, a commissioner could only talk to one other commissioner, it is very limited on that. With seven commissioners, up to three people can be on a committee, or you can talk to two other individuals. I definitely think that we should be very specific in indicating that the majority of the Planning Commission, at least four commissioners, maybe five commissioners, should be city residents. The decisions that are made impact our residents. If a project were before the Commission and someone in a neighborhood was concerned about impacts from a proposed project, I would think they would take issue with the decision makers being from out of town and making decisions on things that may not directly affect them. I think it is good to have one commissioner from the 95472-zip code but outside city limits. That could increase to two commissioners, I do not have strong feelings on that. One commissioner seems good, at least. I think the boundary should encompass the entire 95472-zip code, versus a specific number of miles outside city limits, because I do not think that the difference would mean that somebody is or is not more in tune with, and more active in the city. Their distance from city limits does not necessarily determine how dedicated, supportive, or involved someone is. I think eligibility should be spelled out in the event that a member of the Commission relocates.

My concern is that, if left up to interpretation, Council could decide to make an exception for someone who is favored and then not do the same for somebody else. It is too arbitrary. It should be specific. If a commissioner moves, they have to give up their seat, or if they move outside city limits, if there is a 95472-seat available, they could move into that seat, rather than having Council decide on how to deal with that at the time.

Paul Fritz, Vice Chair

If the Council's goal is to increase participation in meetings, or giving people opportunity, I do not quite see why allowing one more seat in the outside city limits category does that. It gives one more person a more direct vote, but in terms of increasing overall participation in City business, I do not really see how that will do that. If we want more people to come to meetings, we may need to change the time when meetings are held or advertise them better. I do not know exactly how to get more people to want to come to a Planning Commission meeting, but I do not think that allowing one other person outside the city limits does that. If that is the intention of that, I am not particularly in favor of that because I do not see the connection. Three- and four-hour long Planning Commission meetings discourage people from coming to Planning Commission meetings. There have certainly been meetings where we have two or three items on an agenda, and someone wants to speak on the second item, and we do not get to it until 9:30 and they have left because they did not want to wait two and a half hours to comment. That seems like a bigger issue in terms of participation. With seven and eight commissioners, there have been plenty of meetings that have big, contentious issues on the agenda when we had all eight commissioners present and it takes a long time to get through everyone's comments and have a dialogue. That is coming around to saying that I am in favor of decreasing the size altogether. I am certainly in favor of getting rid of the alternate position. I have never understood, as Chair Fernandez mentioned, the need for an alternate. I have never been on the Commission where we had a quorum issue. It seems like it was a solution looking for a problem that never really happened. At this point, since we do have a vacancy, I would certainly be in favor of moving Commissioner Haug from the alternate position to a full position. I would also be in favor of allowing, through attrition, the Commission to eventually get down to five commissioners. I know that some on the Council have said in the past that they want more voices heard, and that is great, but the Council has five members, and they make a lot of bigger decisions that impact the city. If we want broader decision making, maybe we should increase the number of people on our Council to seven. I know that the Council already has very long meetings. I think the Commission would have adequate conversation with just five commissioners. I am not trying to get rid of anyone on the Commission, I think we all work well together, and I think this is a good Commission. But, over time, I would favor allowing the number to go down to five. As you can see from the staff report, a lot of communities have only five commissioners, and some bigger communities have only five commissioners and it seems to work out fine for them. To the idea of allowing another person outside city limits, Sebastopol already seems to be pretty generous in that fact. Cloverdale allows a two-mile distance, Sonoma allows someone from Sonoma Valley, but most cities do not allow someone outside city limits, and we seem to be the only one that allows business owners that live outside city limits. We already allow some representation from outside city limits; we have jurisdictional boundaries and they do mean something. We all participate in other communities. We all go to Santa Rosa; we go to Petaluma. I spend a lot of time in Santa Rosa shopping, visiting friends, and doing business, but I do not get to sit on any commissions or boards in Santa Rosa because I am not a resident of Santa Rosa. With regards to a commissioner moving outside city limits, I am of the opinion that, if we had the current situation where we allow a business owner, or one other person who lives outside city limits, if that person who moved outside city limits as a business owner, I would be fine with them remaining on the Commission since that is allowed. If the outside city limits seat is available, then I

would be fine with them moving into that seat. I guess I would say that I am not particularly in favor of changing that for any reason. I would support making a change to say the majority of the Commission has to live within the city limits. I do not have a super strong feeling about that because Council appoints people to the Commission, they have control over that process, and they could make sure that that is the case. I would support codifying that in the ordinance is that is the consensus of the Commission. I am more in favor of setting a distance limit from the city. I looked online at the zip code map and the 95472 area is huge. It goes from Bloomfield, Valley Ford Road, up to the Russian River and Monte Rio, all the way to Occidental, and down Bohemian Highway, it is a very large area. I would be in favor of setting some kind of limit, could be two miles, I do not know exactly what it should be, it is all somewhat arbitrary. I would be more included to have an arbitrary set distance around the whole perimeter of our city limits. I do not know exactly what that should look like. I would be curious what that looks like. I do not really know how far two miles outside of town goes, I do not know what that would include. I would be curious to see some different options for that before making a final decision.

