



## City of Sebastopol Planning Commission Staff Report

Meeting Date: August 23, 2022  
Agenda Item: 6A  
To: Planning Commission  
From: Kari Svanstrom, Planning Director  
John Jay, Associate Planner  
Subject: Alcohol Use Permit, Wm. Cofield Cheesemakers (2022-51)  
Recommendation: Approve with Conditions  
Applicant/Owner: Wm. Cofield Cheesemakers  
File Number: 2022-51  
Address: 6780 McKinley Street Suite 110  
CEQA Status: Exempt  
General Plan: Manufacturing  
Zoning: Commercial Industrial (CM)

### **Introduction:**

The applicant is seeking approval of an Alcohol Use Permit in order to serve on-site alcoholic beverages incidental to the commercial retail establishment and limited food-service located at 6780 McKinley Street #110, Sebastopol, CA.

Zoning Ordinance Chapter 17.350: 'Alcohol Use Permit Criteria' establishes Use Permit standards for establishments serving alcoholic beverages within Sebastopol City limits. Per Zoning Ordinance section 17.350.020, a conditional use permit, reviewed and approved by the Planning Commission, is required for any establishment wherein alcoholic beverages are sold, served, or given away for consumption on or off the premises that does not have an existing full-service kitchen or food-preparation area.

### **Project Description:**

The commercial retail store currently produces and sells artisan cheese and other accompaniments and has been in operation within the City of Sebastopol since December 2016. The proposed use seeks to include on-site alcoholic beverages (such as beer, cider, and wine) incidental to the food service and the addition of small menu items (such as charcuterie boards). This addition requires a license type 41 by the Alcoholic Beverage Control (ABC) of the State of California. The proposed use also includes the use of small outdoor speakers for background music. The use will be in operation Thursday through Monday, 11:00 a.m. – 9:00 p.m.

### **Zoning Ordinance Consistency**

The project is located within the Commercial Industrial (CM) zoning district of Sebastopol. An alcohol establishment is a conditionally permitted use within the CM district. Alcohol served on the premises requires a Conditional Use Permit regulated by SMC Chapter 17.415, as well as the

criteria found in the Alcohol Use Permit Chapter 17.350. The Use Permit must be reviewed by the Planning Commission, as the Use is not a 'bone fide restaurant', nor is it limited to 50 person capacity, and therefore does not qualify for Planning Director approval.

**Required Findings:**

All alcohol permit requests within the City of Sebastopol are required to obtain a Conditional Use Permit.

Section 17.415.020.A Conditional Use Permits (CUP) contains the Criteria for approval of a CUP:

- A. General Conditional Use Permit Criteria. A conditional use permit may be granted only if the establishment, maintenance or operation of the proposed use or development 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.

Section 17.350.020 Alcohol Use Permits of the Sebastopol Municipal Code lays out the additional findings applicable to Alcohol Use Permits as follows:

- A. On and after the effective date of the ordinance codified in this chapter, no place wherein alcoholic beverages are sold, served, or given away for on-site or off-site consumption, shall be established without first obtaining a conditional use permit from the City. Further, no existing site which substantially changes its mode or character of operation shall continue to operate without first obtaining a conditional use permit.
- B. A copy of the conditions of approval for the conditional use permit must be kept on the premises of the establishments and posted in a place where it may readily be viewed by any member of the general public.
- C. In making any of the findings required pursuant to this chapter, the Planning Commission, or the City Council on appeal, shall consider whether the proposed use will adversely affect the health, safety or welfare of area residents or will result in an undue concentration in the area of establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine. The Planning Commission, or City Council on appeal, shall also consider whether the proposed use will detrimentally affect nearby residentially zoned communities in the area, after giving consideration to the distance of the proposed use from the following:
  - 1) Residential buildings;
  - 2) Churches, schools, hospitals, public playgrounds and other similar uses; and
  - 3) Other establishments dispensing, for sale or other consideration, alcoholic beverages including beer and wine.
- D. In all determinations pursuant to this section, the applicant for the conditional use permit shall have the burden of proving by clear and convincing evidence that the proposed use

will not adversely affect the health, safety or welfare, result in undue concentration of alcoholic beverage outlets, or detrimentally affect nearby communities.

- E. The Planning Commission, or City Council on appeal, may impose any conditions on the applicant or proposed location reasonably related to the health, safety or welfare of the community.
- F. Except as set forth in SMC 17.350.070, applications for conditional use permits herein shall be made in accordance with Chapter 17.415 SMC, together with amendments thereto. The applicant shall submit a processing fee as specified in the most current Planning Department schedule of fees. Any costs for processing an application that exceed the conditional use permit fee paid by the applicant shall be deemed a debt to the City and shall be paid within 30 days of issuance of the conditional use permit or said permit shall be revoked.

Additional criteria for the review at a staff level are included in the Zoning Consistency section above

**Environmental Review:**

The project is categorically exempt from the requirements of CEQA pursuant to Section 15301 Existing Facilities which includes interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. The alcohol use permit would fit this exemption as it is for the use of a restaurant where one has existed in the past and will not create any new environmental impacts as it will be in an already developed area

**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 following comments were received from the Sebastopol Police Department:

- All alcoholic beverage servers and managers in on-sale establishments are required to complete Responsible Beverage Service (RBS) training by both the Sebastopol Municipal Code and State of CA new ABC law.

**Analysis**

As conditioned, the proposed use will not be detrimental to the health, safety, and welfare of area residents. The applicant is seeking a Type 41 ABC license to allow the establishment to broaden its menu to include beer and wine. Both the Downtown and the greater Sebastopol area have businesses which also serve beer, wine, and liquor for onsite consumption. As of the writing of this report, such businesses have not created substantial law enforcement issues or had a detrimental impact on quality of life.

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. No live music is permitted as part of this application.

Furthermore, as part of the proposed use, the applicant is proposing to ensure that all managers and employees serving alcoholic beverages will be RBS trained and meet any other training requirements by state mandates. A manager will be on site at all times, during operational hours, to ensure security measures such as patron behavior is orderly resolved and ensure that all

patrons drinking alcohol are of legal age. The employees of the establishment will also be trained to monitor and inform management if there are any situations requiring attention.

Staff finds that the subject property is physically suitable for the proposed use as it will be operating within an area where many businesses also serve beer, wine, and liquor for onsite consumption and will be placed on existing site in a way that is not visually intrusive to the surrounding area.

