



City of Sebastopol
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Planning Department
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UNAPPROVED DRAFT MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF May 24, 2022

PLANNING COMMISSION:

The notice of the meeting was posted on May 19, 2022.

- 1. CALL TO ORDER:** Chair Fritz called the meeting to order at 6:00 P.M. and read a procedural statement.
- 2. ROLL CALL:**

Present:	Chair Fritz, Vice Chair Oetinger, and Commissioners Burnes, Fernandez, and Kelley
Absent:	Commissioner Douch (excused)
Staff:	Kari Svanstrom, Planning Director John Jay, Associate Planner
- 3. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA:** None.
- 4. STATEMENTS OF CONFLICTS OF INTEREST:** None.
- 5. REGULAR AGENDA ITEMS:**
 - A. PLANNING COMMISSION ORDINANCE (Review of Final Adopted by Council)**

Director Svanstrom presented the staff report.

Chair Fritz asked for Planning Commission questions of staff.

Evert Fernandez, Commissioner

Basically it's just for information for us, that this is how it's going to be?

Kari Svanstrom, Planning Director

Correct. Just so you're aware, we will be going down to five members, the five that are in this room right now since Commissioner Douch is trying to retire, so he will be able to step down. We plan on doing a Certificate of Appreciation for all of his years of service to the City, and I will let you know when that is. Those are usually at the very beginning of the Council meetings. We did change the language just a little bit to note that at any time a majority of the Commissioners needs to be inside City limit residence, but it does allow for

the one out of town resident and a business owner who is out of town. Those would still need to live within the three school districts, around the 95472 zip code area; it has been reduced to the three school districts that serve the City of Sebastopol. All of our business owners are within that geography, and Vice Chair Oetinger is our out of City limit resident, but she is so close to the City it's an other side of the street situation, so that will not be an issue for any of our current Commissioners.

Evert Fernandez, Commissioner

I know it alludes to the Commission regarding parks, but it doesn't officially establish the Commission as a park commission. Is that just the way it was set up?

Kari Svanstrom, Planning Director

That's the way it was set up, and there's actually another section of the code of that same Chapter 2 that talks about the Park Commission being disbanded, when it was disbanded, and that role being assigned to the Planning Commission, so we already have that formalized and codified within that, and maybe we'll look at putting that in the website description of the Planning Commission's roles.

Evert Fernandez, Commissioner

If it's part of our rules, part of our responsibilities and duties, that's fine. We're also supposed to be a Park Commission, so are we supposed to formally stop the Commission meeting and start that one?

Kari Svanstrom, Planning Director

Let's just keep it as duties as assigned, the way it reads in the code. In terms of doing agendas, that means there would have to be separate agendas.

Paul Fritz, Chair

Section 2.24.20(E) reads, "In the event new Commissioners are appointed by reason of any increase in the number of the Commission, they shall serve for such a period of time as to provide for as close to equal a number of Commissioners being selected each year as possible." I have no idea what that means.

Kari Svanstrom, Planning Director

I don't think that's valid anymore, because the ordinance used to say between five and seven members, and so in the case they change that, that's when they had that kind of instruction measure. I missed that when I was redoing the ordinance to simplify that.

Kathy Oetinger, Vice Chair

I was supportive of having seven people on the Planning Commission, because I think it's good that more people in the community understand what it is that we do and how we shape our future to accomplish the goals that we set forward. The Planning Commission is also a really good place to get your feet wet before you run for City Council, and I'm sorry that more people don't have that opportunity to do that now.

Kari Svanstrom, Planning Director

Vice Chair Oetinger, that was pretty much in line with what Council Member Gurney spoke to. She was against the ordinance, but the others in general really wanted to respect the Commission as a whole's request and try it at five, knowing that if it doesn't work we can always go back to something else, but to respect the Planning Commission's longstanding recommendation, and also recognize with two current vacancies, because that was the prior discussions of doing it through attrition so you weren't taking anyone off, that it was a good time to make that move.

Kathy Oetinger, Vice Chair

I fully understand that. I'm just sorry more people aren't interested in their local governance.

Chair Fritz opened public comment.

Rick Geggie

I am wondering if any of the Commissioners have any experience with the work of Christopher Alexander?

Paul Fritz, Chair

I'm familiar with Christopher Alexander. I'm an architect and I got my masters at Berkeley when he was a professor there, and I do like his approach and read some of his books.

Kari Svanstrom, Planning Director

I can say ditto to that, Paul, except it wasn't Christopher Alexander; it was one of his students that I took a course from.

B. PLANNING COMMISSION WORKPLAN

Director Svanstrom presented the staff report.

Chair Fritz asked for Planning Commission questions of staff.

Deborah Burnes, Commissioner

Are we the ones who get to decide what is the priority for the Planning Commission, or does that go through the Council?

Kari Svanstrom, Planning Director

A Planning Commission workplan is not an official City-required document; it's something that I find very useful in terms of knowing what your different perspectives of the community. I have perspectives of what people need in the Planning Department realm, but I might be missing things, like Chair Fritz, the comment about some of the small downtown lots not being able to add mixed-use because of the parking issue and is there a way we can resolve that without it being a variance every time? That certainly stops potential developers from looking at things, so it is something that we work on together. There are certainly things that are required or that are mandates of your actions from Council, like the Vacation Rental Ordinance, so they're all kind of combined here. What we have done in the past is have this group look at it, get it to where you want it in terms of priorities, and then we present it to Council. The last the Council thought it was great, and they did give a couple of inputs about things they felt should be moved up or down on the priority list, and then they also voted to approve it, even though that's not necessarily required, I think it's helpful for understanding and making sure that we're on the same page with what Council wants us to be working on.

