



City of Sebastopol Planning Commission Staff Report

Meeting Date: July 23, 2024
Agenda Item: 6B
To: Planning Commission
From: John Jay, Associate Planner
Subject: Conditional Use Permit for non-hosted vacation rental
Recommendation: Approval with conditions

Applicant/Owner: Matthieu Pelpel
File Number: 2024-027
Address: 403 Petaluma Ave
CEQA Status: Exempt
General Plan: Commercial Office (CO)
Zoning: Office Commercial (CO)

Introduction:

This is an application for a non-hosted vacation rental at 403 Petaluma Avenue for more than 31 days per year. The application was submitted by Matthieu Pelpel and it includes the request to rent out their 3 bedroom home for periods of time when they are travelling.

Project Description:

As noted above the project requests the approval of a use permit to allow a non-hosted vacation rental for more than 31 days per year as required by Table 17.260-1 of the Sebastopol Municipal Code. The request also includes the allowance for renting out all of the three rooms on the property.

Project Location and Surrounding Land Uses:

The project is located within the center of the City limits and is zoned for Office Commercial (CO). To the north is the G & C Autobody shop, to the west is a mix of single family and commercial uses, to the east are single residential units and to the south it continues to be residential with commercial.

General Plan Consistency:

The General Plan designation for this project is Commercial/Office, which designates areas suitable for Commercial and Office spaces along major arterial roads. This land use also allows for residential uses.

The project is consistent with the following General Plan policies and goals.

- *Land Use Element, Goal LU 1: 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, in that the use of a vacation rental would provide new opportunities for visitors to experience Sebastopol.

- *Economic Vitality Element, Goal EV 4: Emphasize Sebastopol's role as a market, service, and tourism hub for the West County and as a gateway to the coast, in that the vacation rental would allow outside residents to stay within Sebastopol city limits and provide to its economic vitality.*
- *Housing Element, Goal B-2: Preserve Housing Resources Sebastopol will strive to maintain and preserve existing housing resources, including both affordable and market rate units, in that the house will be maintained as a primary resident by the applicant so will not contribute to any housing stock loss for long-term residential use.*

Zoning Ordinance Consistency:

The proposed use of a non-hosted rental for more than 31 days per year is allowed but first must be granted approval from the Planning Commission. The proposed use would be consistent with the provisions of Zoning Ordinance Section 17.260.060 with the approval of a Conditional Use Permit.

Required Findings:

Conditional Use Permit findings

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

Vacation Rental findings

1. The proposed vacation rental is consistent with the standards established by this section and will not detrimentally affect the health, safety, or welfare of the surrounding neighborhood or area.
2. Approval of the vacation rental will not result in an over concentration of such uses in a neighborhood.
3. There is adequate parking for all guests and operators to park on the subject property in accordance with Chapter 17.110 SMC.
4. Approval of the vacation rental will result in the preservation of the residential design and scale of the structures on the property and will maintain the residential character of the neighborhood.
5. The architectural or historic character of the structure proposed to house the vacation rental is appropriate for the use.
6. For accessory dwelling units, the approval of the permit would not result in a reduction to the City's affordable housing stock.

Analysis:

As mentioned earlier the project includes the request for a non-hosted vacation rental for more than 31 days per year at 403 Petaluma Avenue. Within the written statement from the applicant, they note that currently the property is leased to a long-term tenant through the end of September 2024 and then would go to a month-to-month lease. Also, as part of the written statement, it's hard to determine whether the applicant lives full time at this residence in Sebastopol because the statement indicates that with the use permit allowance it would allow the applicant to live in Sebastopol more frequently. However, the Sebastopol Vacation rental ordinance does not have any language stating that non-hosted residents must reside within Sebastopol full time when not renting the unit.

The other components of the requirements for the vacation rental would all be met through the Conditions of Approval.

Environmental Review:

The project is exempt from CEQA under Section 15301(a), which exempts "interior or exterior alterations involving such things as partitions, plumbing, and electrical conveyances" as the project proposed is to rent out rooms for transient residential use in an existing single-family home.

City Departmental Comments:

The Planning Department circulated this application to the various City Departments and there are no additional comments or conditions outside of the Standard Conditions of Approval.