With the addition of another alcohol location within the Barlow staff feels there could be concerns regarding the overconcentration of businesses serving beer, wine, and liquor for onsite consumption specifically within the Barlow area/CM Zoning District of Sebastopol. However, staff finds, in this case, that the addition of incidental alcoholic beverage consumption to the original and long-standing use as a commercial retail and cheese producer outweighs the concern in this instance as it would contribute to a variety of uses, with different character and purpose, than other alcohol-dispensing establishments within the vicinity; and would therefore, not result in an undue concentration in the area. Overall, the proposed use is not expected to have a detrimental impact on the general welfare of Sebastopol.

Staff has coordinated with the other City departments to mitigate potential impacts. Staff is also recommending project conditions of approval, as listed below, to further minimize adverse impacts.

**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 were received as of writing this staff report.

**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.

**Attachments:**

- Application materials
- Exhibit A – Findings of Approval
- Exhibit B – Conditions of Approval
- Exhibit C – Standard Conditions of Approval

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

Alcohol Conditional Use Permit  
6780 McKinley St, Suite 110  
004-750-033, 2022-051

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

1. The proposed use is categorically exempt from the requirements of CEQA under Section 15301 Existing Facilities, which exempts “interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.” As the proposed use includes minor interior alterations to an existing building.
2. The project is consistent with the Sebastopol Zoning Ordinance, including the specific criteria of the following sections as described:
  - 17.350.020 Alcohol Use Permit
  - 17.415.030 Conditional Use Permit
3. The project is consistent SMC 17.350.020 Alcohol Use Permit
  - On and after the effective date of the ordinance codified in this chapter, no place wherein alcoholic beverages are sold, served, or given away for on-site or off-site consumption, shall be established without first obtaining a conditional use permit from the City. Further, no existing site which substantially changes its mode or character of operation shall continue to operate without first obtaining a conditional use permit.
    - i. As conditioned this criterion will be met as the first step will be obtaining a use permit before operation and sale of alcohol begins.
  - A copy of the conditions of approval for the conditional use permit must be kept on the premises of the establishments and posted in a place where it may readily be viewed by any member of the general public.
    - i. As conditioned this criterion will be met.
  - In making any of the findings required pursuant to this chapter, the Planning Commission, or the City Council on appeal, shall consider whether the proposed use will adversely affect the health, safety or welfare of area residents or will result in an undue concentration in the area of establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.
    - i. As conditioned this criterion will be met. However, the Planning Commission might consider looking at limiting additional alcohol-based establishments.
  - In all determinations pursuant to this section, the applicant for the conditional use permit shall have the burden of proving by clear and convincing evidence that the proposed use will not adversely affect the health, safety or welfare, result in undue concentration of alcoholic beverage outlets, or detrimentally affect nearby communities.
    - i. As conditioned this criterion will be met as the applicant will be required to complete RBS training.

- The Planning Commission, or City Council on appeal, may impose any conditions on the applicant or proposed location reasonably related to the health, safety or welfare of the community.
  - i. As conditioned this criterion will be met.
- Except as set forth in SMC 17.350.070, applications for conditional use permits herein shall be made in accordance with Chapter 17.415 SMC, together with amendments thereto. The applicant shall submit a processing fee as specified in the most current Planning Department schedule of fees. Any costs for processing an application that exceed the conditional use permit fee paid by the applicant shall be deemed a debt to the City and shall be paid within 30 days of issuance of the conditional use permit or said permit shall be revoked.
  - i. As conditioned this criterion will be met.

4. The project is consistent SMC 17.415.030 Conditional Use Permit

- The proposed use is consistent with the General Plan and all applicable provisions of this title.
  - i. *In that the project is consistent with multiple sections of the Economic Vitality section of the General Plan in support of small business, local businesses, and attracting new industries and businesses that develop and expand markets.*
- 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.
  - i. *In that the use is consistent with the General Plan and Zoning ordinance as there are similar uses of a bar or tasting room already approved within a short distance of the project site.*

**EXHIBIT B**  
**RECOMMENDED CONDITIONS OF APPROVAL**

Alcohol Conditional Use Permit  
6780 McKinley St, Suite 110  
004-750-033, 2022-051

1. The Use shall be in substantial conformance with the proposed operations as described in the application materials prepared by Keith Adams for WM Cofield Cheesemakers, and stamped received on June 29, 2022, and on file at the City of Sebastopol Planning Department, except as modified herein:
  - a) Hours of operation shall be open to those stated in the application, Thursday through Monday from 11am to 9pm.
2. The applicant shall obtain a Building Permit prior to the commencement of construction activities.
3. All persons serving or distributing alcoholic beverages are required to attend the Responsible Beverage Service training program or an equivalent, either in-person or online to the satisfaction of the Police Chief.
4. No sound may emanate from the building, which violates the Noise Ordinance or causes an undue disturbance to site neighbors.
5. The business owner shall ensure that employees are drug and alcohol free while on duty.
6. The establishment is not approved as an entertainment venue. Dancing and/or regular live music shall not be permitted on the premises without prior City approval. As an incidental use, recorded background music and occasional live acoustic music may be conducted inside the establishment only. All doors and windows shall be closed during any such activity. The Police Department or Planning Director may require termination or modification of such activity.
7. The business owner shall ensure that exterior areas, including the adjacent courtyard area and sidewalk, are free of trash and other debris that may be generated by patrons.
8. The business owner shall be responsible for removing any graffiti on the outside of the establishment.
9. Hours of operation shall be consistent with the hours stated in the application. The Planning Director shall have the authority to modify the hours of operation. A Temporary Use Permit shall be obtained for special events.
10. A copy of the conditions of approval for the Alcohol Use Permit must be kept on the premises of the establishment and posted in a place where any member of the general public may readily view it.
11. Occupancy limitations shall be established by the Building Official and clearly posted prior to issuance of a Certificate of Occupancy for any building, including a use requiring a Use Permit.

12. All applicable permits shall be obtained from other approving agencies prior to commencement of this use, including, but not limited to Building and Safety Department, Department of Alcoholic Beverage Control, Fire Department, and County Health Department.
13. 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.
14. The Use Permit shall be in effect unless it is abandoned or closed for 12 months or longer.



