



City of Sebastopol
Incorporated 1902
Planning Department
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APPROVED MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF October 12, 2021

PLANNING COMMISSION:

The notice of the meeting was posted on October 7, 2021.

- 1. CALL TO ORDER:** Chair Fritz called the meeting to order at 4:00 P.M. and read a procedural statement.
- 2. ROLL CALL:**

Present:	Chair Fritz, Vice Chair Oetinger, and Commissioners Burnes and Kelley
Absent:	Commissioners Douch and Fernandez
Staff:	Kari Svanstrom, Planning Director Kelly Hickler, Senior Planner Woody Hastings, Climate Action Committee
- 3. APPROVAL OF MINUTES:** None.
- 4. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA:** None.
- 5. STATEMENTS OF CONFLICTS OF INTEREST:** None.

6. REGULAR AGENDA ITEMS:

A. GAS STATION BAN DISCUSSION –

Director Svanstrom provided an introduction.

Senior Planner Hickler presented the staff report.

Climate Action Committee Member Hastings provided a presentation.

The Commission asked questions of Director Svanstrom and CAC Member Hastings.

Chair Fritz noted that as there were no members of the public in attendance he would not open public comment.

Director Svanstrom commented that staff had not received any comments from the public.

The Planning Commission discussed the agenda item as follows:

Linda Kelley, Commissioner

In recent experience weighing in on a car wash we brought up environmental issues like odor, over-spraying, and mist. CEQA requires us to look at that but do we need to identify those issues?

Paul Fritz, Chair

We cannot do that tonight because this specific agenda item is for the fossil fuel issue and car washes is not an agendized topic. Correct me if I'm wrong, Kari.

Kari Svanstrom, Planning Director

I think you're correct. Even though there are changes to the car wash tax it's really about the service station component of it, not the car wash, so that should be a future agenda item.

Paul Fritz, Chair

I like the idea, Linda, and I think we need to clarify, because one of my contentions with the car wash was the use table needs clarification, because I don't think a car wash should be an allowed use downtown. I think there is a bigger conversation regarding car washes that should be put on a future agenda but stick with the gas station issue tonight.

Linda Kelly, Commissioner

Not a problem. Years ago the Chevron station put lights on the building that were blinding at night, although they turned a couple off at my request, but lighting is another issue around 24-hour signage and I assume any future gas stations would be required to go by our night sky requirements. I'm very pleased this is coming forward.

Kathy Oetinger, Vice Chair

If we're striking the words "service station" in Chapter 17.345 and just relating to car washes what happens when an existing service station wants to remodel? Shouldn't we have these standards in the code for that purpose, that existing stations shall follow these rules, because we're allowing them to make improvements or adjustments to the existing grandfathered units? Do we need to keep the specifications that pertain to the gas station there so people know what is expected because they're not real car washes? We still need to have standards for service stations because we have three of them.

Kelly Hickler, Senior Planner

I think that everything that we removed, such as pump islands and paper processing units, would be just related to new.

Kathy Oetinger, Vice Chair

All those things would apply if, say, the Chevron station wanted to move its gas to another location and put something else out front; all those things would still need to be there?

Kari Svanstrom, Planning Director

Right. Say you're changing the site layout but not the pumps, you still need the appropriate queuing areas for people waiting in line to get gas. The pump islands are not needed any longer because we're not allowing new pumps.

Kathy Oetinger, Vice Chair

Could the current ones move to another location?

Kari Svanstrom, Planning Director

I don't think we would want people to do that because that is in essence renewing and allowing them to upgrade, something that you want to phase out. Back in the seventies people were actually given a timetable for taking down nonconforming buildings or closing nonconforming businesses and uses. We don't do that anymore, and in fact Sebastopol is pretty generous when it comes to nonconforming uses compared to some other cities, but I don't know a city in the world that has ever enforced an order to tear down their nonconforming building at the end of ten or 15 years, so it's not really attainable. I bring that up because the intent of nonconforming is to eventually phase out, and so you want to have a certain amount of limitations on what it is you're allowing people to do. For instance, I have spoken with the owners of the Chevron station on the east side of town. They are interested in upgrading some of their buildings, and just to take them as an example, they would require a use permit but that isn't something that would be an issue. We wouldn't want them to necessarily be able to relocate their pumps and install brand new pumps that would have another 30-40 year lifespan as part of rearranging their site.

