



City of Sebastopol Planning Director Staff Report

Meeting Date: July 25, 2022

To: Kari Svanstrom, Planning Director
From: John Jay, Associate Planner
Subject: Conditional Use Permit (Planning Director Approval)
Recommendation: Approval with conditions
Applicant/Owner: Kyra Zona
File Number: 2022-041
Address: 916 Gravenstein Highway South
CEQA Status: Exempt
General Plan: Office Commercial (CO)
Zoning: General Commercial (CG)

Introduction:

The project proposes to operate a dog grooming service that will operate 6 days a week from 9am-6pm. The operation of the grooming is to offer full service along with a self-service option. The project will also include a retail section which includes sales of collars, leashes, dog food, and similar items.

Project Description:

The project proposes to turn a previous hair salon into a dog grooming service. As mentioned above the project has a self-service section along with a drop off full grooming service option. As laid out in the floor plan there will be 6 self-service stations within the front of the building and the full-service option will be towards the rear of the structure. The retail option of the proposal will be facing the frontage of the entrance which accompanies the reception and check in area.

Environmental Review:

The project is exempt from CEQA review as it classifies for a 15301(a) exemption "interior or exterior alterations involving such things as partitions, plumbing, and electrical conveyances." As the project proposed is to modify the interior of an existing facility to meet the new use of a dog grooming facility.

General Plan Consistency:

The project is consistent with the General Plan as it hits on multiple points of the General Plan policies.

EXHIBIT A
RECOMMENDED FINDINGS OF APPROVAL

Dog groomer
916 Gravenstein Highway South
APN 004-121-020, File 2022-041

Based on the evidence in the public record, the Planning Director finds that:

1. The proposed project/use is categorically exempt from the requirements of CEQA under Section 15301(a), which exempts “interior or exterior alterations involving such things as partitions, plumbing, and electrical conveyances “.
2. The project/use/proposal is consistent with the provisions of the General Plan as follows:
 - A. Policy LU 7-9: Encourage local-serving neighborhood retail uses readily accessible to residential areas. *As the project is located within the General Commercial district but is surrounded by residential uses that would promote a local retail business.*
 - B. Policy EV 1-13: Assist efforts to attract new industries and businesses that develop new products and expand markets, particularly those that involve research and development of agricultural, sustainable, green, medical, and/or technological products. *As the project would expand upon a market for the residents of Sebastopol.*
 - C. Policy EV 2-4: Encourage businesses and programs that emphasize and promote shopping locally. *As the groomer is a locally owned business with the goal of bringing dog grooming to the residents of Sebastopol.*
3. The project is consistent with the Sebastopol Zoning Ordinance sections as follows:
 - SMC 17.415.030 Use Permits
 - SMC 17.25.030 Development Standards
4. The project is consistent with SMC 17.415.030 - Conditional Use Permits
 - The proposed use is consistent with the General Plan and all applicable provisions of this title in that, the project satisfies multiple General Plan policies and promotes small local businesses within the City limits of Sebastopol.
 - As conditioned, the establishment, maintenance, and operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City, as the project will require limiting operations to daytime hours, no outdoor staging / care for animals will be allowed, and no overnight boarding shall be allowed.
5. The project is consistent SMC 17.25.030 as follows:
 - *Animal hospital, office only* would be an allowed use, with the approval of a Conditional Use Permit, within the General Commercial district as approved by the Planning Director. As this is a request for the Planning Director to approve this conditional use permit it would satisfy the requirements of the development standards in Section 17.25-1 of the SMC.

EXHIBIT B
RECOMMENDED CONDITIONS OF APPROVAL
Conditional Use Permit
Dog grooming service
916 Gravenstein Highway South
APN 004-121-020, File 2022-041

1. The Use shall be in substantial conformance with the proposed operations as described in the application materials prepared by Kyra Zona, and stamped received on May 25, 2022, and on file at the City of Sebastopol Planning Department, except as modified herein:
 - a. The operating hours
2. All construction shall conform to the approved plans, unless the design is modified by the Planning Director. The applicant shall obtain a Building Permit prior to the commencement of construction activities.
3. The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application or the environmental determination which accompanies it, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.
4. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.
5. This approval does not include any signs. Any new signs that will identify the use of this property are subject to the prior approval of the Design Review Board or City staff, as appropriate.
6. Approval is valid for three (3) years, except that the applicant may request a one (1) year extension of this approval from the Planning Director, pursuant to Section 17.400.100 of the Zoning Ordinance.
7. The Use Permit shall be in effect unless it is abandoned or closed for 12 months or longer.
8. The Use Permit shall be subject to the City of Sebastopol noise ordinance section 8.25.
9. The Use Permit shall be subject to the City of Sebastopol animal regulations section 6.10.