Kathy Oetinger, Vice Chair

When I read the paper the other day and saw that Mary's Pizza was closing the Sebastopol store I immediately began to think of how that might impact the Planning Department's position to be proactive in a case that might create something that we really need and want on that site, and I don't know how a plan like this leaves a lot of room for taking on another action like that if something positive in that area came up.

Kari Svanstrom, Planning Director

Further down on the bottom of page 5, and it's not property-specific, is the Specific Plan for the Northern Gateway District, so in our General Plan that's our General Plan that's the North Gravenstein Avenue, basically north of Covert Lane, so the Fiesta Market area north. It is by definition working on improving that gateway to the City, which is basically that northern commercial area, and identifying the appropriate commercial office industrial mixed-use development, so it is basically looking a bit more closely there. Of course we do have a couple of other potentially pending projects in that area as well.

Kathy Oetinger, Vice Chair

Is it possible to move that up closer to A than C?

Kari Svanstrom, Planning Director

I think we can. The A, B, C over on the side is actually what the General Plan assigned to it, but that doesn't mean that we necessarily have to. Most of the A priorities, which were the Housing Element components, the rezoning that was done, and some of the other regulations, have already been updated. I think most of these, in fact, if you look at the report, are B or C. What we're working on right now are the higher ones, so yes, we're about to start entering where we're looking at the Bs and Cs, so if there's something in a timely manner. I've already heard from at least one Council member who was looking and saying is there something we can do about moving this forward.

Kathy Oetinger, Vice Chair

Thank you. I'd appreciate moving it forward if we could.

Kari Svanstrom, Planning Director

We can talk about where in the position in your deliberations after questions, so I'll just highlight for now.

Paul Fritz, Chair

And Vice Chair Oetinger, I'll just throw out there, because I work with the developer who owns that shopping center, they had wanted to do housing at that northern end of the shopping center. When Mary's was there they were going to relocate it to the southern part of the shopping center, but CVS has been an unwilling participant in that, and they owned that empty place where they used to be; it's a whole separate parcel that they own. I don't know how we do this as a city, but dealing with that shopping center is figuring how to deal with CVS and getting them to participate in whatever happens there.

Kari Svanstrom, Planning Director

That is one of the issues I have with specific plans is they do require full participation of the property owners in order for them to really work as well as balance the community's vision, and that is a hard nut to crack.

Deborah Burnes, Commissioner

I'm just curious, when you said the CVS, are you talking about where CVS is now?

Paul Fritz, Chair

No, their old place that's next to where Mary's was located, that shopping center. They own that building where CVS used to be. It's a whole separate parcel.

Kari Svanstrom, Planning Director

It's really odd, because they do not own the overall parcel with the parking, so technically they have a building with no parking. John had just researched this from the Starbucks

conditional use. There is a shared parking kind of structure to that situation; it's a very weird ownership structure.

Evert Fernandez, Commissioner

I think we shouldn't lose sight of that. I know this is just for questions, but can we perhaps add that property specifically, or that area specifically, just to have it on our list, and it might mean that we maybe we get a citizens committee together to approach them, or we've got to figure it out, but I'd rather have it on a listing if it's low priority so we don't forget about it. When you talk about the parks, granted identification application, Park Master Plan and implementation, I'm assuming that that's meant for Ives Park, right? It's not parks master plan, it's park?

Kari Svanstrom, Planning Director

Yes, there are two. The 6B is actually in response to one of the General Plan actions to develop and adopt a Parks and Recreation Master Plan, and that's for the whole City, but obviously we know there's an Ives Park Master Plan. This 6A, Ives Park Master Plan Implementation, was not included anywhere in the General Plan, but given where we are in the work phases it's clear that this is a higher priority than a City-wide master plan to make sure we get this resolved and moved forward to implementation. I've been talking to Ann Riley and a couple of folks that she works with about some grants for the creek restoration. We do need to resolve the Master Plan updates brought about by this visioning process that we've done with you and the community so that we can settle that, because of the physical need to get it settled so we can build it.

Evert Fernandez, Commissioner

Do we need anything a little bit more specific? Like do we need to have an item in there to assess our parks, how big they are, where they're at, maintenance issues, or any kind of development problems, or anything like that? Is that something that we should take a look at maybe on an annual basis, or at least develop a list so we have that information? On here I thought I saw something about annual reports.

Kari Svanstrom, Planning Director

I'm not going to add that to the Ives Park fund, because I think that's well under control, but what I think I hear you saying is, "Assess needs of Parks on an annual basis in the interim to determine maintenance and other needs for park improvements." That's a now action as opposed to an official park master plan. It might not just be maintenance, there might be like the Libby Park super playground replacement that we did that is sort of maintenance but is kind of just a big park improvement too; it's considered a capital improvement.

Evert Fernandez, Commissioner

I was thinking maybe something like "review park statuses in order to assess needs." In other words, review what we have, and then maintenance and needs might come up. It's pretty much saying the same thing. Then I don't know if on here, again, this is more project-based, but I want to make sure we also don't lose the annual reporting from the Sebastopol Little League.

Kari Svanstrom, Planning Director

I think we should actually include that in the rules, but I'm not going to put it down here as well.

