



City of Sebastopol Planning Commission Staff Report

Meeting Date: February 27th, 2024
Agenda Item: 7A
To: Planning Commission
From: John Jay, Associate Planner
Subject: Conditional Use Permit
Recommendation: Approval with conditions

Applicant/Owner: Ted Luthin
File Number: 2023-072
Address: 494 High Street
CEQA Status: Exempt
General Plan: Medium Density Residential (MDR)
Zoning: Single Family Residential (R4)

Introduction:

The Planning Department has received an application from Ted Luthin for a Conditional Use Permit request to allow the expansion of a nonconforming structure at 494 High Street. The project proposes an expansion of the existing garage to include an additional car bay.

Project Description:

As mentioned above the permit requests the expansion of a nonconforming structure, per Sebastopol Municipal Code section 17.160 expansions for nonconforming structures can be allowed if they first receive approval of conditional use permit from the Planning Commission. The project site is located in a residential district where the existing garage is an allowed use and is not inconsistent with the Zoning Ordinance. However, the building location does not provide a front setback from the property line adjacent to the public right of way and with the expansion proposed would also need the approval of a nonconforming use permit.

Project Location and Surrounding Land Uses:

The project is located at 494 High Street and is south of the Downtown Core of the City of Sebastopol. The project is surrounded by single family residential (R4) to the north, south, east and west.

General Plan Consistency:

This project is consistent with the following General Plan policies as shown below.

- *Goal LU1 - Maintain Sebastopol as a unique, charming, and environmentally sensitive small town that provides residents, businesses, and visitors with opportunities to enjoy a high quality of life.*
- *Policy LU 1-2: Avoid urban sprawl by concentrating development within the City limits; favor infill development over annexation.*

- *Policy LU 5-4: Require the design of new residential development to be consistent with the City's design guidelines, to ensure harmony with Sebastopol's unique, small-town character and compatibility with existing land uses.*
- *Policy LU 5-5: Strongly encourage residential development in a balanced and efficient pattern that reduces sprawl, preserves open space, and creates convenient connections to other land uses.*
- *Policy LU 6-1: Promote increased residential densities.*
- *Policy LU 6-2: Promote compact urban form that provides residential opportunities in close proximity to jobs, services, and transit.*
- *Goal C-1: Facilitate New Housing Production The City of Sebastopol will take necessary steps to promote new housing development and remove public infrastructure constraints to new housing development*
- *Housing Element Policy C-4: The City will encourage development of new housing to meet a range of income levels, including market-rate housing, and a variety of housing sizes and types.*

Zoning Ordinance Consistency:

The applicant is requesting the Planning Commission to approve a use permit to allow for the expansion of a nonconforming use. Expansion of a nonconforming use is allowed under SMC 17.160.040 with the following findings:

17.160.040 Nonconforming Facility.

B. Ordinary maintenance and repairs may be made to any nonconforming building, providing no structural alterations are made and providing that such work does not exceed 15 percent of the appraised value in any one-year period, except for single-family residences, which may make improvements and expansions, provided no increase in the number of dwelling units result and that any expansion complies with applicable development standards. Other repairs or alterations may be permitted; provided, that a conditional use permit shall first be secured in each case.

In this case, the applicant is requesting to expand the non-conforming structure to allow for a useable garage space. Given the expansion, a Use Permit is required.

Analysis:

The current garage is small and not functional for use as a garage. The proposed garage would expand the structure inward to the property to create additional garage space that would allow the structure to accommodate two cars. Given the slope of the site, staff finds this an appropriate use of the non-conforming provisions of the Zoning Ordinance, as meeting the full setback for a garage would be unreasonable given the topography, and expansion of the existing structure would make it usable for its purpose. Additionally, if approved, the expanded garage would resolve the non-conforming parking at the site, as the two-car garage would enable the property to meet the Zoning Ordinance requirement of two parking spaces for a single family residence.

The one concern staff has is the applicant's proposal to remove and replace an existing 1-car garage, located immediately adjacent to the back of an existing non-ADA compliant single driveway, with a new 2-car garage. The existing non-ADA compliant single driveway is proposed to be widened to a double driveway to accommodate the new 2-car garage.

Sebastopol Municipal Code requires sidewalk improvements be installed when approval is given for construction of any dwelling or other building, and the improvements shall conform to standard specifications. City standard specifications, including construction standard details for sidewalk and driveway, comply with the ADA laws, regulations and standards. Installing a new double driveway conforming to standard specifications will require removing existing sidewalk and the existing non-ADA compliant single driveway, and setting back the new 2-car garage approximately 18" from existing back of sidewalk in order to fit the new ADA-compliant driveway.

Staff finds the expansion of the structure, subject to the City Engineer's requirements related to the setback from the sidewalk, which is required to meet Federal Law, is a reasonable request.

Environmental Review:

The project is categorically exempt from the requirements of CEQA pursuant to Section 15301 - Existing Facilities, Class 1 of the California Environmental Quality Act (CEQA) Guidelines.

City Departmental Comments:

The Planning Department routed this application to the various City Departments and the following comments were received and additional conditions are included within the attached exhibits.

- A full set of construction drawings signed and stamped by an Engineer, or an Architect are needed before any building department permits can be issued.
- Setbacks from the right of way easement must accommodate city driveway standard R-4.2

Public Comment:

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

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

Recommendation:

Staff believes the proposed use is compatible with the site, and recommends approval, subject to the following key conditions:

- Require the setback from the public right-of-way as noted in the Conditions of Approval.
- The project will require a building permit.

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 Exhibit A - Recommended Findings of Approval, and subject to the Recommended Conditions of Approval found in Exhibit B, and Exhibit C, the Standard Conditions of Approval, and any additional or modified conditions the Planning Commission determines is appropriate.

Attachments:

Exhibit A – Recommended Findings for Approval
Exhibit B - Recommended Conditions of Approval
Exhibit C – Standard Conditions of Approval
Application Materials

EXHIBIT A
RECOMMENDED FINDINGS OF APPROVAL

Conditional Use Permit
494 High Street, Sebastopol CA, 95472
004-183-009, File 2023-072

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

1. The proposed project is categorically exempt from the requirements of CEQA under Section 15301(a), which exempts “interior or exterior alterations” to existing structures, as well as Section 15303(e), which exempts new construction of accessory structures including garages.
2. The project/use/proposal is consistent with the provisions of the General Plan as follow:
 - *Goal LU1 - Maintain Sebastopol as a unique, charming, and environmentally sensitive small town that provides residents, businesses, and visitors with opportunities to enjoy a high quality of life.*
 - *Policy LU 1-2: Avoid urban sprawl by concentrating development within the City limits; favor infill development over annexation.*
 - *Policy LU 5-4: Require the design of new residential development to be consistent with the City’s design guidelines, to ensure harmony with Sebastopol’s unique, small-town character and compatibility with existing land uses.*
 - *Policy LU 5-5: Strongly encourage residential development in a balanced and efficient pattern that reduces sprawl, preserves open space, and creates convenient connections to other land uses.*
 - *Policy LU 6-1: Promote increased residential densities.*
 - *Policy LU 6-2: Promote compact urban form that provides residential opportunities in close proximity to jobs, services, and transit.*
 - *Goal C-1: Facilitate New Housing Production The City of Sebastopol will take necessary steps to promote new housing development and remove public infrastructure constraints to new housing development*
 - *Housing Element Policy C-4: The City will encourage development of new housing to meet a range of income levels, including market-rate housing, and a variety of housing sizes and types.*
 - *Housing Element Goal D-1: Promote Housing Affordability for both Renters and Homeowners*
 - *Goal G-1: Continue to Promote Land Use Policies and Development Standards to Facilitate Housing Production.*
 - *Policy G-1: The City will modify its Zoning Ordinance to provide provisions for a greater range of housing types, such as tiny houses to encourage opportunities for special needs and affordable housing.*
3. The use is consistent with Section 17.415.030 of the Sebastopol Zoning Ordinance, including the specific criteria of the following sections as described:
 - a. The proposed use is consistent with the General Plan and all applicable provisions of this title in that the garage is an allowed use within a residential

neighborhood and that the expansion of the existing garage provides better on-site parking.