Kathy Oetinger, Vice Chair

That's another question I had. I use Fast Gas and they have recycled pumps. If one of those pumps broke does that mean they can't replace it with a new one?

Kari Svanstrom, Planning Director

No, that type of maintenance does not require a use permit; it would just be an expansion. Like the Chevron is talking about redoing one of their buildings and having a café, and that has nothing to do with fossil fuel infrastructure and they're welcome to apply for that. Similarly, the state does have some requirements for safety upgrades to underground storage tanks, things like that; this would not impact those. Obviously we don't want to stop people from making the tanks more environmentally friendly and complying with state laws.

Kathy Oetinger, Vice Chair

Okay. I think it's clear we're not closing things down until they naturally wouldn't want to be operating anymore.

Director Svanstrom confirmed that Vice Chair Oetinger was correct.

Kelly Hickler, Senior Planner

I assume an update to a service station to be automotive gas or fueling, just so it's consistent language, but instead of striking "service station" you could say, "existing," that these standards apply to existing automotive gas."

Kari Svanstrom, Planning Director

That's not a bad idea, and we'd want to clarify that existing service and new and existing car washes, because it's not just existing car washes.

Paul Fritz, Chair

I think that's a good clarification. I like that.

Kari Svanstrom, Planning Director

Then add in an electric vehicles charging station. If someone does come forward though, these are obviously still the same kind of things they need to consider in terms of egress and access.

Paul Fritz, Chair

So under Site Design we're keeping that Item 1, "Pump islands shall be set back a minimum of 20 feet from a property line," we're going to unstrike that? And are we unstriking all of #3 then?

Kari Svanstrom, Planning Director

I think you could, because they're requirements for an existing service station.

Paul Fritz, Chair

Because one of my points was going to be that if we're striking #3 then the next one should not be #4 but should be #3. But if we're keeping #3 then that site layout design can be #4.

Director Svanstrom agreed with Chair Fritz's comment.

Paul Fritz, Chair

I just have a general question. Are we approving all these amendments tonight? Is that part of the resolution, or are we just recommending a resolution to the Council to do this and then it's going to come back to us for the official amendments?

Kari Svanstrom, Planning Director

We're not going to go back to the Council until we have the done ordinance. Their direction was they want us to work on it and bring it back. I propose tonight is direction to staff from the Commission. Staff will develop the draft ordinance and we have the draft resolution recommending to Council already, but you can make any tweaks to that, and we'll fill in the technical things about the noticing, the public hearing dates, and all that to the resolution. So, tonight is the opportunity to give us some input to put in the ordinance and we'll be back probably in a month. We will notice the public hearing in the newspaper and we also want to contact those three service station owners so they are aware of it as well.

Chair Fritz noted that there were no further comments regarding the resolution and asked Director Svanstrom if she had all she needed from the Commission.

Kari Svanstrom, Planning Director

To summarize, we heard from a quorum and it is unanimous support, so no straw poll is needed to move forward with creating the ordinance with the one change of instead of unstriking "service stations" for the service station and car wash section and also changing service station throughout and referencing existing automotive fueling stations that is consistent with the definition, and also when we do the title for that, we will say "existing and new car washes," so it is clear it applies to all car washes, not just existing car washes.

Chair Fritz thanked Senior Planner Hickler and CAC Member Hastings for their work on this matter.

B. PLANNING COMMISSION FORMATION UPDATE –

Director Svanstrom presented the staff report.

The Planning Commission discussed the agenda item as follows:

Kathy Oetinger, Vice Chair

When the call goes out for applications is there any way to contact mailing or email lists within those school districts?

Kari Svanstrom, Planning Director

That's not a bad idea. There are a couple of things. You are an out of the City limits commissioner and your term is not up this year, so we would want to do it coinciding with whenever your term is up—although I hope you will reapply at that time—but we can consider doing that. The other Planning Commission vacancy from when Bill Anderson had to move outside of the City limits precipitated this discussion after he was recently appointed, and his vacancy was filled by Commissioner Burnes, but Luke Lindenbusch had to resign because of a work conflict and his vacancy will be filled as part of the normal cycle, so at this time that position can only be filled by a business owner or a resident of the City. I will ask for the Commission's thoughts on ways to get the word out about the various City committee positions: one for the Public Arts Committee, two for the Climate Action Committee, one for the Planning Commission which is resident or business owner, and a two for the Design Review Board, including a general committee member.