Evert Fernandez, Commissioner

This has probably already been taken into consideration, but to do signs for wayfinding and so forth, and international symbols so people who speak other languages can understand rather than have them all rewritten in different languages, if that's possible. I know there are certain symbols that we can use.

Kari Svanstrom, Planning Director

That's a good idea, especially as we don't have a translator on the staff to be able to provide signage. I know we did during COVID. Most of that COVID signage was actually provided by the County parks folks.

Kathy Oetinger, Vice Chair

Receiving an annual report from Sebastopol Little League, I know from Wischemann Hall, the lease says we're supposed to report and be available to the City Council on an annual basis, but as far as I know this entire year the City has not asked me or requested any particular type of information, so I feel like that's something that needs to be on the City's calendar if you want that information from us. I think we're willing; we just need to know specifically what it is that you want. So if you're doing it for Little League the City might consider looking at the other people who are required to report annually.

Kari Svanstrom, Planning Director

There are times, for like Measure M parks funding and whatnot, that I am asked for usage statistics, and I have asked usually the senior center, the pool, and the community center for statistics, but not the other smaller organizations like the Little League and others, so I probably need to figure out how to get a list together since I'm not actually in the Parks Department, but as the go-between I think it would be really helpful. If you know of other organizations like this, let me know, and if you know who their contacts are, and if there are others, that would also be helpful. Like I know Libby Park now has a preschool added, but I don't have any idea who that contact is or how I would report those activities.

Kathy Oetinger, Vice Chair

We generally know who is in our building, we don't always know what their attendance is, but we know what ours is.

Chair Fritz opened public comment.

Rick Geggie

I'm really knocked out by what you guys are doing. Keeping going. Thanks.

Chair Fritz closed public comment.

The Commission discussed the item as follows:

Kari Svanstrom, Planning Director

What would be useful for me is any comments on those sort of three items I highlighted: the downtown plan, the Specific Plan for northern gateway, the in-lieu parking fees, where you feel they should be in the order of things, and then any comments on the items that we just added.

Paul Fritz, Chair

I'll jump in on the downtown plan. I don't know if we have mentioned this to this group before, but there's a group of downtown business owners, myself included, that have suggested the City apply for the Caltrans Sustainable Transportation Grant, and what that

grant could possibly do is fund something like this. It could be used for a wide variety of things, but the interest of the downtown businesses is to just improve Main Street and make it a more pedestrian- and user-friendly space and not make it feel more prominently a car space. The Sebastopol Downtown Update is going to be a big lift financially and time-wise, so if we get the grant, then we should move it up to be timed with the grant schedule, otherwise I don't see it happening just with the resources that we have without getting money to do something like that, so I think that's a little bit in limbo in terms of timing. The grant awards aren't until January of next year, so I don't fully know if we have money to do something like that. It's important and I think we should do it, but I also recognize that short of a grant that's going to give us money to do that, we're not going to do it anytime soon.

Kari Svanstrom, Planning Director

The Engineering Department will be applying for that grant this year. I think the application period is October-ish.

Paul Fritz, Chair

It's an annual grant Caltrans does. They usually do it in October and they get awarded in January.

Kari Svanstrom, Planning Director

I have talked to other regional parks that have gotten them before, and what I have heard is that usually people don't get it the first time they apply, but then awards have been gotten for the same thing when it's applied for in a subsequent year after refining the application. Not that it wouldn't be great to get it the first year, but just in terms of expectations and how that might play into timing, and I believe the County is also applying like they did last year for Bicycle Pedestrian Master Plan, which would include Sebastopol's Bicycle and Pedestrian Plan as an annex to it, and they did apply for the Caltrans, the same grant. They did not get it. I believe they're going to reapply though.

Paul Fritz, Chair

I think that's a little bit in limbo right now.

Kari Svanstrom, Planning Director

I'm not sure why the Downtown Plan Update and Sebastopol Downtown Plan Revisions/Update are two separate items, and maybe they should just be put together?

Paul Fritz, Chair

Yes, seems like maybe that should just be one item.

Kari Svanstrom, Planning Director

The actions are the actions from our Land Use and Economic Vitality sections of our General Plan. The responsible, I'm adding the Engineering Department because the way to do that would be if we could get a grant for the planning part of it. But I think for now I'm going to move that so that these two sections are together, because they're the same to me.

Paul Fritz, Chair

And then can you go back to those other highlighted ones you wanted input on?

Kari Svanstrom, Planning Director

I think the In-lieu Parking Fees is somewhat dependent on having an identified place for a parking garage as a City project. I know that there are a couple of things going on. There isn't any intent to do anything with any of the parking lots. I know one of them was looked

at for a mixed-use project, Pine Grove Square. There are no projects going on right now regarding a downtown parking garage. Obviously, with construction costs it would take a huge amount of money. This is the type of thing people used to do with redevelopment funding, which is not around anymore, but there always could be something that comes up. If you think of our Housing Element there's a potential to revisit that in the future for potential housing, housing mixed-use projects. Not that you couldn't do it differently, but the cost of just building a garage, you're talking about millions of dollars, and the threshold for in-lieu fee if the point is to be able to accommodate parking elsewhere, but also get some additional development with the requisite parking there, it would take a long time to accumulate enough fees to be able to do that.

Kathy Oetinger, Vice Chair

So then are you suggesting removing that?

Kari Svanstrom, Planning Director

I don't see removing it. I'm not going to remove the language that's in the General Plan, but just in terms of your priorities the City isn't looking at doing a parking garage at this point.