**EXHIBIT C**  
**STANDARD CONDITIONS OF APPROVAL**

Alcohol Conditional Use Permit  
6780 McKinley St, Suite 110  
004-750-033, 2022-051

1. All plans shall include a brief description of the project on the cover sheet.
2. All submitted building permit plan check sets shall include a plan sheet incorporating these conditions of approval.
3. Except as otherwise noted in these conditions of approval, the plans submitted to the Building Department for plan check shall be in substantial conformance to those approved by the review body. If any changes are made to submitted plans which were approved by the review body the applicant shall work with the Planning Department to determine if the changes are significant enough to once again be seen by the review body, or if staff can approve the changes. Any changes that have not been approved by Planning staff are not approved. Construction or demolition work that does not conform to the Planning approval is not valid and shall be subject to stop work orders and may require removal.
4. Site landscaping shall be generally consistent with the Landscape Plan included as part of "Exhibit A" on file with the Sebastopol Planning Department. The final landscape plan shall be stamped by a licensed landscape architect and filed with the Planning Department prior to occupancy. Plans for any irrigation of the site shall be incorporated into the landscape plan. All planting shown on the approved plan shall be installed prior to occupancy of the proposed project. Upon the request of an Applicant to receive a Temporary Certificate of Occupancy and at discretion of the Planning Director, landscape installation may be suitably guaranteed by posting a cash bond equal to 100% of the cost and installation of any landscape improvements.
5. Acceptance of the construction drawings and specifications does not release the applicant and owner from correction of mistakes, errors, or omissions contained therein. If, during the course of construction, the field conditions or other previously unknown conditions require a modification or a departure from the accepted plans, the applicant shall provide the modifications or departure and specify the correction of mistakes errors, or omissions in compliance with the CBC and City Standards.
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. A Construction Management Plan (CMP) shall be submitted to the City as part of the Building Permit and/or Grading Permit and shall be incorporated into the plans, unless waived by staff. The City's CMP template, provided by the Planning Department, may be used for small, infill projects. Revisions to the CMP to increase or add on time to the construction timeline shall be coordinated with the Building Official and any additional requests will be at the applicant's responsibility.

This CMP shall be a binding document. Failure to adhere to the CMP may result in a "Stop Work Notice" being placed on the project. An electronic copy of the APPROVED CMP shall be submitted to the City, and may be posted to the city's website. The CMP shall be updated as project conditions warrant. Updates to the CMP shall be provided to the City for review and approval. The CMP shall include but not be limited to:

- a) Work schedule (start of construction date, road or lane closure intent/dates, important milestones and proposed final dates)
- b) Construction Hours
- c) Travel routes and turn-around locations with staff approval
  - Impact to state highways
- d) Road and/or lane closures (Applicant to provide information on how many anticipated road closures, and the reasons for each road closure).
- e) Worker auto parking space locations/construction parking
- f) Phasing (if applicable)
- g) If construction improvements are located in areas of slopes 15% or greater, the Contractor shall provide safe temporary hard surface stair access to the improvements, unless waived by the Building Official. This access shall be shown on the CMP.
- h) Projects that require a grading permit shall comply with the City's grading ordinance.

The CMP may be more stringent if the project is located close to schools or in impacted neighborhoods. A CMP may be required to be modified if a neighborhood becomes "impacted" during the course of the construction. Impacted neighborhoods are defined as areas in geographic proximity (i.e. using the same streets for access) with a significant number of simultaneous construction projects.

The hours of construction activity shall be limited 7:00 a.m. to 8:00 p.m., Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturdays with staff approval, depending on scope of work being done, or unless modified by a project's Specific Conditions of Approval.

A 24-inch by 36-inch weatherproof copy with items A-F posted on site. The remaining Construction Management Plan shall be made available on site. The Construction Management Plan shall be posted on the site as part of the job site signage and should include:

- a) Address of the project site.
  - b) Permitted hours of construction and of deliveries/off-haul.
  - c) Name, e-mail address and direct phone number of the General Contractor.
  - d) Name, e-mail address and direct phone number of the person responsible for managing the project.
  - e) Name and direct phone number of the party to call in case of an emergency.
  - f) City of Sebastopol Building Department (707-823-8597).
8. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Public Works Department prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way. The fee for using the right-of-way for storage of construction materials or equipment is \$10.00 per day. A minimum of 11' passable auto traffic clearance (paved travel way) shall be maintained at all times along the roadway. The placing of portable restroom facilities in the City right-of-way will not be permitted.

9. All portions of the job site shall be maintained in an organized and professional condition. All trash, debris, construction scraps and broken/deteriorated machinery shall be removed from the site by the end of each week. If off loaded construction materials are not used within 2 weeks, they shall be screened from public view. All sidewalks, driveways and public/private roadways fronting the subject site shall be broom cleaned at the end of each business day.
10. A pre-construction meeting is required with city staff for projects that:
  - a) Require a City encroachment permit, a Caltrans encroachment permit, or a City grading permit; or
  - b) Have 5 dwelling units or more; or
  - c) Have a total of 5,000 square feet of building or more; or
  - d) Have a creek setback requirement; or
  - e) Are required to have a pre-construction meeting under a specific condition of approval.
11. All permits and/or inspection fees required shall be paid in full prior to final occupancy being granted unless otherwise stipulated by the City.
12. All required construction signage and any required tree-protection shall be posted and available for City inspection at the time of the Pre-construction meeting or, if no pre-construction meeting is required, prior to commencing construction. If these measures are not in place at the time of the pre-construction meeting, a re- inspection fee will be required, and issuance of building permit will be delayed.
13. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.

**Planning Department Standard Conditions of Approval:**

14. This approval is valid for a period of three (3) years during which time the rights granted must be exercised. However, the applicant may request one (1) one-year extension of this Use Permit from the Planning Director, pursuant to Zoning Ordinance §17.400.100.
15. The light source for all exterior lighting fixtures shall be shielded from adjacent properties. Cut sheets for all exterior lighting shall be submitted as part of the Design Review or other planning application.
16. For projects with new foundations or retaining walls less than 10' away from a required setback property lines shall be physically identified (string line or equal), and the applicant shall submit a letter or certificate from a licensed surveyor that confirms that the structure complies with the approved setbacks prior to placing the foundation. For any project that includes new foundations or retaining walls more than 10' away from a required setback, the applicant may apply for a waiver from this requirement from the City Engineer and Planning Department.
17. For any project that includes new structures within 2 feet of the allowed height limit, a letter or certificate from a surveyor confirming that the height of the roof complies with the approved plans shall be submitted to the Planning Department at the earliest point

possible.