1. **Policy LU 7-9:** Encourage local-serving neighborhood retail uses readily accessible to residential areas. *As the project is located within the General Commercial district but is surrounded by residential uses that would promote a local retail business.*
2. **Policy EV 1-13:** Assist efforts to attract new industries and businesses that develop new products and expand markets, particularly those that involve research and development of agricultural, sustainable, green, medical, and/or technological products. *As the project would expand upon a market for the residents of Sebastopol.*
3. **Policy EV 2-4:** Encourage businesses and programs that emphasize and promote shopping locally. *As the groomer is a locally owned business with the goal of bringing dog grooming to the residents of Sebastopol, a service that does not currently exist within the City.*

Zoning Ordinance Consistency:

The project is located within the General Commercial zoning district and staff has identified this use with Table 17.25-1 of the Sebastopol Municipal Code as an Animal hospital, office only and thus would require a use permit approved by the Planning Director. The SMC defines “Animal hospital, office only” as an establishment for the care and treatment of animals, including veterinary offices, where facilities are within an enclosed building, and there are no exterior animal related uses such as dog runs or kennels. The Planning director has determined that an animal grooming or other care use is similar to an office only animal hospital, in that live animals are brought to and from the site on a daily basis, during normal business hours only.

The project does not propose boarding of dogs overnight and customers would then be required to pick up their animals before the close of business. The rear of the property does back up to a residential neighborhood. However, there is roughly a 75’ buffer from the end of the building to the rear property line. The applicant would also be held to the City’s noise ordinance and animal regulations described in Section 6 of the SMC.

Public Comment:

As prescribed by Section 17.460 of the Zoning Ordinance, the Planning Department completed the following: (1) Provided written notice to all property owners within 600 feet of the external boundaries of the subject property; (2) provided a written notice that was published in the Press Democrat; and (3) posted three written notices publicly on and within vicinity of the subject property.

No public comments have been received as of the writing of this staff report.

City Departmental Comment:

The Planning Department routed this application to the City departments to provide comments or conditions for the project the Fire Department provided the following conditions. No other departments required any additional conditions.

Fire:

- *Fire inspection required with a new business license application.*

Planning:

- Operational hours (when animals are present) shall be limited to 8 to 6 pm.
- No overnight boarding of animals shall be allowed.

- To minimize noise issues (from barking dogs) no outdoor care/service areas will be allowed.

Required Findings:

Section 17.415.030 of the Sebastopol Municipal Code states the following findings must be made for all conditional use permits.

- A. *The proposed use is consistent with the General Plan and all applicable provisions of this title.*
- B. *The establishment, maintenance, and operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

Analysis:

The project as proposed would be an allowed use within the general commercial zone as approved by the Planning Director. With that, the project would be subject to the findings of a regular use permit and staff has been able to make those findings as mentioned above. The project also includes a retail portion of the proposal and is also allowed within that district. However, the project would need to be conditioned in a way that does not affect the surrounding residential neighbors as the project would have up to six dogs on site and could cause noise complaints. Staff feels that the project should be conditioned to adhere to these potential noise complaints in a way that the applicant can continue to do business, potential recommendations will be made in the conditions of approval.

Staff also finds that the project will provide a newer use to the area and will accomplish the General Plan policies mentioned above. The applicant has also provided hours of operation that are acceptable to regular business hours and shouldn't pose any negative affects to the neighboring residences or businesses. Staff feels that the applicant and Planning Director should work together on crafting mitigation measures in the event of animals not getting along or that become a nuisance to the neighbors.

Recommendation:

Staff believes that the application should be approved with conditions provided in this staff report, and agreed upon during the meeting with the Planning Director. Key Conditions include:

- Operating hours when animals are present shall be between 8 am and 6 pm.
- No overnight boarding shall be allowed.
- No outdoor staging/care of animals shall be allowed (animals shall be brought from vehicles or street directly into the building and interior waiting areas shall be provided for

Attachments:

Exhibit A – Recommended Findings for Approval
Exhibit B – Recommended Conditions of Approval
Application



City of Sebastopol

Planning Department
7120 Bodega Avenue
Sebastopol, CA 95472
(707) 823-6167

MASTER PLANNING APPLICATION FORM

APPLICATION TYPE

- Administrative Permit Review
Alcohol Use Permit/ABC Transfer
Conditional Use Permit
Design Review
Lot Line Adjustment/Merger
Preapplication Conference
Preliminary Review
Sign Permit
Temporary Use Permit
Tree Removal Permit
Variance
Other