Kathy Oetinger, Vice Chair

I would put it at C.

Paul Fritz, Chair

Because that's part of the General Plan.

Kari Svanstrom, Planning Director

That's contrary to what Chair Fritz said, which was to potentially move up, so I'll let you guys discuss it.

Kathy Oetinger, Vice Chair

So it seems impossible.

Paul Fritz, Chair

I wouldn't say move this up; I would say I think it's a different item. This idea of the parking garage, that's one thing, but there's also an issue because of our parking requirements. Redeveloping anything downtown is kind of impossible, and I think that's a separate issue to be discussed than this parking garage concept. Is there a different way we can look at parking downtown that would allow, like you said, development to move forward without having to get a variance every time you wanted to do some kind of development on an existing piece of land?

Kari Svanstrom, Planning Director

That makes more sense. Does, "Other ways of looking at parking downtown to allow smaller properties to redevelop or intensify appropriately, such as adding a residential unit on second story, etc." capture what you're thinking?

Paul Fritz, Chair

I think so, yes. Again, the property in mind is the one that's for sale that contains Portico and Sagestone.

Kari Svanstrom, Planning Director

Right, that's the one you brought up last time. There are a number of other one-stories that they could add or even convert office area or second stories that are being used for office to

residential. They could probably do that if they had some parking through shared use approved by the Commission, but how are we looking at that and how are we assessing that? So I'm going to highlight that section of it, and maybe that's a short-term if the other is a long-term.

Paul Fritz, Chair

I think that's a shorter-term conversation, and I think the other parking garage is a bigger concept.

Kari Svanstrom, Planning Director

I think at that point for that thing it may not require a consultant, it may be best practices, what other cities are doing, and that kind of thing. I might just leave some of these items highlighted so then when we present it to Council as here's what the Commission is thinking is represented appropriately.

Evert Fernandez, Commissioner

I want to clarify a couple of things. If we go to where it says, Parks and Recreation Master Plan, Long-Term, 6B, there's a lot of stuff there. I was thinking that the Creek Ordinance Update is an important item to review and I don't want it to get lost in with all the other bypass and all that. We're talking about keeping pollutants from going into the creek and just maintaining it, so that's something that should be a priority so that it doesn't go in with the whole master plan and we can't get to it. I don't know if we identify it as a separate item or how we might handle that.

Kari Svanstrom, Planning Director

I hadn't done that, and I guess that's a good point. Is that something that should be for the long-range Park Master Plan?

Paul Fritz, Chair

I'm not familiar with the Creek Ordinance that we have. Is anyone familiar with the Creek Ordinance?

Kari Svanstrom, Planning Director

I can explain it in about a paragraph, because I have seen it in like five different cities. It basically says no structures shall be constructed within 30 feet of the top of bank, and the reason those were created with that exact same language is that it was a FEMA provision for cities as a way to regulate localized flooding and not have those properties subject to FEMA, but it was only focused on preventing flooding to structures, it wasn't about the creek at all, and so an asphalt basketball court or a pressure treated wood deck is not considered a structure if it's not more than 2 feet off the ground, so you could do that right within the creek bed. The Marin community I used to work in, we had to code enforce on someone building a hot tub in a creek. This is something I've talked with Jessica and Riley as part of the Calder Creek as well, and they have provided me some information about best practices to update it to make sure that it is about restoring and taking care of the creek, not just about not flooding structures.

Paul Fritz, Chair

Most of the creeks in town are running through private property, so if we were to update the Creek Ordinance, would that be something that we could then send out to all property owners that have a creek running through their properties so that they know that this is? How does that get communicated and enforced down the road since most of the creeks through town are not in a public location that we can see and access?

Kari Svanstrom, Planning Director

A lot of times people will come in and ask the Planning Department questions about that when they have a creek, but yes, I think absolutely having something informational, and it would actually be pretty easy to send it just to the people on the creeks, because you can use a GIS map and if you have the waterline running across your property or within proximity, you get some educational information about it. We've seen a lot of people come out to the Calder Creek naturalization project meetings because they live on the creek and they're concerned about it, and so I think that is a way of helping those who want to do something but aren't sure what to do and what they should be doing in terms of planting or other things, to help them understand what that means.

Evert Fernandez, Commissioner

Part of my interest in that is the education part, dumping and that kind of thing, but just the education of what is almost like a responsibility, and if we do an ordinance also I think when they sell the property they may have to disclose that or at least discuss that, so if you've got somebody new that's coming in we don't lose track of who owns the property and it changed hands but they have some of that same information, such as there's a creek running through that and it means you have these responsibilities and what you can and can't do.

Kathy Oetinger, Vice Chair

I wonder if this work would include a good definition of what a creek is, because as we've grown over the years we've moved our creeks around. I know Kari sent us that map of Calder Creek; I couldn't even figure out where it was. But we have other creeks or drainage areas that are really part of our flood control system, and so I think it's important to define what that is so we know whether it's a creek or whether at certain times of the year we just have a whole lot of water going down that way. I think that could help, particularly in the Laguna, because we've moved the creeks in such a way that they do go through certain areas and now we're defining that as the area where they go, whereas before they might have gone somewhere else, but there's still that creek and there's still that drainage area.

Linda Kelley, Commissioner

I have a question again about setbacks. I know definition of creek is one thing. The other one is is it a seasonal easement, and what is allowed in terms of setbacks for the riparian area? They were a moving target over the years because of the way we've developed, but the water still has to go somewhere, so like we found with Laguna Vista, even those wetlands weren't what they were originally. Once they were culvertized and been there for a while, they were still considered wetlands.

