



City of Sebastopol Planning Commission Staff Report

Meeting Date: August 9th, 2022
Agenda Item: 5A
To: Planning Commission
From: Kari Svanstrom, Planning Director
John Jay, Associate Planner
Subject: Temporary Use Permit, Community Church of Sebastopol California
Redemption Value Kiosk
Recommendation: Approve with Conditions
Applicant/Owner: Community Church of Sebastopol
File Number: 2022-054
Address: 1000 Gravenstein Highway North
CEQA Status: Exempt
General Plan: Medium Density Residential (MDR)
Zoning: Single Family Residential (R4)

Introduction:

The applicant is seeking approval of a Temporary Use Permit in order to allow for a Temporary Recycling Center, operated out of a 20-ft. shipping container. The Temporary CRV container will be approximately 160 square feet and be placed on the Community Church of Sebastopol parking lot, located on 1000 Gravenstein Highway North. Customers will be able to recycle beverage containers such as aluminum cans, glass bottles, and plastic bottles in exchange for payment.

Zoning Ordinance Section 17.400.040(A) authorizes the Planning Director to approve temporary uses for one term of up to six months and one extension of up to six months. The application previously received Planning Director approval for a period of six months on February 28, 2022. Planning Commission review and approval is required for this application as the event will take place over 6 months.

Project Description:

The project proposes to locate a temporary 160 square foot recycling container for CRV in order to promote local resident recycling beverage containers such as aluminum cans, glass bottles, and plastic bottles in exchange for payment. The pilot program intends to be in operation and open to the public on Monday's, Tuesday's and Thursday's between 10:00 AM and 2:00 PM. The temporary recycling center will be staffed by UCPNB personnel, until pilot project expiration in June of 2024. UCPNB staff will return the recycled material after each shift to the Petaluma Recycling Center.

Zoning Ordinance Consistency/Required Findings

Section 17.430.040 of the Municipal Code states that a temporary use permit may only be granted if the establishment, maintenance or operation of the proposed use will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Environmental Review:

The event is categorically exempt from the requirements of CEQA pursuant to Section 15304, Class 4, which includes minor temporary use of land having negligible or no permanent effects on the environment. The event is consistent with this categorical exemption as this is a temporary use and does not require permanent improvements.

City Departmental Comment:

The Planning Department previously circulated the application to the following City departments for review: Building and Safety, Engineering, Fire, City Manager and Assistant City Manager, and Public Works. The Planning Department has not received any comments on the application from the City Departments as of writing this report.

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 Healdsburg Tribune; and (3) posted three written notices publicly on and within vicinity of the subject property. Public comments received as of this staff report are included in the Attachments to this staff report.

Analysis

The Temporary CRV Recycling Center is not expected to have a detrimental impact on the welfare of Sebastopol in that the applicant has coordinated with the City to mitigate potential impacts to address staff's concerns regarding safety, noise, odors, and compatibility with adjoining uses. The Temporary CRV Recycling Center has also been previously approved and operated without prior incident. As mentioned above, the temporary recycling center has been in operation since it was approved on February 28, 2022.

Each individual using in the Temporary CRV Recycling Center will be subject to processing by UCPNB and are subject to transactions done on an account-based program with no cash being handled. The Temporary CRV Recycling Center is designed to accommodate local household, suburban, and rural customers and is not designed or intended to accommodate commercial or large quantity customers. Loads are generally limited to 25 pounds of recyclable material per person per day.

Staff finds that the subject property is physically suitable for the type of development proposed as the Temporary Recycling Center will be placed on existing parking in a way that is not visually intrusive to surrounding residences and meet the required setbacks from the property lines. Utility connections, such as restroom facilities, will be provided by the Community Church of Sebastopol and are therefore appropriate for the Temporary CRV Recycling Center.

The project will be subject to the City's noise ordinance and shall not exceed the allowed levels. Complaints of noise exceeding the allowed levels shall be submitted to the Sebastopol Police department who has the authority to require modifications or termination of the noise source. Staff is also recommending conditions to further minimize any potential adverse impacts, including that

there is a Good Neighbor Policy and contacts with the Church for the public and adjoining neighbors if there are concerns; that a location plan for the Temporary CRV Recycling Center and queuing plan be developed and reviewed to allow vehicle flow through the site in an organized manner such that no vehicle waiting areas overflow onto Danmar Drive; that no loitering be allowed on the premise after the transaction is completed; that smoking will not be permitted on the premise of the mini recycling center; and that the location of the CRV station be sited at least 25-ft. from adjoining interior property lines. The general condition of approval that the noise ordinance not be exceeded, as well as developing a "good neighbor policy" to address these concerns is included in the recommended conditions of approval.

Lastly, Staff finds that the applicant has demonstrated a need for the Temporary CRV Recycling Center in order to assist promote local recycling efforts.