- b. The establishment, maintenance, and operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City in that the use would not be detrimental to the neighborhood as there are similar uses along the street and neighboring homes, the expansion provides safe covered parking.

EXHIBIT B
RECOMMENDED CONDITIONS OF APPROVAL

Conditional Use Permit
494 High Street, Sebastopol CA, 95472
004-183-009, 2023-072

1. Plans and elevations shall be in substantial conformance with plans prepared by Ted Luthin, and stamped received on November 29, 2023, and on file at the City of Sebastopol Planning Department, except as modified herein:
2. The applicant shall obtain a Building Permit prior to the commencement of construction activities.
3. The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application or the environmental determination which accompanies it, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.
4. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.
5. This approval does not include any signs. Any new signs that will identify the use of this property are subject to the prior approval of the Design Review Board or City staff, as appropriate.
6. Approval is valid for three (3) years, except that the applicant may request a one (1) year extension of this approval from the Planning Director, pursuant to Section 17.400.100 of the Zoning Ordinance.
7. The Use Permit shall be in effect unless it is abandoned or closed for 12 months or longer.
8. Applicable Standard Conditions of Approval as found in Exhibit C shall apply to Use Permit 2023-072, 494 High Street in Sebastopol, in addition to the following site-specific conditions of approval:
9. The existing single-vehicle driveway approach, sidewalk, curb and gutter on High Street along the length of the proposed new ADA / garage structure shall be removed and replaced with new dual-vehicle concrete driveway approach and shall include ADA-compliant sidewalk along the upper portion of the new driveway approach per City of Sebastopol Standard Detail R-4.2
10. The Applicant, or the Applicant's contractor, shall apply for and obtain a Public Works encroachment permit for work to construct the new required driveway approach on High Street.
11. A full set of construction drawings signed and stamped by an Engineer or an Architect are required before any building department permits can be issued.

EXHIBIT C
STANDARD CONDITIONS OF APPROVAL

Conditional Use Permit
494 High Street, Sebastopol CA, 95472
004-183-009, 2023-072

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Administrative Permit Review | <input type="checkbox"/> Lot Line Adjustment/Merger | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Alcohol Use Permit/ABC Transfer | <input type="checkbox"/> Preapplication Conference | <input type="checkbox"/> Tree Removal Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Review | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Sign Permit | <input type="checkbox"/> 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: _____ Assessor's Parcel No(s): _____

Present Use of Property: _____ Zoning/General Plan Designation: _____

APPLICANT INFORMATION

Property Owner Name: _____

Mailing Address: _____ Phone: _____

City/State/ZIP: _____ Email: _____

Signature: _____ Date: _____

Authorized Agent/Applicant Name: _____

Mailing Address: _____ Phone: _____

City/State/ZIP: _____ Email: _____

Signature: _____ Date: _____

Contact Name (If different from above): _____ Phone/Email: _____

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

CITY USE ONLY

Fill out upon receipt:		Action:	Action Date:
Application Date:	_____	Staff/Admin:	Date: _____
Planning File #:	_____	Planning Director:	Date: _____
Received By:	_____	Design Review/Tree Board:	Date: _____
Fee(s):	\$ _____	Planning Commission:	Date: _____
Completeness Date:	_____	City Council:	Date: _____

SITE DATA TABLE

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

SITE DATA TABLE	REQUIRED / ZONING STANDARD	EXISTING	PROPOSED
Zoning	N/A		
Use	N/A		
Lot Size			
Square Feet of Building/Structures <i>(if multiple structures include all separately)</i>			
Floor Area Ratio (F.A.R)	_____ FAR	_____ FAR	_____ FAR
Lot Coverage	_____ % of lot	_____ % of lot	_____ % of lot
	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.
Parking			
Building Height			
Number of Stories			
Building Setbacks – Primary			
<i>Front</i>			
<i>Secondary Front Yard (corner lots)</i>			
<i>Side – Interior</i>			
<i>Rear</i>			
Building Setbacks – Accessory			
<i>Front</i>			
<i>Secondary Front Yard (corner lots)</i>			
<i>Side – Interior</i>			
<i>Rear</i>			
Special Setbacks (if applicable)			
<i>Other (_____)</i>			
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:  Date: 11/29/2023

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: 11/29/2023

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

To: Sebastopol Planning Commission

From: Ted Joanna Luthin

RE: 494 High Street Garage Rebuilt and ADU

Dear Planning Commissioners,

We would like to replace our old existing non-conforming garage that was built in the early 1900s and has structural and waterproofing issues with a new larger garage with an ADU above. All of the homes on our side of the street are up-slopes with retaining walls along the sidewalk, so none have front yard setbacks. The design of the garage and ADU will match our 1910 home. We request approval of the design with no front yard setback.

Photos of neighboring properties are attached and arranged from South to North.

Thank you for your consideration.

