


Agenda Report Reviewed by:  
 City Manager: 

**CITY OF SEBASTOPOL  
 CITY COUNCIL  
 AGENDA ITEM**

**Meeting Date:** April 5, 2022  
**To:** Honorable Mayor and City Councilmembers  
**From:** Kari Svanstrom, Planning Director  
**Subject:** Introduction of Ordinance to Amend Sebastopol Municipal Code, Chapter 2.24 “Planning Commission” to modify the number of Planning Commissioners and eligibility requirements for membership, and Consideration and direction to Staff Regarding Current Vacancies  
**Recommendation:** Hold a Public Hearing, Introduce and Waive the First Reading  
 Provide Direction to Staff Regarding Vacancies  
**Funding:** Currently Budgeted: \_\_\_\_\_ Yes \_\_\_\_\_ No  X  N/A  
 Account Code/Costs authorized in City Approved Budget (if applicable)  AK  (verified by Administrative Services Department)

**INTRODUCTION/PURPOSE:**

The item is to request City Council hold a public hearing, and then Introduce and waive the first reading of an Ordinance to amend the Sebastopol Municipal Code, Section structure of the Planning Commission Chapter 2.24 “Planning Commission” to modify the number of Planning Commissioners and eligibility requirements for membership.

Additionally, the Planning Commission currently has two vacancies, the second part of this item is to request direction to City staff regarding these vacancies.

**BACKGROUND:**

The City Council discussed this item at its March 16, 2021 regular meeting, and approved reducing the size of the Planning Commission to seven members by eliminating the Alternate position. The 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) and requested staff review potential changes to the geography for eligible applicants for the out-of-city limits resident position, as the Council felt the 95472 zip code, which is quite expansive but does not extend in logical ways from the city boundaries.

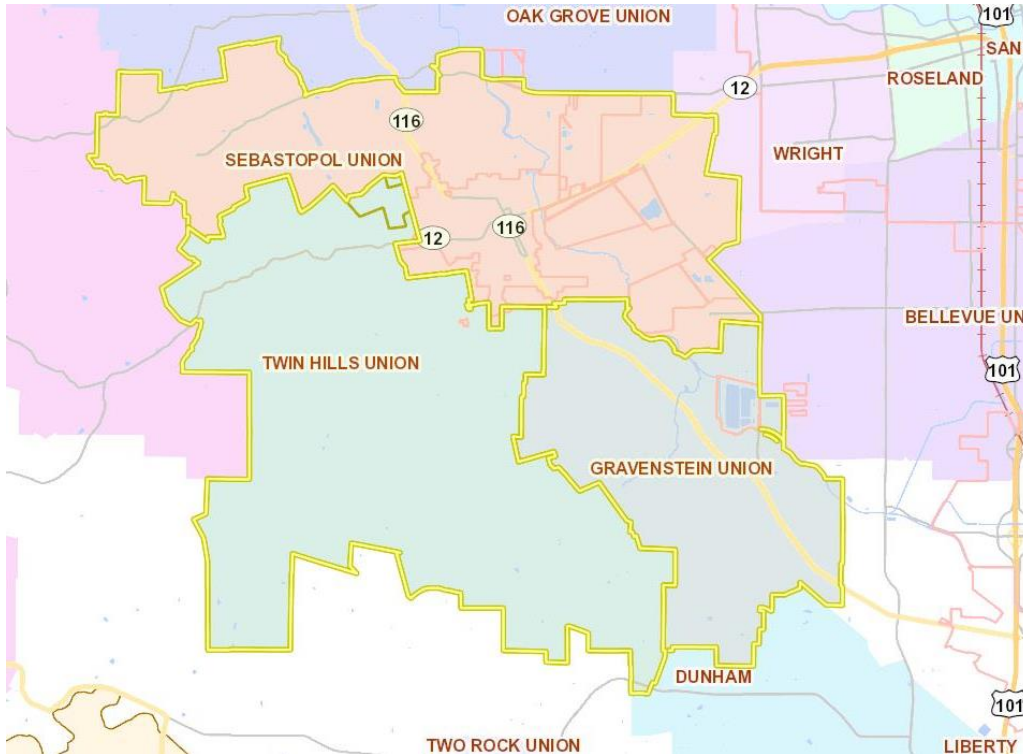
Staff returned to the City Council at its September 21, 2021, meeting to review the geographical boundaries for the Planning Commission’s ‘out of city limits’ positions. At that meeting, the Council reviewed potential changes to the geographical boundaries for the Planning Commission’s out-of-city seat (1 seat) and approved changing the geography from the 95472 zip code to the three elementary school districts: Twin Hills, Sebastopol Union, and Gravenstein Union, as a more appropriate geography for association with the City of Sebastopol (See attachments). Council directed staff to prepare revisions to the Sebastopol Municipal Code section relating to the Planning Commission’s composition, and return to Council with the revised Ordinance for consideration by the Council.

**DISCUSSION:**

Proposed Ordinance

Staff has prepared the draft Ordinance, as well as a ‘red-lined’ exhibit to show the proposed changes to the Ordinance, attached to this report. The Ordinance as proposed would modify who is eligible to apply for the Planning Commission as follows:

- Removes language relating to a Planning Commission “Alternate”.
- Changes the references for out-of-city boundary geography from the 95472 zip code to the three elementary school districts: Twin Hills, Sebastopol Union, and Gravenstein Union, as directed by Council:



- Specifies that a majority (4) members of the Planning Commission will need to be City residents at all times. This would allow up to 2 business owners who live outside the City and one resident outside the City but within one of the three elementary school districts as noted.