Planning director CUP

This application includes the checklist(s) or supplement form(s) for the type of permit requested: Yes No

REVIEW/HEARING BODIES

- Staff/Admin
Design Review/Tree Board
Planning Commission
City Council

Other Planning Director

APPLICATION FOR

Street Address: 916 Cravenstein Hwy N. Assessor's Parcel No(s):
Present Use of Property: Hair Salon Zoning/General Plan Designation: Commercial or residential

APPLICANT INFORMATION

Property Owner Name: Kyra Zona
Mailing Address: 417 Pleasant Hill Ave N. Phone: (714) 310-5618
City/State/ZIP: Sebastopol, CA 95472 Email: kyrazona2@gmail.com
Authorized Agent/Applicant Name: Kyra Zona
Mailing Address: 417 Pleasant Hill Ave N. Phone: (714) 310-5618
City/State/ZIP: Sebastopol, CA 95472 Email: kyrazona2@gmail.com
Date: 5/25/22

PROJECT DESCRIPTION AND PERMITS REQUESTED (ATTACH ADDITIONAL PAGES IF NECESSARY)

Separate attached sheet

CITY USE ONLY

Table with 3 columns: Action, Action Date, and various application tracking fields like Application Date, Planning File #, Received By, Fee(s), Completeness Date, Staff/Admin, Planning Director, Design Review/Tree Board, Planning Commission, City Council.

SITE DATA TABLE

If an item is not applicable to your project, please indicate "Not Applicable" or "N/A" in the appropriate box; do not leave cells blank.

SITE DATA TABLE	REQUIRED / ZONING STANDARD	EXISTING	PROPOSED
Zoning	N/A		
Use	N/A		
Lot Size			
Square Feet of Building/Structures <i>(if multiple structures include all separately)</i>			
Floor Area Ratio (F.A.R)	_____ FAR	_____ FAR	_____ FAR
Lot Coverage	_____ % of lot _____ sq. ft.	_____ % of lot _____ sq. ft.	_____ % of lot _____ sq. ft.
Parking			
Building Height			
Number of Stories			
Building Setbacks – Primary			
Front			
Secondary Front Yard (corner lots)			
Side – Interior			
Rear			
Building Setbacks – Accessory			
Front			
Secondary Front Yard (corner lots)			
Side – Interior			
Rear			
Special Setbacks (if applicable)			
Other (_____)			
Number of Residential Units	_____ Dwelling Unit(s)	_____ Dwelling Unit(s)	_____ Dwelling Unit(s)
Residential Density	1 unit per _____ sq. ft.	1 unit per _____ sq. ft.	1 unit per _____ sq. ft.
Useable Open Space	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.
Grading	Grading should be minimized to the extent feasible to reflect existing topography and protect significant site features, including trees.	N/A	Total: _____ cu. yds. Cut: _____ cu. yds. Fill: _____ cu. yds. Off-Haul: _____ cu. yds
Impervious Surface Area	N/A	_____ % of lot _____ sq. ft.	_____ % of lot _____ sq. ft.
Pervious Surface Area	N/A	_____ % of lot _____ sq. ft.	_____ % of lot _____ sq. ft.

CONDITIONS OF APPLICATION

1. All Materials submitted in conjunction with this form shall be considered a part of this application.
2. This application will not be considered filed and processing may not be initiated until the Planning Department determines that the submittal is complete with all necessary information and is "accepted as complete." The City will notify the applicant of all application deficiencies no later than 30 days following application submittal.
3. The property owner authorizes the listed authorized agent(s)/contact(s) to appear before the City Council, Planning Commission, Design Review/Tree Board and Planning Director and to file applications, plans, and other information on the owner's behalf.
4. The Owner shall inform the Planning Department in writing of any changes.
5. **INDEMNIFICATION AGREEMENT:** As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards, committees and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which accompanies it or otherwise arises out of or in connection with the City's action on this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City.

If, for any reason, any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

NOTE: The purpose of the indemnification agreement is to allow the City to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.

