



**CITY OF PETALUMA, CALIFORNIA  
REGULAR MEETING OF THE PLANNING COMMISSION**

City Hall Council Chamber  
11 English Street  
Petaluma, CA 94952

**DRAFT MINUTES  
Tuesday, April 25, 2023**

**CALL TO ORDER**

Chair Bauer called the meeting to order at 7:00 PM.

**ROLL CALL**

PRESENT: Heidi Bauer, Roger McErlane, Sandra Potter, Darren Racusen,  
Rick Whisman, Janice Cader Thompson

ABSENT: Blake Hooper

**GENERAL PUBLIC COMMENT**

During **General Public Comment**, the public is invited to make comments on items of public interest that are within the Commission's subject matter jurisdiction and that are not listed on the current agenda. Public comments are limited to three minutes per person. Depending on the number of persons wishing to address the Commission, time will be allocated in equal shares totaling no more than twenty minutes, subject to the Commission's discretion.

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General Public Comment emails.

Chair Bauer opened public comment and seeing no one wishing to speak, closed public comment.

Chair Bauer requested to reorder the agenda to accommodate a recusal of the hearing item.

**APPROVAL OF MINUTES**

3. Approval of Minutes for the meetings of February 14, 2023 and March 14, 2023  
No comments were provided, and the draft minutes were approved as submitted.

## PUBLIC HEARINGS AND MATTERS FOR CONSIDERATION

4. Resolution Making a General Plan Conformity Determination and Additional Findings Pursuant to Streets and Highways Code Sections 8300 et. seq. with Respect to the Vacation of a Portion of an Unused Public Alley Easement Located Between Fair and Sheldon Streets, north of English Street, on Assessor Parcel Numbers APN 008-023-011 (407 Fair St.), 008-023-019 (408 Sheldon St.), 008-023-012 (413 Fair St.), 008-023-013 (417 Fair St.), 008-023-005 (416 Sheldon St.), and 008-023-006 (418 Sheldon St.), and Recommending that the City Council Adopt a Resolution Granting a Summary Vacation of a Portion of the Unused Public Alley Easement

Chair Bauer opened the item and noted that Commissioner McErlane will be recusing himself. Commissioner McErlane recused himself due to living within 500 feet of the proposed project.

City Engineer Jeff Stutsman provided background information on previous vacation easements in this neighborhood with a partial vacation easement completed in 1979. In this proposal, the applicant has requested vacation of easement along his property frontage. Discussion with neighbors was initiated with the goal of getting all neighbors involved for easement of the entire alleyway. Staff recommended approval since the property has little land value, is not used by PGE or emergency services, and requires maintenance for ongoing weed abatement.

Chair Bauer requested any ex parte communication from the Commissioners. There were no disclosures.

Chair Bauer opened the item up for Commissioner questions.

- Commissioner Potter asked if the City has authority to vacate an easement without property owner agreement. Assistant City Attorney Dylan Brady stated that an agreement is not required but ideally the City would like to have property owners' agreement before vacating an easement.
- Commissioner Potter felt that it is inefficient to piecemeal the vacation and believes that the vacation is consistent with the housing element in that it furthers development of ADUs by increasing the backyard area.
- Commissioner Racusen asked about the value of the property and whether it was based on the value to the City or fair market value to the property owner. City Engineer Stutsman responded that it is the value to the City.  
Commissioner Racusen noted that the relative value applies to each portion and not combined.
- Commissioner Whisman asked who holds the title of the properties involved. City Engineer Stutsman stated that the easement is held by

the City but the property is owned by the private property owners. He also noted that the staff report indicated 417 Sheldon Street and should be 417 Fair Street.