One discussion item the Council may wish to consider is whether or not the business owner also needs to reside within the three elementary school districts, or whether their business ownership itself would qualify them to apply. As currently proposed, the business owner is not required to reside in any particular location. If the Council wishes to include the business owner’s home address also be within the geography of the school districts listed above, Section 2.24.020(B) should be revised as follows (underlined):

B. The members of the Commission shall be from among residents of the City of Sebastopol or shall be the owner of a business within the City of Sebastopol and a resident of one of the following school districts: Twin Hills, Sebastopol Union, and Gravenstein Union, and up to one person who is not in one of the above categories, but who is a resident of the area served by one of the following school districts: Twin Hills, Sebastopol Union, and Gravenstein Union, may also be appointed. Members shall be appointed by a majority of the members of the City Council. A majority of members the Planning Commission shall be residents from within the City at all times.

Current Planning Commission Vacancies

As noted above, the Planning Commission currently has two vacancies due to recent resignations (one required by State Law, one due to personal considerations). The application process for these vacancies have been

advertised, along with extensions of the application period, with notices of the recruitment in the Sonoma West Times and News; City web site; Facebook, City newsletter and City email distribution list. Despite this, no applicants have been received for these latest recruitments.

Staff is requesting direction from the City Council on the current vacancies. City Council could either: direct staff to return with an agenda item regarding the size of the Planning Commission or direct staff to recruit for the vacant seats.

**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:**

Public comments received as of the writing of this staff report are included in the Attachments. Additional public comments 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, public comments may be offered during the public comment portion of the agenda 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 schedule meeting date.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Staff recommends the Sebastopol City Council hold a public hearing and accept public testimony, and Introduce the Ordinance and Waive the First Reading.

Provide direction to staff regarding the Planning Commission vacancies.

**Attachments:**

Proposed Ordinance

SMC 2.24 Planning Commission (existing ordinance, redlined)

March 16, 2021 and September 21, 2021 City Council reports and minutes (excerpts related to this item)

Public comments

*City of Sebastopol*  
*Ordinance No. \_\_\_\_\_*

FIRST READING AND INTRODUCTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL  
MODIFYING THE SEBASTOPOL MUNICIPAL CODE CHAPTER 2.24 "PLANNING COMMISSION" TO MODIFY  
THE NUMBER OF PLANNING COMMISSIONERS AND ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP

Whereas, the Planning Commission conducted a public meeting on February 23, 2021 to review potential changes to the Planning Commission composition and provide recommendations to the City Council; and,

Whereas, the City Council conducted public meetings on February 2, 2021, March 16, 2021 and September 21, 2021 to review potential changes to the Planning Commission composition; and,

Whereas, on April 5, 2022, the City Council conducted a duly-noticed Public Hearing, deliberated, and found that the revisions to the Sebastopol Municipal Code Chapter 2.24 "Planning Commission" are in the best interest of the City to ensure appropriate representation of the public on the Planning Commission as it carries out its duties; and,

Whereas, the City Council further found that the proposed Ordinance revisions are consistent with City Council Goal 5, to *"Provide Open and Responsive Municipal Government Leadership."*

**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.
- B. The members of the Commission 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 area served by one of the following school districts: Twin Hills, Sebastopol Union, and Gravenstein Union, may also be appointed. Members shall be appointed by a majority of the members of the City Council. A majority of the members the Planning Commission shall be residents from within the City limits at all times.
- 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, or as soon thereafter as apportionment is made.

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 or Conflicting Laws. During the continuation of the effectiveness of this ordinance, the provisions of this ordinance shall govern. If there is any conflict between the provisions of this ordinance and any provisions of the Sebastopol Municipal Code, or any City ordinance, resolution or policy, the provision of this ordinance shall control. If there are any conflicts between the provisions of this ordinance and any provisions of State or Federal law in effect during the same time as this ordinance, the provisions of this ordinance shall be null and void.

The Sebastopol Municipal Code (SMC) Section 2.24 "Planning Commission" is hereby repealed and replaced in its entirety.

Effective Date.

This ordinance shall become effective (30) days after the date of adoption.

NOW, THEREFORE, the City Council does hereby approve for first reading and introduction, waiving of further reading of ordinance.

The City Council hereby finds that adoption of this ordinance will enact minor changes to the administration of governmental body, and does not impact any physical location within the City. It can therefore be seen with certainty that there is no possibility that the proposed amendments will have the potential for causing a significant effect on the environment, and is therefore exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3).

Approved for First Reading and Introduction on this 5<sup>th</sup> day of April 2022.

Scheduled for Second Reading and Approval on the 19<sup>th</sup> day of April 2022.

**VOTE:**

Ayes:

Noes:

Abstain:

Absent:

APPROVED: \_\_\_\_\_

Mayor Patrick Slayter

ATTEST: \_\_\_\_\_

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: \_\_\_\_\_

Larry McLaughlin, City Attorney

Chapter 2.24

PLANNING COMMISSION

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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 area served by one of the following school districts: Twin Hills, Sebastopol Union, and Gravenstein Union, 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. A majority (four) of members the Planning Commission shall be residents from within the City at all times.

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, or as soon thereafter as apportionment is made. (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.

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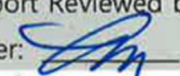
- A. To recommend special studies and amendments to the General Plan.
- B. To perform such duties and functions as prescribed by law.
- C. To perform such other functions and duties with respect to zoning and other matters as prescribed by City ordinance or as may be directed by the City Council.
- D. 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.