6. **REPRODUCTION AND CIRCULATION OF PLANS:** I hereby authorize the Planning Department to reproduce plans and exhibits as necessary for the processing of this application. I understand that this may include circulating copies of the reduced plans for public inspection. Multiple signatures are required when plans are prepared by multiple professionals.
7. **NOTICE OF MAILING:** Email addresses will be used for sending out staff reports and agendas to applicants, their representatives, property owners, and others to be notified.
8. **DEPOSIT ACCOUNT INFORMATION:** Rather than flat fees, some applications require a 'Deposit'. The initial deposit amount is based on typical processing costs. However, each application is different and will experience different costs. The City staff and City consultant time, in addition to other permit processing costs, (i.e., legal advertisements and copying costs are charged against the application deposit). If charges exceed the initial deposit, the applicant will receive billing from the City's Finance department. If at the end of the application process, charges are less than the deposit, the City Finance department will refund the remaining monies. Deposit accounts will be held open for up to 90 days after action or withdrawal for the City to complete any miscellaneous clean up items and to account for all project related costs.
9. **NOTICE OF ORDINANCE/PLAN MODIFICATIONS:** Pursuant to Government Code Section 65945(a), please indicate, by checking the boxes below, if you would like to receive a notice from the City of any proposal to adopt or amend any of the following plans or ordinances if the City determines that the proposal is reasonably related to your request for a development permit:

A general plan

A specific plan

An ordinance affecting building permits or grading permits

A zoning ordinance

Certification

I, the undersigned owner of the subject property, have read this application for a development permit and agree with all of the above and certify that the information, drawings and specifications herewith submitted are true and correct to the best of my knowledge and belief and are submitted under penalty of perjury. I hereby grant members of the Planning Commission, Design Review Board and City Staff admittance to the subject property as necessary for processing of the project application.

Property Owner's Signature: _____ **Date:** _____

I, the undersigned applicant, have read this application for a development permit and agree with all of the above and certify that the information, drawings and specifications herewith submitted are true and correct to the best of my knowledge and belief and are submitted under penalty of perjury.

Applicant's Signature:  _____ **Date:** 5/25/22

NOTE: It is the responsibility of the applicant and their representatives to be aware of and abide by City laws and policies. City staff, Boards, Commissions, and the City Council will review applications as required by law; however, the applicant has responsibility for determining and following applicable regulations.

Neighbor Notification

In the interest of being a good neighbor, it is highly recommended that you contact those homes or businesses directly adjacent to, or within the area of your project. Please inform them of the proposed project, including construction activity and possible impacts such as noise, traffic interruptions, dust, larger structures, tree removals, etc.

Many projects in Sebastopol are remodel projects which when initiated bring concern to neighboring property owners, residents, and businesses. Construction activities can be disruptive, and additions or new buildings can affect privacy, sunlight, or landscaping. Some of these concerns can be alleviated by neighbor-to-neighbor contacts early in the design and construction process.

It is a "good neighbor policy" to inform your neighbors so that they understand your project. This will enable you to begin your construction with the understanding of your neighbors and will help promote good neighborhood relationships.

Many times, development projects can have an adverse effect on the tranquility of neighborhoods and tarnish relationships along the way. If you should have questions about who to contact or need property owner information in your immediate vicinity, please contact the Building and Safety Department for information at (707) 823-8597, or the Planning Department at (707) 823-6167.

I have informed site neighbors of my proposed project: Yes No

If yes, or if you will inform neighbors in the future, please describe outreach efforts:

Website Required for Major Projects

Applicants for major development projects (which involves proposed development of **10,000 square feet of new floor area or greater, or 15 or more dwelling units/lots**), are required to create a project website in conjunction with submittal of an application for Planning approval (including but not limited to Subdivisions, Use Permits, Rezoning, and Design Review). Required information may be provided on an existing applicant web site.

The website address shall be provided as part of the application. The website shall be maintained and updated, as needed until final discretionary approvals are obtained for the project.

Such website shall include, at a minimum, the following information:

- ✓ Project description
- ✓ Contact information for the applicant, including address, phone number, and email address
- ✓ Map showing project location
- ✓ Photographs of project site
- ✓ Project plans and drawings

A little bit about myself and the business I wish to bring here to our community of Sebastopol. My name is Kyra Zona and my family and I relocated from Orange County to Sebastopol 5 years ago in search of a slower pace, and a more family focused community. I have been working as a social worker and teacher for special needs children until very recently, where I have been begun a new season of my life where I can spend more time integrating my love for dogs with my love of my family and the community.

For about 7 years now, I have dreamt of opening a community space, a grooming business here in Sebastopol. I have envisioned something in a space such as 916 Gravenstein Hwy N, where all community members will feel welcomed and be able to have access to washing their dog. This space will be open from 9am-6pm, 6 days a week. We will offer full service (drop off) grooming, as well as self serve wash stations at a lower cost. Retail items having to do with dogs also plan to be sold at this location such as collars, leashes, dog food, etc. We are hoping to make this a very desirable, welcoming place for all of Sebastopol and their furry friends.

Thank you for your time and consideration.

Kyra Zona