18. All landscape and irrigation plans must be designed in accordance with the most current City of Sebastopol landscape requirements. Prior to providing water service for new landscape areas, or improved or modified landscape areas, the Planning Department must review and approve the project's working drawings for planting and irrigation systems. Any question regarding the City of Sebastopol current water conservation and Landscape Ordinance should be directed to the Planning Department.

New construction and rehabilitated (renovations or changes made to sites with an existing irrigation system) landscape projects will be affected by these requirements if the altered landscape area is greater than 500 square feet.

19. For any new housing unit development, the developer/owner shall submit the total amount of fees and exactions associated with the project prior to issuance of certificate of occupancy or final inspection.

#### **Engineering and Public Works Department Standard Conditions of Approval:**

20. All projects are subject to Impact Fees as adopted by the City Council, which are due at the time of issuance of the Building Permit unless otherwise stipulated by the City.
21. An Encroachment Permit is required from the Public Works Department for any and all work within the public right-of-way. If the work is within a CalTrans right-of-way, an Encroachment Permit from CalTrans shall also be procured by the applicant. Encroachment Permit shall not be issued until the City Engineer approves the applicant's site improvement plans.
22. Construction within the public right-of-way is limited to that necessary to support the lot's use. This may include but is not limited to: driveways, sidewalks and any utility connections. For all improvements within the public right of way, the applicant shall submit plans to adequately describe the work. Plans shall include but not be limited to drainage details, cross-sections, driveway/roadway grades and utility locations as necessary.
23. The applicant shall prepare and submit site improvement plans for the construction of all improvements including water, sanitary sewer, storm drain, water quality facilities, roadway improvements, curbs, gutters, sidewalks, elevated or structural pedestrian walkways, landscaping, landscape irrigation, signing, striping, joint trench and streetlights. All design and construction shall conform to the latest edition of the City of Sebastopol Design and Construction Standards and other applicable codes, standards, guidelines and specifications. Public improvement drawings shall be drafted in the City-approved sheet format.
24. Once approved by the City Engineer, the applicant shall submit PDF files of the signed improvement plans. As-Built record drawings shall also be submitted as PDF files.
25. Deviations from City Standards and applicable Code requirements shall be approved by the City Engineer. The applicant's engineer shall request all design exceptions in writing.

26. Any improvements, public or private, damaged during construction shall be replaced, by the applicant, in-kind or with new improvements. All cracked, broken, or uplifted sidewalk, driveway and/or curb and gutter fronting the property shall be replaced. Applicant shall coordinate with the Public Works Department prior to the first submittal of project improvement plans to identify the extents and limits of replacement.
27. An erosion and sediment control plan are required as part of the building permit application. The plan shall be prepared by a certified erosion control specialist and in full compliance with CASQA standards, The plan is subject to review and approval by the Engineering Department prior to the issuance of the building or grading permit. No modifications to the approved plans shall be made without approval of the City Engineer.
28. Mailbox plans and locations shall be approved by the Sebastopol Postmaster prior to improvement plan approval. The developer shall provide a letter and exhibit showing mailbox locations from the Sebastopol Postmaster approving mailbox locations.
29. City Public Water and Sewer and Drainage utility easements as required by the City Engineer utility companies shall be provided within the development. Easement locations shall be subject to review and approval by the City Engineer.

***Roadway Improvements:***

30. The improvement plans for the first phase of development shall include and provide for the construction of all offsite improvements as required to support full project build-out. Each subsequent phase of development shall construct sufficient onsite roadway and utility improvements to support the cumulative development proposed to be constructed as approved by the City Engineer.
31. Road closures, if permitted by the Project Approval, will only be permitted with prior authorization from the Public Works Department consistent with the City's road closure policy. Signs containing details of the proposed closure must be posted 48 hours in advance. Coordinate road closures with the Sebastopol Public Works Department. Contact the Public Works Department at 707-823-5331 to obtain a road closure permit.
32. An emergency vehicle access, meeting the requirements of the Sebastopol Fire Department shall be constructed.
33. All private driveway areas less than 24-foot wide shall require the approval of the Sebastopol Fire Department.
34. Sidewalk warps shall be provided to allow a clear five-foot walkway at all locations, including areas where mailboxes, street furniture, streetlights, street signs and fire hydrants are to be installed, or as otherwise approved by the City Engineer.
35. The structural section of all public road improvements shall be designed using a soil investigation which provides the basement soils R-value and expansion pressure test results. A copy of Geotechnical report and structural section calculations shall be submitted with the first improvement plan check.
36. The structural section of the private on-site drive aisles and parking areas shall meet the requirements and recommendations of the geotechnical report for the project.
37. Retaining walls and retaining curbs may be required to protect damage to trees as

determined by a licensed Arborist. All retaining structures shall be designed and constructed to minimize damage to trees.

38. Pedestrian curb ramps, meeting City standards and current accessibility requirements, shall be provided at all intersections and crosswalks where sidewalks are proposed.

***Drainage Improvements:***

39. All project related flooding impacts shall be mitigated by the project developer. Drainage improvements shall be designed by a Civil Engineer registered in the State of California in accordance with the Sonoma County Water Agency's Flood Management Design Manual (FMDM). Public and private drainage improvements shall be shown on the improvement plans and the City Engineer may require the applicant to acquire the review and recommendations by the Sonoma County Water Agency (Sonoma Water) prior to approval by the City Engineer. Private storm drain easements will be required for any portions of the private storm drain not entirely located with the lot being served or for any portion of a private utility located on an adjacent parcel.
40. No lot-to-lot drainage will be allowed between the project site and any adjacent parcels. No concentrated drainage may discharge across sidewalks. All site drains must be connected to the public storm drain system or discharged through the face of curb or to an established waterway.
41. Plans and certifications shall demonstrate compliance of all improvements, including building finished floor elevations, with the City's Flood Ordinance, to the satisfaction of the Building Official and City Engineer. Building finished floor elevations shall be constructed at a minimum of 2 foot above the 100-year storm event water surface elevation as determined by the City and certified by the project engineer. The Engineer of Record shall provide a signed and stamped letter indicating the project meets the requirements of the Ordinance before plan approval.

***Stormwater Quality:***

42. Projects that create or replace 10,000 square feet or more of impervious surface area are subject to design and construction requirements of the most recent edition of City of Sebastopol Low Impact Development (LID) Technical Design Manual. Improvement plans with required LID design features shall be approved by the City Engineer.
43. Projects that will disturb 1.0 acre or more of developed or undeveloped land shall provide evidence that a Notice of Intent (NOI) has been submitted by the applicant and received by the State Water Resources Control Board for a General Construction Activity Storm Water Permit. Two copies of the project Storm Water Pollution Protection Plan (SWPPP) shall be provided to the City prior to issuing a grading permit, encroachment permit, or building permit.
44. For required LID features constructed on private property or on street frontage, the owner shall provide a Declaration Letter to the City Manager regarding the owner's commitment to ongoing maintenance of said LID features (LID Declaration) prior to occupancy.