All ordinances in conflict with this chapter are hereby repealed.

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  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.

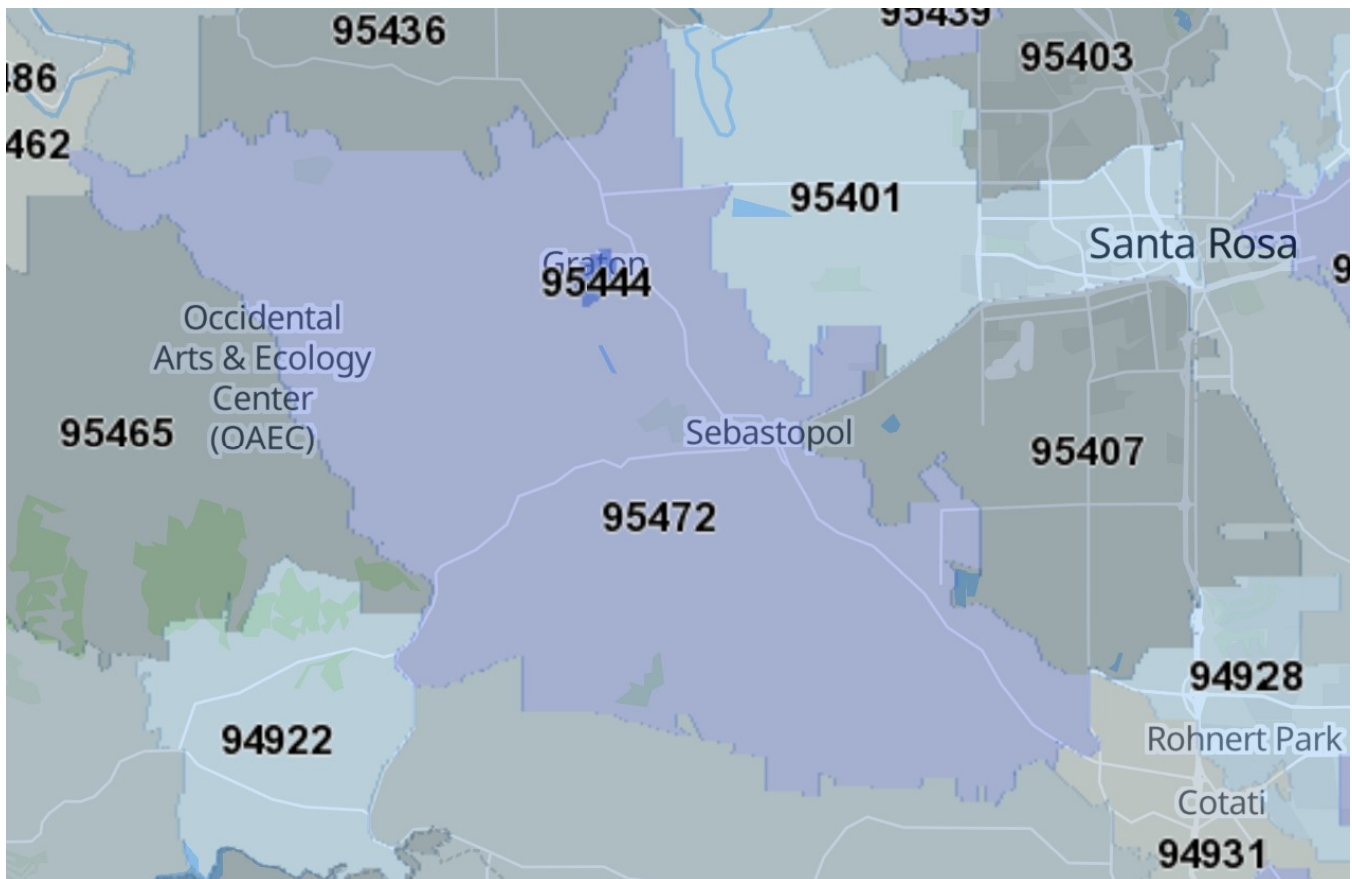
**DISCUSSION:**

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.