Recommendation:

If it is the consensus of the Planning Commission that the proposed use is compatible with the site and surrounding uses, staff recommends that the application be approved based on the facts, findings, and analysis set forth in this staff report and as found in the Recommended Findings of Approval, and subject to the Recommended Conditions of Approval, and any additional or modified conditions the Planning Commission determines is appropriate.

TEMPORARY USE PERMIT: 2022-054
1000 Gravenstein Highway North
Community Church of Sebastopol

Recommended Findings for Approval:

1. That the project is categorically exempt from the requirements of CEQA, pursuant to Section 15304, Class 4, in that the event will take place for 6 months and will not require any permanent improvements.
2. A temporary use permit may only be granted if the establishment, maintenance, or operation of the proposed use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or development or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
3. The mini recycling center will only be allowed to operate for 6 months under this permit approval and will not cause any negative affects to the general welfare of the neighborhood. As conditioned, the CRV center will have limited hours, a Good Neighbor policy to ensure that the above findings are met, including ensuring no loitering, and no cash transactions are handled at the site.

Recommended Conditions of Approval:

1. Approval is granted for the Temporary Use Permit submittal described in the application and plans date-stamped January 31, 2022, and revised documents dated July 11, 2022. This Use Permit is valid until June 30, 2024.
2. The Temporary CRV Recycling center at 1000 Gravenstein Highway North shall operate under the hours and days of the week listed below as mentioned in the January 31st, 2022, stamped plans:
 - a. The Kiosk will be open to the public Mondays, Tuesday's, and Thursdays.
 - b. Hours of operation (open to the public) will be from 10am to 2pm on the above-mentioned operational days. Recycling shall be removed from site at the end of each shift, and no later than 5 p.m.
 - c. No loitering shall be allowed after the transaction is completed.
 - d. Transactions shall be done on an account-based program with no cash being handled.
 - e. A location plan for the CRV station and queuing plan shall be developed and utilized to allow vehicle flow through the site in an organized manner such that no vehicle waiting areas overflow onto Danmar Drive. This plan shall be submitted to the Planning Department for review and approval prior to operations commencing.
 - f. Location of the CRV station shall be sited at least 25' from adjoining interior property lines.
3. The applicant shall adopt a Good Neighbor Policy, to include:

- a. Provide the City and neighbors with a contact person available 24-hours a day to address any emergency issues, and a contact person to address any concerns with the Use.
 - b. If issues arise, the Contact Person shall work with staff to adjust operations to address such issues.
 - c. A copy of the Good Neighbor Policy shall be distributed to all persons residing at the site and all staff/congregation members who are assisting with the Use operations.
 - d. Quiet hours as noted in these Conditions.
4. Operator/manager shall ensure compliance with the City's Noise limits.
 5. Smoking will not be permitted on the premise of the mini recycling center.
 6. 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.
 7. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.

Attachments:

1. Application Submittal Material
2. Public Comment Submissions



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

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

APPLICATION FOR

Street Address: 1000 Gravenstien Hwy. N. Assessor's Parcel No(s): 060-270-083
Present Use of Property: Church parking lot Zoning/General Plan Designation: R4 Single family residential

APPLICANT INFORMATION

Property Owner Name: Community Church of Sebastopol
Mailing Address: 1000 Gravenstein Hwy. N. Phone: 707 322-5577
City/State/ZIP: Sebastopol, CA Email:
Signature: Date:
Authorized Agent/Applicant Name: United Cerebral Palsy of the North Bay
Mailing Address: 1425 N. McDowell Blvd., Suite 115 Phone: 707 766-9990
City/State/ZIP: Petaluma, CA 94954 Email: anoguera@ucpnb.org
Signature: Date:
Contact Name (if different from above): Dennis Blong Phone/Email: 707 799-9566 dblong@ucpnb.org

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

The project is to set up and run a "mini recycling center" for CRV only as a way for local residents to recyle bottles and cans. The Kisok is operated out of a 20' shipping container for 4 hours a day, three days a week, and is staffed by UCPNB personnel. This CalRecycle "Pilot Project" is a collaboration between Zero Waste Sonoma, CalRecycle and UCPNB and has an expiration date of June 30th 2024. At the end of each shift, all CRV is transported back to the Petualuma Recycling Center to be processed.

CITY USE ONLY

Table with 3 columns: Action, Action Date, and various application 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	R4	
Use	N/A	Parking lot	
Lot Size			
Square Feet of Building/Structures <i>(if multiple structures include all separately)</i>		None	160 sq ft
Floor Area Ratio (F.A.R)	_____ FAR	_____ FAR	_____ FAR
Lot Coverage	_____ % of lot	_____ % of lot	_____ % of lot
	_____ sq. ft.	_____ sq. ft.	_____ 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	_____ % of lot
		_____ sq. ft.	_____ sq. ft.
Pervious Surface Area	N/A	_____ % of lot	_____ % of lot
		_____ sq. ft.	_____ 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: Joy Richards

Date: 6-22-22

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: Danvers Blong

Date: 6/22/22

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:

Please see the attached letter handed out to all adjacent neighbors. The letters were hand delivered January 31st, 2022.

