



City of Sebastopol
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UNAPPROVED DRAFT MINUTES

TREE/DESIGN REVIEW BOARD
CITY OF SEBASTOPOL
MINUTES OF September 5, 2023
2:00 P.M.

The notice of the special meeting was posted on August 31, 2023.

DESIGN REVIEW BOARD:

1. CALL TO ORDER: Chair Langberg called the special meeting to order at 2:00 P.M. and read a procedural statement.

2. ROLL CALL:

Present:	Lars Langberg, Chair Melissa Hanley, Vice Chair Lynn Deedler, Board Member Christine Level, Board Member
Absent:	Marshall Balfe, Board Member Cary Bush, Board Member
Staff:	Kari Svanstrom, Planning Director John Jay, Associate Planner

3. APPROVAL OF MINUTES: None.

4. PLANNING DEPARTMENT UPDATE ON MATTERS OF GENERAL INTEREST:

Director Svanstrom and Associate Planner Jay reported that:

- The Design Guidelines Subcommittee met to discuss SB 9 standards. There will be a joint Planning Commission and Design Review Board meeting on November 7th to discuss those standards.
- The Active Transportation Plan, previously known as the Bicycle and Pedestrian Master Plan, will be reviewed at the Planning Commission's September 12th meeting.
- The Hotel Sebastopol project currently awaits federal approval of its archeology plans, and Sonoma State University has been contracted to do the archeology. They have a valid building permit and as part of the State Building Permit Code they need to do a certain amount of work on site, so they will be starting minor site work to get an inspection on record so they can move forward with their project.
- The Huntley Square project has run into issues with lending and loaning, but anticipates getting a set of construction drawings to the City within the next month or so.

- The Habitat for Humanity project is still in plan review with the Building Department, and also working on the final map with the Engineering Department.
- The City of Sebastopol received a sizeable Sustainable Transportation Grant to look at its traffic, particularly downtown, and at the various modes of transit, and to plan the future. It has not been determined when this work will get started.

The Board asked questions of Director Svanstrom and Associate Planner Jay.

5. COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THE AGENDA: None.

6. STATEMENTS OF CONFLICTS OF INTEREST: None.

7. REGULAR AGENDA:

A. Continuation of the Objective Design Standards from the July 25, 2023 Meeting.

Associate Planner Jay presented the staff report and was available for questions.

The Board had no questions for Associate Planner Jay.

The Board discussed the application as follows:

Christine Level, Board Member

These objective design standards are linked to SB 35 law, and that's linked to the RHNA numbers, so if we've met our RHNA obligation then somebody could not come through with an SB 35. Will we be meeting our RHNA obligations for this round?

Kari Svanstrom, Planning Director

We don't know. It's 213 for an eight-year cycle. We know the 48 units for the Woodmark Apartments has been permitted, and it only count toward the RHNA once a building permit is issued, so there is no guarantee of all of those. We anticipate we may be okay in meeting those targets, but we don't know for sure.

Christine Level, Board Member

What is the balance of time that we have left in the current RHNA cycle?

Kari Svanstrom, Planning Director

Seven-and-a-half years. And they will reassess halfway through the cycle.

Christine Level, Board Member

This may be a question for our consultant, Opticos. Once this document is accepted, who owns the intellectual property? If we finish this and Opticos completes the contract, does Sebastopol have the right to make revisions to this document, or do they own the intellectual property and we go back to them?

Kari Svanstrom, Planning Director

We would have the ability to make revisions and modifications to our design guidelines as we choose.

Christine Level, Board Member

And that would be considering this document?

Kari Svanstrom, Planning Director

Correct. Anything adopted by the City by resolution can be modified and then adopted by City Council, so those modifications can be adopted.

Christine Level, Board Member

So the City of Sebastopol ends up owning this intellectual property?

Kari Svanstrom, Planning Director

Correct, that's my understanding.

Tony Perez, Opticos Design

You'll receive files that let you edit the document. The distinction between intellectual property and the copy that you have is you don't need to own intellectual property to make edits and revisions as you choose.

Kari Svanstrom, Planning Director

Really what we're interested in is being to make edits and modify this document as the City sees fit through time, and we will have the ability to do that.

Melissa Hanley, Vice Chair

Do my fellow commissioners feel like all your edits have now been incorporated into this document?

Christine Level, Board Member

No.

Melissa Hanley, Vice Chair

I spoke with Paul Fritz from the Planning Commission last week, and he had a similar feeling.

Lars Langberg, Chair

Do we want to ask Opticos about that? Tony, at our last meeting we had found there were edits not incorporated, and now we have a revision. Do you feel this is a complete revision?

Tony Perez, Opticos Design

We do. We went through everything with staff, we checked our notes, and made all the edits that we could identify that we missed. I don't know of any that we didn't make that we were supposed to make. If there are, they weren't on our list, so we're happy to take them today.

Lars Langberg, Chair

Unless there are other logistical questions, we can go through any additional comments on the document. I know the last time Vice Chair Hanley had a few comments, and then we reached a point where we felt we needed more time, so Board Member Deedler and Board Member Level didn't have a chance to speak. So Lynn, would you like to start with any comments on the document?

Lynn Deedler, Board Member

I'm glad to see how much this document references the importance of walkability in our community, and there are several things I'd like to add to that. One is to provide pass-throughs from one location to another location that would be popular with the residents or customers, like from a store to a parking lot, or like the Woodmark situation where you have all your exits going down to a busy road, Bodega Avenue, but many of the occupants

there will send kids to other schools, particularly Brookhaven where if they can just walk to Washington out the back way they would have a great walking shortcut on quiet roads to the school. There have been a number of examples of this not happening, and one was Pinecrest Elementary. They are putting in a small subdivision on a little branch street, off Lynch Road I think, and the DRB said we need a pass-through from the end of that street to the school. Well, the principal of Pinecrest then said he didn't think they wanted that, because they didn't know who would walk through there, so it was removed. Now Sunrise is the new owner of the school and they wanted a pass-through and have bemoaned the fact that there is none. And there are places like HopMonk Tavern where people walk over curbs and flower planters to get to common places, so I'd like to see something in here that emphasizes the need for walking connections between buildings, parking lots, and places where people want to go that are not road but pass-throughs. And there are many long blocks shown in the diagrams in these standards, but I'd like to see some kind of a pass-through or a walkable alley on any block that is over 250 feet; a passageway to get to the other side of the street without having to walk around a busy street where you can shortcut. The other thing is property owners may say they don't want people shortcutting across their property, but property owners change and there are situations where you could have a great walkable pathway if you could talk a new owner into letting you cross it, or in some cases, like the County of Sonoma has done, when a house comes up for sale it bought the property and created an easement and then resold the property, sometimes with no net cost if they have volunteer realtors involved. So it's not only possible walkthroughs immediately but foreseeable ones, so I hope that concept gets entered into these large housing units, and large scale buildings in particular.

Christine Level, Board Member

My big concern with this whole process is we're losing control over our local community to the State of California, and this isn't the only example. We've got SB 35 that comes in as mandated by the State, and these projects are coming in, and my understanding at the beginning of this process was we were to develop design standards themselves so that there would be no review of these SB 35 projects, but this document also sneaks in this concept of form-based code, so it's broader than that. I'm not objecting to form-based code, but this is a broader task than just objective design standards. I ask my fellow Board members, what is the overarching goal of "walkable"?

Melissa Hanley, Vice Chair

I agree with you, I think these are overreach, and I would like to propose that we amend the title of this to "Article Two, Objective Design Standards for SB 35 Eligible Projects."

Christine Level, Board Member

I would love to see that happen. My fear is that we've got this nice little document and they probably haven't thought through all this stuff. I ask all of you to understand that you cannot understand this without understanding the RHNA numbers and the RHNA process, period. But it's one City Council vote away from this being for everything.

Melissa Hanley, Vice Chair

I totally agree.

Christine Level, Board Member

But in getting back to the walkable, can anybody answer this question, because I would like to know what the overarching goal is. We talk all the time about everything must be walkable, and I'm certainly not opposed to walkable, but what is the goal? I haven't even been able to get a clear definition of what walkable is.

Lars Langberg, Chair

You mean why do we want it walkable?

Christine Level, Board Member

Yes, what is our goal? Because this is a 15-minute city, this is the form-based code, and one of the main functions of this is walkable, so what are we trying to obtain by walkable?

Melissa Hanley, Vice Chair

In theory, the most democratic form of transit is your own two feet, mobility limitations aside, I think that's probably the driver.

Christine Level, Board Member

I'm certainly not opposed to this document as it stands alone, but I question how this applies to Sebastopol. These goals with this form-based code, we're trying to squeeze that into infill, but I don't see how that works, because you're talking about community planning on a larger basis. How do you get this into here, and how does that help us? I don't think it's possible. We are largely built out. I've had the pleasure of investigating and understanding two 15-minute cities. One of them was in this format with the blocks. The other one was quite interesting and solved Board Member Deedler's problem of pass-throughs, because it was circular and in the middle was a lake and a park, and commercial buildings were in the middle with the apartments above, and then the street work went around in loops and it was transected by spokes that were public property that anybody could walk in from any direction into the center, and it was entirely walkable. With this, we're in the blocks, so I'm concerned about something being so "thou must, thou should, thou has to," and then you see this other idea and it's out the door, because it's not this. If it becomes generally adopted, not generally adopting is a big push through if it's just SB 35 projects, but how do you stop that? I do like Vice Chair Hanley's idea about the title. I feel like we're boxing ourselves in with something that is very authoritarian and that doesn't really apply to our city. And we're working through the weeds on it, but I think there are some really big picture problems. Then when you drill down on the RHNA methodology and you see what's coming up for Sebastopol, we should be better prepared, and we have seven-and-a-half years, so why hurry this through? Sebastopol is targeted for big RHNA numbers, and this document proves it. I feel like we're being rushed through to approve this document, we're not thinking through the big picture, and why rush? That's why I'm thinking if we can accept this document and we can change it, we can just take it under consideration, as other jurisdictions with this document have done. This document is the twelfth of these by Opticos that I've seen, and they're all essentially the same, it's a form, and then we're squeezing into this form, but what does that have to do with Sebastopol? Board Member Deedler was bringing up very specific situations. If we've got something that is so authoritarian and you must do it, how do we deal with this? We're a small town, we all know each other; even though it's a city, it's not really.