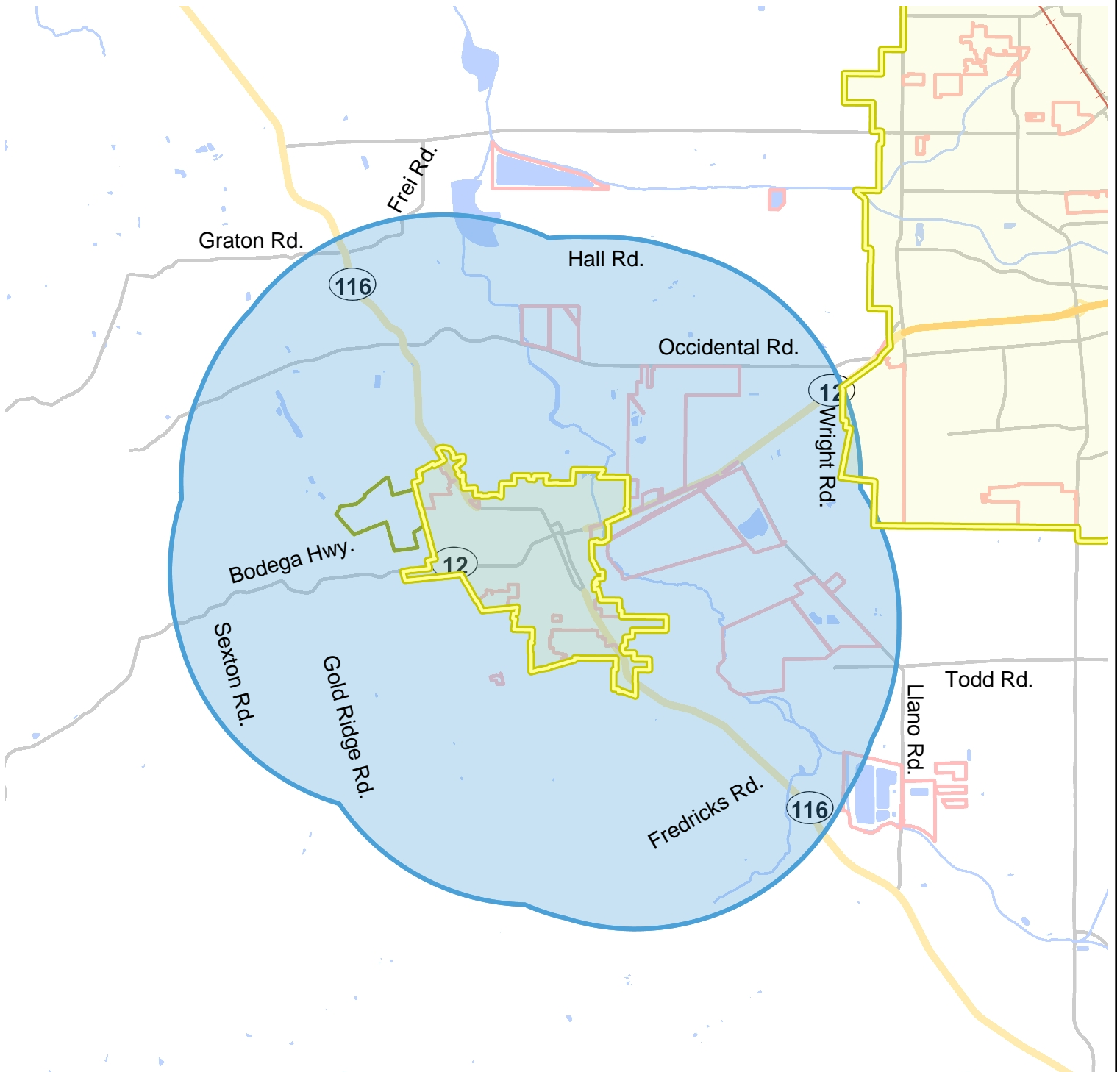
**Attachments:**

2-mile and 3-mile buffer maps

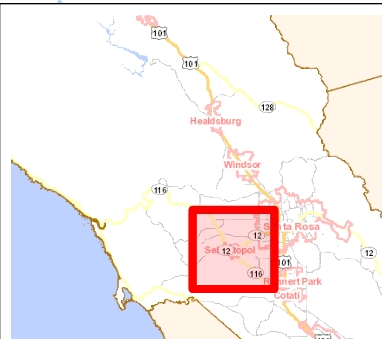
SMC 2.24 Planning Commission (existing ordinance)

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

# Sphere of Influence - 2 miles

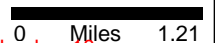


## City of Sebastopol



5/4/2021

Scale 1: 76,800





- The additional thing that was not included in your packet was this really quite lengthy letter from the coastal commission with a long list of specifics that needed to be improved in this current draft of the LCP.
- The other thing I just have to say is that the coastal act is really pretty specific about the public having access to the process.
- I actually cannot understand how this LCP could say that there could not be an appeal to the Coastal Commission because that's actually in the coastal act.
- So I don't see how our County couldn't say, no, no, no, that doesn't matter anymore because it's part of the coastal act.
- In any case, I'm sure that we have staff at the County who have worked very hard on this and are concerned and care about the coast, but I think that there is a huge amount of feedback here that's saying there is a problem with this and we need to go back to the drawing board and fix a number of things.

**MOTION:**

Councilmember Hinton moved and Councilmember Rich seconded the motion to approve authorization for Mayor to send a letter under the Mayor's signature expressing the City's concerns.

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 authorization for Mayor to send a letter under the Mayor's signature expressing the City's concerns.**

**Minute Order Number: 2021-237**

7. Discussion of Geographical boundaries for Planning Commission (Responsible Department: Planning Department)

Planning Director Svansson presented the agenda item recommending the City Council 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 tonight.

Planning Commission Chair Paul Fritz commented as follows:

- I remember when we talked about this on the Commission, we did suggest that it would be nice to change the boundary.
- The zip codes seemed a little kind of unwieldy and kind of far-ranging and a strange shape.
- We didn't have a lot of opinion about the exact distance.
- We did talk about a 2 or 3-mile and we hadn't seen the map at that time, so seeing the maps, it's kind of nice to see where that boundary could potentially be.
- We didn't have a strong opinion other than it should probably be something other than the zip code boundary.
- A little closer in seemed to make more sense.
- From the Planning Commission's standpoint, we would just like to see probably a different boundary than 95472 zip code seemed to make more sense.



Mayor Glass asked for questions.

Councilmember Rich commented as follows:

- You mentioned that you received calls from people who live down on Hessel Road.
- When you look at this 2 or 3-mile radius, do you have a sense from your interactions with people outside the immediate City limits of which boundary would capture more effectively that population that reaches out to you, anyway, with questions?