- Commissioner Whisman asked how many easements the City has historically completed over the past 10 years. City Engineer Stutsman stated that over the past three years he has completed two vacation easements. Commissioner Whisman asked if the City has rejected any and once an easement is released if there are contingent liabilities. Assistant City Attorney Brady responded that the city's liabilities would go away at the time the easement is vacated.
- Council Member Cader Thompson asked to clarify that the property owners actually own the property, and the City owns the easement. She stated that it is not responsible to keep piecemealing easements and the vacation should either be all or nothing. Council Member Cader Thompson stated that she would like staff to contact all adjacent property owners to get everyone on board for the vacation.
- Chair Bauer added that the City can't make the property owners buy into it. Assistant City Attorney Brady responded that the City could summarily abate the additional properties if certain findings are made. Planning Manager Trippel suggested that the Planning Commission could take action and direct staff to do additional work before the City Council meeting. Assistant City Attorney Brady added that the decision would need to be returned to the Planning Commission if additional properties were added to the summary vacation. Chair Bauer asked about the additional cost. City Engineer Stutsman stated that the cost of time is recovered from the applicant.
- Commissioner Potter suggested moving the item forward and having staff pursue the remaining parcels for a cohesive change in status for the alley.

Chair Bauer opened public comment.

- Nicholas Luciani, applicant, stated that he reached out to all neighbors living on the block. The neighbors who were interested were asked to participate as part of the application. He stated that he is paying for all the costs incurred to put together all of the documents. He noted that there may be value to the City if, for example, an accessory dwelling unit were added and the tax implications would be a benefit. Otherwise, it is currently a liability for the City.
- Steve Lafranchi, Project Surveyor, stated that this isn't a fee simple parcel of land, but the easement crosses many private parcels. This doesn't happen too often in Petaluma but does happen frequently in other cities.
- Dan Krieg, 421 Fair Street, did not participate in the proposal. He thought that the proposed area made a logical stopping point which did not include his property or his neighbor's since they are at the other

end and will not be blocked. He felt, as one of the owners in the area, that it would be fine to have a partial easement vacation.

Chair Bauer closed public comments and opened the item to Commissioner comments.

- Chair Bauer suggested that if other property owners wanted to come apply for a vacation easement in the future that they should be allowed to. She was supportive of the project as it stands.
- Commissioner Racusen did not see any downside to doing a partial vacation. He advocated for more infill and was in support of the proposal. City Engineer Stutsman responded that there was no additional liability from the partial vacation.
- Commissioner Whisman stated that there appears to be a net upside and no downside to a partial vacation by giving up parcels of no value. He supported the proposal.
- Council Member Cader Thompson asked about a remainder parcel being a liability. City Engineer Stutsman responded that the parcel would remain as an unimproved roadway. Cader Thompson maintained her position that all parcels should be included and would rather do the entire area.
- Commissioner Potter thanked the work of staff and applicants. She noted that the easement was put there as a transportation corridor, therefore, it has no meaning when broken up. She would like to see a commitment in the future for the vacation of more easements.

Motion to adopt a resolution to approve Making a General Plan Conformity Determination and Additional Findings Pursuant to Streets and Highways Code Sections 8300 et. seq. with Respect to the Vacation of a Portion of an Unused Public Alley Easement Located Between Fair and Sheldon Streets, north of English Street, on Assessor Parcel Numbers APN 008-023-011 (407 Fair St.), 008-023-019 (408 Sheldon St.), 008-023-012 (413 Fair St.), 008-023-013 (417 Fair St.), 008-023-005 (416 Sheldon St.), and 008-023-006 (418 Sheldon St.), and Recommending that the City Council Adopt a Resolution Granting a Summary Vacation of a Portion of the Unused Public Alley Easement

Made by Potter, seconded by Whisman.

Vote: 4 -1

Yes: Bauer, Whisman, Racusen, Potter

No: Cader Thompson

Absent: Hooper

Recused: McErlane

Chair Bauer closed the item.

## **PRESENTATIONS**

2. Study Session – GPU – Presentation of past, current, and future General Plan Update (GPU) activities. Review key Planning Commission input opportunities for the remainder of 2023 and beyond.

Chair Bauer opened the item.