Linda Kelley, Planning Commissioner

I tend to agree with Chair Fernandez and Vice Chair Fritz on most of the items. I think going down to five commissioners would be fine. In terms of the alternate, I was never for it, but it was not our decision. To eliminate the alternate position, since we have an opening on the Commission, the Council should appoint that commissioner to the permanent position, we should not just move the alternate automatically into that position. I am fine with our business owner being an outside resident, I never really thought about it. It could be all six or seven commissioners so I would recommend one business owner that lives outside of town. If somebody on the Commission moves, I do not think they would have to resign unless they were a business owner, or there was an opening in the 95472 position. How we do see the size of people that would be eligible, I know our sphere of influence would probably be too small, but I definitely think it is a good idea to rein that in. Ukiah is looking at the same thing right now and their sphere of influence goes from ridge line to ridge line, including Ukiah city limits. It is actually a very big sphere of influence; I would not recommend going that big. I would support going down to five commissioners through attrition as well. I think it would be more efficient. The issue with the alternate is, it does not seem fair to have them participate in the discussion and then not be able to vote on an item as the alternate if the full Commission is in attendance.

Zac Douch, Commissioner

I agree with what has been said. The alternate is an easy one. I agree with Commissioner Kelley's thoughts that the City Council could nominate the existing alternate into a full position. That would seem appropriate to me. I do not disagree that the Commission could consist of five members and that it could be effective with five. The only reasons I can think to keep it at seven is with the number of subcommittees and tangent tasks, it can be useful to have some additional members to take on those roles. Other than that, I do not think that going down to five commissioners would be problematic, but seven commissioners do have its benefits with regard to that and the Brown Act issue that Chair Fernandez mentioned earlier. I am in favor of the 95472 boundaries. Mostly because it exists and because wherever I go in the 95472 boundary, and people I know who live there, identify with Sebastopol as the hub, even if they live close to Occidental, Forestville, or out toward the river. I think that most of those folks think of Sebastopol as that hub. I feel that there is a connection, almost historically, through the agricultural community that spreads from this town. With seven members, I think we should have a majority of commissioners be residents and the ordinance should probably be adjusted to reflect that. If we have seven commissioners, having as many as two being from outside

city limits seems reasonable but I do think that at least one of those should have some other connection to the city, whether they own property inside city limits or are employed full time in the city limits. I think it is important to have some form of connection because I think it helps when commissioners are invested in the decisions that are being made. If, for instance, someone owns commercial property or a rental in town, I do not think they should be excluded completely. Having some flexibility with two members for that seems appropriate. The other reason to have two members that are from the broader community is simply because it is hard to fill the positions. How many times have we been through the nomination process to wind up with one candidate for two positions or more? That fact could also be an argument to go down to five commissioners as well. It cuts both ways. As to commissioners having to leave if circumstances change, I am sympathetic with the comments that Vice Chair Fritz made, but I would also say that one way to think about it is if a person is in the first half of their term (4 years) and their situation changes, maybe they should resign their position. Equally, if they are into the second half of their tenure, it may be perfectly reasonable to let them serve that out. Things do not change rapidly on the Commission; we do not move from issue to issue. Every week with these, we tend to have issues that span a few months at a time. It is circumstantial, of course, but there is often business where having that familiarity can be useful. It takes new commissioners a good while to get comfortable in the role, to get up to speed on the many issues, and to understand historical actions and how things have been thought out in the past.

Luke Lindenbusch, Commissioner

I will start with the alternate position elimination. I think we are in unanimous agreement on that, and I agree with Commissioner Kelley that we should let the City Council fill that seat. I would probably be more in favor of acclamation given Commissioner Haug's service if it were an uncontested seat. I do not know if Beau Anderson lives outside of 95472 and those sorts of factors. I think it is best to go back to Council on that. In regard to moving to a five-member commission, I agree as I have seen a lot of commissions and bodies that work with five people very well, that could be very effective. I am a little concerned given that we have no term expiring at the end of this year. If commissioners decide to stay on for multiple terms, and we are moving very slowly whittling down to five members, I could see that taking up to a decade to occur. I would not want to see a Planning Commission with no new members for many years. I think that would be counterproductive, and ultimately kind of anti-democratic. I think a situation like that, even if it sounds really good, could keep the Commission more stagnant than we would want it to be. I had an idea, a new and kind of more radical way of thinking about boundaries, instead of going by zip code. When I was looking at the Cloverdale circumstance, I was not thinking about it as two miles from the outline of the city limits as I eventually found out was the case. I thought what it would be like if we made a radius around a central point in town, and the first one I checked was the intersection of Main Street and Bodega Avenue. I think many of us could agree that that is the gravitational center of town and thought how far is it until you hit the nearest jurisdiction, which in this case is the populated areas of the City of Santa Rosa. It turns out to be exactly three miles from point A to point B. I wanted to know what it would look like if we drew a three-mile circle around that point and looked at some of the points along that radius. On the north end you have Summerfield Waldorf toward the northeast, toward the northwest you have Hallberg Butterfly Gardens and Graton, to the west you have Bill's Farm Basket, to the south you have Garlock Tree Farm on Pleasant Hill Road, and again, to the southeast you have the southwest Santa Rosa border at Wright Road and Ludwig Avenue. That should give you a landmark sense of what that kind of radius might look like. I agree with Councilmember Slayter's comments that the 95472-zip code is not necessarily comprehensive, in part because you can apply for a commission if you live in Occidental but not if you live off of Occidental Road. I think that is something that can be fixed by a