Kari Svanstrom, Planning Director

Yes, and most of the properties like that one and the a number within The Barlow, Morris Street and that sort of line south, in addition to a lot of them being in the flood plain they have the environmental scenic open space overlay as well where they go into the Laguna, but I do know that one in particular, yes, it still has map wetlands and I think it's zoned primary wetland in the back of that parcel.

Paul Fritz, Chair

In terms of development, any development on a property where there's a creek is going to have to go through a whole bunch of regulatory processes. This is more really for private property owners who might want to build a deck or do these things that they don't know they shouldn't be doing. If a developer is coming through and they're going to do a development on a property, they're going to get caught through the CEQA process to have to really investigate that and understand what the regulatory requirements are, but for

anything that's like an existing lot, people don't know what's allowed and what's not allowed.

Kari Svanstrom, Planning Director

Correct.

Paul Fritz, Chair

I'd be happy to move this conversation about the creeks up higher in the list, and even about the Parks Master Plan, because I feel like it's probably an easier lift than the Parks Master Plan in terms of staff time, our time, and the cost. We can look to other communities for best practices and things where it's been done before and I don't think it's going to be too complicated to come up with this.

Evert Fernandez, Commissioner

I would agree with that, and I would not want to limit the education portion just to actual property owners where a creek goes through, because you could have a property right next to it, but what they do there definitely may run off or have an effect on the creek, so I don't want to limit it just to owners. I don't know how you would do it in particular areas. I know of course we're all affected because of what we put down our drains or street garbage and that kind of stuff. It might be that property owners next door just don't realize that some things they could do, or things they might plant, could help even though the creek doesn't go right through their property.

Paul Fritz, Chair

Yes, it could be like a certain distance from the creek bank or something like that. If you live 100 feet from the creek bank, or whatever seems an appropriate distance, those people all get notified.

Deborah Burnes, Commissioner

I have a question about the ordinance. Once you let the people who live within a certain area of the creek know if they decide to build a deck or anything like that, do they have to comply with environmental issues, or is it just best practices?

Kari Svanstrom, Planning Director

There are two ways to handle it. If it's in a creek ordinance that the setbacks shall be X feet away—30 feet from top of bank for construction is what we have now—what are you allowed to do within that 30 feet? Structures need to be outside of 30 feet, but do you get to pave your patio? Can you do these other things, or would a 30-foot setback be more sacrosanct? And no, you can't do any artificial surface within that area or something like that, so it depends, but usually in an ordinance it says you can't put anything within that creek bank.

Deborah Burnes, Commissioner

I should rephrase my question. I get that, but Chair Fritz said that he didn't know what the Creek Ordinance was. If he doesn't know what the Creek Ordinance is, I wonder how many people living on the creek know? So once they're notified, if they're in violation of it, then does that open a big can of worms, or what does that mean as far as planning? Will they come back to us?

Kari Svanstrom, Planning Director

I certainly have dealt with a number of code enforcement where someone has built something within those 30 feet. Mill Valley had some very, very small lots and they had a lot people expanding the existing homes and they kept trying to kick up against the 30-foot

creek ordinance, so in that case they would still have to apply for a variance or design the project appropriately. But yes, sometimes it's clearly going to stop riparian habitat from being able to climb the side of the bank or pass through along the creek if you're putting something in the creek or doing something like a hot tub. We're not going to recommend a variance, because there's no way you could meet the state requirements and our requirements for whether it is a reasonable development of the property. We would usually at a staff level enforce and have them restore it.

Paul Fritz, Chair

Wouldn't it be the case that if someone had something now that's not a setback issue? Because a setback is what the ordinance is now, but if we come up with some other requirements for the ordinance, if people are out of compliance with whatever new items we bring forward they don't really have to necessarily comply with those because whatever date the ordinance is adopted, that's when it starts.

Deborah Burnes, Commissioner

That's where I was trying to get to.

Kari Svanstrom, Planning Director

Oh, sorry. If someone already has, say, a brick patio within a creek or within the creek's 30-foot creek setback and the City decides to adopt that you can't put anything in there, then that would become what we call a nonconforming use, and they would be able to maintain it and they wouldn't have to take it out. If they did take it they wouldn't be able to put it back, and they could do ordinary repairs. Hopefully we could provide some guidance that's not in the ordinance, but just educational about what is the best way to do repairs so they're not putting stuff with dyes in between the bricks that would contaminate the water and stuff like that, it's just regular old sand or something that's compatible, or they're able to edge it in a way that it's not eroding into the creek. But no, if it's already there on the date the ordinance goes into effect they're not required to remove it under our code. Then certainly the educational components of it, of removing invasives and putting in native grasses and stuff, that's not ever going to be a requirement other than if someone is doing a major property redevelopment and actually are subdividing. I have worked on a project that would have required a bridge over a creek—it was withdrawn before it came to you guys for the owner's own reasons—but they would have been looking at subdividing a property where it was split in two by the creek, and they had a smaller bridge but they would have had to build a bigger bridge to allow fire trucks to get across and be able to turn around as part of it, and that would need to go through the Planning Commission and City Council for the subdivision. Our Subdivision Ordinance actually says that when a creek is involved that we look at what should be there, and so this could actually give some guidance towards that rather than the Commission shall determine how to deal with the creek, what the creek plan is, and so it would be helpful for that or for something that's in the ELS SOS areas, or if people just wanted to do it voluntarily. So there are maybe a couple of things, but mostly that component of it is probably going to be educational and not a requirement for people, and that's getting really detailed on what that ordinance might be. So for now I have moved it above the Park and Rec Master Plan, and I do agree it's a much smaller chunk. If I had time, I could almost write this myself with a little guidance from Jessica and Riley. I've done Park and Rec master plans too, but there were four people working on it. I'm still leaving it below the Ives Park Master Plan Implementation, and then everything that's numbered here, we're basically working on right now, so it's kind of one of those next up things at this point.

