

**RESOLUTION NUMBER: 6567 -2023**

CITY OF SEBASTOPOL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL  
ADOPTING OBJECTIVE DESIGN STANDARDS FOR HOUSING ACCOUNTABILITY ACT (HAA)  
AND SENATE BILL 35 (SB35) ELIGIBLE PROJECTS

WHEREAS, the City of Sebastopol completed a comprehensive General Plan update with adoption of a new General Plan on November 15, 2016; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA, codified at Public Resources Code § 21000 et seq.) and the State CEQA Guidelines (14 CCR, § 15000 et seq.), on November 15, 2016, the City Council certified and adopted an Environmental Impact Report (EIR) for the Sebastopol General Plan (the "Project"; State Clearinghouse No. 2016032001); and

WHEREAS, the project is consistent with the General Plan, in that it conforms to the following actions:

- **Goal CD 1:** Preserve and Enhance Sebastopol's Unique Character, Design, and Sense of Place as a Small, Compact Town
- **Policy CD 1-1:** Ensure that new development is constructed in a manner consistent with the City's Design Guidelines, and any design guidelines for specific areas or types of development.
- **Policy CD 1-2:** Ensure that new residential and commercial development is sensitive to the surrounding architecture, topography, landscaping, character, scale, and ambiance of the surrounding neighborhood.
- **Policy CD 1-3:** Discourage repetitive designs in residential and commercial areas, while establishing a cohesive visual relationship between structures and their surroundings.
- **Policy CD 1-6:** Maintain and enforce Zoning Ordinance provisions and design guidelines that prohibit auto-centric strip development.
- **Policy CD 1-12:** Require the design of new residential development to be consistent with the City's design guidelines, to ensure that new development contributes to the small town character of Sebastopol. And,

WHEREAS, the project is consistent with the following 2019 Adopted City Council Goals:

- **Goal 4.1** - Create a Safe, Healthy and Attractive Environment for Residents and Visitors
- **Goal 7** - Provide and Develop a Plan for the Future for the City of Sebastopol with the Implementation of the new General Plan
- **7.2.1** Incorporate the Small Town Character values into the City's land use policies
- **7.2.2** Review, evaluate and update the Design Review Guidelines
- **Goal 9** - Enhance housing opportunities in Sebastopol and, when possible, provide assistance to housing projects.

- **9.1.3 Engage with community on housing issues and suggested review of City policies to facilitate a positive jobs/housing balance. And,**

WHEREAS, the City of Sebastopol City Council adopted discretionary Design Guidelines for the City in 2010; and,

WHEREAS, the State of California passed Senate Bill 35 (SB35) in 2017, which prohibits the use of discretionary Design Guidelines for SB35 eligible projects, but allows for Objective Design Standards and objective zoning standards to be used in review of such projects; and,

WHEREAS, in 2019 the City Council of the City of Sebastopol created the Design Review Subcommittee which includes members from the Planning Commission, Design Review Board, and City Council to review and develop Objective Design Standards for the City; and,

WHEREAS, in September 2022 the Planning Department began working with Opticos to develop the Objective Design Standards (ODS) and Senate Bill 9 (SB9) standards; and,

WHEREAS, the Design Review Subcommittee met throughout 2022 and 2023 with Planning staff to develop the Objective Design Standards; and,

WHEREAS, on February 28, 2023 the Planning Department provided a staff report and presentation to the Planning Commission update on progress on the Objective Design Standards; and,

WHEREAS, on May 23, 2023 the Planning Department provided a staff report and presentation to the Design Review Board to update on progress on the Objective Design Standards; and,

WHEREAS, on August 15, 2023 the Planning Commission held duly-noticed public meetings at which they heard a staff presentation, reviewed a staff report, heard public testimony, and deliberated the Draft Objective Design Standards and adopted Resolution 2023-05 recommending the City Council adopt the Objective Design Standards; and,

WHEREAS, on July 25, 2023, September 5, 2023 and October 17, 2023, the Design Review Board held duly-noticed public meetings at which they heard a staff presentation, reviewed a staff report, heard public testimony, and deliberated the Draft Objective Design Standards; and,

WHEREAS, the Design Review Board adopted a Resolution after its deliberations on October 17, 2023 recommending the City Council adopt the Objective Design Standards; and,

WHEREAS, on December 5, 2023 the Sebastopol City Council held duly-noticed public meetings at which they heard a staff presentation, reviewed a staff report, heard public testimony, and deliberated the Draft Objective Design Standards.

NOW, THEREFORE, BE IT RESOLVED that the City of Sebastopol City Council hereby adopts a Resolution:

- 1) Finding the Objective Design Standards Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), under Section 15060(c)(2), because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15061(b)(3) because there is no possibility the activity in question may have a significant effect on the environment; and
- 2) Amending the discretionary Design Guidelines to be labeled as Article 1; and

- 3) Adopting Article 2: Objective Design Standards for Housing Accountability Act (HAA) and Senate Bill 35 (SB35) Eligible Projects for projects that are exempt from discretionary design review.

The above and foregoing Resolution was duly passed, approved, and adopted at a meeting by the City Council on the 5th day of December 2023.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

**VOTE:**

Ayes: Councilmembers Hinton, Maurer, McLewis, Vice Mayor Zollman and Mayor Rich  
Noes: None  
Absent: None  
Abstain: None

APPROVED:   
Mayor Diana Rich

ATTEST:   
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:   
Larry McLaughlin, City Attorney