Ted & Joanna Luthin





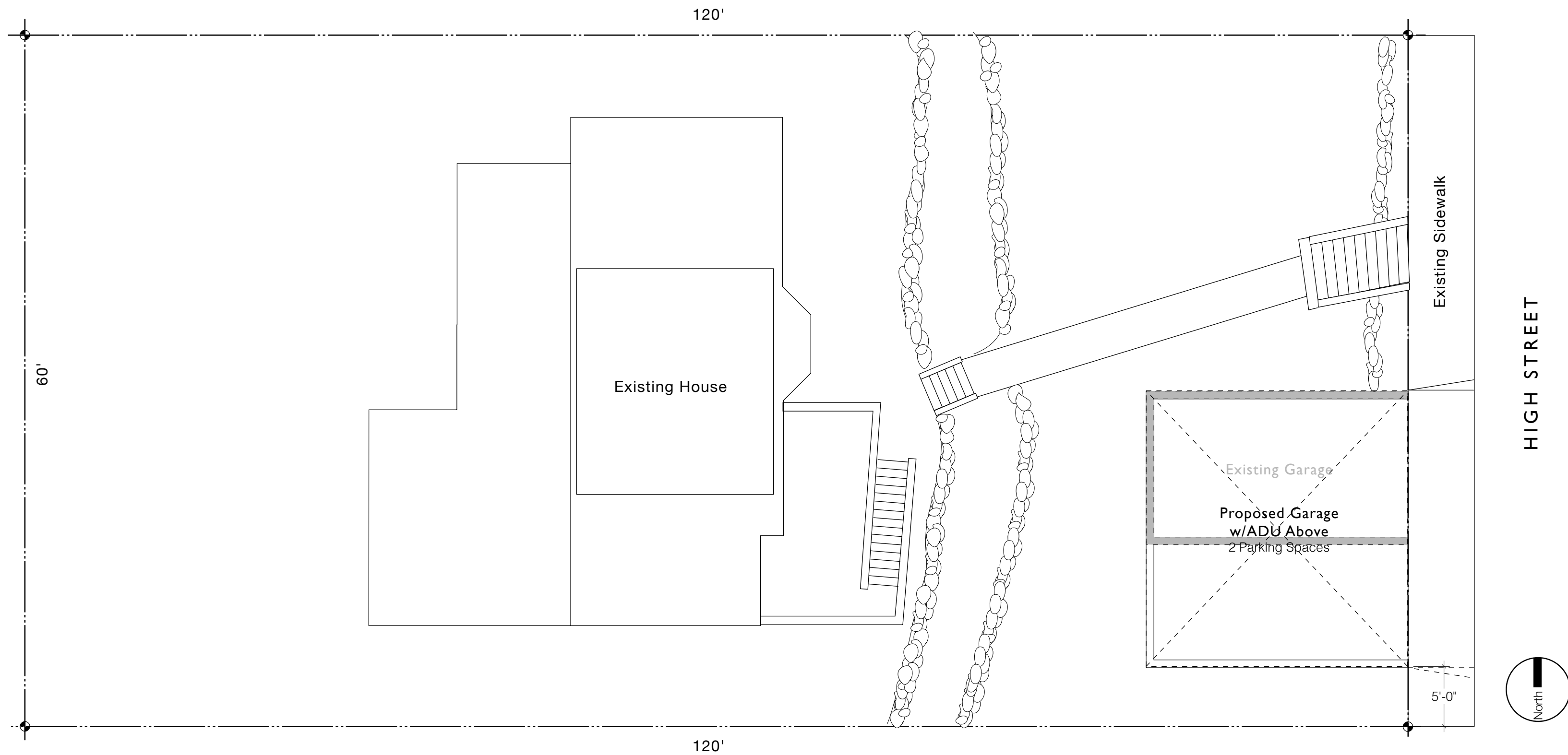






ROSS+LUTHINCREATIVE	848 3rd Street, Studio B Santa Rosa, California 95404 707.529.7973	Garage and ADU 494 S. High Street Sebastopol, CA 95472	Photo - Existing	Revisions: --	NA	A.0
					10.22.23	





Site Plan
1/8"=1'0"

GENERAL NOTES:

1. ALL WORK SHALL BE IN CONFORMANCE WITH THE CALIFORNIA BUILDING CODE (C.B.C.) AND THE CALIFORNIA RESIDENTIAL CODE (C.R.C.) S APPROPRIATE FOR THE CITY OF SANTA ROSA AND ANY LOCAL ORDINANCES EXCEPT WHERE OTHER NOTES, DETAILS AND/OR SPECIFICATIONS ARE MORE RESTRICTIVE.
2. DRAWINGS ARE NOT TO BE SCALED. BUILDING/STRUCTURAL DIMENSIONS SHOWN ON THE STRUCTURAL DRAWINGS ARE FOR GENERAL REFERENCE ONLY U.O.N. SEE THE ARCHITECTURAL DRAWINGS FOR ALL ACTUAL BUILDING DIMENSIONS. THE CONTRACTOR IS RESPONSIBLE TO NOTIFY THE STRUCTURAL ENGINEER/ARCHITECT OF ANY DISCREPANCIES ON THE DRAWINGS. CLARIFICATIONS OF ALL DISCREPANCIES IS REQUIRED PRIOR TO COMMENCING WITH THE WORK.
3. STANDARD DETAILS AND NOTES ARE TYPICAL AND SHALL APPLY UNLESS OTHERWISE NOTED OR SHOWN. DETAILS OF CONSTRUCTION NOT FULLY SHOWN SHALL BE OF THE SAME NATURE AS SHOWN FOR SIMILAR CONDITIONS. DETAILS NOT SHOWN, NOR DETAILED ON DRAWINGS, NOR CALLED FOR IN THESE NOTES SHALL BE CONSTRUCTED TO SAME SIZE AND CHARACTER AS FOR SIMILAR CONDITIONS WHICH ARE SHOWN, DETAILED OR SPECIFIED.
4. AT ALL TIMES THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS AT THE JOB SITE INCLUDING SAFETY OF PERSONS AND PROPERTY.
5. THE CONTRACTOR IS AT ALL TIMES SOLELY AND COMPLETELY RESPONSIBLE FOR DESIGN, ADEQUACY AND SAFETY OF TEMPORARY SHORING, BRACING, FORM WORK, SCAFFOLDING, ERECTION METHODS, ETC. ANY JOB SITE VISIT BY THE ENGINEER/ARCHITECT IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES. THE CONTRACTOR SHALL WARRANT THAT ALL MATERIALS AND WORKMANSHIP ARE IN CONFORMANCE WITH THE DRAWINGS AND SPECIFICATIONS. ANY AND ALL CHANGES MUST HAVE THE ENGINEER/ARCHITECT'S APPROVAL.

ELECTRICAL NOTES:

- MAINTAIN 36" CLEARANCE IN FRONT OF ALL ELECTRICAL PANELS.
- GFCI OUTLETS ARE REQUIRED IN EXTERIOR OUTLETS AND IN ALL GARAGE/SHED OUTLETS NOT DEDICATED TO A SINGLE DEVICE OR APPLIANCE.
- RECEPTACLES SHALL BE INSTALLED AT 12' O.C. MAXIMUM IN WALLS. ANY WALL LONGER THAN TWO FEET AND HALLS LONGER THAN 10' MUST HAVE A RECEPTACLE.
- BOND ALL METAL GAS AND WATER PIPES TO GROUND. ALL GROUND CLAMPS MUST BE ACCESSIBLE AND OF AN APPROVED TYPE.
- ALL LIGHTS SHALL BE MOTION SENSOR W/ PHOTO CONTROL OR BE HIGH EFFICIENCY.
- ALL EXTERIOR OUTLETS SHALL BE READILY ACCESSIBLE WATERPROOF GFCI OUTLETS

Project Information & Contents

Project Description
Garage remodel with ADU above.