***Grading:***

45. The improvement plans shall include a site-grading plan prepared by a Civil Engineer registered in the State of California as part of the required improvement drawings. Lots shall be generally designed to drain to public and private streets or parking areas, unless otherwise approved in the interest of tree preservation or other unusual circumstances.
46. The City of Sebastopol shall require a grading permit for projects that meet these requirements.
  - a) Cut or fill exceeding 50 cubic yards
  - b) Cut or fill greater than 3 feet in depth
  - c) Cut creating a cut slope greater than 5 feet in height and steeper than 2 units horizontal to 1 unit vertical
  - d) Fill intended to support a structure or surcharge greater than 1 foot in depth or placed on terrain with a natural slope steeper than 15 percent
47. When required by the Building Official the applicant shall submit to the City for review and approval, a detailed Geotechnical Report prepared by a Geotechnical Engineer registered in the State of California. The grading plan shall incorporate the recommendations of the approved Geotechnical Report.
48. Where soil or geologic conditions encountered during grading operations are different from those anticipated in the Geotechnical Report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.
49. Existing wells, septic tanks and/or underground fuel storage tanks that are defective or will no longer be in use shall be permanently destroyed or removed under permit and inspection by the Sonoma County Permit and Resource Management Department, Well and Septic Division and/or Sonoma County Environmental Health or other designated agency. Underground fuel storage tanks are subject to UST regulations of the State Water Resources Control Board.
50. The grading plan shall clearly show all existing survey monuments and property corners and shall state that they shall be protected and preserved. Should monuments be damaged or destroyed during construction, they shall be replaced by the developer.
51. Improvements plans shall include an erosion control (winterization) plan. The plan shall include an order of work and staging/scheduling component indicating when facilities must be installed and when they may be removed.
52. Sewer services and laterals shall be CCTV inspected to determine if the service needs to be removed and replaced. A copy of the CCTV report shall be provided to the City Engineer. A waiver for CCTV inspection may be waived by the City Engineer, if the sewer lateral has been replaced within ten years of the submittal of the improvement plans. A copy of the documentation evidencing such replacement shall be included in the submittal package.
53. If the proposed project is located in or adjacent to a waterway, within an area

designated as habitat for threatened or endangered species, or other special status area, it possibly falls under the jurisdiction of another agency such as the United States Army Corps of Engineers, the California Regional Water Quality Control, or the California Department of Fish & Wildlife, U. S. Fish & Wildlife Service, etc. These agencies shall be contacted to determine if the project lies within their respective jurisdictions. All necessary permits and/or approvals shall be obtained prior to the City issuing any permits. If permits are not required, a letter stating so shall be submitted to the City as part of the record.

54. Trees and vegetation shall be trimmed according to Section 8.12 of the Sebastopol Municipal Code. Trees and shrubs shall be kept trimmed so that the lowest branches projecting over public properties provide a clearance of not less than eight (8) feet over sidewalks and not less than twelve (12) feet over streets.

**Fire Department. Standard Conditions of Approval:**

55. The address shall be posted in accordance with requirements of the California Building Code and California Fire Code. The Fire Chief shall review and approve all requests for new addresses. Inspection and signoff of address posting shall be coordinated through Building Department.
56. Smoke and CO detectors shall be installed in accordance with the California Building Code. Final inspection and signoff of smoke detectors shall be coordinated through Building Department.
57. Noncombustible roofing shall be provided for:
  - a. All new roofs shall be non-combustible.
  - b. Roof Repairs or replacement:
    - i. Less than 25% - no requirement
    - ii. 25Hr to 50% - Class C minimum
    - iii. 50% or more — Non-Combustible
  - c. In no case shall the roofing material used to be less fire resistive than the existing roof.

NOTE: A "noncombustible" roof is a Class A roof (for other than Group R Occupancies, a Class A or Class A assembly) as defined in the California Building Code and approved by the Building Department.

58. Prior to occupancy, a spark arrester shall be installed on the chimney(s) 3/8" mesh minimum.

**Building Department Standard Conditions of Approval:**

59. All construction shall comply with all applicable Title 24 Codes in effect at the time of building permit submittal. It is the responsibility of the designer(s) to ensure that all applicable Title 24 codes, as well as any applicable Sebastopol Municipal Codes are incorporated into the design.
60. The project shall comply with the Green Building regulations contained in the Sebastopol Municipal Code that are in effect at the time of building permit submittal.

END OF STANDARD CONDITIONS OF APPROVAL





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: [X] Yes [ ] No

REVIEW/HEARING BODIES

- [X] Staff/Admin
[ ] Design Review/Tree Board
[ ] Planning Commission
[ ] City Council
[ ] Other

APPLICATION FOR

Street Address: 6780 McKinley St #110 Assessor's Parcel No(s): 004750033
Present Use of Property: Makers' Community Zoning/General Plan Designation: C/I

APPLICANT INFORMATION

Property Owner Name: The Barlow
Mailing Address: 6780 Depot St #110 Phone: 707-824-5600
City/State/ZIP: Sebastopol, CA 95472 Email: jennifer@thebarlow.net
Signature: J. Adams Date: 6/15/22

Authorized Agent/Applicant Name: Keith Adams/Wm. Cofield Cheesemakers LLC
Mailing Address: 6780 McKinley St. # 110 Phone: 707.755.0130
City/State/ZIP: Sebastopol CA 95472 Email: keith@wucofieldcheesemakers.com
Signature: [Signature] Date: 6.15.22

Contact Name (if different from above): Phone/Email:

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

We have been in operation as a cheese producer & shop for over 5 years. We would like to add on-site sale of cheese/charcuterie boards & beverages including beer, cider & wine.

CITY USE ONLY

Table with 3 columns: Action, Action Date, and various application steps 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	CM	
Use	N/A	Commercial Industrial	
Lot Size			
Square Feet of Building/Structures <i>(if multiple structures include all separately)</i>		3,007	
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		32'	
Number of Stories		One	
Building Setbacks – Primary		N/A	
Front			
Secondary Front Yard (corner lots)			
Side – Interior			
Rear			
Building Setbacks – Accessory		N/A	
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.