Evert Fernandez, Commissioner

Under the review and update new Zoning Ordinance, it's the same thing with the food truck item below. It wanted to kind of get lost within that clarification, because it's more about not necessarily clarifying, it's almost more new regulation in that we require establishments to provide food at all hours that alcohol is being served, and some are in compliance and some are not, and it's difficult for some businesses to justify and be able to have a kitchen open and so forth, so this could be a way to help them satisfy those requirements, create some additional jobs for vendors, and also from a responsibility standpoint make sure people eat if they're going to be drinking, and help maybe some of the downtown merchants in the evening and nighttime. Then also under a food court site I was hoping to perhaps consider—and again, it might have to do with funding and grants—but I know some cities have an actual pad where a truck can pull up and it's set up for a food truck. You can plug in, there are all kinds of amenities there, so I was hoping that we could look at that as a possibility. I think it would be a good benefit, because people can walk to those places.

Kari Svanstrom, Planning Director

So would that be City-sponsored, or if someone came to the City wanting to organize something similar to the farmers market or the HEAD WEST marketplace?

Evert Fernandez, Commissioner

What I was talking about is maybe a City-sponsored site that is literally set up specifically for a food truck or two to come in. I think the whole idea is in order to bring food trucks in here it has to be economically feasible, and for some of these vendors it's difficult, because it's going to take them a while to get going, so trying to make it as easy as possible. Maybe down the road we'd talk with the City and partner up with other businesses, try to subsidize at least to get them going. But what I was talking about is an actual City-sponsored owned space that trucks pull up and plug in.

Kari Svanstrom, Planning Director

That's definitely something that we would want to talk to Council about, because if there's an infrastructure it's who is going to do it? A lot of logistics, and also there's probably frankly existing restaurant owners who might want to say something about that. It may be good; it's sort of a restaurant incubator.

Evert Fernandez, Commissioner

Yes, and it could be later at night, because nobody is open, so that's more what I was talking about. It might be something that the Commission kind of kicks around and gets some information and then maybe talk to Council about it, but however you think that might be best positioned there. We need to address that issue of meeting that requirement of people serving alcohol and having food available.

Deborah Burnes, Commissioner

Does anyone know about The Livery in town? Because I feel like they are going to be small, little food. And there are a few places I know the kids go to in town. There's Pizza Hippizzazz that's open till 2:00am, so I'm just thinking about the current people. It's been really hard for people through COVID to stay afloat.

Evert Fernandez, Commissioner

It wouldn't be anything like competition or to create that, it would just be for times and places that make sense, or where two restaurants get together and rather than they each open up a kitchen or something they can partner to have a food truck there and satisfy the food requirement.

Kari Svanstrom, Planning Director

Since that's a little bit different from Zoning Ordinance stuff, this may be something to pull out and put into the staff report. It's up to the Commission, but obviously some of these would require Council buy-in.

Evert Fernandez, Commissioner

My point is that it that it's kind of a separate thing.

Paul Fritz, Chair

I like the idea, but it's something that I don't know we can do as the Planning Commission.

Evert Fernandez, Commissioner

No, but it has to start somewhere. We could at least start the conversation, and the staff report is a start.

Deborah Burnes, Commissioner

I know a lot of cities have like a night, like "Thursday Food Court" or something like that.

Kari Svanstrom, Planning Director

Alameda used to have like a Saturday morning. I think it coincided with the food market or something that they had out at the old airbase. I know for a lot of people that was their thing for the day; they were going to go down there.

Paul Fritz, Chair

Yes, and there are certainly City parking lots in the evenings downtown that are pretty empty, and taking up a little bit of space in one of those to allow food trucks to pull in and provide electrical hookup or whatever. A lot of them are fairly self-contained; they don't necessarily need a lot. I think it's an interesting idea.

Deborah Burnes, Commissioner

They currently do it at Riley Street; it's a little bit out of the way. But there is that lot that The Barlow uses that overflows a lot.

Kari Svanstrom, Planning Director

We do have a couple of food trucks in town. I know El Coronel has one. They put that in other places, because obviously they have a full restaurant, but they do catering out of that as well. There is usually a food truck at the gas station right across the street from the Fairfield Hotel, and they're there Monday through Fridays for the office workers there, but a lot of other people go there during the week as a lunch stop too. And we do have allowances for that already in our County and private parking lots.

Evert Fernandez, Commissioner

Yes, because I've noticed one also next to Jasper's sometimes.

Kari Svanstrom, Planning Director

Yes, they do one as part of their provision for food for the bar.

Deborah Burnes, Commissioner

We brought City Donuts to town for Black Friday this year and it was really successful; people loved it.