radial overlay, whether that is in combination with the 95472-zip code, or not, I think we can leave that up to the Council. I am also concerned if we stick with the 95472-zip code as a metric, that we would be excluding the 95444-zip code, which is a little whole in the middle of the 95472-zip code that is there just because Graton has a post office. I do not see why someone who lives in Forestville, Occidental, or Freestone should be able to apply to be on the Commission, but somebody from Graton could not. I am not completely wedded to using 95472 as a metric, but that is an inconsistency, it should be 95472 and 95444, if we are going to be dealing with that bigger West County definition. I think there is a lot of room for flexibility here. It could be that we have a really hard and fast rule that up to three commissioners living outside city limits with no more than one living outside of the three-mile radius, or something like that, just to make sure that we do not have a bunch of business owners from outside city limits on the Commission, but if we have one or two, that is okay. Getting to the larger issue, I do not think that having five or seven commissioners comes down to public participation at all, I think it comes down to the fact that Council has a hard time recruiting for these roles pretty consistently. Some cycles there are a lot of people who apply, and some cycles we have to extend the deadline. I think we should give them the flexibility to be able to fill these positions, allow our commissions and committees to do the work, while making it as fair as possible.

Evert Fernandez, Chair

Thank you for bringing up those in the 95444-zip code, that is a good point.

Kathy Oetinger, Commissioner

I think seven is a good number for the Commission. I think that because it allows us to have a broad range of professionals and experiences. I think that we should leave it up to the Council to reappoint the position when there is a vacancy. I am okay with retiring the alternate. I appreciate being on the Planning Commission. For years, people asked me, and they did not realize I was not in the city. I am in the sphere of influence. The city wraps around me and I have been involved in politics, planning, and policy for many years so I can understand people living outside the city and having that same experience that I have had living in Sebastopol. I fully know I do not live in the city, but I am certainly involved in it, and I know other people who are too, and they live outside the city. I was surprised when the position came up, but I was grateful that it did. It offers the opportunity to be more inclusive in the community and to draw more people in to the Planning Commission, making decisions for how to grow this small town, which is kind of a unique situation. I think it is important that we are inclusive. Based on its consultant's report, it seems the Council is trying to be inclusive. I am in support of having up to two people outside the city as long as the majority is within the city. I like the idea of the radius versus a range contiguous to the outside border. I often think of the center of town being Jewell and Bodega rather than downtown because it really is more central. I think of Ives Park and the firehouse as being the center of town, physically, and I would support a two-mile radius outside from that. I think that would be a good indication of people being close to town and being part of it on a regular basis, knowing that we have businesspeople that could be farther out.

Kate Haug, Commissioner

This is interesting since I am the alternate. I have enjoyed being the alternate a lot. I think it offers an opportunity for someone like myself, who is very new to this, to learn without having the responsibilities of a vote. I am sympathetic to what everyone is saying about the time of the meetings. For me, being the alternate is not a frustrating position, it is an opportunity to learn. I tend to enjoy hearing other people's thoughts and opinions. I appreciate a seven-member Commission because I think it brings a lot of different perspectives. I have watched, within our own Commission meetings, people change their

minds by hearing what our people had to say, which I thought was remarkable. I really appreciate that about this Commission, because I feel in this particular group that commissioners really do listen and consider what each other has to say and bring to the table. For instance, Commissioner Lindenbusch's idea about the radius. I appreciate that idea, I think it is a good idea, and I would not have thought of it myself. I appreciate all the different mindshare and knowledge that we create as a community. In that way, I think there are pros in having more people of the Commission. If you have a good selection, you actually create more knowledge, new ideas, and new opportunity. The con is the time of the meetings, the time that it takes to generate that knowledge. In terms of the alternate position, I only have my perspective of it, I am not a commissioner, I am an alternate so I cannot really speak from a commissioner's perspective on that. I do think that the majority of commissioners should be residents. I am open to flexibility, either with two seats out and with out of them having a stake in the town, being a business owner, a full-time employee, or a commercial property owner. That should be clarified in the ordinance to some degree because I think that will be helpful in the future.