Lynn Deedler, Board Member

I find Board Member Level's comments interesting and very relevant, and I am glad someone is looking at the big picture.

Lars Langberg, Chair

It would be good to hear from staff, especially when Board Member Level talks about the timeline, because there are limitations, financial and otherwise. Director Svanstrom, could you address that, or anything else if you'd like?

Kari Svanstrom, Planning Director

We are obviously not under SB 35 right now, because we have met our targets from the last round. That will be reassessed three-and-a-half years from now. However, we are actually getting State funding to do this work, and if we don't adopt this by the end of the year we would be responsible for that funding, which was about \$90,000. That said, this is a living, breathing document. There is nothing that says we can't adopt a baseline, consider this a baseline with whatever edits the Board might talk about, and then continue to talk over the next three-and-a-half or hopefully seven-and-a-half years, about how to modify this to even better. All of our zoning ordinances and design guidelines are all living, breathing documents. They are not a one and done, written in stone kind of a thing. Even the 2018 Zoning Ordinance, which was a huge redo, we can still find something almost every day that needs to be tweaked, so we're looking at doing some of those modifications. We got a \$250,000 grant to relook at some of our zoning along the commercial corridors, because we have a Victorian house that needs to go to the Planning Commission to go from office back to being residential only because of the way our codes are written right now. I see this very similarly where we need to start somewhere, and this is a big chunk of work that Opticos has helped us with. We've modified it to customize it. We can continue to do that as we move forward, but we do need to not just put it on a shelf and forget about it for three-and-a-half or seven-and-a-half years, and then try to pick it up and do it again. I am perfectly fine with the modification to note that this is for SB 35 projects or SB 35/Housing Accountability Act projects that require objective design standards, because that is and has always been the intent of this document from staff's perspective.

Tony Perez, Opticos Design

It's our understanding when working with cities and attorneys on objective design standards that SB 35 is not the only situation of why you would need objective standards; it's the Housing Accountability Act. Any project that looks for relief in processing under the HAA, the only thing you can apply is objective standards, so there's a difference. The SB 35 project has certain requirements under the State for how it's processed, and it's correct that if you're in compliance with your RHNA numbers that you are not subject to SB 35, however, even if you're in compliance with your RHNA numbers it's our understanding that an applicant can still choose to use the HAA relief provisions, one of which is ministerial processing by objective standards.

Kari Svanstrom, Planning Director

Tony, we might have slightly different attorneys there, however, as I just said, for SB 35 and the Housing Accountability Act there are definitely legal ramifications. Someone can submit under the HAA and still go through discretionary design review, but if it comes to a lawsuit, then people will look at the objective design standards, not does it apply to them but as a basis of is this a reasonable request versus you're holding discretionary design standards in a way that is discriminatory. If it's very similar to what you have in here, I see that as a good basis for defense.

Christine Level, Board Member

What would submitting under the Housing Accountability Act look like? What kind of project gets that?

Kari Svanstrom, Planning Director

Any multi-family project can submit under that.

Tony Perez, Opticos Design

The option to have a discretionary process, that is correct, but again, in our experience and our understanding the applicant gets to choose if they want to go discretionary. For

example, in some cities that have a super high expectation about architectural design and they don't want to regulate it very closely, they essentially tell the applicant if they don't want to be regulated by this they'll have to go through discretionary process. You can't require somebody to do that, but that's a working method that some cities are using, however, the discretionary path is the applicant's choice, not the city's.

Kari Svanstrom, Planning Director

Tony, maybe we can talk about that offline, because again, that's not entirely my understanding of it. For instance, the City Ventures project on the north side of town did submit under the Housing Accountability Act, but they did that to preserve some of the things from the HAA that we are already abiding by. We already review based on what was in effect when the applicant submitted, that the development fees weren't going to change out from underneath them. Again, that's State law under the HAA, so we're already implementing those. It's a complex law, but to date that's how we've handled it as a city. We're compliant with the HAA. If the State were to get to a place where they were going to allow more non-discretionary review, then these could cover those cases as well; and if we have projects that require objective design standards, that we have a set of objective design standards in place, so that we don't lose control of those projects; that's the whole point of this document.

Lars Langberg, Chair

So even though we've met our RHNA numbers, in seven-and-a-half years a project could require those standards under SB 35, but you're saying even before that any project could have this?

Kari Svanstrom, Planning Director

Yes. Under the Housing Accountability Act you cannot deny a housing project under most circumstances, such as based on density. If they meet the density you can't say there are so many units if it is under what you allow for density for your zoning. There are communities that try to do that. You also can't put conditions on a project that would in effect modify those. You can't say your height limit needs to be X and your FAR and all these things that would in effect limit the density or result in reducing a density, so there are a lot of State laws that require those types of things, and cities have been sued under those. Sausalito was sued a few years ago for approving a project with certain conditions that were so onerous that it in effect violated the Housing Accountability Act. If you have objective standards, you can point to these things and say you're going through discretionary because you are doing a discretionary design but we're treating you fairly compared to the other things.

Lars Langberg, Chair

Tony mentioned that it's up to the applicant to do discretionary, so if we're not talking about SB 35 but we're talking about the Housing Accountability Act, then how would the process go?

Kari Svanstrom, Planning Director

That's where I need to talk with our attorney, because that's not my understanding, and I'm happy to clarify and bring that information back to the DRB.

Melissa Hanley, Vice Chair

If we were to amend the title of this document for projects subject to the Housing Accountability Act, it's my understanding now that that also would encapsulate all SB 35.

Kari Svanstrom, Planning Director

Correct. For ministerial design review or something like that; that way it's super clear that it's only for those specific projects.

Lars Langberg, Chair

So Board Member Level, based on the timeline and financial side of things we just heard about, and then Vice Chair Hanley's suggestion about renaming the title, are you comfortable moving ahead or talking about it more specifically, or do you still want to have a bigger picture discussion?

Christine Level, Board Member

What I initially said, which is we are losing control of our local jurisdiction to the State of California, I think this little discussion was right on point for that. It's obvious this is happening, and this is not a discussion for today, but we might want to ask ourselves what are we doing here? But on the topic of these objective design standards, going back to this other walkable community that I saw, they also had an architectural design that was distinctively different from what would be allowed, so it bothers me to have such authoritarian and onerous documentation on what we can do and can't do, and I don't know how to get around that.

Melissa Hanley, Vice Chair

We could be allowed, it just would be a discretionary process, not a by right process.

Christine Level, Board Member

Right, but this is what is going to come in.

Kari Svanstrom, Planning Director

That's the point of making sure that it is only for the ministerial review projects.

Lars Langberg, Chair

That's one part of the point, but the other is that if we've taken time and we're spending money to create these standards, we should create standards that a city would like to have. We've tried to do that with the consultant and have gone through a couple of rounds of comments, but to Vice Chair Hanley's earlier question, I have some comments about that. We've been saying to make these standards more "modern," and they're still not in there, and the eave overhang is a minimum of one foot. Some of the best architecture in our town is by Steve Sheldon who has zero overhangs on the buildings, so those would not be allowed, so there are still some things missing specifically. We've also been talking about the presentation of this should have photographs that are not just your cutesy little Craftsman bungalow but of modern buildings. It feels like part of what we're reacting to here is the presentation that is going to come back with buildings that are not necessarily what we want to see.

Christine Level, Board Member

Time is a big issue to me, because we are all busy professional people and volunteers and this is a huge task that must be taken really seriously, and frankly, how do I find the time? I would mark this up a lot more and I would add photographs. The circular walkable community that I was talking about, you would have loved the architecture that is completely modern, beautiful, and no overhang. I don't want to get in a situation where I feel like this is being forced down our throat. And again, this is not like we've got the money, we got the grant, we got this time pressure, exactly like what happened with the parklets. We all objected to the parklets, but we already spent the money, so we're going to approve it, and that's what happened.

Lars Langberg, Chair

The Parklet Ordinance.

Christine Level, Board Member

Yes, this is again an overarching kind of thing coming down on us, and I'm not comfortable with it. I don't want to make the decision. I feel if I'm going to make a decision about something I'm going to review it thoroughly. Where do I find the time to do that? I can't even tell you the countless hours I've already put in, but it's just too rushed.

Lars Langberg, Chair

To Director Svanstrom's point earlier, I think we want to get it to a point where we're comfortable adopting it, even if it's not perfect, and then we can keep working on it, however that would go with our schedule and process. But we could schedule a meeting every six months to discuss further standards or more about the document.

Melissa Hanley, Vice Chair

What would the process be to update this document? Do the revisions have to go before Council?

Kari Svanstrom, Planning Director

Yes. Normally this is adopted by resolution by Council, so it's not an ordinance, it's a much easier way of adopting. It does not require public notice, but does require an official City Council agenda item. We may be able to write certain things into it, like modifications of images and diagrams that are not substantive but affect the presentation of it, because they're example. It's just an updating, and that would allow that presentation component of it to be updated much more easily the DRB working with staff.

Melissa Hanley, Vice Chair

Would it need to be approved by both Planning and DRB before going back?

Kari Svanstrom, Planning Director

I don't think so. We did that because of the Design Guideline Subcommittee and the way Council originally set it up with representatives from all three bodies and now just the two, but normally when design guidelines are revised by a body it would be the Design Review Board, and of course any members of the Planning Commission can comment and attend these meetings as a member of the public.

Melissa Hanley, Vice Chair

We'd love to see them.

Lynn Deedler, Board Member

There's a sign ordinance in here and it has a limitation on it that a sign fronting your building can only have the name of the business and the address. The purpose of the business, such as hair styling, is missing, but is important and appropriate and I would make that change to include it. I'm glad that phone numbers and email addresses are not permitted.

Melissa Hanley, Vice Chair

That's interesting, because the samples actually show like "Sweet Magnolia's Bake Shop." The examples in this actually show exactly what you're describing, like the tag line of some description, so I think that needs to be clarified; I agree with you.

Lynn Deedler, Board Member

That's true, but it also verbally says this is what you can put on there. Another little thing I would add to the ordinance that any sign that is over 3 feet that gets mounted as a single sign has to have a frame around it. We have a lot of businesses that need a sign real quick and they put up something that looks quick, but it stays there for year. Before the sign goes up it should be finished and look finished.