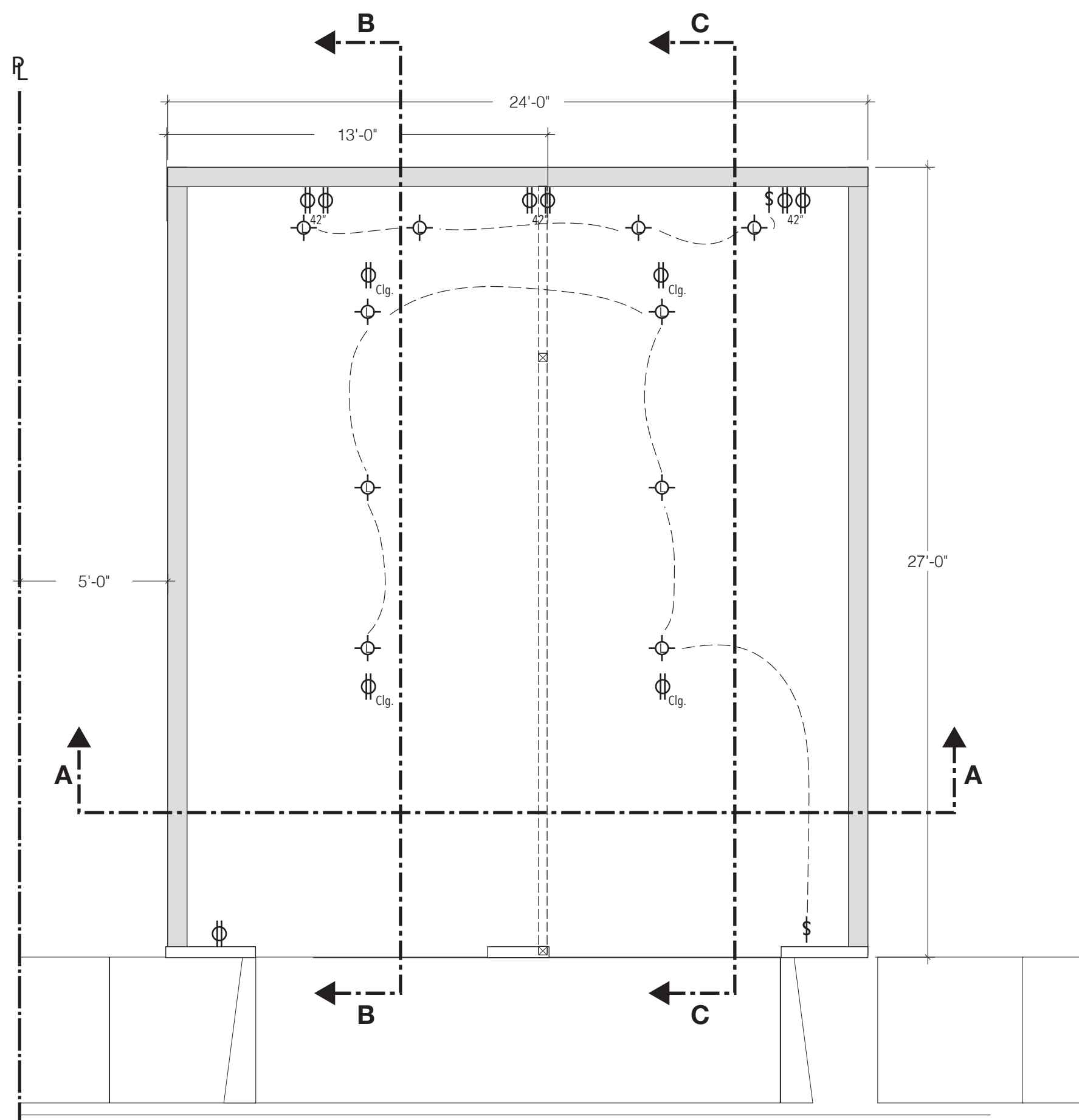
Original S.F.	304
Proposed S.F.	650 - Garage
	350 - ADU

Owners & Designers
Ted & Joanna Luthin
494 High Street
Sebastopol, CA 95472
707.529.7973

Sheet Index

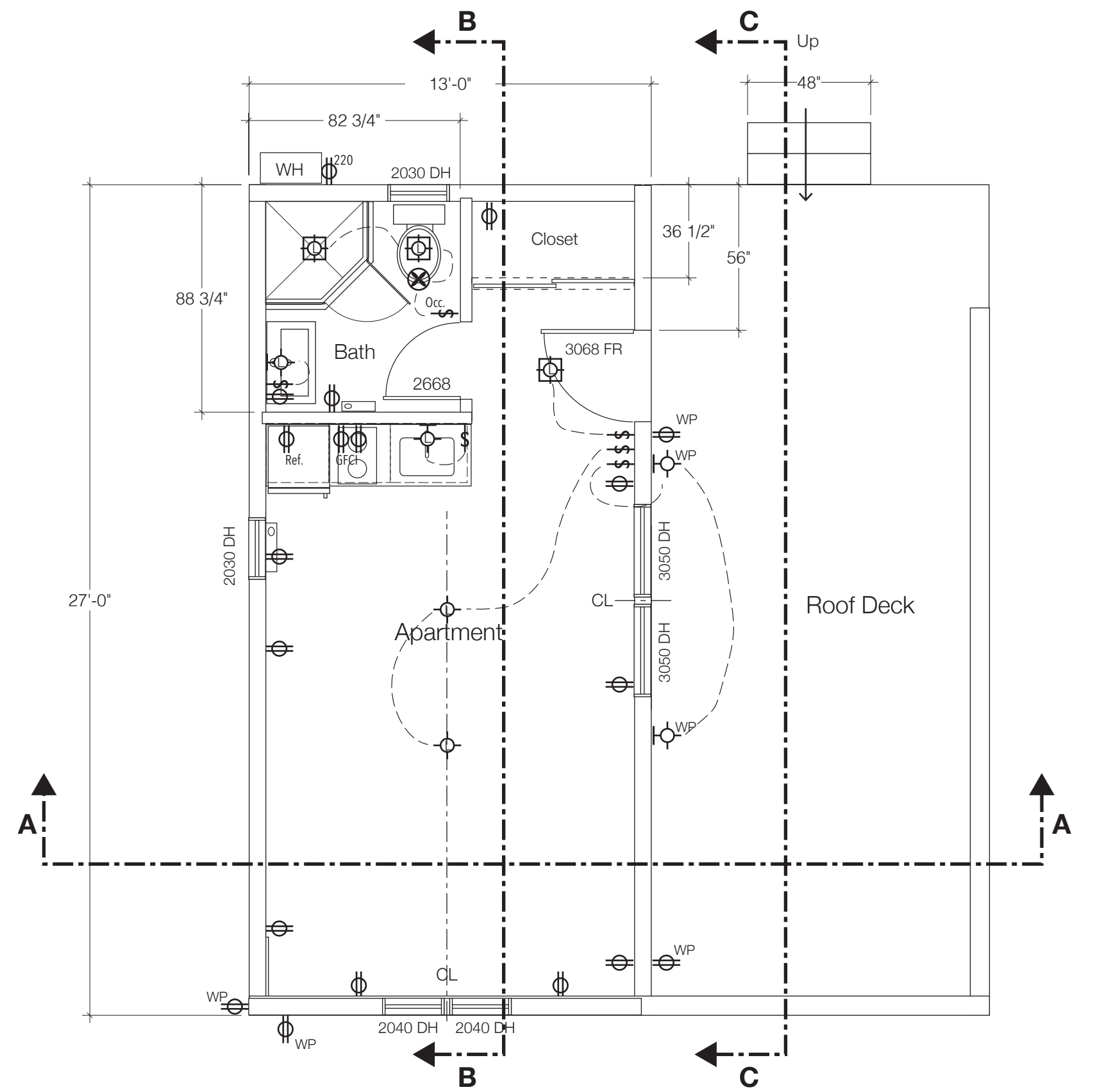
- A1.0 Site Plan & General Notes
- A2.0 Floorplans
- A3.0 Elevations
- A4.0 Sections
- A5.0 Framing Concept
- A6.0 Framing 3D

ROSS+LUTHIN CREATIVE	848 3rd Street, Studio B Santa Rosa, California 95404 707.529.7973	Garage and ADU 494 S. High Street Sebastopol, CA 95472	Site & Existing Plan	Revisions: --	1/8"=1'-0"	A.1
					10.22.23	



