



- 5. STATEMENTS OF CONFLICTS OF INTEREST:** There were none.
- 6. PLANNING DIRECTOR'S REPORT (Update on Future Agendas, Actions of Other Boards and City Council).**

Director Webster provided the following updates:

- The final planned meeting of the General Plan Advisory Committee (GPAC) is scheduled for tomorrow, Wednesday, December 9, 2015 at the Youth Annex (425 Morris Street) at 6:00 p.m. The GPAC will conduct a Policy Review of the draft General Plan.
- A preliminary draft of the GPAC version of the General Plan has been issued and is on the City website.
- The regularly scheduled Planning Commission meeting of December 22<sup>nd</sup> will be canceled due to its proximity to the holiday.
- The next regularly scheduled Planning Commission meeting will be held on January 12<sup>th</sup>. That will be a joint meeting with the City Council to go over the General Plan.
- At the next City Council meeting, the Council is expected to act on a proposal for a comprehensive wayfinding sign program; will hold a second Public Hearing on the Laguna Preserve Management Plan; will receive an update from the consultant on the General Plan; under the Artwork in Public Places program, the Sculpture Jam group is proposing a temporary artwork with four different potential locations. As a temporary artwork it is only subject to Council review.
- The Design Review Board had a couple of discussions about the draft Downtown Design Standards; broadly speaking the Board substantially agreed with the concerns that the Commission had with the standards. The Board chose to form a subcommittee to work with staff; their initial task will be to try to eliminate things that don't belong before doing a substantial rewrite.

The Commission asked questions of staff.

Commissioner Fernandez commented that the Highway 12 Bridge would be closed from 10:00 p.m. on December 18<sup>th</sup> until 7:00 a.m. on December 19<sup>th</sup>.

Staff agreed and expounded on the reason for the closure.

**7. CONSENT CALENDAR (PUBLIC HEARING IF REQUESTED):** None

**8. PRESENTATION:**

**A. GENERAL PLAN UPDATE:** This is a summary overview of the status and future review process for the General Plan Update from the City's General Plan consultant.

Ben Ritchie of De Novo Planning Group provided a memo to the Commission, gave a brief presentation and was available for questions.

The Commission asked questions of Mr. Ritchie and staff.

Chair Doyle expressed concern with the expectation that the City Council and Planning Commission would work their way through the entire draft over the course of three joint meetings. Commented that it felt out of balance and that more time should be spent by elected and appointed officials.

**9. PUBLIC HEARING:**

**A. VARIANCE: 570 ELLIS COURT:** This is an application submitted by Michael Jones, requesting approval for a setback variance to develop a second dwelling unit at 570 Ellis Court.

Director Webster presented the staff report.

The Commission asked questions of staff.

Commissioner Fernandez disclosed that he'd visited the site and met with the applicant.

The applicants, Terri Tachovsky and Michael Jones, gave brief presentations and were available for questions.

The Commission asked questions of Ms. Tachovsky and Mr. Jones.

Chair Doyle opened the Public Hearing.

Hearing none, Chair Doyle closed the Public Hearing and brought it back to the Commission for discussion.

Commissioner Douch commented that this was slightly tricky in that he could go either way on the applicant's need for a variance; however, on balance he felt that this was a relatively small request and was generally in favor of approving the application.

Commissioner Fernandez commented that he felt similar to Commission Douch. With there being no obvious impact on neighbors to the right or the left and it being a relatively unusable part of land, he felt that the request made sense and he had no problem with granting it.

Commissioner Jacob expressed being of the same opinion as Commissioner's Douch and Fernandez. Expressed concern over setting precedent for future variance requests.

Commissioner Douch shared the concern expressed by Commissioner Jacob and added that there were a number of subtleties with this application, which ultimately swayed his response. Subtleties included; that it was downslope from the neighboring property, no nearby neighboring structures and the overall impact would be minimal.

Commissioner Fernandez agreed.

Commissioner Jacob continued; the factor that influenced him the most was continuing along with the existing building wall.

Vice Chair Kelley commented that she hadn't seen very many applications such as this come before the Planning Commission in the past. Expressed concern over three similar, variance applications coming before the Commission in a relatively short period of time. On an individual basis, she expressed being comfortable with granting an approval. Like other Commissioner's, she expressed being concerned with setting a precedent. She noted that adoption of the updated General Plan might bring about changes to how variances are handled and if/when they are required.

Commissioner Pinto mirrored comments expressed by his fellow Commissioner's. Believed that the Commission was setting a precedent. Given that, he stated that the Commission needed to be careful to explain their reasons when making a decision. His reasons for being willing to approve this request included; it continues the line of an existing structure, it's

downslope, it's one-story, 1 ½ feet is a very small percentage of the required setback and the fact that there have been no opposing comments.

Chair Doyle commented that he was ultimately in agreement with the consensus of the Commission, however, out of a desire to maintain cohesion with the Zoning Ordinance, he preferred to stick with the parameters and felt that this could be easily designed to fit within the boundaries. Suggested adding a condition limiting the approval to one-story so that privacy doesn't become an issue. If the purpose of allowing reduced setbacks for second dwelling units is to encourage the availability of potential affordable housing, self-sustaining second dwelling units should be developed. Expressed being willing to support the application if the applicant was willing to take 2' from the bathroom and add it to the kitchen. He stated that doing so would allow a more usable kitchen area with storage.