Director Svanstrom commented as follows:

- We actually get questions from people as far as Bohemian Highway.
- Until you start to get an Occidental mailing address, it's not clear to people it's not Sebastopol city limits.
- I think any of the geographies are quite workable.
- The thing I think about is this is also combined with City Council takes the responsibility to interview candidates and make sure that they are committed to the City very seriously, and so to me, whatever geography you choose, I'm sure that combined with your interview process will be just fine in terms of workability for the City.

Councilmember Rich commented as follows:

- I tend to like the larger 3-mile radius.
- Do you foresee any downsides to that larger radius that you would like to alert us to?

Director Svanstrom commented as follows:

- The only thing I would do, and I know Chair Fritz did comment on this to me when we talked about it with the Planning Commission, is not to include people who live in a different city jurisdiction, such as Santa Rosa City limits.
- I think that's an inappropriate thing to do as well, as they are already in another incorporated City.

Mayor Glass commented as follows:

- Vice Mayor Gurney mentioned using the school district boundaries which sounds like an interesting
- A pretty good idea to me, and the reason for that is it does seem to me like it might be easier to administer
- You can get a map, you can find out what addresses are included in those districts.
- Does that seem like it might be easier to administer to you, or do you see problems with that?

Director Svanstrom commented as follows:

- I think that's actually, from a resident standpoint, easier for knowing whether or not you qualify.
- It's a lot easier because all you have to do is look at your tax bill
- It's a much clearer thing than a boundary as a buffer boundary will inevitably go through half a parcel - what if the house is on the other side.
- People know what school district they are in, and that's also included just in our GIS database. If you click on your lot, it tells you what the school district is.
- You would be able to pretty easily go from staff side and the public side to identify that.
- I'm actually trying to get that view up along with the other maps so you can kind of see the geography by comparison, if you like. [showed boundaries on map]
- You can see the outline of Fulton Road and Fulton Road is right there.

- It does go further to the South, so Hessel is here, and it's a little tighter in as you go up Bodega Highway than the buffer map would be.
- [Emailed the map to the Council to be able to be read easier.]

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

Vice Mayor Gurney commented as follows:

- I just want to mention for historical purposes I was the Councilmember who brought forward the idea of having a non-resident community member seat.
- For me the greatest significance is that the person who might hold that seat, it's limited to one seat only, maximum one, be demonstrating citizenship in our community.
- What does that mean?
- Well, you attend schools here, you go to church here, you shop here, you participate in activities here whether that's sports or classes.
- You volunteer serving our non-profits, you join our service organizations, you go to meetings here.
- In other words, people from outside our little boundaries travel to this place to belong.
- It's that sense of belonging and participation that is important to me.
- I felt very strongly that I could trust the Council and future Councils to take that measure of an interested applicant.
- It's really kind of clear who cares about this place and who doesn't, and if distance is a factor, there is always that physical measure further or closer.
- There's that measure of address, all those sorts of things.
- The school district map appealed to me because it's something people are familiar with.
- It already has imposed that sense of, you might say belonging but it doesn't seem quite the same as belonging in a community with a range of people and a range of ages and all the rest where this school community is essentially families and young people and younger parents.
- I liked it because those people are already coming in to town.
- Those are the feeder schools to Analy High School.
- So there is this longstanding identification from that map to our community.
- I felt that was really comfortable.
- Of course, with the merger of the high school, it had to run through my brain, well, what about North of town?
- We're not Analy High School anymore, we're West County High School, and I thought for me that was a boundary shift that didn't feel real because Forestville is their own community and they need to be recognized from us.
- I didn't feel just because of the high school merger there was a reason to revise my thinking.
- I wanted to check it to see if I need to do update it.
- So the school district map, especially with Director Svanstrom saying, there is this ease of interpretation, I really appreciated that.

Councilmember Slayter commented as follows:

- I appreciate what the Vice Mayor said about folks who live outside of our bounds participating in our community.
- However, my position will not change from what it has been in the past, and that is we are not, as the City of Sebastopol, granted an automatic seat on the City of Sonoma Planning Commission.
- They have theirs and we have ours.

- If the Planning Commission boundaries did not include anybody outside the City limit, that would be okay with me.
- I'm a bit provincial about that.
- That's the word I used before, and I think it still applies.
- The 3-mile boundary to me is entirely too large.
- The 2-mile boundary is getting something that I might be able to compromise to, but honestly, I took that map and I drew a 1-mile boundary, and that even looked better to me.
- The school districts, that's just as arbitrary in a lot of ways as the zip code.
- We had no say in what those boundaries are, and they're close by, but to me it's still arbitrary.
- For me the smaller the better, and that's my take.

Councilmember Rich commented as follows:

- I'm on the opposite end of the scale.
- I would go either with the 3-mile boundary or with the school district map.
- Either would be acceptable to me as engaging the community outside our City limits is important, I agree with that, and I also agree with the comments about our ability to interview people and understand pretty quickly how engaged they are.

Councilmember Hinton commented as follows:

- I was with Councilmember Slayter the last time on this, and I agree again this time.
- I find it interesting the school boundaries because of ease of figuring out where you are, but not interested enough to go with it.
- The 3-mile boundary because it borders Santa Rosa is a sign to me that that's too big.
- I was automatically leaning to the 1-mile, and I guess I would be willing to compromise somewhere in that, but I'm also more for the narrow approach.
- When you look at those roads, even though people shop in our town that live outside town, it's a different thing to weigh in on the planning of our City.
- We are a City, and I think our citizens should be the primary ones to weigh in.