Paul Fritz, Chair

They're very popular, and I could really see it if it was like in the HopMonk Tavern parking lot. A few food trucks there in the evenings could really actually help to liven up downtown a little bit. Downtown can feel a little quiet in the evenings, especially compared to The Barlow. The Barlow is hopping and downtown is a little quiet, but if you had something like this you'd have a draw. I was walking by a couple of weeks ago in the evening and there was something going on in Retrograde, like a pop-up restaurant, just like one night, and somehow people knew about it, because it was full of people. Danielle, the owner, lets a friend of someone she knows come in and just do an evening of fixed-price menu sort of thing. It was really cool, because there were people downtown at 8:00 o'clock on a Wednesday night.

Kari Svanstrom, Planning Director

That's actually something that Sebastopol has been good at even beforehand. Before Ramen Gaijin took over the whole thing they shared a kitchen, and before that I think it was also a shared kitchen between two different restaurants. I know there's a new business coming into town that is reported that it used to be a pop-up. Sonoma Burger was the same thing; they were a pop-up and now they're in the little shopping center on Pleasant Hill.

Paul Fritz, Chair

So I think it's a fun idea to liven up things a little bit.

Kari Svanstrom, Planning Director

And Commissioner Fernandez, if it's okay, I'm going to pass this on to the Relaunch Sebastopol folks as an idea, because in that sort of economic development realm they're probably going to have more potential and focus on that kind of a thing than the Planning Commission.

Paul Fritz, Chair

That's a good idea.

Deborah Burnes, Commissioner

That's perfect.

Evert Fernandez, Commissioner

I want this to be a positive experience, but perhaps one of the ways to move this forward is why I used the language of in order for restaurants to meet the new requirement, so it doesn't get lost, because that's what we're trying to do. Again, that helps the restaurants. We don't want them to have any further demands on them; let's figure out a way to work together.

Paul Fritz, Chair

I think it would be interesting if the bars that are open on Main Street that don't really have food service similar to what you can do in The Barlow at some of the bars there, that you can order food from the bar and then have it delivered to the bar from these food trucks. I think that's a cool idea.

Deborah Burnes, Commissioner

I don't mind talking to Laura Hager Rush of Relaunch Sebastopol either, because I wrote a whole proposal on food trucks in Sebastopol, so I have it all detailed out.

Kari Svanstrom, Planning Director

Sounds good. I will send her the bullet and you can contact her with the big data.

Deborah Burnes, Commissioner

Because I even thought of what you did, like you could have two restaurants get together and do an Iron Chef competition, or something where people can taste foods and rate them.

Kari Svanstrom, Planning Director

Absolutely.

Deborah Burnes, Commissioner

We want to get the community involved in fun and other things to do.

Evert Fernandez, Commissioner

Sounds like she's volunteering for a subcommittee, Mr. Chair. Thank you, that's exactly what I'm trying to get to.

Paul Fritz, Chair

Kari, you and I have talked about some of these things in terms of the clean up stuff for the Zoning Code, and I don't know if you want to go through the specific items right now.

Kari Svanstrom, Planning Director

If you can email that to me, I can paste them into this, if that's okay with everybody.

Paul Fritz, Chair

One thing, and I also mentioned this to you, Kari, I'm still not quite sure what we're supposed to do with the parklet question.

Kari Svanstrom, Planning Director

I can answer for you now. None of the City staff or the Engineering Department staff have had time to deal with that. They have taken it through the process, it is included in the budget discussions for this year, because Council said go do this, but they never authorized any money for it, so we don't want to go through the whole process and have them go \$40,000? No way. So that will be part of the budget discussions.

Paul Fritz, Chair

And again, the way it happened in the City Council meeting was very strange, because they said yes, we want to keep the parklet in front of Retrograde and Sunshine Café, but the other ones, let's have the Planning Commission discuss, and I don't know exactly what they want us to discuss. Are we the ones to decide?

Kari Svanstrom, Planning Director

My understanding is whether or not to make that permanent. The one in front of Retrograde, clearly there is business support from all those businesses, although I have to talk directly with the owner of the Sunshine Café. I don't know if she was at that Council meeting; I was out of town that week. So there's support for that, and there are no surrounding businesses opposing that. There are at the others, and that was how do we resolve that? We're not sure we want to make it permanent yet.

Paul Fritz, Chair

My impression is the Council wanted us to sort through that, but I don't know if that's the case or not, because it was kind of weird the way they did it. But if they do want us to discuss it, I would like to put that on our workplan to discuss, and invite the public and have a public meeting and have people give feedback, and then we can talk about it and give the Council our recommendation. I just know that businesses are waiting to find out what's

going on and they're just kind of hanging. I get the budget part of it, and the first step is to figure out if it's permanent or not, then there's a budget discussion about if this is permanent, how do we pay for it? But we don't even know if it's going to be permanent yet. It might go away, and the temporary use permit goes away, and then there's no budget conversation.

Kari Svanstrom, Planning Director

Correct, and a lot of that has to do with the City Engineer talking with Caltrans. I believe they have extended the temporary permit until the end of this year. They have issued a couple in a different Caltrans district for a permanent parklet, but not in this district. So if we can't get the encroachment permit for any of them, even the Retrograde one that everyone supports, that's sort of where it is. If we can't get it for Retrograde where there is no opposition, then the other question is null and void at that point, so let's try this one first and then see if we can figure out how to do that with Caltrans. There are also some intersection issues with the one at Screamin' Mimi's. Caltrans and City staff are already working on some of the crosswalk issues there with two crosswalks 10-feet away from each other and that Caltrans has responsibility for right now, and we keep talking to them about how they are going to resolve that.