Mr. Jones responded.

Ms. Tachovsky approached the table to review the site plan and to discuss further with Commissioner Doyle.

Commissioner's Kelley and Pinto expressed being in support of what Commissioner Doyle had suggested.

Commissioner Doyle made a motion to approve the application as submitted with the following:

- The dwelling shall be limited to one story in height in perpetuity. Prior to issuance of a Building Permit, the kitchen area shall be widened and the bathroom area reduced, as discussed. The kitchen is shown with an existing 2' base cabinet on the east wall. A 2' base cabinet with wall cabinets above shall be added on the west wall.

Commissioner Pinto stated that the Commission's reasons for supporting this request should be reflected as well.

Staff commented that the findings would be modified to reflect the Commission's comments.

Commissioner Jacob seconded the motion.

Commissioner Jacob commented that he could see how it made sense to ask for a more functional kitchen as a result of granting a variance, and expressed being fine with how it was ending up, however, he expressed concern with the level of detail and worried about setting a precedent. He commented that he'd rather see the Commission ask for more functionality without dictating how they arrive at it.

Chair Doyle responded that that would result in a continuance. He added that with concrete agreement the Commission would be able to avoid the need for a continuance and act on the application tonight.

Commissioner Fernandez expressed having the same comment as Commissioner Jacob. Questioned if narrowing the doorways would present an accessibility issue.

Ms. Tachovsky responded.

Commissioner Kelley commented that the City has universal design guidelines for accessibility and asked if the applicant had been notified of them. She commented that all persons looking to build should be provided with them, if that wasn't being done already.

Chair Doyle asked for a vote on the motion, which Commissioner Jacob seconded, as stated.

Chair Doyle asked staff to read back the motion.

Director Webster read back the motion.

Commissioner Pinto reiterated the importance of including the Commission's reasons for supporting the request.

Director Webster agreed.

Vote:	Ayes:	Chair Doyle, Vice Chair Kelley and Commissioners Douch, Fernandez, Jacob, and Pinto.
	Noes:	None
	Abstain:	None

**B. VARIANCE: 915 FIRST STREET:** This is an application submitted by Daniel Rich, requesting approval for a front yard setback variance to expand an existing attached garage for a single family residence at 915 First Street.

Director Webster presented the staff report.

The Commission asked questions of staff.

Commissioner Fernandez disclosed that he'd visited although the applicant was not present.

The applicant, Daniel Rich, gave a brief presentation and was available for questions. His spouse, Diana Rich, provided the Commission with some handouts as well.

The Commission asked questions of Mr. Rich.

Chair Doyle opened the Public Hearing.

Hearing none, Chair Doyle closed the Public Hearing and brought it back to the Commission for discussion.

The Commission asked additional questions of staff.

The Commission discussed the application.

Chair Doyle suggested allowing the addition to go to the easement line without extending over it. He noted that the applicant would need to demonstrate where the easement line is to the satisfaction of the Building Official.

Mr. Rich expressed being amenable to Chair Doyle's suggestion.

Commissioner Douch agreed with Chair Doyle's suggestion to allow construction up to the easement.

Commissioner Douch made a motion to approve the application as submitted with the following:

- The garage/workshop addition may extend 15 feet or to the 15-foot road easement line, whichever is less. The applicant shall be responsible for demonstration of compliance with this condition to the City Building Official.

Commissioner Fernandez seconded the motion.

Commissioner Pinto commented that he was less motivated to be swayed by this application, unlike the previous one. Stated that he was grappling with the need for this variance.

Chair Doyle agreed with Commissioner Pinto's comment.

Commissioner Pinto expressed being okay with the request because First Street was remarkably inconsistent and no opposition from the neighbors had been heard.

Chair Doyle requested that staff modify the findings to reflect the Commission's comments.

Director Webster agreed.

Chair Doyle commented that their reasons for granting approval included; the house to the north has a similar setback, there isn't a coherent setback in the neighborhood, no opposition from the neighbors had been expressed, support had been expressed by neighboring property owners.

Vice Chair Kelley asked questions of staff.

Vice Chair Kelley asked Commissioner Douch if he'd be willing to amend his motion to include the following:

- This addition shall only be used for a garage/workshop use; any other use shall require additional City review/approvals.

Commissioner Douch stated that he was fine either way and amended his motion as follows;

Commissioner Douch made a motion to approve the application as submitted with the following:

- The garage/workshop addition may extend 15 feet or to the 15-foot road easement line, whichever is less. The applicant shall be responsible for demonstration of compliance with this condition to the City Building Official.
- This addition shall only be used for a garage/workshop use; any other use shall require additional City review/approvals.

Commissioner Fernandez seconded the amended motion.

The Commission voted on the amended motion as follows:

Vote:	Ayes:	Chair Doyle, Vice Chair Kelley and Commissioners Douch, Fernandez, Jacob, and Pinto.
	Noes:	None
	Abstain:	None

**10. DISCUSSION ITEMS:** None

**11. WRITTEN COMMUNICATIONS:** None

**12. ADJOURNMENT:** This meeting was adjourned at 8:38 p.m. to the regularly scheduled Planning Commission meeting on Tuesday, December 22, 2015, to be held at 7:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472.

Respectfully Submitted,

Kenyon Webster  
Planning Director