Vice Mayor Gurney commented as follows:

- I just wanted to remind us that someone who owns a business here has no residency requirement in town.
- They can have a business on main street and live in Bodega Bay or the City of Sonoma.
- Obviously the interview process is the key one, but we have to realize to some degree, residency is already flexible and why do we do that?
- Because our business community is pretty impacted by our land use decisions, and similarly, residents outside of our boundaries who are near enough or participatory enough to belong here are impacted by our decision.
- And I think probably Mary and Kari and other staff members who receive calls have heard often, as have Councilmembers, what do you mean I can't vote in your town?
- Because they think they can because they feel like they belong here, and potentially their address says Sebastopol, too.
- I'm just recommending, let's just nail this down and let Director Svanstrom to get on with the changes so by December we can have a full Planning Commission.
- It's important that we be fully functioning with all seats being wise and creative and dedicated.

Councilmember Hinton commented as follows:

- Since I've been on the Council, the decision about the business owner was made prior to my time on the Council, and I'm not sure if that's just unique to Sebastopol.
- I think it is. Other cities don't necessarily do that.
- My question for staff is are we discussing going down to a five-member Planning Commission because that's what the Planning Commission asked us for in December, and I know we're not making that decision tonight, but it was mentioned in the staff report.
- So it sounds like that's a future deliberation. Am I correct on that?

Director Svanstrom commented as follows:

- I believe the consensus of the Council was to reduce the Commission to seven at the March meeting and to potentially consider a future reduction after that, so we're now at seven, do it at seven for a period of time and potentially revisit it.
- Of course, it's at the Council's pleasure to revisit as you choose.

Vice Mayor Gurney commented as follows:

- I don't agree to reducing the Planning Commission.
- If there was consensus that didn't include me when this comes back, I'll have the same position.
- I'm just letting Councilmember Slayter know.
- Because we have these rather solid disagreements, I think, if that's one of them.
- I did want to point out, let's look at the outliers.
- We have Cloverdale to the East, Sebastopol to the West.
- We are people that aren't so populated that we rely on people who live here.
- We have lots of pass-through traffic to each of those cities, and that's something that's common.
- If those cities allow a non-resident in some area.
- We would not be alone in allowing that non-resident.
- The City of Sonoma, they have all of Sonoma Valley they have to deal with and there are political tensions right now about who is taking care of Sonoma Valley.
- Fortunately, the City of Sonoma has allowed that area to be part of their Planning Commission appointments. Cloverdale, one mile. That's pretty small. I don't know Cloverdale well enough to know what they draw from.
- Obviously in the West County, I would say we have probably a bigger service area because we pretty much go out to the coast and we're the gateway to the whole coast.
- I think we draw probably from a bigger geographic area than Cloverdale.

Mayor Glass commented as follows:

- I haven't come to a resolution, so in many respects, I actually liked Vice Mayor Gurney's idea of doing the school districts because I do think the school districts are related to Sebastopol, those particular school districts, and I think it's easy to administer.
- On the other hand, I actually agree with Councilmember Slayter and Councilmember Hinton that the people that live close are the people with a stake in the game, and it's one thing if you have a business in town so you're really engaged with the town, and so you don't go into town but you're doing stuff in the town.
- But the land use decisions aren't just all about business, they're about affecting people's homes.
- They're affecting what's going on in their street.
- That makes me like the idea of keeping it pretty tight seems really appropriate.
- This does not seem like the most momentous decision in the world.
- I think the coast commission thing was way more critical than this.

- I'm kind of falling on the let's do what's easy to administer, let's go with the school districts.

**MOTION:**

Councilmember Rich moved and Vice Mayor Gurney seconded the motion to approve the Planning Commission geography using the school district boundary.

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

VOTE:

Ayes: Councilmembers Rich, Vice Mayor Gurney and Mayor Glass

Noes: Councilmembers Hinton and Slayter

Absent: None

Abstain: None

**City Council Action: Approved the Planning Commission geography using the school district boundary.**

**Minute Order Number: 2021-238**

Councilmember Rich departed the meeting at 10:13 pm.

8. Discussion of City Council Position on Resolution(s) for the League of California Cities Conference 2021 to be held September 22-24, 2021 in Sacramento, CA for Voting by Designated Representative(s) (City Administration)

City staff presented the agenda item recommending the City Council Discuss and Consider direction to the voting delegate or alternate(s) for voting at the annual League of CA Cities Conference.

Mayor Glass asked for questions. There were no questions.

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

**MOTION:**

Vice Mayor Gurney moved and Councilmember Hinton seconded the motion to provide direction to support the first resolution, take no position on the second resolution and approve the minor amendments to the proposed By Laws for voting at the annual League of CA Cities Conference.

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

VOTE:

Ayes: Councilmembers Hinton, Slayter, Vice Mayor Gurney and Mayor Glass

Noes: None


Absent: Councilmember Rich

Abstain: None

**City Council Action: Approved direction to support the first resolution, take no position on the second resolution and approve the minor amendments to the proposed By Laws for voting at the annual League of CA Cities Conference.**

**Minute Order Number: 2021-239**

9. Discussion of Council Direction to Staff on City Council Initiatives Fund (Responsible Department: Administrative Services/City Administration)

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.

