



## City of Sebastopol Planning Director Staff Report

Meeting Date: August 16, 2022

To: Kari Svanstrom, Planning Director  
From: John Jay, Associate Planner  
Subject: Conditional Use Permit (Planning Director Approval)  
Recommendation: Approval with conditions  
Applicant/Owner: Andrea Lopez  
File Number: 2022-057  
Address: 972 Gravenstein Highway South Suite #130  
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 four days a week from 9am-5pm. The operation of the grooming is to offer full service along with kennels should owners not be able to pick up their dogs immediately. No overnight boarding or day care services will be provided.

### **Project Description:**

The project proposes to turn a previous physical therapy office into a dog grooming service. As mentioned above the project has a full-service section along with a short-term kennel holding option. As laid out in the floor plan there will be one service station within the office. It will also include a front reception/check in area and accompany a seating area. The back-office area will hold a small and large kennel for dogs waiting to be picked up. Dog gates and animal fencing will be in place to ensure that the dogs waiting for their owners are not roaming the entirety of the office.

### **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.

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 west side of the property does back up to a residential neighborhood. However, the buildings directly behind the office space appear to be garages and would not cause a negative impact to the neighbors. 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 four 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

**EXHIBIT A**  
**RECOMMENDED FINDINGS OF APPROVAL**

Dog groomer  
972 Gravenstein Highway South  
APN 004-320-023, File 2022-057

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  
972 Gravenstein Highway South  
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1. The Use shall be in substantial conformance with the proposed operations as described in the application materials prepared by Andrea Lopez, and stamped received on July 11, 2022, and on file at the City of Sebastopol Planning Department, except as modified herein:
  - a. The operating hours Wednesday through Saturday from 9am to 5pm.
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.