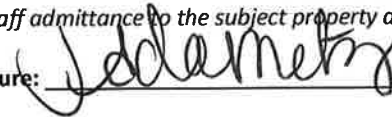
**NOTE:** The purpose of the indemnification agreement is to allow the City to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.

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:

- |   |   |
|---|---|
| <input type="checkbox"/> A general plan   | <input type="checkbox"/> A specific plan    |
| <input type="checkbox"/> An ordinance affecting building permits or grading permits | <input type="checkbox"/> 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:** 6/15/22

*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:**  **Date:** 6/15/22

**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



# City of Sebastopol

## Alcohol Use Permit – Application Supplement

**Purpose:** This application supplement applies to any establishment that serves alcoholic beverages.

**Please answer yes or no to the following questions:**

1. The premises contain a kitchen or food-serving area in which a variety of food is prepared and cooked on the premises. Y  N
2. The primary use of the premises is for sit-down service to patrons, and the establishment is not a drive-up, drive-through, or fast-food restaurant. Y  N
3. The establishment serves food to patrons during all hours the establishment is open for customers. Y  N
4. The establishment only serves alcohol in a dining area and not in an alcohol serving area that is separate from the dining area. Y  N
5. Adequate seating arrangements for sit-down patrons are provided on the premises, not to exceed a seating capacity of 50 persons. Y  N
6. Any take-out service is only incidental to the primary sit-down use and does not include the sale or dispensing for consideration of alcoholic beverage or beer or wine. Y  N
7. No alcoholic beverages or beer or wine are sold or dispensed for consumption beyond the premises. Y  N
8. No dancing or live entertainment is permitted on the premises except with approval by the Chief of Police and Planning Director, who may impose conditions controlling such activities. Y  N
9. An employee alcohol awareness training program and security plan is approved by the Chief of Police. (Ord. 1116 § 7, 2018; Ord. 1111, 2018)

**If yes to all of above and you're applying for an establishment with 50 or Less seats you are eligible for an Administrative Alcohol Permit:** The following information shall be provided to the Planning Department for an application to be deemed complete:

**Master Planning Application Form**

Completed and signed by the applicant *and* property owner.

**Written Statement:** *The written statement shall include the following information:*

- *Description of Business*
- *Food Service:* Please describe the type of food served at the establishment.
- *Type of ABC License*
- *Time of Operation:* Describe the days and times that the establishment will operate.
- *Employee Training for Alcoholic Beverage Service:* Describe all alcohol service training that will be provided for employees.
- *Operational Security Measures:* Describe security measures that will be implemented to ensure the safety of establishment employees and patrons.
- *Entertainment Features:* Describe all entertainment features of the establishment. These may include but are not limited to live music, amplified music, dancing, bar games, and video games.

**Fee**

- As defined on the Planning Department fee schedule. Checks should be made payable to the City of Sebastopol.

**Site Photographs**

- Clearly show the views of and from the project, including neighboring development. Include a key map indicating where the pictures were taken from and in what direction they were taken. Label the pictures accordingly. It is often desirable to take a series of overlapping photographs which when taped together show a panoramic view. Digital photos on a CD are acceptable.

**Location Map**

Indicate the subject parcel(s) and adjacent streets on an 8½" by 11" map.

**Floor Plan**

- Dimensioned floor plans that shows the number of seats within the establishment, serving areas, any bars, kitchen, restrooms, storage areas, etc. The floor plan shall also show physical barriers that separate establishment patrons and the general public, if the establishment will have an outdoor dining area, as required by the Department of Alcoholic Beverage Control.

---

**If yes to all of above and you're applying for an establishment with Over 50 seats:** The following information shall be provided to the Planning Department in addition to the items listed on the *Use Permit Application Checklist* for an application to be deemed complete:

**Master Planning Application Form**

- Completed and signed by the applicant *and* property owner.

**Written Statement:** *The written statement shall include the following information:*

- *Description of Business*
- *Food Service:* Please describe the type of food served at the establishment.
- *Type of ABC License*
- *Time of Operation:* Describe the days and times that the establishment will operate.
- *Employee Training for Alcoholic Beverage Service:* Describe all alcohol service training that will be provided for employees.
- *Operational Security Measures:* Describe security measures that will be implemented to ensure the safety of establishment employees and patrons.
- *Entertainment Features:* Describe all entertainment features of the establishment. These may include but are not limited to live music, amplified music, dancing, bar games, and video games.

**Deposit**

- As defined on the Planning Department fee schedule. Checks should be made payable to the City of Sebastopol.

**Site Photographs**

- Clearly show the views of and from the project, including neighboring development. Include a key map indicating where the pictures were taken from and in what direction they were taken. Label the pictures accordingly. It is often desirable to take a series of overlapping photographs which when taped together show a panoramic view. Digital photos on a CD are acceptable.

**Location Map**

- Indicate the subject parcel(s) and adjacent streets on an 8½" by 11" map.

**Floor Plan**

- Dimensioned floor plans that shows the number of seats within the establishment, serving areas, any bars, kitchen, restrooms, storage areas, etc. The floor plan shall also show physical barriers that separate establishment patrons and the general public, if the establishment will have an outdoor dining area, as required by the Department of Alcoholic Beverage Control.