Melissa Hanley, Vice Chair

Is there a way to frame that without calling it a frame? I'm thinking about signs that are on standoffs that are intended to be frameless and quite permanent, and look finished and beautiful. Is the framing about materiality or permanence? You want to get away from the vinyl signs, right?

Lynn Deedler, Board Member

Just the flat plywood vinyl signs is what you tend to see, but yes, when something is mounted nicely between a couple of posts with some attractive hardware. There are situations where the frame is not appropriate and hopefully they can get a waiver. We're looking for a simple standard and to not get into too many details; I don't know how to handle that one.

Kari Svanstrom, Planning Director

Usually when you regulate signs you want it to be based on size, material, finish, and installation. We do have no vinyl or plastic, so if you do it based on materiality so you don't get into First Amendment issues, there may actually be a little bit of an issue with the name, logo, address, and designation applied to the awning, but you can regulate the material and that would be the way to do that.

Lynn Deedler, Board Member

I think that's a separate issue. The sign has to be complete and not just a flat piece of wood, and there are other ways to make it complete without just a frame on it.

Tony Perez, Opticos Design

Board Member Deedler, I looked through the sign chapter right now and I don't find any limitation to what the sign can have on it except for the directory sign, which is a directory of businesses, and that's the one that says, "shall include the names of the businesses and the business addresses but not include any other words." Is there another sign or another area that you're finding a limitation on content?

Kari Svanstrom, Planning Director

I did see something under the awning, Tony. I believe it says, "shall be limited to store name."

Tony Perez, Opticos Design

Yes, again the idea on the awning and on the directory sign is because of the size of where the signage is going, there's a limitation, but to my knowledge there is not intent or a standard limiting the content otherwise.

Lynn Deedler, Board Member

There is a statement in here, "Only the tenant store name, logo, and address shall be applied to the awning."

Tony Perez, Opticos Design

The signage, awning, and directory sign, because they're limited in space where that signage can go, that's why that's said that way. If you'd like to not limit it that way, that can certainly be done. I'm just trying to make a distinction that it's not a chapter-wide limitation on content as it might have been discussed earlier; it's a limitation on content on those two specific types of signs.

Lars Langberg, Chair

Are you okay with it as it's written just where the awning is more limited?

Lynn Deedler, Board Member

It's not a big deal. I'm not going to push it at all.

Christine Level, Board Member

The point that Board Member Deedler was just making is exactly the point that I'm trying to make. We've got this form that is presented to us, and we're going through the form and we're in the weeds, and we're trying to figure out what we want and what we are working on. At the last meeting on this I found two things that were determined to be out completely, but they are in, so this document needs a lot of review and proofreading, obviously, and I don't think we're there.

Lars Langberg, Chair

We heard from Tony Perez that as far as he knows, and talking to staff, all the comments were picked up, so if the Board has other comments we could compile those and submit them to be put into the document.

Christine Level, Board Member

Just finding the time to do it. Again, I get back to the rush.

Lars Langberg, Chair

Director Svanstrom, you said this has to be adopted by the end of the year?

Kari Svanstrom, Planning Director

Correct, the deadline for completing this project is the end of this year. I prefer not to leave it to the last meeting in December, because that's an issue if it gets bumped, and I want to make sure we start to discuss the specifics. Vice Chair Hanley had a lot of comments at the last meeting; those are in the staff report, but they still need discussion. Vice Chair Fritz of the Planning Commission also brought up some items that need discussion, so I think we can take more meetings, but I'm concerned that if we just keep going round and round we won't actually go through the document and we're not going to get there by the end of the year. I know Opticos' time is limited, but we can do it with just us if that's what's needed to get this done, and if there are questions Associate Planner Jay and I can coordinate with Opticos. I would be comfortable delaying it until the first meeting in December, but not much longer than that. I'd prefer the first meeting in November if we can do that; that gives us two months.

Lars Langberg, Chair

What happens if we don't do it by the end of the year?

Kari Svanstrom, Planning Director

Like I said, the grant funding is a reimbursement grant, and if we don't have it adopted we don't get reimbursed.

Lars Langberg, Chair

So then the City would be paying Opticos the \$90,000 grant funding out of it's own pocket?

Kari Svanstrom, Planning Director

Yes. It's a reimbursement grant and the requirement from the State is that if you use the grant funding then you actually have to implement what they gave you the funding for, and the deadline for that is December 31st. One of the projects we used the grant for was the e-permitting, which is up and running, and this is the other project. Then with a different grant we're also doing, with the Planning Commission, vehicle mile traveled standards, and that's a different timeline but it's still a State grant with the same requirement that they don't reimburse you unless you've actually adopted the project.

Lars Langberg, Chair

So the charge of the Board is to approve this document before the end of year—to not do so seems irresponsible—so we can keep editing it and working on it. Director Svanstrom's suggestion is we go through some specific things that are in the staff report and discuss those unless people have other line item things to discuss. There is a handful in the staff report coming from the Planning Commission about setbacks, screening, lighting, etc. Does anybody have comments on those?

Kari Svanstrom, Planning Director

I can walk through those since Associate Planner Jay and I were at the Commission meeting, because there were a couple things they asked us to discuss and make decisions on. The one on the first page of the staff report was to make sure that the underlying zoning was referred just for navigation for the reader. For site screening on page 48, and this is fairly similar to what we've heard from the DRB and the Design Subcommittee and other things, fencing as screening is good but shouldn't need to be an exact match to the building materials, because right now it says to match, so that would be to modify. I'm seeing nods, so it does not need to be discussed. The third item on page 50, and on which the Commission asked the DRB to deliberate, was the issue of exterior lighting. The Planning Commission felt it could just be removed from the document, but they wanted the DRB to weigh in on that. Currently it requires that all nonessential exterior lighting—this is signage stuff, not for safety—associated with nonresidential uses, i.e. commercial uses, shall be turned off a half-hour after the close of business or when the nonresidential use is not in use in all areas except downtown." So everywhere except for downtown lighting that isn't essential for businesses turned off half-hour after close of business, and for downtown turned off by 3:00AM. There are some businesses that leave their lights on for a showroom effect for window-shopping at the end of the evening, and for sustainability reasons it was thought that those could probably be closed down by 3:00AM, and then a half-hour in other locations.

Christine Level, Board Member

I'd like to comment on the 3:00AM. Some people may leave their lights on for safety and anti-crime reasons, and if they're on till 3:00AM they might as well be on all night, but that's like kind of your crime zone, 3:00AM till dawn, so I think that there would be considerations for that in certain situations.

Kari Svanstrom, Planning Director

One of our Commissioners is a business owner in downtown, and she noted that some of it is for that, but some of it is just highlighting goods and wares, and this is actually exterior lighting, so this is lighting that might be on a sign, which isn't really about a safety.

Melissa Hanley, Vice Chair

My business has security lights in the vestibule of the building, because people sleep in it otherwise, and those are on all night long, which granted is in San Francisco, and that would be precluded unless that was considered an essential light, so I think that debate of essential light is where we'd want to define.

Christine Level, Board Member

That's a perfect example.

Kari Svanstrom, Planning Director

The easiest way to deal with it may be to just strike it, because then there is not a lot of interpreting this versus that, and it's probably one of those lesser design issues.

Lynn Deedler, Board Member

There are all kinds of electronic systems that can really be effective at deterring people from bothering a store. There are motion detectors with very bright lights. You can get a red light blinking that says someone knows you're here kind of thing. They work.

Kari Svanstrom, Planning Director

This isn't about essential light like for security. I'm curious if Opticos knows why 3:00AM is written that way?

Singeh Saliki

There was a discussion at the DGF meetings about when most businesses close in Sebastopol, and I believe it was stated that most businesses closed by 2:00AM, and so if you allow an extra hour for the workers to leave, then 3:00AM is the time.

Kari Svanstrom, Planning Director

Most businesses in Sebastopol probably close by 6:00PM. I think the latest business closures we have in Sebastopol is 2:00AM, because we have a couple of bars that close at 2:00AM, so that may have been based on the latest hour.

Melissa Hanley, Vice Chair

I'm okay to strike it.

Christine Level, Board Member

I'm ready to strike half this document right here.

Melissa Hanley, Vice Chair

There is no reference to the dark sky standards in this required lighting. Do we want to add a reference to that?

Kari Svanstrom, Planning Director

We don't have a dark sky ordinance; I would love to find the time to work on that. We do have design guidelines and our General Plan talks about it as well. In our design guidelines we require it, and I believe all of the lighting in this document does require it as well. If you go to the lighting standards it says, "to prevent over-lighting and light trespass and full cut luminaries;" that is basically dark sky compliant, so without saying the words we're basically telling them they have to do this.

Melissa Hanley, Vice Chair

I feel happy with that then.

Kari Svanstrom, Planning Director

Then the bollard lightings are lit downward so they're not light beacons. We basically wrote the standards to be that, but if it helps we can say "Lighting shall be provided in compliance with dark sky standards as follows:"

Melissa Hanley, Vice Chair

I think that's a good thing, because a lot of light manufacturers sell their product based on dark sky standards and list product specifications as being compliant with dark sky standards.

Kari Svanstrom, Planning Director

That's an easy keyword to add. Then page 66, the public frontage standards; we don't have a lot of places in town, or any, where we have a planter strip in between the street and the sidewalk, so they wanted that removed. For the building types they felt that both the up-down duplex, so flats, and the side-by-sides should be allowed in the T3 zone. The T3 is the R5 zoning, which is the single-family and duplex. Currently the up-down duplex is under the multiplex medium definition, and so they wanted to check in since that was not something that came up otherwise. So right now the multiplex medium, which is the up-down duplex, they felt that should be allowed in the R5 zone, and I don't see why it couldn't be; it's just additional flexibility. Then one that actually came up you all anyway is that horizontally configured windows be allowed.

Melissa Hanley, Vice Chair

And trimless. Why so much trim?

Kari Svanstrom, Planning Director

The other item was something that was raised by staff and came up with the Woodmark project was the specific number or percentage of heritage trees that would be allowed to be removed before triggering discretionary review, and the Design Guideline Subcommittee did not set a specific number, but I was thinking two heritage trees or 10%, whichever is less.

Lars Langberg, Chair

Of a certain size or stature?

Kari Svanstrom, Planning Director

Correct, for multi-family, 10-inches; for single-family, 20-inches. Woodmark was a single-family site, so it is based on the existing use, and I think Woodmark has eight or nine, and then they had a number of non-heritage trees.