Evert Fernandez, Chair

It sounds like the recommendation of eliminating the alternate position is close to unanimous. I think everyone is of the opinion of specifying in the ordinance of having a majority, maybe even specifying a number, four or five of the seven, to be a resident from within city limits. I believe the majority indicated support for consideration of reducing the number of commissioners down to five through attrition. If that happens, we should consider the ramifications and revisit topics such as what is considered a majority, how many can live outside city limits, etc. I think I heard the majority also indicate consideration of a radius. What I heard was a business owner or an outside resident, two would be the maximum based on those issues. The situation with full-time employees may be too volatile. If somebody is a business owner, they are going to be around if they own a property, if somebody is an employee, they could be employed for two months and then leave, and then we would have a situation that needs to be dealt with so I do not think that is something that I would recommend. I am not clear on our consensus on the filling of that extra position from the alternate.

Linda Kelley, Planning Commissioner

I would like to revise my comment from earlier. I talked about a business owner being a non-resident, but I am not in favor of adding two more outside residents. I think it's a little too much. I do not agree that it should just be a majority, I think one outside, and then one business owner who is a non-resident, I could be okay with it being a commercial property owner. I do not know how I feel about a full-time employee since there are so few full-time jobs, as we know. That might be a little bit of a far stretch. For some planning commissions you have to have experience in planning or design, or something like that. I think we are pretty generous. I am a nurse, what do I know about planning except as it relates to care? I do not know if I agree that it has to be an experienced person. There are some jurisdictions that are pretty strict in that way. In terms of the number five, the County has five planning commissioners, and they seem to get their work done, although they do meet a lot.

Kari Svanstrom, Planning Director summarized the discussion so far:

There were some areas where the Commission was split a little bit. What I heard from everybody, though, was to go down to seven members, by eliminating the alternate, if not fewer, but certainly to go down to seven members. A majority should always be residents and that should be clarified in the ordinance. There were a number of different things that I heard on the topic of commissioners residing outside city limits, such as one business owner and one outside residents. If a business owner also resides in town, like Vice Chair

Fritz, that commissioner would be considered as a resident not as a business owner in terms of categories. I think it would be good to get more discussion on the distance outside of the city issue because the comments seemed to be evolving. I think a little more discussion on that, now that everyone has heard each other's thoughts might be helpful to see if a consensus can be reached.

Zac Douch, Commissioner

Commissioner Lindenbusch's points were well made, and well taken. He came up with three miles and had a good set of landmarks that demonstrate that that distance would be appropriate if measured from the intersection of Bodega Avenue and Main Street. If we are doing a radial, I very much like his suggestion. I also agree with Commissioner Lindenbusch on 95444, I had sort of forgotten about that little pocket there, but he is absolutely right on it being important to include that if we are going to go by zip code. Generally, I am okay with the geographical area being larger. If we are only really looking at two members of the seven, I think it is going to self-regulate to a certain extent. I cannot image that we are going to have someone from way outside, if they are interested in being on the Commission, presumably they are because they have some significant interest. I am not convinced that the zip code is not reasonable, but I am certainly not wedded to that. I very much like Commissioner Lindenbusch's thinking in regard to radial if we go that route.

Evert Fernandez, Chair

As far as the majority, I would like to be specific as to say that five need to be residents if we are at seven right now. As many of two from outside could be permitted. They full Commission could be residents, but at least five of them should be. I would like to be specific if that is the consensus.

Luke Lindenbusch, Commissioner

I would suggest moving it to four because we have two members currently who live outside of city limits. If we add one more who applied who was a business owner, I think giving the Council that small amount of flexibility might be helpful while still keeping a majority as residents.

Evert Fernandez, Chair

That would be as many as three from outside.

Paul Fritz, Vice Chair

I am okay with three from outside, but I would say that two of them have to be business owners, and only one is not a business owner. We do not have business owners at this point. We have a limit on not a business owner, not a resident, and only one. I am in favor of keeping that the way it is. I am fine with having two business owners. I would keep with one nonbusiness owner, nonresident (outside city limits). I like the radius idea; I do not have a strong opinion on Ives Park versus Main Street at Bodega Avenue. I do not know where exactly the center of town is. I think the radius is a bit arbitrary so where the center of the radius is just as arbitrary. The thing I like about the radius, versus the 95472-zip code is that it would pick up the area east of town. The zip code drops off very rapidly as you go east. Even though most of the population tends to be to the west, it is nice to include the area to the east because that will allow some people that would currently not be eligible.

Kathy Oetinger, Commissioner

I think it depends on whether we have one outside person, then do we want two other outside business owners? I think at that level the Council should decide.

Kari Svanstrom, Planning Director

I would strongly recommend that the ordinance always say "up to" this many members for the outside the city limit categories so Council has flexibility but could appoint all from within the City limits.

Evert Fernandez, Chair

I would like to have it say the majority must be city residents just to make that clear, because sometimes it gets a little confusing. Looking at notes from the Council's discussion, it looks like they were all in favor of that as well, so I would concur with them there.