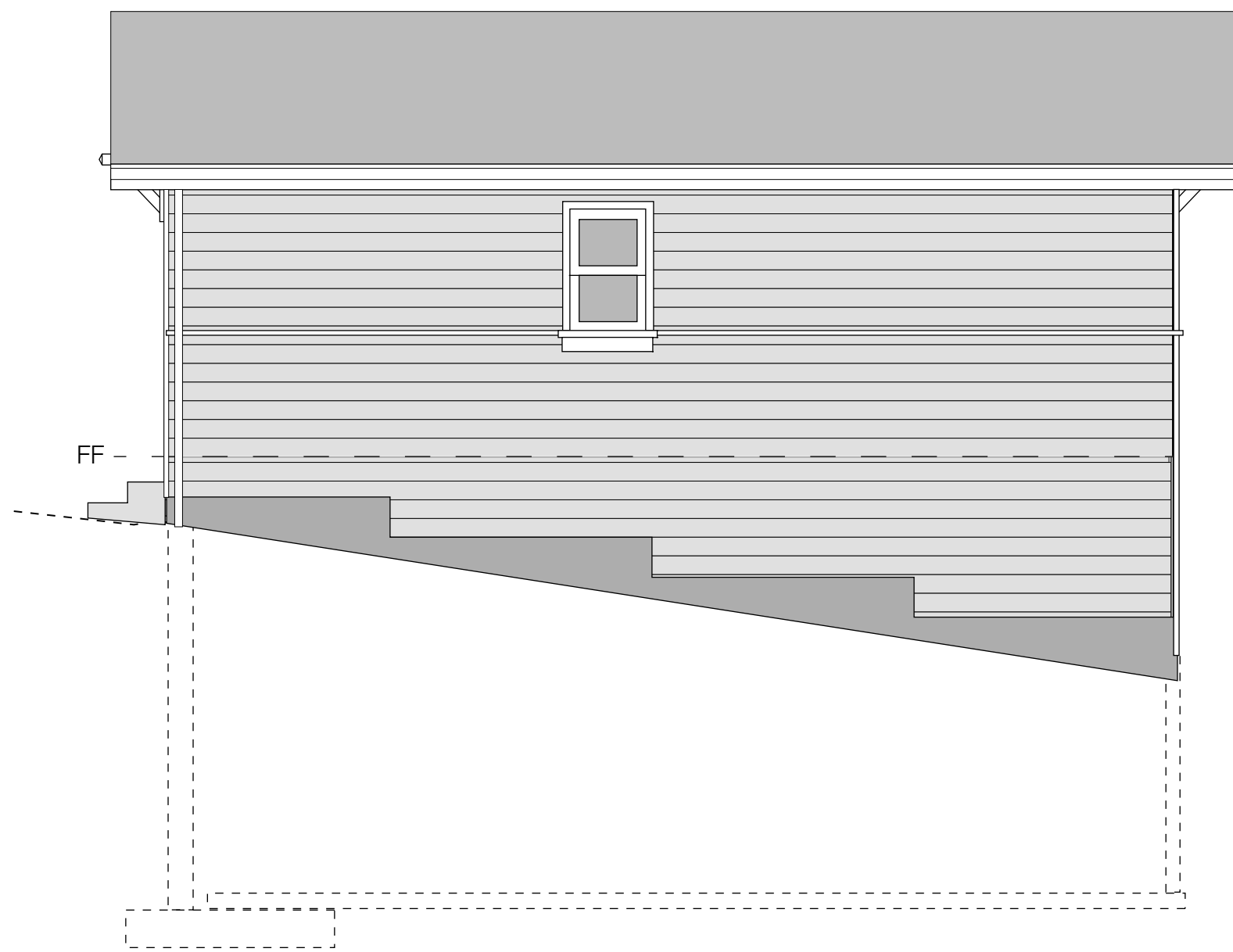
Street

Floor 1 - Garage

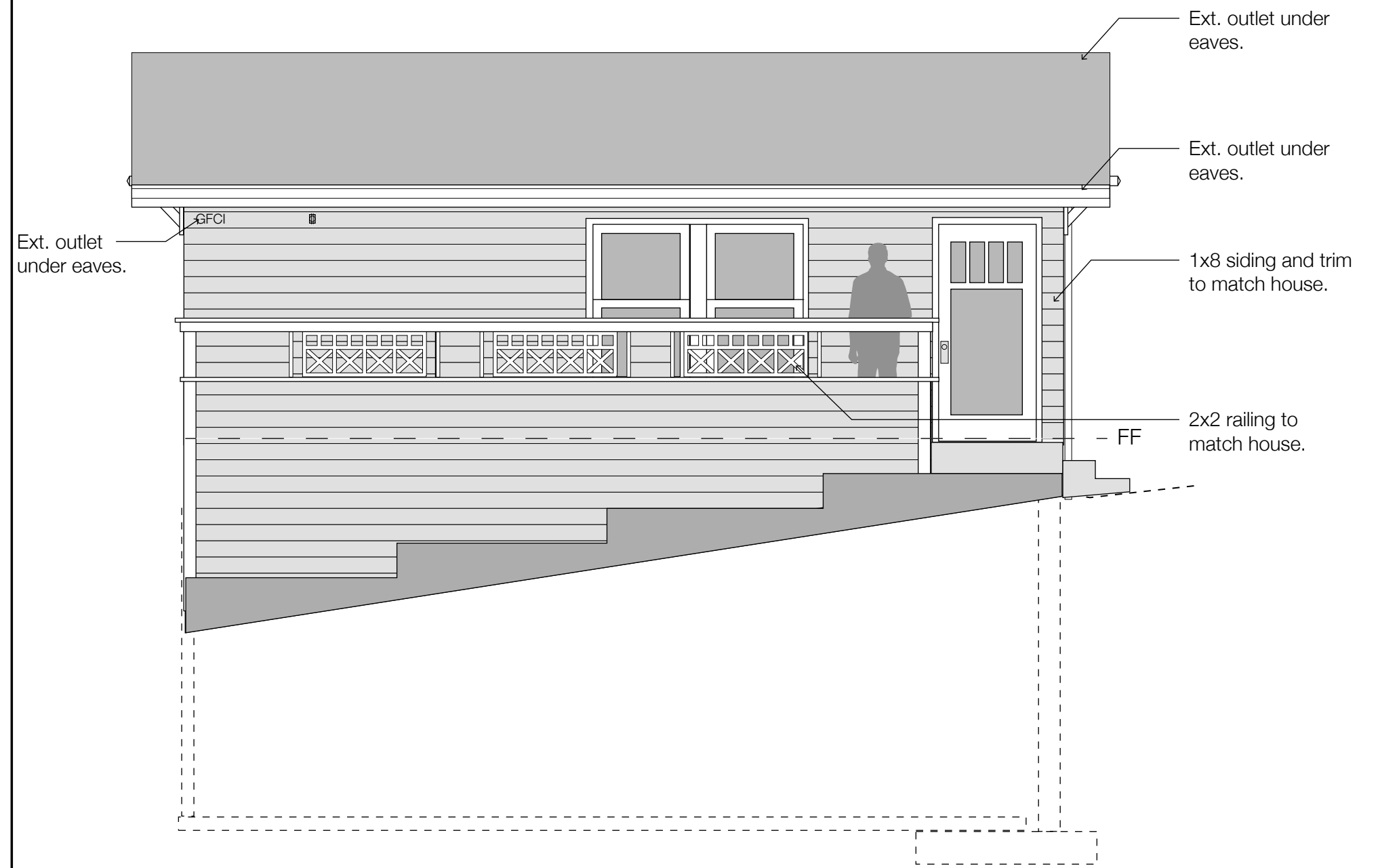


Street

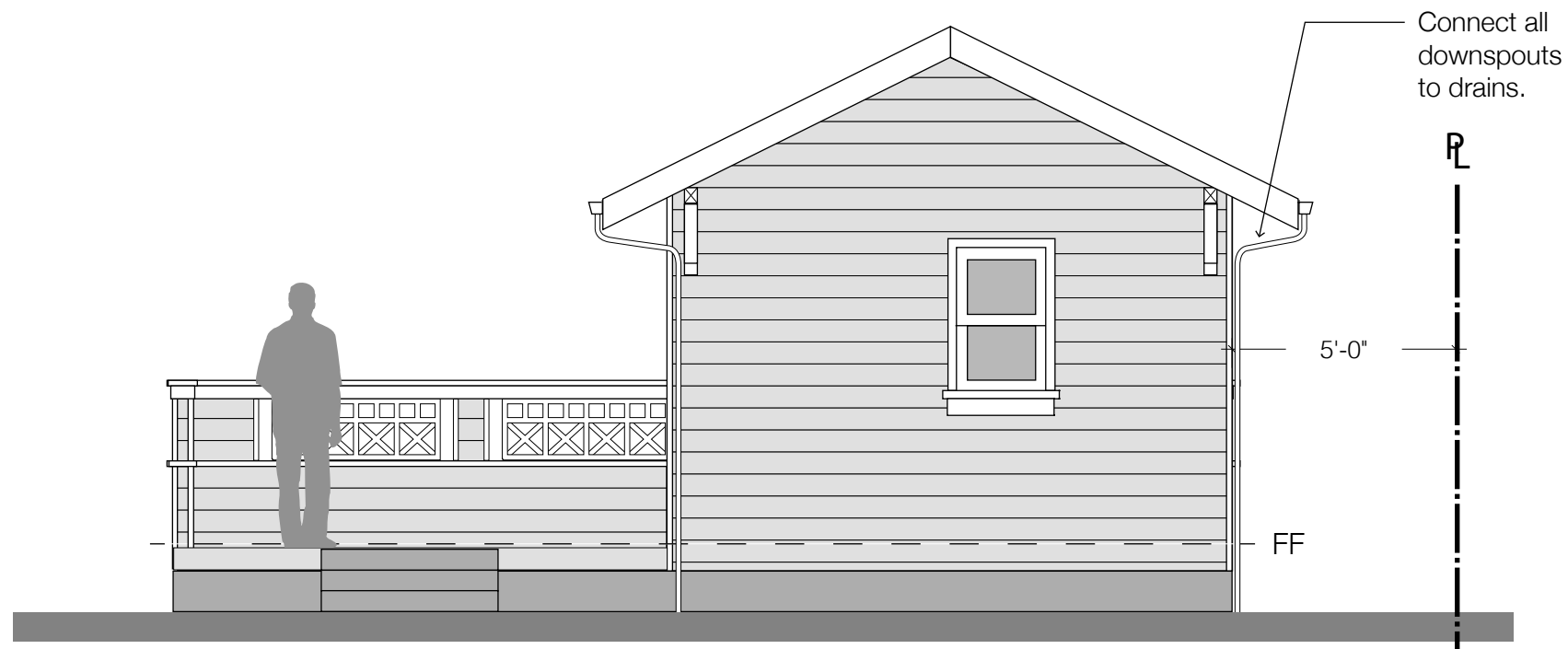
Floor 2 - Apartment



South Elevation