Lars Langberg, Chair

What if they're taking out one 50-inch diameter tree? I think we would want to stop that. Heritage trees are pretty important to our world and our community, so if they're going to take out heritage trees versus any trees, they go to discretionary review.

Lynn Deedler, Board Member

Amen.

Melissa Hanley, Vice Chair

Amen. Amen.

Kari Svanstrom, Planning Director

As we discussed earlier, the Housing Accountability Act, if you did not allow it and it would require them to reduce their density beyond what they were allowed by zoning, because of that tree...

Lars Langberg, Chair

But we're not saying that. We're saying you have to go discretionary review, where it could then rule that one tree can go away, because it's providing great housing, but to make it a standard that's 10% or ten trees or whatever, we have no control.

Kari Svanstrom, Planning Director

That's true, yes.

Melissa Hanley, Vice Chair

One tree or 10% is pretty minimal trees, and that's not onerous, but zero is onerous.

Kari Svanstrom, Planning Director

It goes to what Opticos has provided guidance on before. If people are doing the objective design standards you want to, within reason, utilize these, which are the priorities of the City. There are certainly things we'd rather people do than not versus go the density bonus way where you basically have even less control.

Melissa Hanley, Vice Chair

I'm worried that from a legal argument one tree is still considered onerous.

Kari Svanstrom, Planning Director

But do you want someone doing a density bonus application and doing a ten-story building because they can't take out the tree?

Melissa Hanley, Vice Chair

I'm 100% on board. I'm trying to protect us here, and I agree with fellow members that zero is the number for heritage trees. I think it's a great distinction, because it is important to our city.

Kari Svanstrom, Planning Director

Maybe there is a different to look at it, which is there are heritage trees that are about to fall down and are dangerous, so would it be heritage trees deemed by an arborist to be in good to excellent health?

Melissa Hanley, Vice Chair

I like that.

Lars Langberg, Chair

Yes. There are plenty of Monterey Pines out there that could come down.

Kari Svanstrom, Planning Director

If there are heritage trees where they weren't able to comply but it was obviously going to be a huge safety issue, then yes. What we don't want is people clear cutting a site because it's easier for them.

Melissa Hanley, Vice Chair

Is everyone okay about that designation and happy with that modification?

Lars Langberg, Chair

Yes.

Kari Svanstrom, Planning Director

To clarify, was that no trees or one tree? No trees deemed in good or excellent health. Okay, got it. And Opticos, staff will write that bit of language for you so we can coordinate with our code as needed.

Lars Langberg, Chair

Then on the staff report we have a list of comments from our July meeting that were not put into the revision because we never finished the discussion. We could go one-by-one through those as well. "Consider moving the administration section to the front. Better guide for users than at the end." Sounds good to me.

Kari Svanstrom, Planning Director

I believe Vice Chair Hanley's comment on that was that the administration helps you understand the sections and how to use the document, so let's put that up front; I have no problem with that.

Christine Level, Board Member

Completely agree.

Lars Langberg, Chair

"Additional definitions for 'compatible'. This is used throughout and needs an objective standard/definition." What makes something "compatible"?

Melissa Hanley, Vice Chair

That's the crux of the whole issue.

Kari Svanstrom, Planning Director

It is difficult because the Design Review Board and other's concern is if you have a fence, do you really want it to have to match the house or the structure versus being compatible and what that is. Opticos, do you have definitions of "compatible" that would help, say, if someone challenged and said it's compatible?

Tony Perez, Opticos Design

No, that's a word that get's replaced with something more specific. We don't see that word being used for the very reasons you have stated.

Melissa Hanley, Vice Chair

It's all over your document.

Tony Perez, Opticos Design

If you're asking about definition, I haven't seen one. It has to be written specifically for what you're writing it about, a specific instance. What happens best is if you clarify it in that particular topic as opposed to trying to write a definition that works for everything.

Melissa Hanley, Vice Chair

I think that needs to happen, because there is a lot of discretion in that word alone that's going to be a lot of argument down the road. I have been the person who has argued that in other jurisdictions.

Christine Level, Board Member

It seems somewhat subjective also.

Melissa Hanley, Vice Chair

Totally.

Kari Svanstrom, Planning Director

That's the concern, that that's not an objective report.

Christine Level, Board Member

So what do we do about it? It's all over the document.

Kari Svanstrom, Planning Director

Opticos, can you offer any guidance on that one? How have other communities dealt with this?

Melissa Hanley, Vice Chair

The first occurrence is on page 2, Item 2, Subsection B.

Kari Svanstrom, Planning Director

For that I would say would have appropriate transitions, but again, this is a guiding principle. What does an appropriate transition mean? An appropriate transition would be later, and that's the stepbacks and those types of things? But that's how I would change that particular one.

Melissa Hanley, Vice Chair

If we can tie it to other things that are in keeping with Section 2-point-whatever, just so that we're keeping it circular within the document and we're not having to look to anything outside the document for instruction.

Tony Perez, Opticos Design

Can you point to one that's in the standards so we could give an example of that?

Stefan Pellegrini, Opticos Design

Section 4.020, which is Screening, page 49, Subsection 5, #2, Wall and Ground Mounted Equipment. I believe this is the only instance in the document where the word "compatible" is used in a standard, and that standard provides an understanding of what that actually means. In that case it's asking for screening to be architecturally compatible, which equates to, "Matching paint, finish, and trim cap of the building." Everywhere else in the document where "compatible" is used, it's used in an intent statement, and so to the previous conversation it may need to be directly tied to the standards which are in the following chapter, but the only place that someone would need to make a finding around compatibility would be the statement under Screening for Wall and Ground Mounted Equipment.

Lars Langberg, Chair

That's an interesting example. To say something is architecturally compatible has a lot of meanings, but then it goes on to say, "matching paint, finish, and trim cap of the building," which it's architecturally matching. Compatible feels more open-ended, and you could design a pretty interesting screen that goes with the design of the building that doesn't match so specifically.

Melissa Hanley, Vice Chair

Paul Fritz of the Planning Commission had issues with this as well. I guess our ask is that Opticos review instances of compatible, and if it's an intent statement that it be followed up with a reference to a section, chapter and verse, or to come to be defined to be further explained.

Tony Perez, Opticos Design

I want to clarify; this reference on page 49 is the only time the word "compatible" appears in the actual standards. Your direction is duly noted, we will do that, but I want to clarify that we were not using the word "compatible" in the standards other than what Stefan just identified.

Lars Langberg, Chair

Continuing along, "Images in general should show better variety, including less new urbanism/traditional images," which we've talked about that. "Remove text stating form-based codes foster predictable built results. This is not necessarily what the City wants to encourage." So that must be in the early sections of the document?

Kari Svanstrom, Planning Director

Yes, in that same section.

Melissa Hanley, Vice Chair

Page 4, "What is a form-based code?" and it's a quote from Form-Based Codes Institute.

Kari Svanstrom, Planning Director

So deleting the quotation? The rest of it, it kind of explains.

Christine Level, Board Member

This gets to a point that I made earlier. I'm not objecting to the idea of form-based code, but when you have a largely built-out city, why are we even doing this? What is form-based code?

Kari Svanstrom, Planning Director

I think it's the understanding that change happens, buildings don't last forever, and how do you want to transition? If you just matched everything, you would have a lot of the sixties (inaudible) apartment buildings on Bodega Avenue; they're not necessarily what we want in the future, and what is it that we do want? This is that planning for it. Whether we talk about form-based code or not, or just have this be the City standards, I'm fine leaving the whole form-based code explanation and section and just having these be objective design standards and not talk about form-based codes at all.

Christine Level, Board Member

I think the objective of this exercise is to just have it be design standards.

Kari Svanstrom, Planning Director

Yes.

Christine Level, Board Member

We're not talking about City planning here. Like I said, I don't object to the idea in principle, because what we need to create is a user-friendly document, and I think we need to cut this down if we're going to get there.

Lars Langberg, Chair

So the question is: is there value in having definitions and discussion of form-based code in the document or not?

Christine Level, Board Member

That's a separate topic; that's what I'm saying. I don't object to it, I'm just saying what's it doing in here? These are objective design standards, and this form-based code that's described in here, like I gave an example of a completely different way to approach this ultimate overreaching goal of walkable. There's not just one way to do it. I hate to have this be a mandate, which is basically what this document is.

Tony Perez, Opticos Design

If could give background on what other cities have done about this very question. We are working in cities the size of Sebastopol to the size of Columbus, Ohio, and everything in between, and it's a tossup between some cities saying we want everyone to know we're doing form-based code, and other's like Columbus saying we want form-based standards but we don't need to tell everybody it's a form-based code, and that code that we're writing is not going to say that it's a form-based code, but it's going to be that type of code. The other thing about form-based code versus the other ways of doing zoning standards is that when you talk to cities and people in the process from reviewing projects to designing and implementing projects, the majority of people when given the situation of how can you get to a faster yes, they point to a form-based code because it's clarity. You sell all kinds of different answers in between there, but the majority of applicants and project designers and city reviewers, once they get to that question they tend to prefer form-based codes. Not everybody, obviously, but I'm saying it's usually two-thirds of people that you talk to that would say we want this type of standard, and so when you write objective standards, the clearest way to write them is with the diagrams and the form-based approach that you see here. Is ours the only way? No, there are other ways too. I'm just relaying that experience.

Christine Level, Board Member

You said a lot of things that I can't verify, but what I'm asking is what does this have to do with objective design standards? If you're coming in with an SB 35 project, say you're going to build a bunch of apartments, how do we make this so that it's easily understood? How does the form-based code apply on a lot with apartments? It seems to be more universal, like a neighborhood.

Kari Svanstrom, Planning Director

It may be that the text of Section 1 and Section 2 is using the natural to urban transect. If you recall they did the existing analysis. If you go back to that—understanding and breaking down the zoning to group it differently based on the density and what's happened so that we have the T3, which is the R5, and some of our single-family would probably also fall into that; our R4 and R3; and then R3 and R2 maybe in rural. The T4, our main street is small; our R6 and R7 multi-family, and our commercial areas are kind of the same, but they do have slightly different nuances. Downtown, we do treat that differently in our zoning, and it's treated differently here as well, so it's kind of a parallel to zoning but based on form, and I think that part is relevant to Sebastopol. I understand what they're doing in terms of what are the forms that you see? We see a lot of the same forms in our office commercial as we do in our multi-family residential along Bodega Avenue in terms of height and scale, so they are looking at it from that kind of a perspective, which is leading them to these objective design standards. I would suggest that we take out the form-based code Sections 1 and 2. We can maybe modify Section 2 where it has the chart to American communities, which is really their classification that leads to basically page 10 where they talk about the districts, and maybe it's not form-based districts, maybe it's just design districts.