Principal Policy Planner Christina Paul presented the Study Session item.

Key Topics Were:

### **Purpose of a General Plan**

- Constitution
- Long term policy document
- Tools in place

### **General Plan Requirements**

- There are state required elements and jurisdictions can choose when to update them.
- The planning periods are estimates to buildout.
- The General Plan must be consistent with other documents (i.e. Zoning Code)

### **Role of General Plan**

- To set land uses and development patterns.
- To provide long-term directions.

### **Petaluma General Plan 2025**

- Was adopted in 2008 and has a total of 11 elements.

### **Current Topics of Study**

- Draft Plan Framework
- Website at [PlanPetaluma.org](http://PlanPetaluma.org)

### **Workflow**

- Existing Conditions
- Vision
- Housing Element
- Policy Concepts
- Land Use Alternatives
- Policy Frameworks
- Draft Plan
- Final Plan
- Additional – Climate, flood planning workflow.
- Floodplain modeling – sea level rise

### **Role of the Planning Commission**

- Content Development and refinement to incorporate into the record.
- General Plan will be a living document, can remain useful and not get outdated.

#### Commissioner questions.

- Chair Bauer requested clarification of the Planning Commission's role in the General Plan update process. Staff responded that the 21-member General Plan Advisory Committee (GPAC) is the primary body to steer the process which is an exhaustive and detailed process of development of content. The role of the Planning Commission is to provide input on the draft that has been reviewed by GPAC and staff and to provide input to the City Council.
- Planning Manager Trippel invited Cader Thompson to share her views about the GPAC process. Council Member Cader Thompson shared that there are pros and cons about being on Zoom. She learned that there are cities in the state who have never updated their General Plan. She noted the diverse group with great expertise, but the process is exhausting but the result will be a great vision forward for the community.
- Commissioner Racusen asked about the timing of the Implementing Zoning Ordinance (IZO) in relation to the General Plan update process. Staff responded we will be doing some targeted updates in the meantime but a comprehensive Zoning Code update process will start in coordination with the General Plan Update so that it can be adopted soon after the new General Plan is adopted. Planning Manager Trippel noted that staff maintains a redline IZO to capture updates that need to happen to improve implementation. There will be ordinance updates to reflect state law changes this summer and the subsequent comprehensive update will be significant.
- Commissioner Racusen noted the importance of closing loopholes, and seeing the updates happening parallel since other parts of city policy will be shaping the city alongside the General Plan.
- Commissioner Whisman asked if the housing element is the only element that is subject to state approval and if it does not get approval, can the General Plan process still move forward. Staff responded that the Housing Element is the only State approved element and if not approved, it shouldn't have an impact on the schedule for the overall General Plan update.
- Commissioner Whisman asked if all other elements have been completed. Staff responded that staff is reviewing administrative drafts of policy frameworks that will ultimately form the different General Plan elements. Adaptation, sea level rise policies, and land use alternatives are pending given flood modeling and mapping that is occurring. Planning Manager Trippel added that the implementation of the housing programs is state driven and policies for other elements are driven by goals within the document.