Photo # 1





*Fence Example from Blue Ridge Kitchen*



Photo # 2

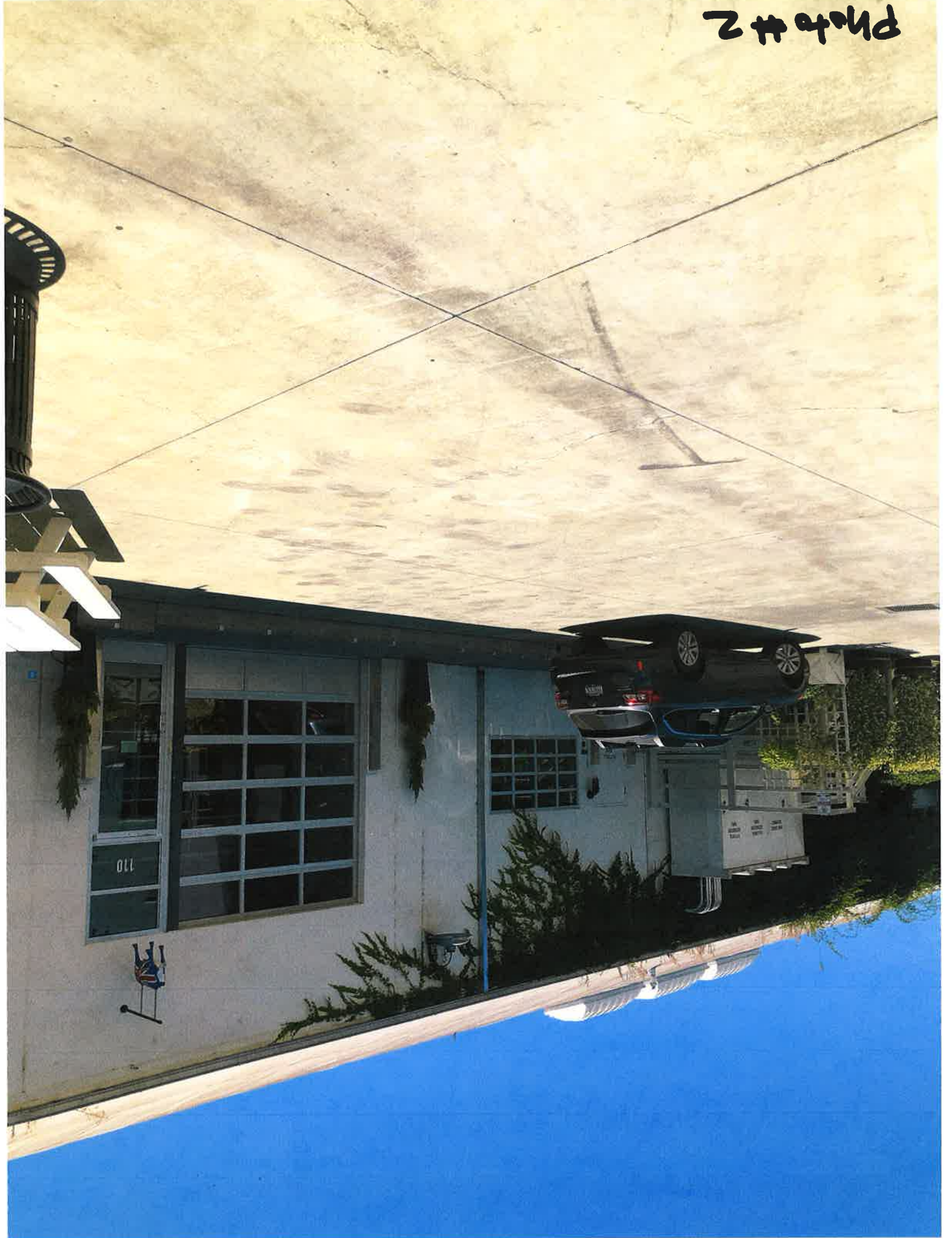




photo #2



Google

Map data ©2022, Map data ©2022 20 ft

photo #1

"TWO TOP" SEATING

FENCE

FENCE

PICNIC TABLE

RAMP

59'-5"

19'-1"

20'-6"

4'-0"

10'-5"

5'-5"

LANDING

stor. shelving

st. work table

3 comp Hand sink

display shelving

RETAIL  
187 S.F.

st. work table

counter

reach in  
cheese case

ENTRY  
225 S.F.

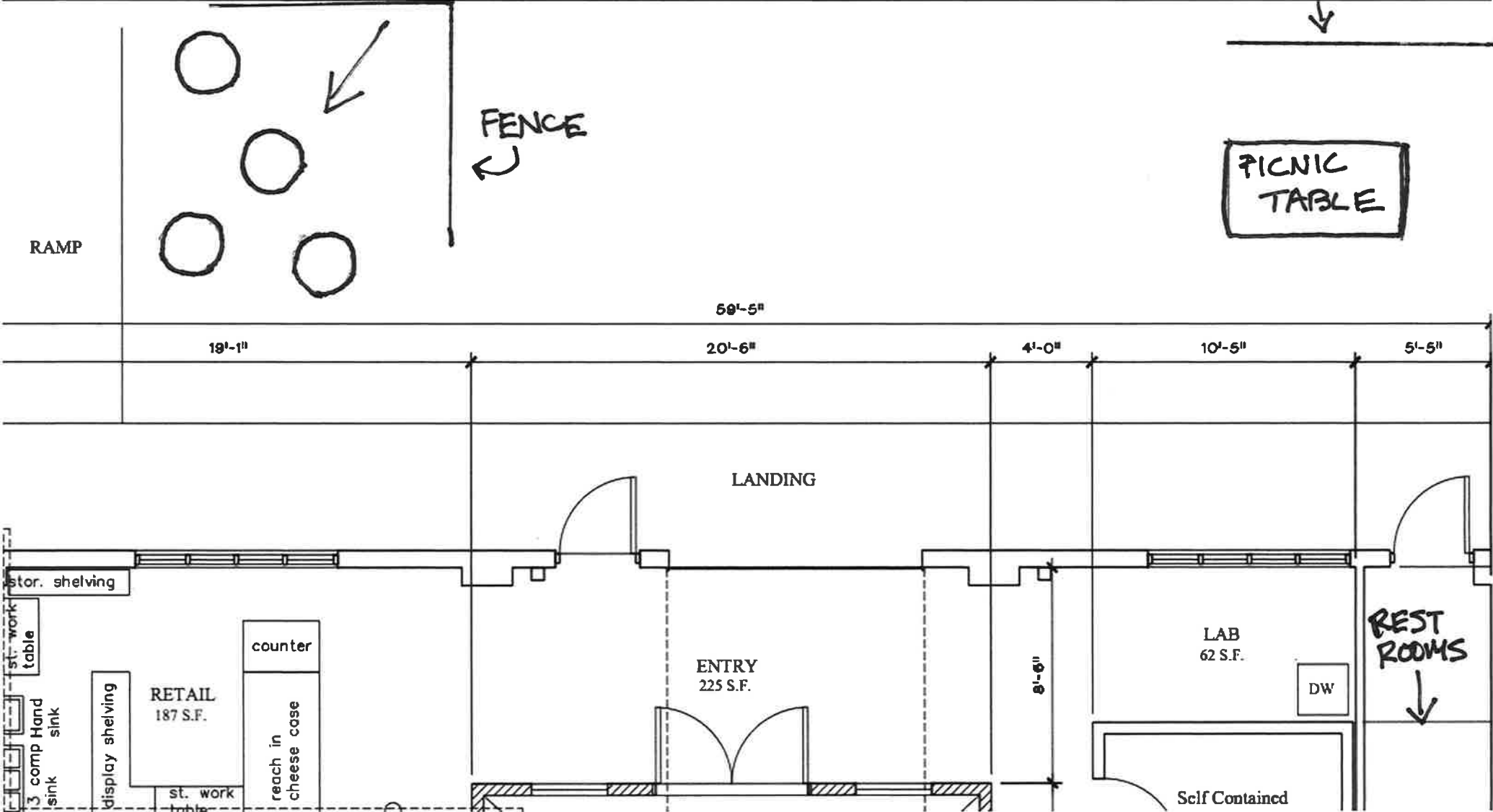
8'-6"

LAB  
62 S.F.