Melissa Hanley, Vice Chair

Do we even have any natural though in the City limits?

Kari Svanstrom, Planning Director

The Laguna, which is in the City limits.

Melissa Hanley, Vice Chair

None of those have been identified on the map, which still is missing; it was add as a supplement.

Kari Svanstrom, Planning Director

This is only dealing with multi-family and commercial; they didn't analyze single-family. I mean, they analyzed single-family, but for the SB 9 standards. Objective design standards do not apply to anything but the commercial mixed-use and the multi-family.

Melissa Hanley, Vice Chair

I guess why would we include anything on the natural context when it doesn't apply to these projects?

Kari Svanstrom, Planning Director

That's what I'm saying. We can probably take that out, and Tony, it sounds like other communities have done this as well where they don't talk about the form-based code; I'm guessing they still use the transects or the groupings that you've done?

Tony Perez, Opticos Design

The reason the natural is under is just simply to account for it. We're not proposing any standards for it, but if it's causing issues it could be removed, and as an example of what some cities do, that whole preamble is not even included in some of the codes we write. Some of the cities just say we don't want the preamble for a variety of reasons and they remove it, so that's an option. The other option, the way that Director Svanstrom was saying, is that the names of the zones that we proposed are tied to some physical organization that we see in a city, and so we show how we apply that system. If that is not to your liking we can change the names of the zones to be whatever Sebastopol needs.

Melissa Hanley, Vice Chair

The first item about what should be included and not included is on page 9, and we have contexts and transects that are not applicable, so we should be consistent; if T2 is not applicable, it's not applicable. It's very confusing to bring in a new layer of zone notation that is not consistent with the zoning elsewhere, and I would strongly encourage that we stick with one nomenclature.

Kari Svanstrom, Planning Director

It's a little difficult because the design districts for these standards overlap, so R6 and R7. Other than some density, and that gets into the type of building that's allowed, it's the same, so how do you do that unless you have an R6-T4?

Melissa Hanley, Vice Chair

Then I guess this becomes like an overlay.

Kari Svanstrom, Planning Director

Yes, it essentially is an overlay of the design districts.

Melissa Hanley, Vice Chair

Which does not become clear until you get to the Admin section at the very end of the document.

Kari Svanstrom, Planning Director

What I'm hearing for usability is to eliminate the stuff that's not relevant, T1 and T2. We have the T3 and the T4. With the map, yes, it is basically a design district overlay.

Tony Perez, Opticos Design

I would recommend removing the entire preamble. It seems to be causing enough issues that making more revisions to it would just leave some others. Half the cities we work for don't include the preamble and all that information you're talking about.

Kari Svanstrom, Planning Director

Yes, that's probably fine. What would be helpful is the main street medium and the main street small, which is explained later on, and so correlating that to our zoning and that map are probably the only things that are needed.

Christine Level, Board Member

Does form-based code always require infill for any of these projects annexing new land or these cities and urban environments to create something? In the document it talks about the objective of infill.

Tony Perez, Opticos Design

Form-based codes are just like Euclidian zoning, performance zoning, and all other kinds of zoning that are used for green field and infill. There is a lot of publicity on big new projects that are green field that use a form-based code, but it's increasingly being used in infill in either regeneration or redevelopment of existing properties, like brown fields, grey fields, or infill in existing neighborhoods, like areas in Detroit where they tore down houses and now have a lot of empty lots, and there are a couple of form-based codes in Detroit working to provide the development that people are looking for, so they're used all across the spectrum.

Christine Level, Board Member

Detroit seems like a perfect place for this, because they lost all that housing, and they've got a big open area and they could really implement it correctly, but here they're trying to squeeze and fit it around things that already exist.

Lars Langberg, Chair

We have sites in downtown that we hope will be redeveloped; there are gaps in our town too.

Christine Level, Board Member

Those lots are kind of smallish still unless you combine; really get the streets in.

Lars Langberg, Chair

Continuing on our list, page 14-12, "Remove items which do not require City review so this does not create confusion."

Melissa Hanley, Vice Chair

This is maybe more of a general note, and my first note on this was on 13-B, 1-B, "Improvements to existing development that are subject to AHJ approval," and that

happens in a lot of locations, so we want to make sure we aren't, again, restricting things that are by right.

Kari Svanstrom, Planning Director

So, existing development. Tony, do you know of examples where existing development would be subject to SB 35?

Tony Perez, Opticos Design

Yes, if there's a project where they're adding a building to a property that already has a building and they're substantially modifying the building. It's probably rare, but it could happen.

Melissa Hanley, Vice Chair

There are a couple of things, one later on, that talks about paint color that wouldn't be subject to any sort of oversight, and so we want to clarify that just because a project is SB 35, if it is doing something that wouldn't be subject to Planning Commission review or whomever, they're not obligated simply because they were originally approved under this.

Lars Langberg, Chair

That makes sense. Page 49 is next, 5-B-1, 70-80% opaque would be fine for equipment screening.

Kari Svanstrom, Planning Director

The Board generally indicated agreement with that, but we captured everything that was said at the last meeting since there were no motions or anything.

Lars Langberg, Chair

That seems fine. Also page 49; delete words after "screening shall be architecturally compatible."

Kari Svanstrom, Planning Director

This is an interesting one because we just talked about this previously. This is the only place where "compatible" is used in a standard, and it therefore goes on to describe what that means or what that requirement is. If we're striking that, I would highly recommend we replace it with something, because what this is saying is architecturally compatible and that means matching paint, finish, and trim in the trim cap of the building.

Lars Langberg, Chair

And so if we just leave it at, "Screening shall be architecturally compatible," that's too vague?

Kari Svanstrom, Planning Director

Yes.

Tony Perez, Opticos Design

You could just remove the words "architecturally compatible."

Kari Svanstrom, Planning Director

The problem is that the comment from the last time was that the idea of matching is a little bit problematic for the Board, and so how do you get something that's compatible but not necessarily matchy-matchy?

Christine Level, Board Member

Again, compatible is subjective.

Kari Svanstrom, Planning Director

That's the point: you can't just strike this last part of the sentence without replacing it with something else that the Board would want to see.

Lynn Deedler, Board Member

I have tried for a definition of compatible that might work. Compatible is where colors, shapes, sizes, and materials are frequently used together.

Melissa Hanley, Vice Chair

Is "consistent" a better word than "compatible," because then it suggests a reference with the building, architecturally consistent?

Kari Svanstrom, Planning Director

Yes, and I think Board Member Deedler's words, "consistent," and "to include," and it doesn't necessarily need to include everything in Lynn's list, but I think that's a good list. You might not need the same shape or size, depending on what it is, but it might have the same colors, materials, or texture.

Melissa Hanley, Vice Chair

Can we just say, "Screening shall be architecturally consistent"?

Kari Svanstrom, Planning Director

Again, I think you need to describe what you mean by that.

Melissa Hanley, Vice Chair

"Consistent" suggests the same, in line with.

Lars Langberg, Chair

That definitely feels less vague than "compatible."

Kari Svanstrom, Planning Director

What about, "Consistent in color, shape, size, or materials"? If you use an "or," it means you still need to select among them, you can't just go off and do whatever.

Lars Langberg, Chair

Yes, that works.

Christine Level, Board Member

On this term does "consistent" mean the same?

Kari Svanstrom, Planning Director

Yes.

Lars Langberg, Chair

But you could have the wood siding that's naturally finished there as painted over there on the screen; it's like mix and matching is consistent. You have a palette that you're choosing from to make it architecturally consistent; it doesn't have to be exactly the same. Do you want to read that back?

Kari Svanstrom, Planning Director

"Screening shall be architecturally consistent in color, shape, size, or materials."

Lars Langberg, Chair

That sounds good. We could say, "finish."

Kari Svanstrom, Planning Director

"Finish or materials."

Stefan Pellegrini, Opticos Design

Can I interject there? In order to make that statement objective you would need to be clear about which one of those things are required.

Kari Svanstrom, Planning Director

We're saying you need to choose one of those.

Stefan Pellegrini, Opticos Design

Yes, or to say at least one of the following. You would need that language.

Kari Svanstrom, Planning Director

At least one, okay.

Stefan Pellegrini, Opticos Design

You would need that language. Or whatever number you choose with the objective part.

Lars Langberg, Chair

Then we have page 50, Section 4-A-C, Allowed Landscaping Materials, "Decorative non-living landscaping materials, including but not limited to, sand, stone, gravel, wood, or water may be used to satisfy a maximum of 20% of the required landscaping area."

Melissa Hanley, Vice Chair

My concern with this is that we're basically eliminating water-wise. Are there escaping options?

Lars Langberg, Chair

You could still have water-wise landscape, but only 25% (inaudible) is hardscape basically.

Melissa Hanley, Vice Chair

I get to that the more likely culprit of this is going to be somebody who just puts gravel everywhere, and not the person who wants the zero-scaping-like beautiful desert garden. This is not my hill to die on.

Kari Svanstrom, Planning Director

And I guess if you had a big, say, heritage oak and you had bark mulch underneath it, that is covered by the tree for the full drip line of the tree, and that would be considered covered by the plant, because you can't plant things underneath oaks; they won't live. But you don't want people putting irrigation underneath oaks or stuff like that either, generally. So that's where you keep the heritage trees and you have the advantage that it's part of your landscape plan.

Melissa Hanley, Vice Chair

I'm fine leaving this as is.

Christine Level, Board Member

My question about all these landscaping requirements in general is you make a landscaping requirement, but then what? Plants die, plants don't get watered, sprinkler systems break. How does this continue forward? Plants are a lot less permanent than buildings.

Lars Langberg, Chair

Director Svanstrom always brings this up: how do you enforce maintenance? There is a maintenance provision here.

Christine Level, Board Member

And then the maintenance provision that's in here is subjective. Weeding. What's a weed? Pruning. What's pruning? This is a difficult one.