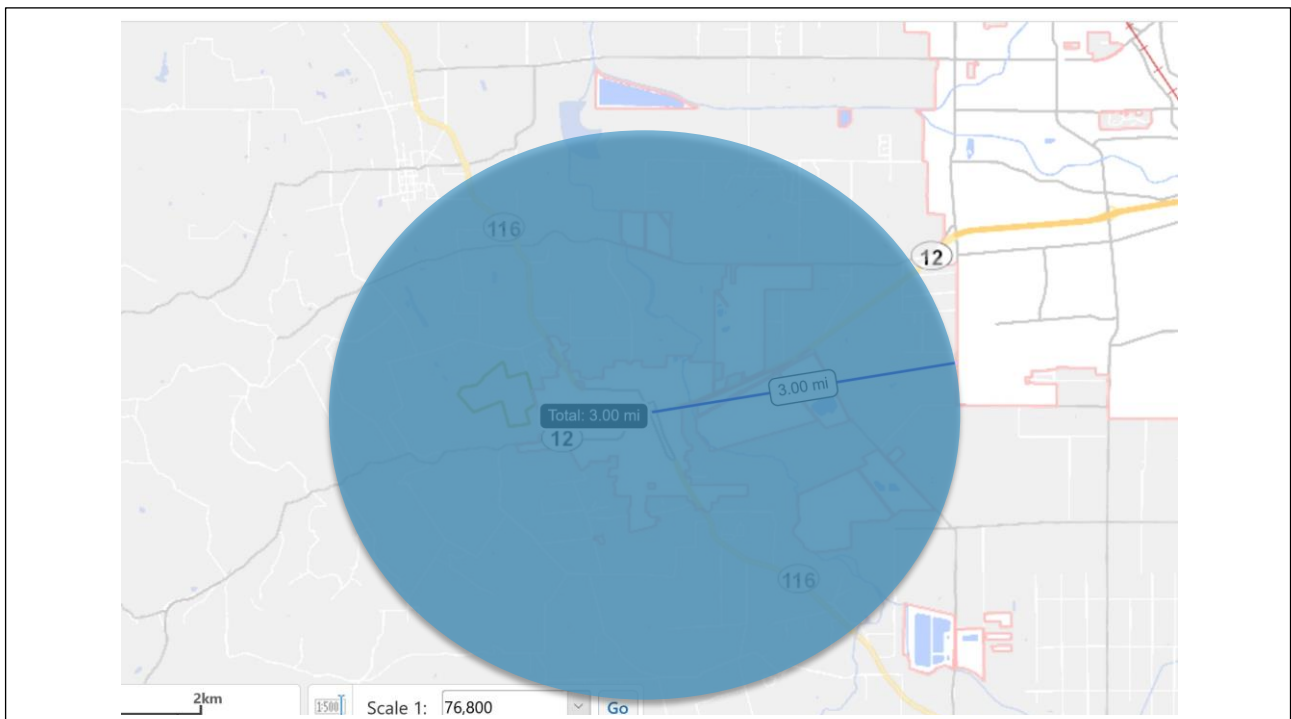
#### Geography requirements for “non-business owner/outside-city limits resident” position

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:

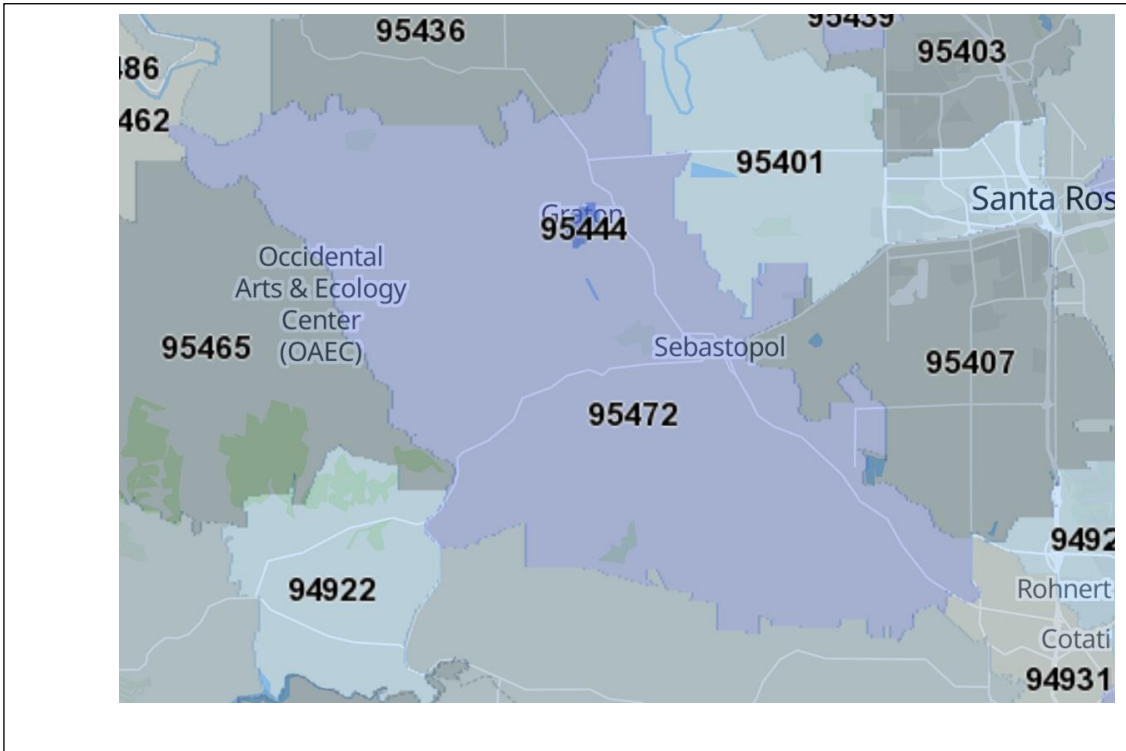


- Sphere of influence (this is very small, and the Commission felt this should not be the geography utilized, even though the current ‘out of city limit resident’ commissioner is within this geography)
- A ‘radius’ from downtown (Burnett and Sebastopol Ave or Main and Sebastopol Ave) or another ‘central’ 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).