North Elevation

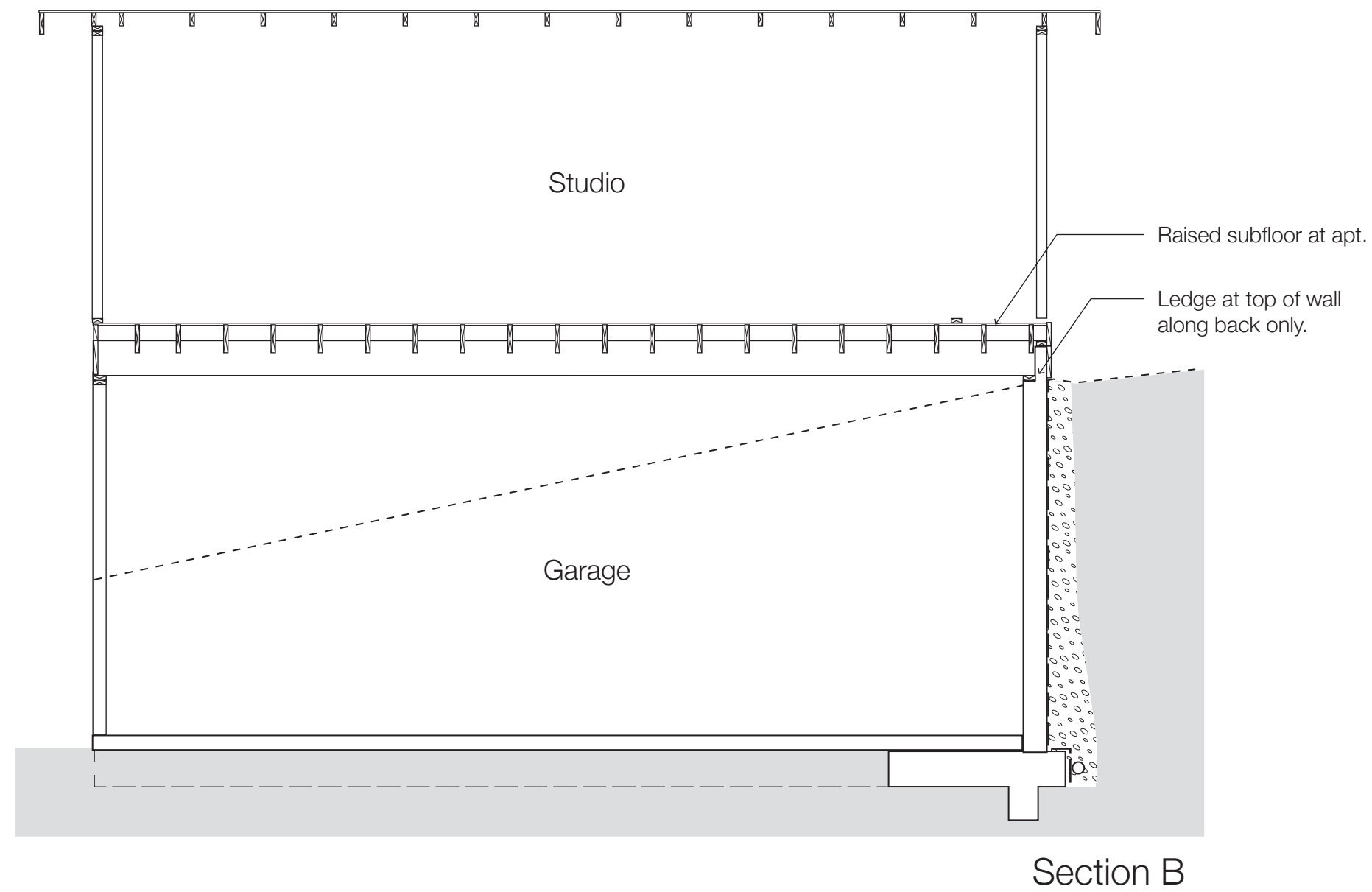


West Elevation

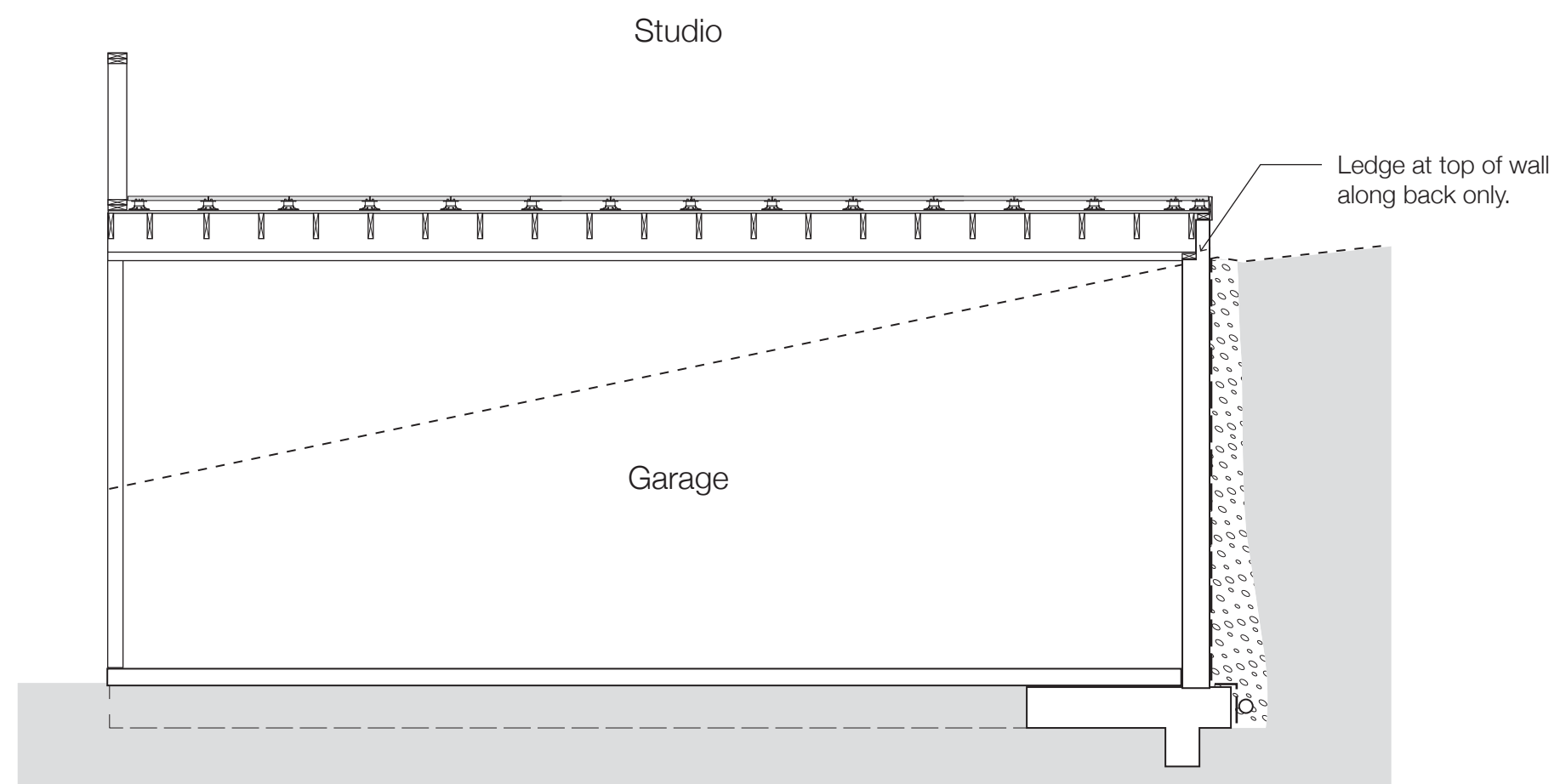


East Elevation

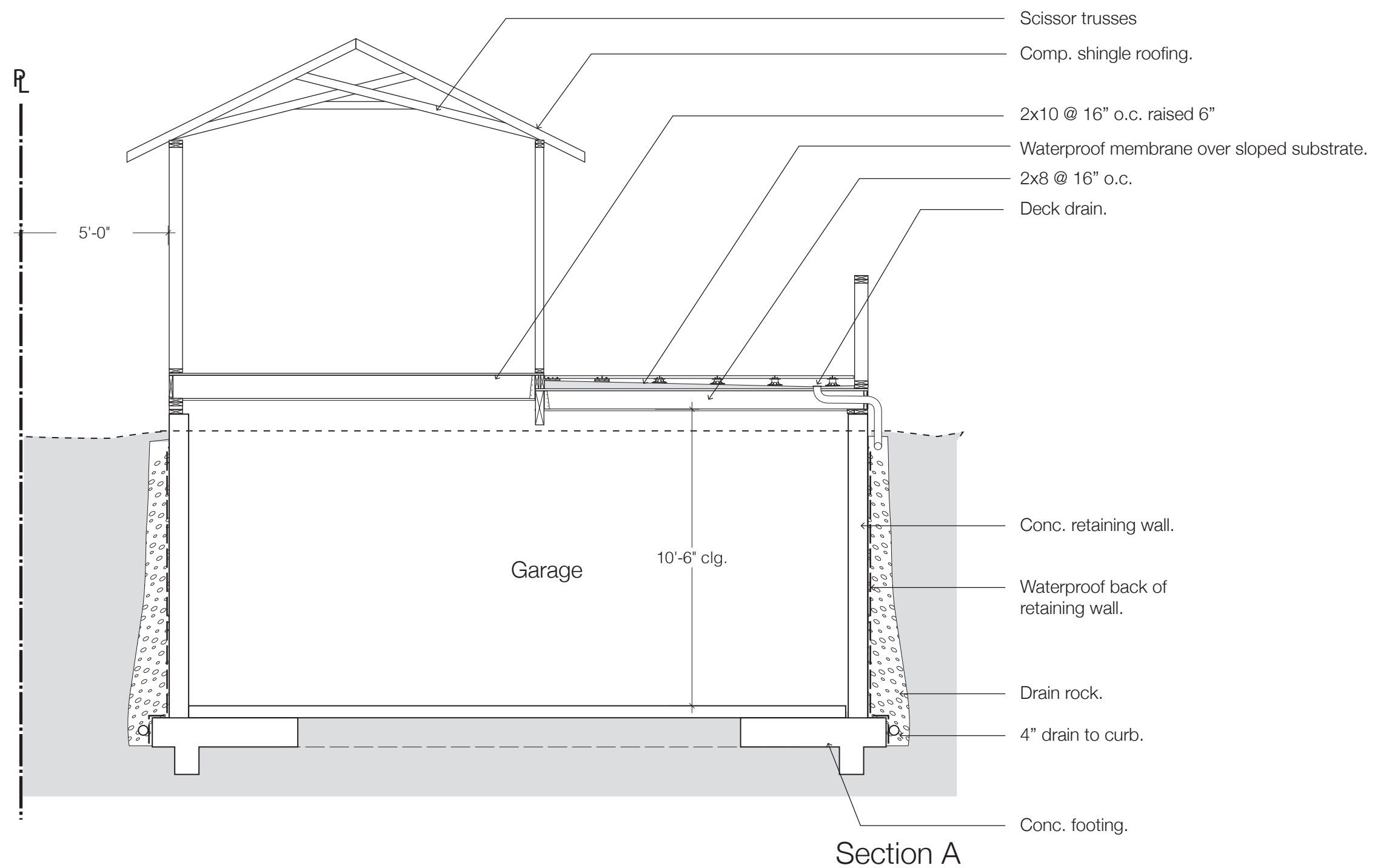
ROSS+LUTHINCREATIVE	848 3rd Street, Studio B Santa Rosa, California 95404 707.529.7973	Garage and ADU 494 S. High Street Sebastopol, CA 95472	Elevations	Revisions: --	1/4"=1'-0"	A.3
					10.22.23	