Kari Svanstrom, Planning Director

Yes, this is a difficult one because the City Council, frankly, does not have strong standards and we would need standards elsewhere in our code, but there is certainly some removal of litter. Weeds: weeds are things that weren't part of your planting plan. Pruning: If there are a lot of dead branches and dead debris, then that needs to come out. How you let it grow is up to you; hopefully you don't do the hedge stripper treatment.

Christine Level, Board Member

This seems ridiculous to me without some sort of enforcement, and I'm not advocating for enforcement, because then we'd have to enforce ourselves, which we don't; I'm just pointing that out there. There is a lot of stuff in this document, and when there is too much stuff in a document it distracts from understanding what's important. I'd like to see this document be half this size overall if we're going to adopt it, just so it's more user-friendly and you're not just grinding through all these really specific standards that, quite frankly, the average person is not going to deal with; and these SB 35 projects are not going to be just your average Bob trying to build a building, they're going to be big corporations; but when we get to the SB 9, that is definitely going to be onerous for anybody trying to develop something to try to go through something like this. I don't have a solution for this; I'm just bringing it up.

Kari Svanstrom, Planning Director

We could strike maintenance.

Christine Level, Board Member

I'm not striking maintenance; I'm striking the whole thing. If we don't have maintenance, there's no point in having the rest of it.

Kari Svanstrom, Planning Director

I'm not happy with that, because this is where we're going to put the heritage tree thing. We also talked about the retaining walls.

Christine Level, Board Member

I'm not recommending striking it either. I don't know how to address this problem, but I'm bringing it up. I'm not saying I have a solution; I don't.

Kari Svanstrom, Planning Director

We do have weed abatement and other ordinances we can enforce in the City that would refer to the maintenance part of it. Most of the larger developments like Woodmark Apartments, Petaluma Avenue Homes, Gravenstein Apartments, and Burbank Heights did not go through SB 35, but they're run by nonprofit housing developments and they don't go

around willy-nilly changing their landscape. If they do start to do that we usually hear about it as a city, and technically, yes, if they do a major landscape revision, like Gravenstein Apartments did, they end up coming before us.

Christine Level, Board Member

Understood, and I'm all for it; I'm just wondering about how we manage the maintenance part of it, and what would be the best way to try to describe that so that it happens.

Kari Svanstrom, Planning Director

We can put our Weed Abatement Ordinance and existing municipal code references into this. If it is a water efficient Landscape Ordinance subject site, like Woodmark is, they still need to comply with that. They can't put in a bunch more water heads and change their landscaping out for non-drought tolerant species, for instance.

Lars Langberg, Chair

And that's reviewed and approved by the City?

Kari Svanstrom, Planning Director

Yes, and they have to certify at the end that it was installed (inaudible).

Lars Langberg, Chair

Right, but you can do a project where you say I'm not doing any landscaping, just write that on your plans, and then it's not ever reviewed or enforced.

Kari Svanstrom, Planning Director

Right, but then underneath this you would not be able to do that, so you can't just come in and do it later, and that's what this would prevent.

Lars Langberg, Chair

Okay, that sounds good. I'm fine leaving that as is.

Kari Svanstrom, Planning Director

I can see if we have any ordinances, like the Weed Abatement Ordinance and others, that we could reference that.

Lars Langberg, Chair

Page 51, Section 3-C, under Roadways, Design Standards, "Include articulation such as buttress or pilasters if over 50 feet in length," (inaudible) planter in front of the wall.

Kari Svanstrom, Planning Director

The suggestion here was that the articulation line 3-C is not necessary.

Lars Langberg, Chair

So if you have a retaining wall over 50 feet in length it can be monolithic, it can be clean. But then do D and E stay in there?

Kari Svanstrom, Planning Director

I think D is. Huntley Square is a really good example of that where they had the 6-7 foot retaining wall right at the sidewalk, and they have 3-B, they have one-foot additional sidewalk, which is what our City Engineer wanted, and so this would actually get that into our codes. And then 3-D, they have a planter in front.

Lynn Deedler, Board Member

Where is this?

Kari Svanstrom, Planning Director

This is a project that is approved on 7950 Bodega Avenue where that sidewalk gap is across from the cemetery; it's not built yet.

Lars Langberg, Chair

So it would just say, "Include articulation if over 50 feet in length as follows"?

Kari Svanstrom, Planning Director

I think we can take out C and the rest of it will still apply.

Lars Langberg, Chair

That makes sense. It was just the end of the line, C that made it sound like it was continuing on. Then page 57, "Ten foot planter area perhaps for six to seven parking spaces instead of five."

Kari Svanstrom, Planning Director

This was Board Member Bush's comment that it's a little strict to have one per every five and you end up having a bigger parking lot as a result, and so his suggestion was to have that 10-foot wide is better for a planting, so you'd have more spaces before you needed to have this, but then it would also be a little bit bigger and you wouldn't end up with trees not being able to survive.

Lars Langberg, Chair

Sounds good. Page 60, Item 7, Massing, Vice Chair Hanley, was it your comment to discuss massing?

Melissa Hanley, Vice Chair

Yes, it was Section B. I felt like this was really prescriptive.

Lars Langberg, Chair

"Buildings on sloped design sites shall reflect the existing topography of the design site," is the general comment, and specifically Section B, "Buildings with footprints wider than 36 feet and two-and-a-half stories or taller shall have minimum of one story tall defined base. The base shall be defined through one of the following methods: change in material, continuous horizontal band between the base and upper floors, and/or use of a continuous shop front frontage." So for wider or taller buildings it's trying to give some articulation to the façade?

Kari Svanstrom, Planning Director

Right, distinguishing the first floor, that base, from the upper floors.

Melissa Hanley, Vice Chair

I withdraw my objection to this.

Kari Svanstrom, Planning Director

And it's one of them; it's not all of them.

Lars Langberg, Chair

Page 84. This is a photograph.

Kari Svanstrom, Planning Director

That was a reference to photographs, which I think we've already discussed.

Melissa Hanley, Vice Chair

What's the resolution to that? How are we fixing all these bad photos?

Kari Svanstrom, Planning Director

I have a little bit of an issue in that you can't just go search photos on Google, because they may be copyrighted, and Lars said I could take pictures, but I've got a day job. If you have pictures that you would like, or if you know like the architect of Keller Commons, get us the name and we'll try to get some pictures of it.

Melissa Hanley, Vice Chair

Mary Dooley.

Kari Svanstrom, Planning Director

Again, this in one where over time we can substitute in more Sebastopol-specific pictures as people submit them to us.

Christine Level, Board Member

So this example on page 84, where do we have that in town? Where is our courtyard?

Kari Svanstrom, Planning Director

The Petaluma Avenue Homes is very much like this. You just walk in the corner and there is that walkway that goes up the hill.

Lars Langberg, Chair

I thought there was a picture of that in here, but I think that's a good one for a courtyard building.

Kari Svanstrom, Planning Director

The Florence Lofts are built like this, and Two Acre Wood is a bit like this as well, so there are a few of them around town.

Lars Langberg, Chair

Sequoia Village is the other co-housing on Covert Lane.

Melissa Hanley, Vice Chair

Can I ask Opticos that at the very least on each page there be different styles noted in the three images per context? For example, page 84 is a good example where we have this Mission look on the top two images and then I don't know even know what the bottom one is trying to be, but can we have differentiation? Page 74, the bottom two images are pretty consistent. Page 72, the bottom two images are very consistent. We're trying to say in this that different styles are acceptable. At the very least we can say we're not looking for a matchy-matchy vibe throughout, we're looking for more variety.

Lars Langberg, Chair

There are beautiful apartment buildings outside Sonoma County.

Kari Svanstrom, Planning Director

In terms of describing to the Council the changes you might be making, you could say North Bay, Northern California, whatever you want.

Christine Level, Board Member

It would be really helpful to get as many local examples in here as possible. You just gave a perfect example for the courtyard with the Florence Lofts; get a picture of that in there. It makes this user-friendlier, because buildings like those seen on page 74, brick buildings, you're not going to see those in Sebastopol and so those images are irrelevant. But if someone sees something they are familiar with, they would be enticed by it.

Lars Langberg, Chair

I can think of others that are courtyard buildings too, such as Lyding Commons, and the building that is across from Rite Aid is a much denser, taller courtyard building.

Kari Svanstrom, Planning Director

We can work on some local examples of that, and again, that's something over time.

Lars Langberg, Chair

Page 97, Pedestrian Access, Item 4-C, "Upper floor units shall be accessed by a common entry along the front street."

Melissa Hanley, Vice Chair

If you had apartments upstairs and commercial core, couldn't you have a side entrance to the apartments that wasn't a public-facing entrance?

Kari Svanstrom, Planning Director

I think I modified this to note if you're having it on the street facade so you don't have a bunch of doors, then this would apply, and they are grouped. If you're not, then that's fine if you're on a side street.

Lynn Deedler, Board Member

Another drawback is front entries usually have a big window out there at the front, and if you put a walkway and railing in front of that it really cuts down the view, and I have not seen anything like that in Sebastopol that looked workable. I would strike Item 4-C.

Lars Langberg, Chair

So that's saying if there are upper floor units you can only access them from the side or rear, or they're not a common entry necessarily?

Kari Svanstrom, Planning Director

I think that's a little problematic. In the first block of Main Street north of Bodega Avenue there apartments there with entries that make it much more accessible than if someone had to go through the back ally, and just for accessibility reasons I think you're going to allow people to be able to have their frontage on Main Street if that makes sense for them, so I wouldn't strike that.

Melissa Hanley, Vice Chair

We're open to allowing it, we just don't want it to be required, because the way it's written now is, "Upper floor units *shall* be accessed by a common entry along the front street," so it's doesn't give us the option.

Kari Svanstrom, Planning Director

My rewrite of that was if entries to upper units are accessed along the street frontage, they shall be accessed by a common entry.

Melissa Hanley, Vice Chair

I think that works.

Kari Svanstrom, Planning Director

They don't have to be; they could be on the side or in a courtyard on the rear. For example, Lyding Commons is off the side street.

Lars Langberg, Chair

Page 124, Gallery, "Provide definition of 'gallery' in definitions section." Gallery is a whole page here of a frontage type, but it's not defined.