Zac Douch, Commissioner

Yes, I would concur with that, too. I will also concur with Vice Chair Fritz's point that it could be up to three outside and that two of them must be business owners. That would satisfy coming at it from both those directions.

Luke Lindenbusch, Commissioner

I concur with that as well. Calling it a majority might make it easier for the Council moving forward. If the Commission does move down to five people, they will not have to go back and change the number.

Kari Svanstrom, Planning Director

In terms of the total number, at least from the initial comments, I have Commissioner Oetinger and Commissioner Lindenbusch as favoring seven members. Commissioner Douch was in favor of five members, other than potential subcommittee staffing and other tangent responsibilities. Vice Chair Fritz and Commissioner Kelley were in favor of five members. What is your position, Chair Fernandez?

Evert Fernandez, Chair

I would be in favor of five members as well.

Zac Douch, Commissioner

Commissioner Lindenbusch made a great point that if we reduce the number through attrition, it could be a long process and yes, it may be more about finding an appropriate opportunity, when perhaps a couple of commissioners are leaving to where that change may be ready to be made as an intentional act rather than simple attrition.

Zac Douch, Commissioner

Yes. Good point.

Linda Kelley, Planning Commissioner

I agree around the attrition issue. We do not want to get ourselves in a situation where it is an even number. I think the opportunity, when there's a couple of openings, it will take a while but that would be something we need to make sure does not happen. I am sure the Council does not want that to happen automatically either. If it is a majority and we go down to five members over time, I still think a majority is still too high in number so I cannot go with that. If we go down to five ultimately, I am sure we are going to be looking at this again because it could be a while, it might not, who knows? If we go down to five and we have three outside members, that is already going to be over the majority. At least the majority should have to be.

Evert Fernandez, Chair

Perhaps, if the Commission is supportive, if they do go down to five, the Council might want to send it back to the Commission to consider those things. Maybe an alternate would be needed with five members, I do not know. It may make sense to revisit the issue of how many people can be on who reside outside city limits if going down to five members.

Kari Svanstrom, Planning Director showed what a three-mile radius from Main Street would look like.

Evert Fernandez, Chair

Thank you for that. Was there consensus on the issue of a member moving out of the area? I thought I heard the majority say that their seat should be given up.

Kari Svanstrom, Planning Director

Yes, that is generally what I heard. There was one member who noted that, if it was the second part of their term, they may be able to stay on. All of this would be contingent on there actually being the position open. It sounds like your recommendation is to leave it more limited on the out-of-town residents.

What I am hearing from this additional discussion is, at this point, the number of members should go to seven, and that the Council should consider moving it to five, but to do so strategically so that there still are new members coming into the Commission so that it is not the existing members with no new members for a long period of time. That may be an opportunity they should be prepared for. If so, you could advise Council to come back to this group to see how that can be structured. In general, seven should be the goal now by eliminating the alternate position with Council determining whether or not to appoint the alternate or reopen the position which the alternate would be able to apply for. That matter could be one motion. The second component could be the outside city limit structure and what that radius or geography should look like.

Evert Fernandez, Chair

Moved to recommend that the number of members be reduced to seven by eliminating the alternate position. He further recommended that the Council consider moving to five through attrition, but to do so strategically so that there still are new members coming into the Commission so that it is not the existing members with no new members for a long period of time. Further, the Council would determine whether or not to appoint the alternate or reopen the position which the alternate would be able to apply for.

Vice Chair Fritz seconded the motion.

Chair Fernandez asked for discussion of the motion.

Kate Haug, Commissioner

I just want to clarify. If we eliminate the alternate position now, I will have to reapply for the Commission?

Paul Fritz, Vice Chair

Personally, I am in favor of you just moving into the seat, but it seems like most people wanted the Council to appoint someone. I am okay with Commissioner Haug sliding into that seat since she has already been appointed as an alternate.

Zac Douch, Commissioner

I get the feeling we are probably all okay with that, but I think the view is generally that the City Council should make that call. But yes, I think the record should reflect that we are all in favor of having Commissioner Haug become the full member.

Kari Svanstrom, Planning Director

Chair Fernandez, would you like to amend your motion that the Commission is recommending that the alternate move into the full member seat recognizing that the decision will ultimately be up to Council?

Chair Fernandez amended his motion as stated by Director Svanstrom.

Luke Lindenbusch, Commissioner

Can I offer a friendly amendment to remove the moving to five commissioners? I feel like that is a little bit of a separate issue.

Evert Fernandez, Chair

I would like to leave it as is.

Director Svanstrom read back the amended motion.

Vice Chair Fritz seconded the amended motion.

Linda Kelley, Planning Commissioner

I am not in support of our alternate moving in automatically, because I still think that if we are eliminating that position, even though there's experience, you can say the majority, but I am not comfortable with that, I think it should be thrown back in, the seat reopened, and see who applies.