Section B

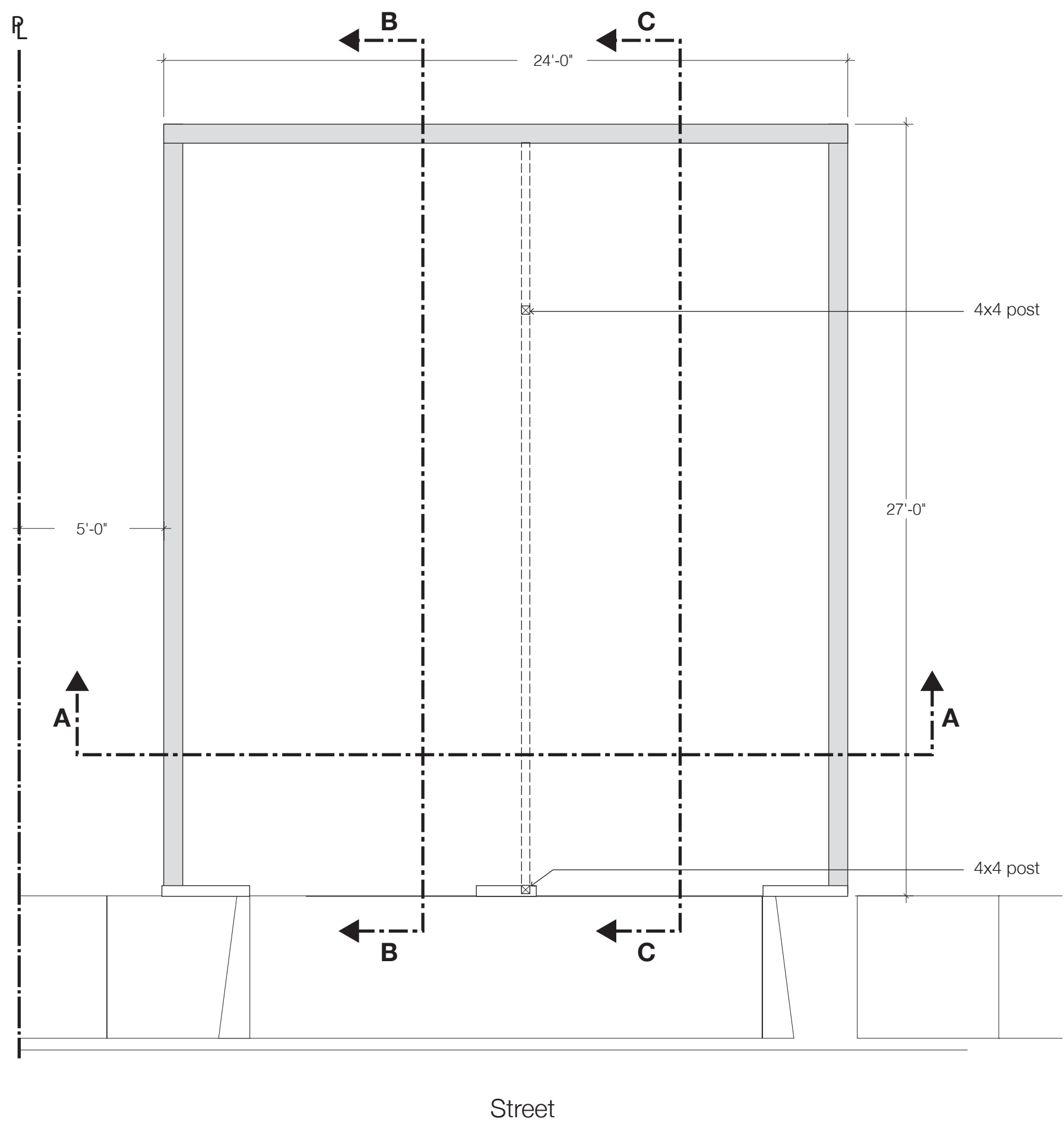


Section C

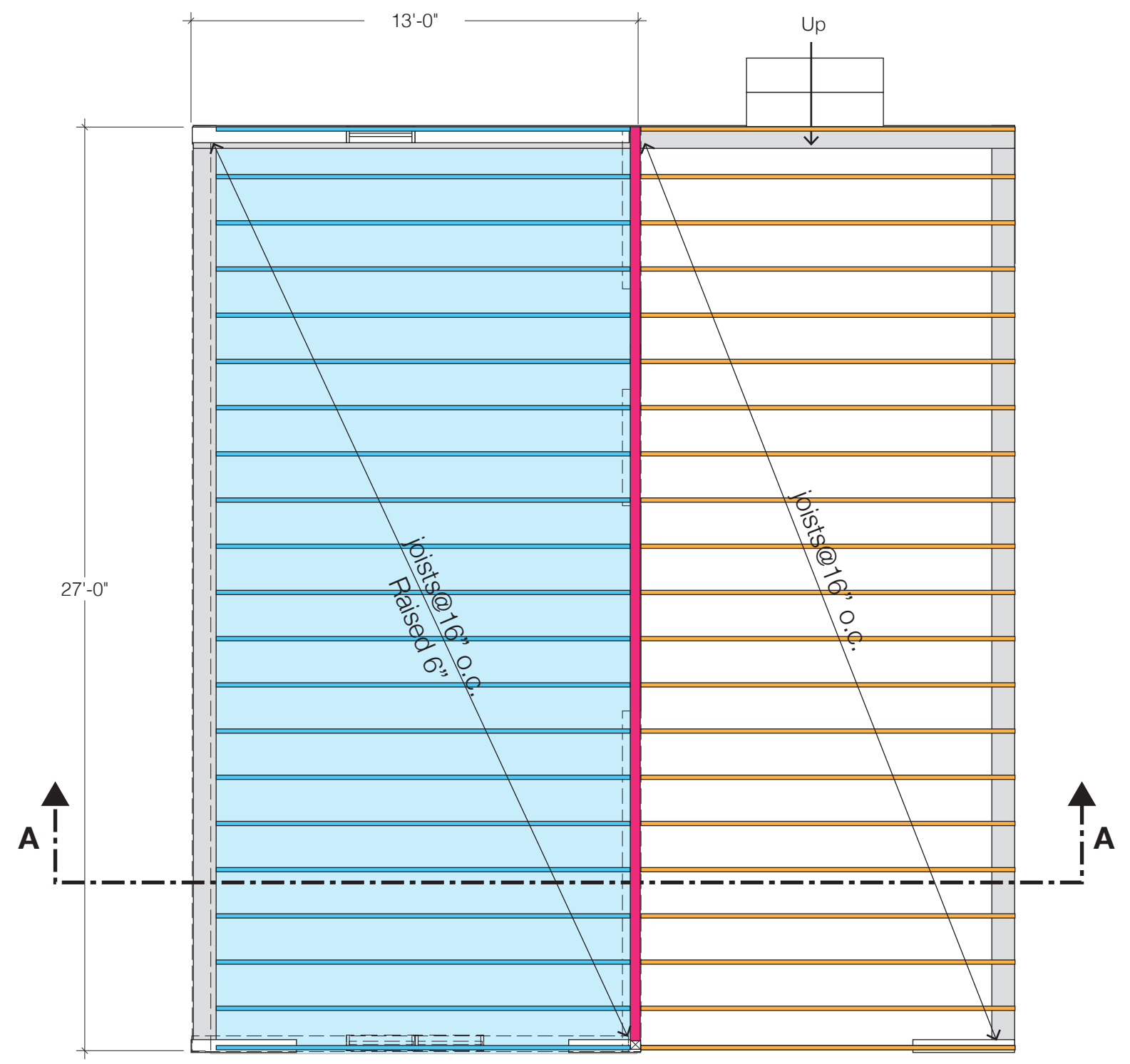


Section A

ROSS+LUTHIN CREATIVE	848 3rd Street, Studio B Santa Rosa, California 95404 707.529.7973	Garage and ADU 494 S. High Street Sebastopol, CA 95472	Sections	Revisions: --	1/4"=1'-0"	A.4
					10.22.23	



Floor 1 - Garage



Floor 2 - Apartment