Kari Svanstrom, Planning Director

There's sort of a cross-reference between the two, and Tony, I think Singeh had emailed or brought up a definition for it, but if there's a way to do gallery as a definition in the definitions, that would be easier, because they reference each other a little bit.

Tony Perez, Opticos Design

Yes, the reason we do that is the description here is actually intended as a definition, then in the Definitions section we don't duplicate it, just for the practice of not duplicating content when we can.

Kari Svanstrom, Planning Director

Can we have gallery there? Do we have gallery in the definitions and then just reference the page where it's found?

Lars Langberg, Chair

What's wrong with the description that is on the page? It's a little more direct. That's what Tony is saying, the description defines what a gallery is, and the pictures show examples, including one in Sebastopol. That works for me. I don't know that we need a definition if it's right there, if it's not going to happen in other places in the document.

Melissa Hanley, Vice Chair

Okay.

Lars Langberg, Chair

The last one on this list, page 131-132, Corner Parcels or Corner Elements. "Buildings located in the intersection of at least two public rights-of-way shall incorporate at least one of the following features at the corner: 1) a corner element." So Subsection 7.050.7, is that a definition of corner elements?

Kari Svanstrom, Planning Director

Yes, on the next page is what they define as a corner element.

Lars Langberg, Chair

That's not 100% clear to me. "See Subsection 7.050.7," and the next page is a series of images, 7.050.A, Architectural Open Space Types. It's not actually corner elements on that next page.

Kari Svanstrom, Planning Director

Right, it's just on page 132, the corner elements. And B is the standards for it, and then there are the profiles in the middle of the page.

Lars Langberg, Chair

Sorry, I was looking ahead.

Tony Perez, Opticos Design

Item 8 is referring to the table that Chair Langberg has mentioned.

Lars Langberg, Chair

"Discuss corner elements requirements."

Kari Svanstrom, Planning Director

I think the context of this might have been is this true traditional? How do we want to require people to hold a corner? Are there other ways of doing it?

Lars Langberg, Chair

So it's actually saying it shall use one of these three profiles below, the little square pop-out, angled pop-out, or polygon pop-out. Oh, octagonal chamfered square.

Melissa Hanley, Vice Chair

Add a round one.

Christine Level, Board Member

Why can't you just have a corner?

Lars Langberg, Chair

Because it's not as articulated, is what we're saying.

Lynn Deedler, Board Member

Another thing is these corners look like they're crowding the corner. It seems like they would be more comfortable on a main street and set back a bit.

Lars Langberg, Chair

"They are allowed at the intersection of two or more of the following." Does that mean they're not allowed elsewhere? Basically it says in a significant setting they want to make a more articulated corner.

Kari Svanstrom, Planning Director

I'm sharing on the screen 498 S. Main Street at the corner of Walker and Petaluma Avenues in Sebastopol, which the Design Guideline Subcommittee discussed as an example of how to treat those corners. This is so there is articulation on both sides of the building, and it's compared to the building across the street that has no such articulation, and not wanting that. If the site were developed, how would you want it to be?

Lars Langberg, Chair

We want it pushed to the sidewalk certainly, like the building across the street, but then it's the articulation on the corner that's being discussed here. If you go back to 498 S. Main, it is a chamfered corner with an octagonal overhanging tower thing.

Kari Svanstrom, Planning Director

Yes, this would be Diagrams B and C in the page opposite.

Tony Perez, Opticos Design

Another option to consider is that instead of it just being a requirement at two intersections is to say here are the intersections where we're going to require it and show that on the zone map.

Kari Svanstrom, Planning Director

It's a little bit more prescriptive, but I wonder if it might be a better way of doing it.

Melissa Hanley, Vice Chair

It does also require the owner to give back buildable space to the public way, a 6-foot by 6-foot space.

Kari Svanstrom, Planning Director

Yes, it's not a lot. The question is what we did take out was art sculpture and/or fountain, and any sort of public seating area.

Tony Perez, Opticos Design

On page 131, Item 6, there are three options for how to address this requirement, and a corner element is just one of the three.

Kari Svanstrom, Planning Director

Here's another example at 137 S. Main Street. This one is rounded, as noted in the diagram for that, and then across the street you have another chamfered. 168 S. Main does not have that and it is harder to round the corner. At 112 CA-116 there is an example of the planter and a plaza.

Lars Langberg, Chair

Just because you have a corner doesn't mean you have this articulated element to make it a good building or a prominent corner, as is shown in a comparison of the beautiful Abacus building with its solid corner and the Bank of the West building across the street with its chamfered corner.

Christine Level, Board Member

That's my feeling exactly. The Abacus building is a beautiful building as it is, and the Bank of the West building has the prescription, but it is awful.

Kari Svanstrom, Planning Director

So it doesn't necessarily stop the bad design.

Melissa Hanley, Vice Chair

I'd be inclined to strike Sections 6 and 7. My note said, "Quite prescriptive." Can we please leave it to quality architects to do quality work?

Lars Langberg, Chair

I'm okay with that.

Christine Level, Board Member

The issue with architecture and even this form-based code and everything is there is a lot more involved than just the prescriptions, like who is going to make something quality or not; you can't prescribe that.

Melissa Hanley, Vice Chair

The right code in the wrong hands is still going to be horrible. Now that I'm realizing we're trapped in here with this, I'd like to minimize some of these prescriptions. At some point you've got to have faith and let it be understood that the economic environment at the time, which we can't predict, is going to be a huge driver. Who has got money to build nice buildings, and who is just doing utilitarian type buildings?

Lars Langberg, Chair

So we agree to strike Sections 6 and 7, Corner Parcels and Corner Elements?

Christine Level, Board Member

Right.

Lynn Deedler, Board Member

Yes.

Kari Svanstrom, Planning Director

I don't think this has a particularly strong connection to our discretionary design standards, which is one of the things I'm always thinking about as I've gone through this.

Christine Level, Board Member

All of those corner elements that you just showed examples of; they're all 100% completely tacky, in my opinion. Then we have the Abacus building that has no corner element that I think is beautiful. But someone else could think the opposite, so how do you objectify this sort of thing?

Kari Svanstrom, Planning Director

The fact that it doesn't necessarily stop the bad design, it doesn't need to be in here.

Christine Level, Board Member

Right.

Kari Svanstrom, Planning Director

It maybe helps walking around corners and whatnot a little bit in a downtown, but on the whole I'm fine striking it.

Melissa Hanley, Vice Chair

We also have line of sight requirements in Downtown Core where you have to be able to see through certain corners.

Christine Level, Board Member

Back the building away from the corner.

Kari Svanstrom, Planning Director

Yes, we do, and obviously some of these older buildings don't have that.

Christine Level, Board Member

But anything new that wanted to have a corner might have to be set back a little bit so you'd have the line of sight, which would relieve your corner.

Lars Langberg, Chair

So that's the list from the staff report. Are there any other specific comments?

Melissa Hanley, Vice Chair

Yes, I'm going to have a lot actually. Page 18, 2.0.40, we were going to add the map and the map is still missing. Page 48, Screening, we had a lot of conversations about bushes and shrubs and art and sculpture and trees, etc. Did we decide to leave it as is or are we exploring further refinement?

Kari Svanstrom, Planning Director

I have that we decided to leave it as it was, and all the fencing stuff matches our code anyway.

Christine Level, Board Member

We have a restriction on the height of the bushes in front of our house. Is that saying it's already in Sebastopol, or is this new in this code?

Kari Svanstrom, Planning Director

In terms of screening along frontages, we do actually.

Christine Level, Board Member

Define screening.

Kari Svanstrom, Planning Director

A whole bunch of bushes creating a hedge; a hedge is screening. A single plant is a single plant; it's not screening.

Christine Level, Board Member

So is this restriction on the height of the screening already in our codes?

Kari Svanstrom, Planning Director

Yes, it is.

Melissa Hanley, Vice Chair

Page 58, Section 2, Subsection A, "The maximum building height shall follow the existing topography." We should codify it's mid-section of the site to figure out where the height is taken from.

John Jay, Associate Planner

We have an image that we're going to include. It's a straight vertical line from the grade up to whatever the building height is, and it follows that grade line throughout the site. Other architects have different opinions on if it's an average of the highest point to the lowest point, but for ours it's a vertical line straight up as it follows the slope of the site.

Melissa Hanley, Vice Chair

That could be tough.

Kari Svanstrom, Planning Director

It means you have to design with the site.

Melissa Hanley, Vice Chair

Cut and fill.

Kari Svanstrom, Planning Director

No, it's natural grade.

Melissa Hanley, Vice Chair

I know, but then you have to dig in to get your floor plan into the site so that this piece isn't 15 feet above your maximum height on this piece if it's going down; you're going to be cutting.

Kari Svanstrom, Planning Director

Or you're going to end up with a stepped building.

Melissa Hanley, Vice Chair

But you're going to be cutting.

Kari Svanstrom, Planning Director

Right, but you also have the slope standards to talk about if you have a percentage of the site that can be modified in these standards.

Melissa Hanley, Vice Chair

I'd be curious to hear what the other architect on this Board thinks of that, but I think that's not the way to do this.

Kari Svanstrom, Planning Director

That height limit is in our Zoning Ordinance, so that's not something made up just for these standards; that's being consistent with our Zoning Ordinance definition.

Melissa Hanley, Vice Chair

On page 64, Table 4.060.A, Subsection Section C, it would be helpful to reference Table 4.060.C. I think anywhere that we can make references to the circular nature of the document is helpful to someone reading it, which we're changing.

Kari Svanstrom, Planning Director

Yes, just to eliminate that frontage type we don't have.

Melissa Hanley, Vice Chair

I think that when we get to the shape and size of buildings and overhangs, and Chair Langberg mentioned this earlier, we need to allow for modern solutions that include zero eaves and zero overhangs, and there are references scattered throughout that need to be addressed to allow for that.

Kari Svanstrom, Planning Director

Where is the first instance of that?

Melissa Hanley, Vice Chair

Page 102 is probably the most overt.

Lars Langberg, Chair

It references it in the architectural elements, page 140.

Melissa Hanley, Vice Chair

Page 130 also, Section 5. It just doesn't include it as an option.

Lars Langberg, Chair

"The uppermost portion of the building shall include at least one of the following?"

Melissa Hanley, Vice Chair

Yes, it sort of requires that articulation. Then page 138, I just have to insist that we get rid of the turret; that's the hill to die on. Then page 140, which Chair Langberg brought up, is (inaudible) on the eaves.