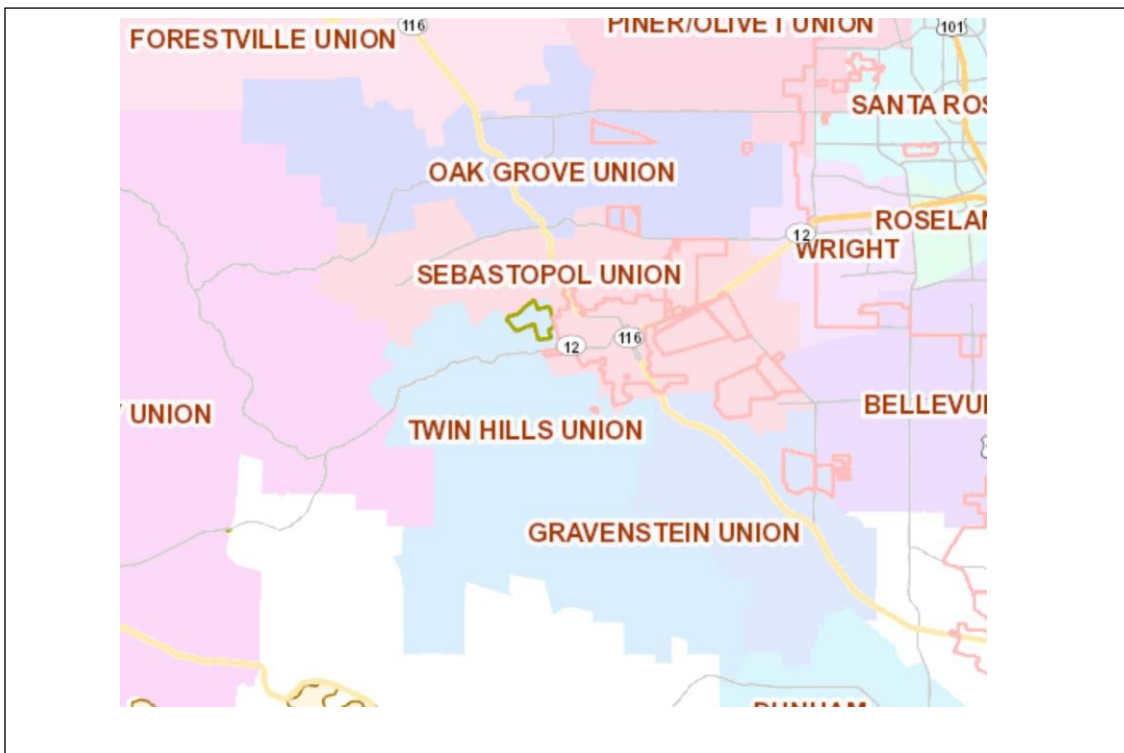
*Three mile radius*

- 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?



- 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.

**Kari Svanstrom**

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**From:** Paul Fritz <[REDACTED]>  
**Sent:** Tuesday, November 30, 2021 2:52 PM  
**To:** 'Patrick Slayter'; 'Una Seb'; Neysa Hinton; Sarah Glade Gurney; Diana Rich  
**Cc:** Kari Svanstrom; Lawrence McLaughlin; Mary Gourley  
**Subject:** Planning Commission

Good Afternoon Council Members,

I'm am writing regarding a couple of planning commission issues. First, I want to put in my annual plug for a 5 member planning commissioners as you prepare to receive applications for the open seats. We have one vacant seat and another seat that will be vacated at the end of the year. If you did not fill either position, we would be at 5 members, which I believe is sufficient particularly given a city the size of Sebastopol. We have actually had quite a few meetings this year with 5 or 6 members and I don't think the city has been negatively impacted.

My second issue is that I would like to suggest that new and current planning commissioners be required to take a course about being planning commissioners. Since we often have planning commissioners that have no experience in planning or development, I believe it would be useful to require all commissioners to take a class about being a planning commissioner. Planetizen has a 10-part course about a wide variety of topics relevant to being on a planning commission. You can get more information here <https://courses.planetizen.com/planning-commissioner-training> . There may be other similar programs out there, but I have taken other Planetizen courses and find them well done.

The cost of this training is \$349 per person. I think it would be interesting to take the course during our meetings so that we could discuss the content afterwards. We could watch 1 or 2 sessions per meeting, depending on whether or not we have other business to attend to. They do offer a 10% group discount, so assuming we have a 7 person commission at the start of next year, the cost of the training for the full commission would be \$2,198.70 (if there were only 5 commissioners, the cost would be \$1,570.50, just saying...). Any future planning commissioners would be required to take this training on their own, say over the first 3 months or other specified time period in order to help them get up to speed. It would also help make sure that the people applying to the commission are committed to learning about their role in the planning process.

And on an unrelated topic, I would like to ask that the council consider adding an agenda item regarding parklets in the near future. Businesses have been wanting to make improvements to the current parklets, but are reluctant to spend money if the parklets are not going to be permanent. I know the current permit expires in February, and while there has been some discussion on an extension to the current permit, there is also interest (and opposition it must be said) to making the parklets more permanent. I think this is an issue the council should weigh in on and provide concrete direction to staff so we can move forward on what I hope will be more permanent parklet installations. I would be happy to participate and provide a presentation on this issue at a city council hearing.

Regards,  
 Paul



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