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:

-

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, the Standard Conditions of Approval tenant improvements in Exhibit C, 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 tenant improvements
Public comments

Written Statement

Dear City of Sebastopol,

I am writing to formally request permission to operate a short-term rental at my property located at 403 Petaluma Avenue. This short term rental would be non-hosted and likely for >30 annually, and thus requires a Conditional Use Permit.

Property History and Reason for Request

In 2016, after living and working in Sonoma County for a few years, I purchased my first home in Sebastopol (403 Petaluma Ave), where I resided at until a career change forced me to move to San Francisco. Loving Sebastopol so much, I kept the house and began renting it out as a long-term rental with hopes to one day move back.

Now, with the new work remote flexibilities resulting from COVID, my wife & I hope to be able to use this property and reside in Sebastopol part time. Both our families are in the Sacramento foothills (where we stay a lot), and we spend half of our time in Mexico, so if we were to live in our Sebastopol home, it would remain vacant a good portion of the year. Both from a personal financial and a local housing supply standpoint, it seems like a waste to have this beautiful home right in the center of town empty most of the year. This is why I am seeking the permission to list it as a short-term rental when I am not using it.

Intent and Business Plan

Currently, the property is leased out to a long term tenant through September 2024. Upon their lease expiration, the lease goes month-to-month at which point I **fully intend to continue leasing** to these tenants until they chose to leave. The last thing I would want to do is disrupt great tenants and force them out.

However, if they do decide to leave eventually, I would then have the flexibility to either a) lease the home to a long term tenant again (in which case we would live at our parents in Sacramento when we are in the US), or b) live in Sebastopol and rent the property on short term basis (Airbnb, traveling nurses, etc) when we are away in Mexico or in Sac. From an economic & time commitment standpoint, I believe a long term lease makes more sense. However, based on my wife & I's specific circumstances, option B would be preferred. I say this to highlight that I am not pursuing the Conditional Use Permit merely for personal financial gain. The decision between a long term lease or short term rentals with personal use would ultimately come down to our personal financial and life situations at the time, with the flexibility being appreciated.

If short term rentals were to be accepted we would work with a reputable 3rd party management team (TBD at the moment), to ensure professional operations. There are 3 rooms at the property, each which would be furnished with either a king bed or 2 single beds, allowing for up to 6 total guests. The rental would include all 3 of the rooms, 2 bathrooms, a kitchen, a dining room, a living room, and a small outdoor courtyard. There would be 3 off street parking spaces (2 in the driveway and 1 in the garage).

The property is situated on the corner of two streets, with Petaluma Ave being very busy. This mitigates any risk of neighbors being disrupted, as the street is noisier than tenants could be and the property shares a border with only 2 neighboring houses. All neighbors would have contact information for both myself and the property management team, both available 24 hrs per day. Noise curfews and maximum guest policies would be strictly enforced and tenants would be screened based on prior rental history.

Benefits to the Community

403 Petaluma Avenue was my first home and as a former resident of Sebastopol, I am committed to contributing positively to our community and believe that offering my home as a short-term rental will provide numerous benefits to both our neighborhood and the city at large.

- Instead of sitting vacant when I am not personally using the property, it would provide much needed short term housing options for traveling nurses, seasonal workers, etc. 403 Petaluma Ave is located in walking distance to the town's medical center and would be ideal for traveling nurses.
- Currently long term tenants are responsible for yard work in the front garden. My personal use and the need to attract short term renters would mean the front yard and property's general appearance would be kept up more consistently, improving the curb appeal to this home that sits on a major thoroughfare into town.
- Lastly this property could provide much needed hospitality lodging for visitors and tourists. Currently, Sebastopol only offers one hotel, Fairfield Inn, which offers limited options & affordability to visitors coming to town to see family, attend events (weddings, etc), and explore Sebastopol's vibrant retail scene. The property is a block or two from most of the town's retail amenities. Short-term rentals have the potential to bring diverse visitors to Sebastopol, who, in turn, contribute to our local economy by patronizing shops, restaurants, and other businesses.

I understand the importance of maintaining the character and integrity of our neighborhoods, and I am committed to ensuring that my property will be managed responsibly. I will adhere to all regulations set forth by the city, including guidelines related to safety, noise, and occupancy limits. Furthermore, I will ensure that my guests are respectful of our neighbors and the surrounding community.