Luke Lindenbusch, Commissioner

We are recommending that the Council reevaluate down the road a process for moving to five via attrition.

Evert Fernandez, Chair

Yes.

Luke Lindenbusch, Commissioner

Okay, that is fine. Thank you.

Evert Fernandez, Chair

I would like to leave the recommendation to have the alternate move into the full seat knowing that the Council will make the ultimate decision on that.

Kari Svanstrom, Planning Director

VOTE: Aye - Douch, Oetinger, Kelley, Lindenbusch, Haug, Fritz and Fernandez
(UNANIMOUS)

Paul Fritz, Vice Chair

I am happy keeping that as the recommendation.

Evert Fernandez, Chair

Chair Fernandez asked to hear from the Commission on the number of members that can live outside city limits as well as what that radius or geographic area might be.

Paul Fritz, Vice Chair

If it is seven members, four must live in the city, one can live outside the city, and up to two can be business owners.

Evert Fernandez, Chair

They do not have to be, right?

Paul Fritz, Vice Chair

Yes, it would not be required. I can be all seven residents, but at least half have to be residents, up to two can be business owners that live outside city limits, and one can be a non-business owner that resides outside city limits.

Zac Douch, Commissioner

That sounded a lot like a motion, Vice Chair Fritz.

Paul Fritz, Vice Chair

Moved to recommend that the Commission consist of at least four residents, one can be a non-business owner that lives outside city limits, and up to two can be business owners that live outside city limits.

Commissioner Douch seconded the motion.

Evert Fernandez, Chair

What is your thought about why it should be up to two business owners versus two residents of the geographic area?

Paul Fritz, Vice Chair

I think it is about having more of an investment in the town. As I said earlier, I think I think it's pretty generous that we are allowing up to three people to be on our Planning Commission that do not live in Sebastopol.

Evert Fernandez, Chair

Yes, I am more supportive of having five that live in city limits, and allowing two that do not, but I do not think there was consensus on that.

Zac Douch, Commissioner

Maybe if the phrase is that up to three commissioners can be from the broader area, at least two of whom must be business owners.

Paul Fritz, Vice Chair

Yes. I like that.

Hearing no discussion, the Commission voted as follows:

VOTE:

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioners Lindenbusch, Douch, Haug, and Oetinger

NOES: Commissioner Kelley

ABSTAIN: None

ABSENT: None

The motion passed 6-1.

Chair Fernandez asked to hear from the Commission on the matter of radius/geographic area.

Luke Lindenbusch, Commissioner

I am prepared to make a motion.

Evert Fernandez, Chair

Okay, go ahead.

Luke Lindenbusch, Commissioner

Moved to recommend to the City Council that any qualified applicant to the Planning Commission defined as living outside of city limits may reside within the 95472-zip code, the 95444-zip code, and a three-mile radius defined around the point at North Main Street and Bodega Avenue.

Kari Svanstrom, Planning Director

To clarify, Commissioner Lindenbusch, is that an, 'and' or an, 'or'?

Luke Lindenbusch, Commissioner

It is an 'and'.

Commissioner Douch seconded the motion.

Chair Fernandez asked for discussion of the motion.

Evert Fernandez, Chair

That is for non-business owners, right?

Luke Lindenbusch, Commissioner

I would recommend that that would be the outside of city limits boundaries that could be used for the up to two business owners, or up to one nonbusiness owner outside city limits.

Evert Fernandez, Chair

The non-business owner is the one we are talking about because the business owner could live anywhere, right?

Luke Lindenbusch, Commissioner

Right.

Paul Fritz, Vice Chair

I thought the business owner would have to live in that zone too.

Zac Douch, Commissioner

I agree. I think it is both.

Luke Lindenbusch, Commissioner

I will accept that as a friendly amendment.

Kari Svanstrom, Planning Director

I believe this would include some of the Graton area as that is the 95444-zip code area.

Evert Fernandez, Chair

Would it include all of that zip code, or just some of it?

Kari Svanstrom, Planning Director showed a zip code map on the screen Based on that, she stated that a three-mile radius would not include the town of Graton.

Evert Fernandez, Chair

Does the three-mile radius include any other zip codes other than the 95472, and 95444?

Paul Fritz, Vice Chair

Yes.

Kari Svanstrom, Planning Director

Yes. Portions of Santa Rosa would have a different zip code, I believe.

Paul Fritz, Vice Chair

The area by Hall Road and Occidental Road has a different zip code as well.

Evert Fernandez, Chair

The motion is three-miles and in the 95472, and 95444-zip codes, right?

Luke Lindenbusch, Commissioner

I am realizing it would be an 'or' to allow still the 95472-zip code, and 95444-zip code in its entirety, but with the radius, in addition, to allow for applicants living east of Sebastopol to be able to apply. It would make the overall area bigger than currently exists, but if Council wants to whittle that down to just the radius, they can.