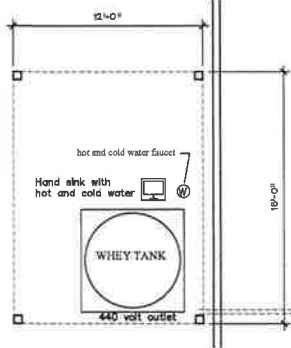
DW

REST ROOMS

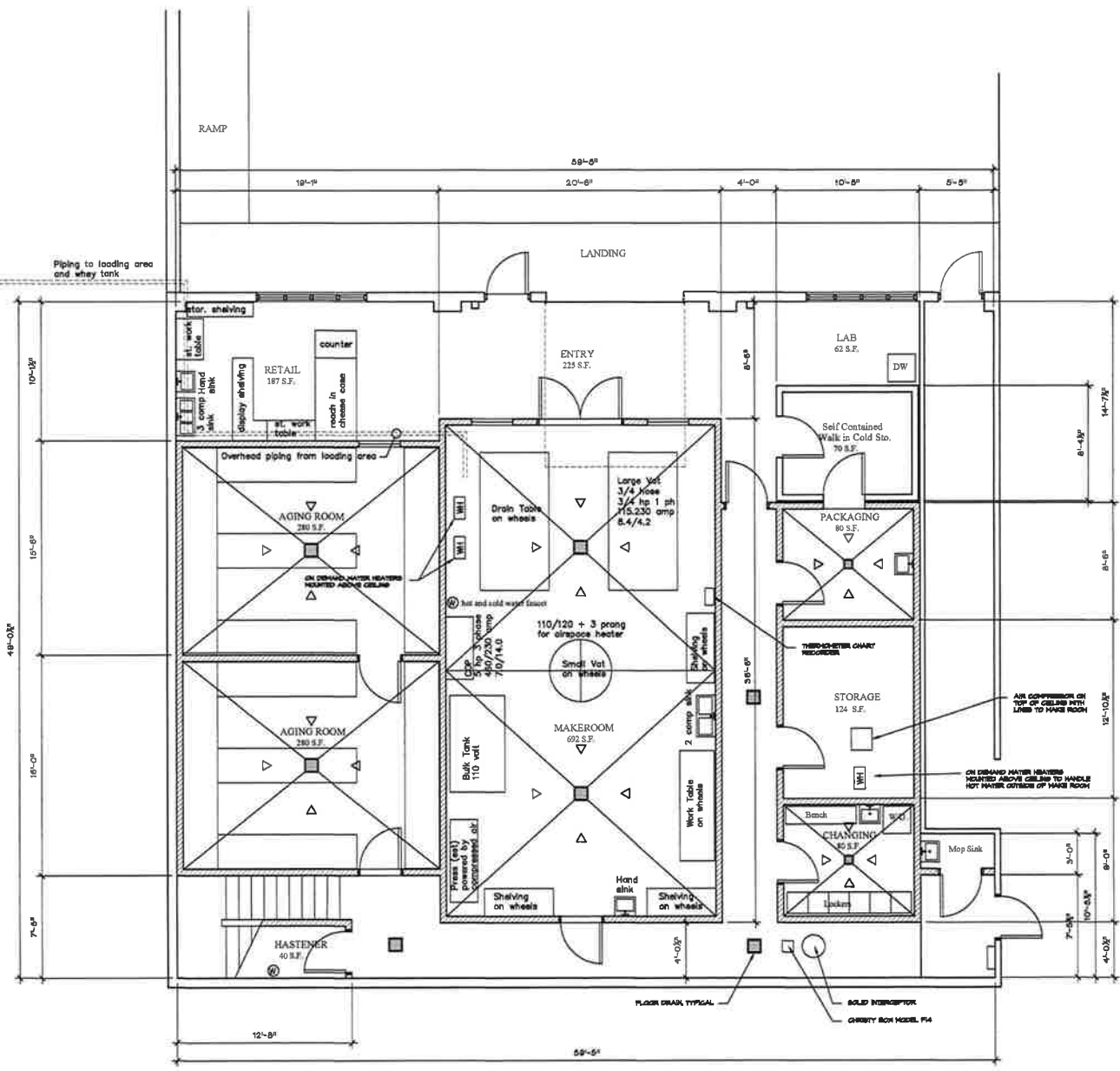
Self Contained







**LOADING AREA PLAN**  
 FREE STANDING COVERED LOADING AREA  
 4 STEEL POSTS WITH SHED ROOF,  
 FLASHED TO EXISTING STRUCTURE



- SYMBOLS**
- ▽ slope to drain @ 1/8" per foot
  - floor drain
  - tankless hot water heater
  - wall mounted hand sink with hot and cold water
  - 2 compartment sink with hot and cold water
  - 3 compartment sink with hot and cold water
  - ⊕ hot and cold water faucet
  - W/D stacked washer dryer
  - DW dishwasher

**FLOOR PLAN - PROPOSED**





Map data ©2022, Map data ©2022 20 ft

**Wm. Cofield Cheesemakers  
Written Statement for City of Sebastopol  
Alcohol Use Permit**

Wm. Cofield Cheesemakers has been an operating business in Sebastopol since December of 2016. We produce artisan cheese and have a small cheese shop for the sale of our cheeses, other American produced cheeses, and accompaniments. We are seeking to add a small menu of food items and cheese and charcuterie boards as well as beverages including beer, cider, and wine. This addition requires an ABC license type 41.

We will be open Thursday through Monday, 11-9. All managers and employees will be RBS trained and will meet any other training requirements the state mandates. A manager will be on site at all times to ensure security measures such as patron behavior and the ensurement that all patrons drinking alcohol are of legal age. Our employees will be trained to monitor and inform management if there are any situations requiring attention.

We will have a set of small outdoor speakers for background mood music.