Lars Langberg, Chair

Right, so page 140 requires a 1-foot minimum. The diagram is on page 140; standard is page 141.

Kari Svanstrom, Planning Director

Opticos, remind me, was this if you have an eave then it needs to have this, as opposed to I'm not going to have an eave because of the various whatever?

Stefan Pellegrini, Opticos Design

We have that set up just to provide some clarity of if an eave is provided then that's the minimum overhang. If it's a flat roof condition and there is no eave, then the standards for a parapet roof would apply, and you can see that the cap can be as little as zero inches with as little as a zero-inch projection. This is just providing guidance that when an eave is actually included in the design it needs to meet those minimum standards.

Kari Svanstrom, Planning Director

I'll share a picture of the Florence Lofts structure.

Lars Langberg, Chair

It's not just a flat roof design that can have a zero eave condition.

Stefan Pellegrini, Opticos Design

The one that would apply to that is the Closed Rake section, which is the first diagram in number 5, and that shows a minimum dimension on the depth of the rake but there is no required projection, which followed what we understood the previous discussion to be. But just for the record, (inaudible) should be possible and permitted under these standards.

Kari Svanstrom, Planning Director

I think we need to clarify that, because this is like the third time we've had this discussion. It's just not be clear that you don't need to have an eave, it's not required, and that would be considered closed eave or no eave. I'm wondering if there is a way of adding a note to that table, because the way it reads you think if I have closed eave then I have a 1-foot minimum, but closed eave you're not thinking about it being zero, so where in here does it say I don't need to have an overhang if it's a closed eave?

Tony Perez, Opticos Design

We totally hear you and maybe we can do that, but just at the beginning of the chapter, page 137, it says, "Standards in this section apply to each architectural element *wherever* it appears," so to Stefan's point, if it doesn't appear, then you don't (inaudible).

Kari Svanstrom, Planning Director

Maybe a note, too, under that that says, "Eaves are not required if no eave."

Stefan Pellegrini, Opticos Design

Maybe the applicability statements need to be moved to that page so that the reference is no longer required.

Tony Perez, Opticos Design

Yes.

Lars Langberg, Chair

Similar the modern discussion, page 141, Section E-7, if you have a supporting element on an open eave it has the minimum height, but that would preclude using steel outriggers, for example, that can really nice and only like 2-inches deep, not a 1-foot, 8-inch, or 10-inch minimum. Then under that it says height, supporting element, or it references the little diagram right above, which is letter I; that's got those cute little wood sculpted supporting outlook or outrigger, but that would be done in steel and it could be done a lot skinnier.

Christine Level, Board Member

Why are we even discussing what these eaves are going to be and getting this specific? Are we trying to mandate a specific form, or are we just going to let it go to the architect?

Kari Svanstrom, Planning Director

I know when we went through the SB 9 standards the question of having an open eave came up and we said plywood would be okay as long as it's not OSB,

Christine Level, Board Member

But why are we getting to this level of authoritarian picking on what exactly we're going to do? It doesn't allow things that somebody could come up with, and at some point we're going to have to trust that we have architects that are going to do something nice. We can't control it to this level of detail; it seems insane to me.

Lynn Deedler, Board Member

I agree with that. It just seems like overkill, way too much control design-wise, and it's not that important of an element.

Stefan Pellegrini, Opticos Design

I want to acknowledge that decisions that are made for objective standards really relate to the level of design control that you all are comfortable with, and there is an avenue where you could lessen the design control. The way we see this is that most likely in situations where design review or discretionary review would not be possible—these would be multi-story, multi-family buildings—we look at it through that lens of what minimum level of depth, and the details so that the building can have some degree of shadow lines and articulation; that would be where we can determine that the outcome would be reasonable without anybody saying anything else about it, and these are not necessarily decisions that are always going to work for everybody. To the previous comment, an open rafter detail in steel could be done with a much narrower profile and that could be acceptable and actually produce a really good building, but in the absence of discretionary review we would ask if anybody puts anything up there at the eave in any configuration and it's only 2-inches, would it always be acceptable without discretionary review? What this is saying is maybe no; maybe what you need there is some additional depth to make sure that no matter what people put up at the top of the building it has a reasonable depth that can be seen from the street and have some articulation. Again, all of these things relate to the amount of design control that you want to have, but it's seen through that lens of what are you going to be comfortable with if you actually don't have the ability to say anything about it?

Christine Level, Board Member

But where do you stop? I can think of an example of a rather attractive, modern apartment building that was built on the off-ramp at Lakeville Highway about five years ago and it looked nice at first, and now it looks terrible because all of the building materials are low

quality. So do we start regulating what type of paint so that it doesn't look bad in a couple years? Do we start regulating all these other things? The question I'm asking is where do we stop? How do we control all of this if we're going to control it? At some point we are going to have to have faith, and some bad looking buildings are going to happen.

Kari Svanstrom, Planning Director

It sounds like there might be a couple places where we want to strike some language to make it simpler. Page 130, the requirements for the uppermost portion of the building, that cap piece, "the uppermost portion of the building shall include at least one of the following: a parapet; sloped roof with eave and/or rake," and we now know that can be a sloped roof with no eave; "or a cornice," which can be used in combination with a parapet or sloped roof. Did you want to delete that?

Melissa Hanley, Vice Chair

I'm inclined to delete it.

Lars Langberg, Chair

The upper portion of the building is not regulated, so to speak. It should be consistent with the rest of the building.

Kari Svanstrom, Planning Director

But then you've got to define what that is, and that's what they're trying to do. It's if we have to define everything, here's how we would define it.

Melissa Hanley, Vice Chair

Yes, but we're basically including everything; like we're fine with everything.

Melissa Hanley, Vice Chair

Well, if we add the without eave, then we're fine with everything.

Kari Svanstrom, Planning Director

Right, because what else could you finish the top of your building with?

Lars Langberg, Chair

Yes, we could strike it.

Tony Perez, Opticos Design

What are we striking? B, or the entirety of 2?

Kari Svanstrom, Planning Director

Page 130, Item 2-B, number 5, all-inclusive, and then 6, because that is referring to it. On page 141 I have that we were going to have a note saying that eaves are not required to project. Vice Chair Hanley might have had another.

Melissa Hanley, Vice Chair

Kill the turrets.

Tony Perez, Opticos Design

We understood the prior direction to remove the turret from the diagram. We just hadn't done it, because we're going to go through and do that at the end of everything.

Kari Svanstrom, Planning Director

We're trying to get away from projecting that the only thing we're ever going to accept is a traditional building, and that would help with that.

Melissa Hanley, Vice Chair

Page 133, Architectural Open Space Types, what about a cantilevered second story that creates a public open space underneath it?

Kari Svanstrom, Planning Director

I think a cantilevered roof would be under the main roof form.

Melissa Hanley, Vice Chair

A cantilevered second story, so instead of having columns to create an arcade we just cantilevered the second story of the building.

Kari Svanstrom, Planning Director

Instead of the arched openings?

Melissa Hanley, Vice Chair

Can we have a cleaner solution so we're not requiring creation of this formal arcade, but it just creates an implication of public space?

Kari Svanstrom, Planning Director

Tony, can we add that to these types?

Tony Perez, Opticos Design

Yes, I think so.

Stefan Pellegrini, Opticos Design

And an open space that is created underneath or below an architectural projection that's not supported by any columns.

Melissa Hanley, Vice Chair

So it doesn't require a fourth wall definition, post-and-beam or columns of any type, but just exists in space. Page 134, I thought in our last conversation we also decided to omit mahogany.

Kari Svanstrom, Planning Director

We did, because of sustainability reasons.

Melissa Hanley, Vice Chair

Then I had a note in here about adding copper as an additional metal for 2.B under Durability, if anyone really wants to spend that kind of money.

Stefan Pellegrini, Opticos Design

Copper is not ferrous, so the use of copper does not apply to this standard. This is only steel and related ferrous metals; you're free to use copper.

Melissa Hanley, Vice Chair

Did we all agree on the retitling of the document? I don't know if we got formal sign-off on that.

Kari Svanstrom, Planning Director

I heard that folks were fine with that.

Lars Langberg, Chair

As Objective Design Standards for Housing Accountability Act Projects basically?

Kari Svanstrom, Planning Director

Yes, or it could be For Ministerial Review. That's a bit of a mouthful. We can explain in the admin that it's only for HAA/SB 35 projects.

Melissa Hanley, Vice Chair

I think having HAA in the title will protect us, should the City Council want to do this for every project.

Kari Svanstrom, Planning Director

I would be helpful if the Chair and Vice Chair could be at the Council meeting when they review this in case they have questions.

Lars Langberg, Chair

It sounds like we've gone through the standards thoroughly once more. What would be the next step? We have two members not here, and Board Member Bush always has thorough landscape comments. Could we have his comments sent as a follow up somehow? Board Member Level has brought up bigger picture questions, but are we agreeing to put those off into the future and continue to work on this living document?

Christine Level, Board Member

We could put everything together, along with Board Member Bush's comments, and have one more draft to look at, and I think we have time for that.

Kari Svanstrom, Planning Director

Opticos will not be doing another draft for us to look at and then do another draft for City Council. I can share the marked up draft, because I've been taking notes on all of our comments today.

Christine Level, Board Member

I'd like to have access to one more draft, and if it's marked up, that's fine.

Lars Langberg, Chair

It seems like there have been enough changes and comments that it would be worth seeing. After checking the Board Members' schedules it has been decided to schedule a special DRB meeting for October 17th to review the draft. If we do that and the document moves ahead, we can get on the City Council agenda for their November 7th meeting.

Board Member Level moved to continue review of the Objective Design Standards for Housing Accountability Act/SB 35 eligible projects to the October 17, 2024 special Design Review Board meeting

Vice Chair Hanley seconded the motion.

AYES: Chair Langberg, Vice Chair Hanley, and Board Members Deedler and Level

NOES: None

ABSTAIN: None

ABSENT: Board Members Balfe and Bush

8. SUBCOMMITTEE UPDATES:

None.

- 9. ADJOURNMENT:** Chair Langberg adjourned the meeting at 5:05 p.m. The next regularly scheduled Tree/Design Review Board meeting will be held on Tuesday, September 26, 2023 at 6:00 P.M.