Evert Fernandez, Chair

I would feel uncomfortable, even though they are in that three-mile radius, having members who have a city address other than Sebastopol, as a member of the Commission. That seems confusing to me.

Paul Fritz, Vice Chair

Even people within the 95472-zip code (Occidental, Monte Rio, Forestville, etc.) do not necessarily have a Sebastopol address either.

Linda Kelley, Planning Commissioner

When looking to the east of Sebastopol, does that three-mile radius take in any of the city of Santa Rosa, or is it the county?

Kari Svanstrom, Planning Director showed a city limits map on screen.

Linda Kelley, Planning Commissioner

Seems like what we are doing now is shifting West County. Expanding the radius to the east is maybe not what we really intended to do? I still think it could be Sebastopol zip codes, not Santa Rosa's zip codes. Maybe using the three-mile radius within our zip codes would help clean it up?

Luke Lindenbusch, Commissioner

I want to accept that as an amendment to my motion.

Kari Svanstrom, Planning Director

The motion that has been made is the 95472-zip code, the 95444-zip code, or a three-mile radius centered on Main Street and Bodega Avenue.

Paul Fritz, Vice Chair

If you move the center to Ives Park, you might eliminate the Santa Rosa city limits.

Kathy Oetinger, Commissioner

It is really Parkside School, rather than Ives Park.

Paul Fritz, Vice Chair

Could be the intersection of Washington and Bodega Avenue?

Luke Lindenbusch, Commissioner

I suggested that intersection in part because, when we are dividing up evacuation routes for town, we have the quadrants clearly defined. When I measured it, it was exactly three miles to the city of Santa Rosa, but maybe, if anybody wants to make an amendment that the radius not include any parcels within another municipal jurisdiction? That could disqualify anyone who might be in some of those kinds of stray city of Santa Rosa parcels because the radius will include the city of Santa Rosa. There are wastewater treatment plants along Highway 12 that are city of Santa Rosa, but no one lives in them. Functionally, there is no risk of anyone joining the Planning Commission from those parcels.

Zac Douch, Commissioner

It sounded like you amended your own motion.

Luke Lindenbusch, Commissioner

Okay, I will do that.

Evert Fernandez, Chair

Can you restate your amended motion, please?

Luke Lindenbusch, Commissioner

Moved to recommend to the City Council that any qualified applicant to the Planning Commission, for those in the out of city limits category, reside within the 95472-zip code, or the 95444-zip code, or within a three-mile radius of the point defined at North Main Street and Bodega Avenue providing that said applicants do not reside within any other municipal jurisdiction, namely the city of Santa Rosa. Is there a second?

Commissioner Douch seconded the amended motion.

Paul Fritz, Vice Chair

I am still not totally in line with the whole 95472-zip code, am I the only one not in favor of that, are there other concerns?

Evert Fernandez, Chair

What do you mean by that?

Paul Fritz, Vice Chair

I do not think we should include the whole 95472-zip code, personally, so I would vote against that motion.

Evert Fernandez, Chair

You would prefer a radius?

Paul Fritz, Vice Chair

Yes, I would prefer a radius, or some other way to define it. We could draw our own boundary as well. It seems like the radius would be easier. I do not think it should be such an expansive area, personally.

Linda Kelley, Planning Commissioner

It seems like, what we are trying to do by opening it up to non-residents, is partly in recognizing that they use Sebastopol as a sort of hub. I do not believe that Santa Rosa, or the area to the east of us uses us as their hub. They mostly go to Santa Rosa. I want to appreciate the folks that have their kids in our schools, that shop in our stores, that own businesses. I like the three-mile radius within our zip codes, 95472, and 95444.

Evert Fernandez, Chair

Yes, I feel similar to that as well.

Kathy Oetinger, Commissioner

I do also.

Paul Fritz, Vice Chair

It sounds like we have no consensus.

Kari Svanstrom, Planning Director

Because there is a motion that has been seconded, there needs to be a vote on that. Then, if that fails, another motion can be made.

The Commission voted on the motion which was made by Commissioner Lindenbusch and seconded by Commissioner Douch as follows:

VOTE:

AYES: Commissioners Lindenbusch and Douch

NOES: Chair Fernandez, Vice Chair Fritz, and Commissioners Kelley, Haug, and Oetinger

ABSTAIN: None

ABSENT: None

The motion failed.

Paul Fritz, Vice Chair

It seems to that me we do not really have a consensus for this item at all. I am okay with going to the east, but I am not okay with the whole zip code. Commissioner Douch is okay with the whole zip code and go to the east, Commissioner Lindenbusch is okay with the whole zip code and going to the east. If the other four members are okay with a three-mile radius in the 95472-zip code, that could work.