Additionally, I understand the importance of maintaining the housing supply for non-transient members of the community to ensure long term community members have affordable options to be housed. I want to address this point by noting that historically my long term tenants have moved out after a year or so, primarily citing the road noise and heavy traffic on Petaluma Ave. Simply put, this house is perfect for a short stay in Sebastopol given its proximity to the downtown shops and restaurants, but not ideal for families and long term renters given the noise & traffic.

Enclosed with this letter, I have provided the necessary documentation to support my request.

I kindly request the City Council to review my application and consider granting permission for short-term rental operations at my property. I am more than willing to attend any meetings or provide additional information as needed to support this request. Thank you for your time and consideration.

Sincerely,

Matthieu Pelpel

Site Photographs



Front of the house, facing Petaluma Ave



Side of the house, facing Fannen Ave. 2 off street parking spots on the driveway and 1 off street parking spot in the garage



Small outdoor space. Hot tub is no longer there. Guests would be able to use this space for outdoor dining.



Master Room (upstairs) – Would have a King Bed to sleep up to 2



2nd Room Upstairs. Would have a king bed to sleep up to 2



Small downstairs room. Likely to have 2 twin beds to sleep up to 2

Preliminary Title Report

Preliminary Title Information

Legal Description: [Lot 1, Block 082, Walker's 1st Addition, Assessor Map Bk 4, Pg 08, Sonoma County, CA](#)

Attached: [No](#)

Mineral Rights/Abbreviated Description:

Title Report Date: [07/27/2017](#)

Parcel #: [004-082-001-000](#)

Tax Message: [ALL TAXES MUST BE PAID CURRENT](#)

Endorsements: [8.1, 09-06, or state equivalent](#)

Approved Items: [2017-07-27: ,](#)

Copy of Deed(s)

RECORDING REQUESTED BY:
First American Title Company

**MAIL TAX STATEMENT
AND WHEN RECORDED MAIL DOCUMENT TO:**
Matthieu A. Pelpel
403 Petaluma Avenue
Sebastopol, CA 95472



2016088960

Official Records Of Sonoma County
William F. Rousseau
10/04/2016 01:35 PM
FIRST AMERICAN TITLE CO.



DEED 3 Pgs
Fee: \$30.00
County Tax: \$237.60
City Tax: \$237.60

Space Above This Line for Recorder's Use Only

A.P.N.: 004-082-001-000

File No.: 4903-5208463 (TCE)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$475.20; CITY TRANSFER TAX \$;
SURVEY MONUMENT FEE \$

- computed on the consideration or full value of property conveyed, OR
- computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
- unincorporated area; City of **Sebastopol**, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **John Katchmer, an unmarried man**

hereby GRANTS to **Matthieu A. Pelpel, an unmarried man**

the following described property in the City of **Sebastopol**, County of **Sonoma**, State of **California**:

COMMENCING AT A POINT ON THE SOUTHERLY SIDE OF FANNEN AVENUE ON THE NORTHERN CORNER OF LOT 9, AS SHOWN UPON THE MAP HEREINAFTER REFERRED TO, DISTANT THEREON; 54 FEET EASTERLY FROM THE NORTHWEST CORNER OF SAID LOT 9, AND THE EASTERLY LINE OF PETALUMA AVENUE, ALL AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF COMMENCEMENT, SOUTHERLY PARALLEL WITH THE EASTERN LINE OF SAID LOT 9, 39 FEET TO A POINT; THENCE WESTERLY IN A DIRECT LINE TO A POINT ON THE EASTERN LINE OF PETALUMA AVENUE, DISTANT THEREON, 36 FEET SOUTHERLY FROM THE NORTHWESTERLY CORNER OF SAID LOT 9; THENCE NORTHERLY ALONG PETALUMA AVENUE, 36 FEET TO A POINT; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF FANNEN AVENUE, 54 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 9, AS SAME IS SHOWN UPON THAT CERTAIN MAP, WALKER'S ADDITION TO SEBASTOPOL, ETC., FILED MAY 6, 1903 IN BOOK 15 OF MAPS, PAGE 9, SONOMA COUNTY RECORDS.