Linda Kelley, Commissioner

Was there any discussion about the business owner who lives outside the City limits in terms of including them in that geographic limitation for just a resident? In terms of getting the word out, I don't know if we still have a newsletter, and then also our utility bills.

Kari Svanstrom, Planning Director

Council did not discuss that. The thought is a business owner, if they're coming into town and they own a business, the Council didn't talk about limiting that to that geography but I can clarify that with them when I bring the ordinance to them. That's a good question versus if they happen to live outside of the City limits but they're here every day and they have an affinity with the town. Any thoughts on that from this Commission that I could bring to the Council would be helpful. With respect to getting the word out, our City Clerk, Mary Gourley, handles the overall recruitment components, but I don't know if she has the utility bills, so I will ask her. Good idea.

Linda Kelley, Commissioner

I listened to the City Council meeting when you discussed this and I think it was a 3-2 vote in favor.

Director Svanstrom and Chair Fritz responded that Commissioner Kelley was correct in her recollection.

Deborah Burnes, Commissioner

Is it accurate that I heard that one could live outside of City limits if they own a business in the City limits?

Kari Svanstrom, Planning Director

That's correct. Currently it's anywhere in the 95472 zip code but we're looking to tighten that up a little bit, and that's where the three school districts are, what the Council is directing us to change that geography to.

Deborah Burnes, Commissioner

What if you have a business owner and they sell their business and their term isn't up? If things change would you still fulfill your whole term or does that make you ineligible to be on the Council?

Kari Svanstrom, Planning Director

That makes you ineligible to be on the Commission. Whatever category you're filling, you would no longer are part of that. If you're a business owner but live in Sebastopol that

would not be an issue. For instance, Chair Fritz has a business and he lives here. If he sold his business but still lived here, we don't distinguish why someone is being appointed because they're a business member or a resident, so you would still be eligible to continue to serve us.

Paul Fritz, Chair

I don't have a strong opinion either way. In some ways it makes sense if we're just limiting that geography, and in some ways it makes sense to limit a business owner to that geography as well. I think it's a question to ask the Council and for them to decide.

Deborah Burnes, Commissioner

The only thing I would add to that is I'm curious to know how hard it is to fill your vacancies, because the unincorporated area of Sebastopol is so vast?

Kari Svanstrom, Planning Director

There's a lot of discussion at Council that the incorporated area around Sebastopol does have very much an affinity for the most part with Sebastopol. As a member of the Planning Department I'm constantly letting people know that they are not actually in the City limits even though their address is Sebastopol, because they identify with the City of Sebastopol. We're similar to Cloverdale and the City of Sonoma, which also allow one out of boundary person. There are also smaller cities with unincorporated areas that have affinities to the area, and so that's very similar in that way.

Hearing no further comments, Chair Fritz closed the item.

7. SUBCOMMITTEE UPDATES

Kathy Oetinger, Vice Chair

Ives Park Subcommittee. Ives Park looks wonderful. The white PVC curb has been eliminated and is so pretty with just the redwood timbers. The High Street parking lot is in the process of being renewed and also looks great. The playground fence has been lowered, is all black, and has been cleaned up with no weeds growing there. The only thing that looks really bad is the fence on the other side of the pavement where there is a drop off and it would be nice to get that taken out. Otherwise, I am so pleased with what Superintendent Del Prete has been able to do with Public Works and the budget and working with the Rotary Club to get these things done over the past year. As projects occur, such as creek restorations, there may be ways to work some of the other projects on the list in. I have a document comprised of my working notes that I can distribute to anyone who would like a copy.

Director Svanstrom thanked Vice Chair Oetinger and requested a copy of her notes.

8. PLANNING DIRECTOR'S REPORT

Director Svanstrom provided updates.

- Planning Commission:
 - Draft Local Hazard Mitigation Plan.
 - Electronic permitting.
 - Calder Creek naturalization project.
 - Gas Station Ordinance.
 - Heltney Square ten-unit townhome.
- Design Review Board:
 - Quarterly Façade Improvement Grant reviews.

- City Council:
 - Public Works energy audit presentation.
 - Public Arts Committee review for Ives Park sculpture garden sculptures.

The Commission asked questions of Director Svanstrom.

9. ADJOURNMENT: Chair Fritz adjourned the meeting at 7:15 p.m. The next regularly scheduled Planning Commission meeting will take place on Wednesday, October 26, 2021 at 6:00 p.m.