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



January 31st, 2022

Hello neighbor,

We are excited to inform you of our plans to open a Mini Recycling Center (MRC) for the residents of Sebastopol to redeem their bottles and cans. This MRC will operate out of a 20' shipping container in a corner of the Community Church of Sebastopol's parking lot. It is one of ten such "Recycle Zone" MRC's being set up across Sonoma County in a collaboration between Zero Waste Sonoma (ZWS), CalRecycle and United Cerebral Palsy of the North Bay (UCPNB).

The Recycle Zone kiosk will be open to the public on Monday's, Tuesday's and Thursday's between 10:00 AM and 2:00 PM and will be staffed by UCPNB personnel. Our staff will return the recycled material after each shift to our Petaluma Recycling Center which has been in operation for over forty years. UCPNB is proud to be part of this community program while serving our mission of providing employment to our clients.

As part of our good neighbor policy we encourage you to contact us with any questions, comments or concerns. You can get in touch with me, Dennis Blong, at 707 799-9566 or Kathy Bell from the Community Church at 707 322-5577. You can also visit our web site at ucpnb.org to see the full scale of our social enterprises, schools for autistic children and recreational programs.

Respectfully,

A handwritten signature in black ink that reads "Dennis Blong".

Dennis Blong
Project Manager
UCPNB
dblong@ucpnb.org
cell 707 799-9566



City of Sebastopol Planning Department

February 28, 2022

Dennis Blong
1425 N. McDowell Blvd., Suite 115
Petaluma, CA 94954

Re: Temporary Use Permit Application (File 2022-010)

Dear Dennis Blong:

The Planning Director approved your Temporary Use Permit application (2022-010), requesting approval operate a mini recycling center at 1000 Gravenstein Highway North. This approval is in accordance with the findings and subject to the conditions contained in this letter.

This approval is not effective until the Appeal Period has officially expired, and expires six months after that date. Anyone dissatisfied with the decision of the Planning Commission has the right to file an appeal within 7 calendar days of the decision. This requires the submittal of a completed City Appeal Form, written statement, and payment of the applicable fee delivered to the Planning Department at 7120 Bodega Avenue, Sebastopol, California no later than 5:00 P.M. on Monday March 7, 2022.

Please feel free to contact me if you have any questions at 707-823-6167, or via email at jjay@cityofsebastopol.org.

Sincerely,

John Jay

cc:
Planning Department
City Manager
Public Works
Building and Safety Department
Police Department
Fire Department

**Temporary Use Permit
1000 Gravenstein Highway North
Permit #2021-030
APN 060-270-083**

FINDINGS FOR APPROVAL

1. A temporary use permit may only be granted if the establishment, maintenance, or operation of the proposed use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or development or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

The mini recycling center will only be allowed to operate for 6 months under this permit approval and will not cause any negative affects to the general welfare of the neighborhood. As conditioned, the recycling center will have limited hours, a Good Neighbor policy to ensure that the above findings are met, including ensuring no loitering, and no cash transactions are handled at the site.

CONDITIONS OF APPROVAL

1. Approval is granted for the Temporary Use Permit submittal described in the application and plans date-stamped January 31, 2022. This Use Permit is valid for 6 months from the date of final approval.
2. The mini recycling center at 1000 Gravenstein Highway North shall operate under the hours and days of the week listed below as mentioned in the January 31st, 2022, stamped plans:
 - a. The Kiosk will be open to the public Mondays, Tuesday's, and Thursdays.
 - b. Hours of operation (open to the public) will be from 10am to 2pm on the above-mentioned operational days. Recycling shall be removed from site at the end of each shift, and no later than 5 p.m.
 - c. No loitering shall be allowed after the transaction is completed.
 - d. Transactions shall be done on an account-based program with no cash being handled.
 - e. A location plan for the CRV station and queuing plan shall be developed and utilized to allow vehicle flow through the site in an organized manner such that no vehicle waiting areas overflow onto Danmar Drive. This plan shall be submitted to the Planning Department for review and approval prior to operations commencing.
 - f. Location of the CRV station shall be sited at least 25' from adjoining interior property lines.
3. The applicant shall adopt a Good Neighbor Policy, to include:

- a. Provide the City and neighbors with a contact person available 24-hours a day to address any emergency issues, and a contact person to address any concerns with the Use.
 - b. If issues arise, the Contact Person shall work with staff to adjust operations to address such issues.
 - c. A copy of the Good Neighbor Policy shall be distributed to all persons residing at the site and all staff/congregation members who are assisting with the Use operations.
 - d. Quiet hours as noted in these Conditions.
4. Operator/manager shall ensure compliance with the City's Noise limits:
 5. Smoking will not be permitted on the premise of the mini recycling center.
 6. 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.
 7. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.