- Commissioner Policy asked about any land use designation changes needed for the housing element sites. Staff clarified that no land use or zoning changes were needed as part of the Housing Element
- Council Member Cader Thompson asked when the topic of sea level rise will come back to GPAC. Staff responded that the review is still ongoing and staff is reviewing preliminary results. The results of the modeling and maps will inform the General Plan land use maps and adaptation as well as ultimately the filing of the FIRM with FEMA.
- Commissioner McErlane stated that he liked the idea of the General Plan being a comprehensive vision. He asked where in the General Plan will there be graphics and policies around sense of place, including treatment and design of public corridors, main arterials, and the river corridor, to determine what Petaluma will look like and feel like. Will the 1996 River Access and Enhancement Plan be updated? Is that part of the General Plan update? Staff responded that there was a sense of place working group and that will come with the land use chapter. Updating the policies around enhancement of the river will be included, although specific format or whether it will be an updated of the River Access and Enhancement Plan is still undecided. Policies around sense of place will also be included around creating neighborhood hubs consistent with the topics of the SDAT effort.
- Chair Bauer and staff invited the Commissioners to submit comments to Principal Policy Planner Christina Paul.
- Council Member Cader Thompson agreed that it is important that the Commissioners send comments.
- Commissioner Racusen asked how the objective design standards fit into the process. Staff responded that there are policies to develop objective design standards in the Housing Element and staff is working on the draft. A working session will be brought to a future Planning Commission meeting.
- Council Member Cader Thompson asked if GPAC will meet in person in the future. Staff responded that they anticipate some in person meetings for targeted topics such as presenting the flood and sea level rise modeling will be in person, but not the regular GPAC meetings.
- Chair Bauer stated that she is happy that the flood map is being updated and asked if the updated flood map cause changes in land use and zoning. Staff responded that the results of this study will be part of adaption planning and will inform the land use alternatives.

Chair Bauer open public comment and, seeing no one wishing to speak, closed public comment.

## **COMMITTEE COMMENT**

Council Member Cader Thompson stated that she attended a League of California Cities meeting and learned about recent new laws. She noted that if the State has a lease, it may want to build housing at locations such as the Petaluma Fairgrounds. She also noted an upcoming SCTA tax measure for climate using a parcel tax or bond. The threshold is 10.25% for sales tax. They are currently looking at polling the options and will know more in the next month.

Commissioner McErlane reported on the Tree Advisory Committee who is revising the tree list and working with Public Works Department and ReLeaf for adding trees into plans for Maria and McDowell. He indicated he just became aware of some D Street improvements and the Tree Advisory Committee has not been engaged in that effort. He stated his concern about other projects where the Tree Advisory Committee is not involved and felt there should be someone to coordinate the overall vision.

## **STAFF COMMENT**

Planning Manager Trippel shared his excitement about being able to bring the General Plan process to the Planning Commission and asked for feedback on the meeting minutes. He noted upgrades to the planning projects webpages for consistency and the recent addition of QR codes on public notices.

He announced upcoming meetings:

- 5/9 Oyster Cove
- 5/23 Floodway Market Appeal
- June and July Study Sessions
- July - Zoning Ordinance Amendments – Visitability, Childcare, ADU, State Density Bonus, SB9.
- September and October – Other ordinances and review of City Council's priority goals.

Planning Manager Trippel noted that Planning staff administers HCPC, PPAC as well as PC and are looking at strategies to make changes. In looking at the Commission's enabling legislature, he suggested that changes could be made to the meeting start time to 6:00 PM and requested feedback.

Chair Bauer supported the change and added that she checked other jurisdictions in Sonoma County and all but one started at 6:00 or earlier.

Cader Thompson – supported 6:00 PM start

Racusen – supported 6:00 PM start

Whisman supported 6:00 PM start

Potter – supported 6:00 PM start

McErlane – supported 6:00 PM start

Council Member Cader Thompson suggested that a hybrid format would be reasonable for future meetings. Planning Manager Trippel responded that the hybrid format for City



Council meetings has been successful.

Commissioner Racusen noted that at the February 14<sup>th</sup> meeting he made a request to the applicant of the Labcon project about contacting a citizen group in area. They were very receptive about meeting with the Casa Grande Anglers and they could be a great model for other projects. He also noted an upcoming Arbor Day planting.

## **ADJOURNMENT**

Chair Bauer adjourned the meeting at 8:51 PM.

Consistent with City Council and the minutes of other City Committees, Commissions, and Boards, Planning Commission minutes are intended to be action or decision-only minutes. To review the entire meeting proceedings, please consider viewing the meeting's video at [https://www.youtube.com/watch?v=PZRHGgMMg-4&ab\\_channel=CityofPetaluma](https://www.youtube.com/watch?v=PZRHGgMMg-4&ab_channel=CityofPetaluma)