Kathy Oetinger, Commissioner

My feeling is, by pulling in the 95472-zip code, we are pulling it away from communities like Forestville and Occidental. Maybe Graton is in our community, but it is outside the three-mile radius. We are pulling it into the people who think they live in Sebastopol, but they live just outside of the city. The problem with a three-mile radius, I think pulling it back to two and a half, a little bit more away from Santa Rosa in case there are people, although there really are not that many people over there. If you are traveling two and a half miles from the center of town, you probably think you live in Sebastopol, and I think that is a better area to consider. I suppose you could say within the two and a half mile or

even a three-mile radius, as long as you are in the 95472-zip code. I think that works for me, but I think that maybe even three miles is too far because you are getting people who are not really in the city, in the community, they are much more rural. I think there are so many people just outside the city that they would feel included and be considered in the community. Now, I suppose if you have a business owner, and they do not live there, they may want to live all the way out in Occidental, so maybe that is the reason for it?

Kate Haug, Commissioner

I concur. I think there is two separate issues. One is, if we are opening it up to nonresidents that are business owners, they may very well live beyond the three-mile radius. That poses a double jeopardy type of situation where someone has to own a business, and then also live within that radius. I think that is a little bit more complicated in terms of our trying to broaden the voices that are heard. The other issue is, how far east do we want to go? Maybe that is why they originally settled on using the zip code as the determinant for outside positions, because it leaves a lot of leeway for business owners in terms of where they live in relation to the actual city limits.

Zac Douch, Commissioner

That is what I was going to say.

Kari Svanstrom, Planning Director

I am trying to look at different ways of parsing geography. I will suggest one, which you can completely throw away if you would like, looking at the catchment area for schools that is another possible geography (discussed the map on screen). The Sebastopol Union area, as you can see, does go over to the east, it is a very rural area, there is not a lot of population there. If you wanted to do it based on school district identification, it is not quite a radius, but it is not drawing our own boundaries exactly, either.

Kathy Oetinger, Commissioner

You would include Twin Hills and Gravenstein Union as well?

Kari Svanstrom, Planning Director

If I were to suggest it, I would probably say Sebastopol Union, Gravenstein, and Twin Hills. I do not know how far that goes down. The Commission may want to think about this kind of geography. I have included the Zoning Map for Sebastopol so you can see the scale.

Paul Fritz, Vice Chair

I do not know that there is a lot of consensus on this. Maybe that gets reported back to Council for them to decide?

Kari Svanstrom, Planning Director

I can certainly report that there was no clear consensus. You have the majority of your specifications for that which you were in consensus on, but in terms of geography, I can describe that in the staff report. There are a number of ways it can be parsed, but there was not a clear consensus.

Zac Douch, Commissioner

Yes, and I think that is the point. There are a number of ways and I think the school districts in actually a really interesting way of looking at it, but I think it needs a little more focus. If I could spend a bit more time on it, I might be able to gain a stronger sense of an opinion. I am really going on my feeling about what should or should not be included.

Evert Fernandez, Chair

Yes. You can just discuss some of the issues that we have discussed with regards to the city limits and all of that. I would be okay with that. Is everyone else?

Paul Fritz, Vice Chair

I would not be opposed to, if anyone else is interested, drawing our own boundary either using the three-mile radius idea, or the school district idea, or a line around certain roads to specify a boundary. I do not think we have the time or ability to that kind of thing right now.

Evert Fernandez, Chair

I think we have given them enough information about our concerns for them to look at that.

Kari Svanstrom, Planning Director

Noted that, given the changes being recommended, if it was just eliminating the alternate, that doesn't require a change to the ordinance to enact. However, codifying elimination of the alternate would be a change to the ordinance. Requiring the majority of residents would also be a change to the ordinance. The additional outside city limit specifications would take an ordinance change as well. That ordinance language would come back to you for review and recommendation to Council. We will have a Planning Commission liaison at the meeting when this is presented to Council, we can present that there is some interest in modifying the boundaries, that there are a number of different ways to do it, although there was not a consensus. You can move forward based on any additional direction from Council. If the direction from City Council, for instance, is they want a three-mile radius, it is easy. If they say, we would like the Commission to look at drawing our own boundary, that is something that we can come back to the Commission with at the same time, or before, bringing the ordinance language forward. It does not need to be done all in one night. You can ask Council to provide some additional direction based on your comments tonight, and it can come back to the Commission.

Evert Fernandez, Chair

Was that all the items?

Kari Svanstrom, Planning Director

That was, thank you. That was very complex, and you handled it well, Chair Fernandez. Thank you for your facilitation of that.

Evert Fernandez, Chair

Thank you for your patience and for some good deliberation.

7. SUBCOMMITTEE UPDATES**Luke Lindenbusch, Commissioner**

The Climate Action Committee is well underway. There had been some concern, committee members around the region told me to get into working groups as quickly as you can, we spent a really long time not getting into working groups. We are doing our working group assignments tomorrow, so we are really ahead of the curve from other cities, from everything I have heard, in terms of just getting everyone into the area that they are passionate about and making sure that there's enough direction on a committee level to make it work, but then just letting them run with that. We really want to make sure that it is a process that has a lot of community engagement. With that, I will just