Deborah Burnes, Commissioner

I honestly think it should be done the exact opposite way—and I'll have to obviously not be part of this discussion, because I have a parklet in front of my store—but I think we don't really know what we need the budget for if we don't know how many are staying or going. To Chair Fritz's point, I hear all the time from business owners that they're impacted from parking and they just want to know is it going to be here? I've heard of people who have asked for rent reductions, because the parklet is affecting their business, so I think the business owners need to know what's going to happen. Then if we can have that discussion and just decide what can stay and what can go, that will also help you with your budget.

Kari Svanstrom, Planning Director

That's a helpful perspective. Thank you.

Paul Fritz, Chair

These other things, Kari, are just ideas, and I can email them to you and talk about some of them, but just ideas for other possible educational presentations.

Kari Svanstrom, Planning Director

Absolutely, we don't need to go through them. I'm happy to do this as we have in the past. Is the Commission comfortable doing approval of this in its current form, or do you want to see it one last time with these revisions included?

Paul Fritz, Chair

I think it would be helpful to see it one last time.

Kari Svanstrom, Planning Director

I don't think there's a rush to get it to Council. Council is booked full through July at this point, and we obviously have six items in the top part that we're already working on. But it is helpful actually as I start to think about my budget and if these are going to happen next year. My budgets are due in January/February for the next fiscal year and it helps me understand what I should be looking at, so thank you.

Paul Fritz, Chair

Yes, I think this is a helpful process and a good tool, because it's good to focus us and it helps us to know what's coming up to prioritize things for the City.

Chair Fritz asked for further Commission comments on the workplan. Seeing none, he moved on to the next item.

C. PLANNING COMMISSION TRAINING

Director Svanstrom played a video on A Overview of the Planning Process: Learning Objectives.

Chair Fritz asked for Commission comments or questions regarding the training video.

Kari Svanstrom, Planning Director

I'll start with a question for those who have been involved with the General Plan process or the Housing Element. Do you think there's anything missing or that was super critical with what was presented?

Kathy Oetinger, Vice Chair

They don't express the frustration with not having solutions to some of the problems, and how sometimes it's just really beyond a small town to accomplish the things they need, so we have to find workarounds where we have to go off to other larger agencies to get money. I think one of the tragedies and strategies for planning is not having the resources to do the things that you're talking about that are so difficult to accomplish.

Paul Fritz, Chair

Yes, it didn't really get into that aspect of it. You come up with a plan, but then how do you get the resources and everything to do the implementation of all the different pieces you've just spent so much time working on?

Kathy Oetinger, Vice Chair

Yes, it wasn't included as one of the strategies or goals, a place to really implement things.

Paul Fritz, Chair

Going through this workplan process I think is very interesting and valuable. Vice Chair Oetinger, you and I were on the General Plan Advisory Committee and have been involved in this process for a long time, and it's nice to see that we are actually crossing some stuff off of the list. Not getting everything, but we're making some progress, so I think that's nice to see through this workplan process. Again, having been on the GPAC, I feel like when we did the General Plan update we incorporated most of what she was presenting. We definitely had citizens as part of the GPAC, but also those were all public meetings and other people did come and speak and make comments, so I think we got a good amount of public input to that process. Then when it came to the Planning Commission there were a lot of public hearings discussing in great detail a lot of different elements of the General Plan and crafting it down, and it took a long time. That's one issue she didn't talk about, how long it takes to get through that process. But it's also interesting to think about moving that northern area specific plan up our list a bit. That kind of specific plan process would go through a very similar process: getting the data, having public meetings, figuring out who the stakeholders are, putting a budget together, and figuring out what consultants we need. All that has to happen not only for the General Plan, but all these smaller specific plans that we would put together as the Planning Commission.

Kathy Oetinger, Vice Chair

Like the Ives Park plan and the process we went through doing that, and it basically sat there all that time. Things did get improved over the years, and we knew what to improve, but now we're looking at doing it again and then maybe moving forward with more of the things that we'd hoped to accomplish. It works.

Paul Fritz, Chair

Yes, it can be slow, especially, as I said, a small community like ours with not a lot of resources, it can be a very slow process.

Kathy Oetinger, Vice Chair

Yes, with one person in Planning. There's also the Parks Department, and Design Review and the Tree Board and everything else.

Kari Svanstrom, Planning Director

We have more than one person. We've got John. Two planners.

Chair Fritz opened public comment.

Rick Geggie

Through the presentation I wondered if I should be even attending this meeting, because I'm a registered alien, I'm an tenant, and I live out on Fiori Lane to the west, so that was the first point. The next thing, is Sebastopol plugged into the United Nations program where cities around the world send in the problems they're having. Those are sent out to all the cities around the world again, and then any city that has come up with a clever idea, they respond, and I note they have updated their programs and things, but I can remember when it was really quite an amazing process. Thank you very much for listening.

Paul Fritz, Chair

Thanks for attending, Rick.

Kari Svanstrom, Planning Director

Just to answer Rick's question, this is a City of Sebastopol Planning Commission, so it deals mostly with things within the incorporated town, however, we welcome all comers to listen and to engage with us, so thank you for that.

7. SUBCOMMITTEE UPDATES

None.

8. PLANNING DIRECTOR'S REPORT

Director Svanstrom provided updates.

The Commission asked questions of Director Svanstrom.

9. ADJOURNMENT: Chair Fritz adjourned the meeting at 8:23 p.m. The next regularly scheduled Planning Commission meeting will take place on Wednesday, June 14, 2022 at 6:00 p.m.