Mail Tax Statements To: **SAME AS ABOVE**

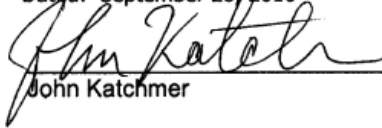
Grant Deed - continued

Date: **09/28/2016**

A.P.N.: 004-082-001-000

File No.: 4903-5208463 (TCE)

Dated: September 28, 2016



John Katchmer

Grant Deed - continued

Date: **09/28/2016**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California)SS

COUNTY OF Sonoma)

On September 30, 2016 before me, T.C. Escher, Notary Public, personally appeared

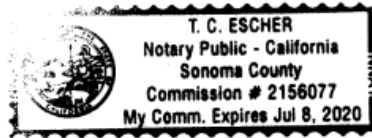
John Katchmer
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature T.C. Escher

This area for official notarial seal.



Reductions

N/A

Electronic Copy of plans

N/A – existing structure with no new plans.

Materials and Colors Board

N/A – no change to existing colors. Current colors are grey / blue

Site Data

N/A

Survey

Provided by:

PARCELQUEST

COUNTY ASSESSOR'S PARCEL MAP
 PART OF J.W. PITT'S ADDITION TO SEBASTOPOL

TAX RATE AREA
 5-014

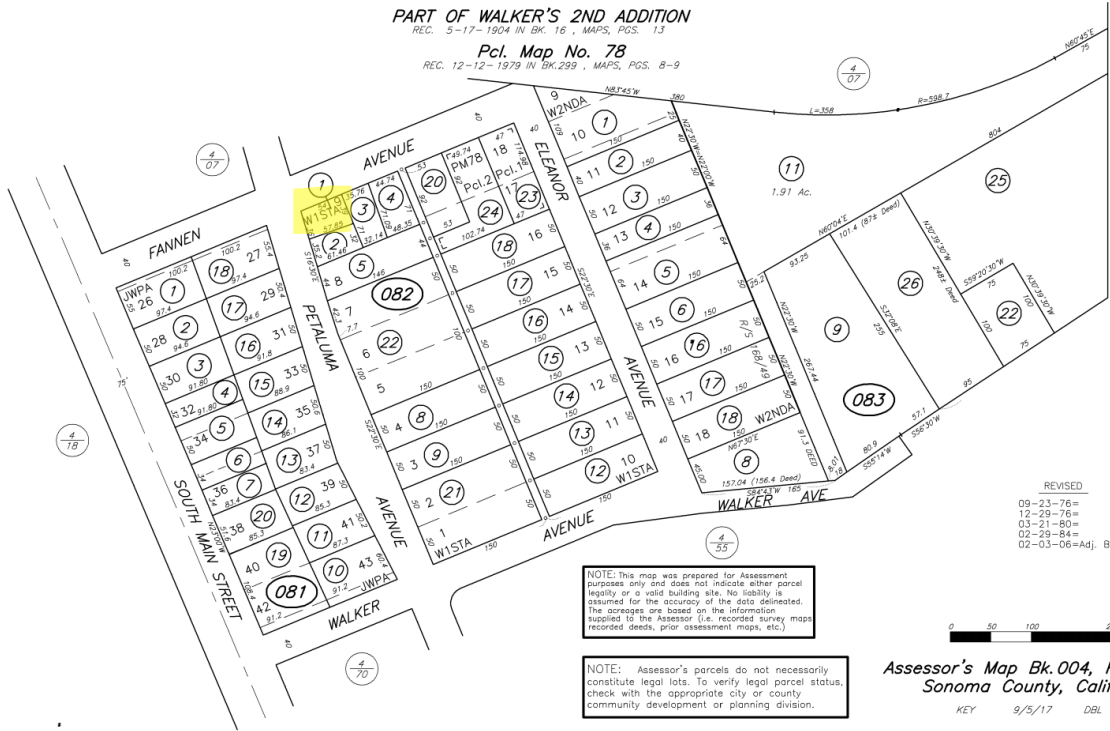
004-08

MAP OF WALKER'S 1ST ADDITION

PART OF WALKER'S 2ND ADDITION

Pcl. Map No. 78

REC. 4-27-1892 IN BK. 10, MAPS, PGS. 29
 REC. 5-6-1903 IN BK. 15, MAPS, PGS. 9
 REC. 5-17-1904 IN BK. 16, MAPS, PGS. 13
 REC. 12-12-1979 IN BK. 299, MAPS, PGS. 8-9



NOTE: This map was prepared for Assessment purposes only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied to the Assessor (i.e. recorded survey maps, recorded deeds, prior assessment maps, etc.)

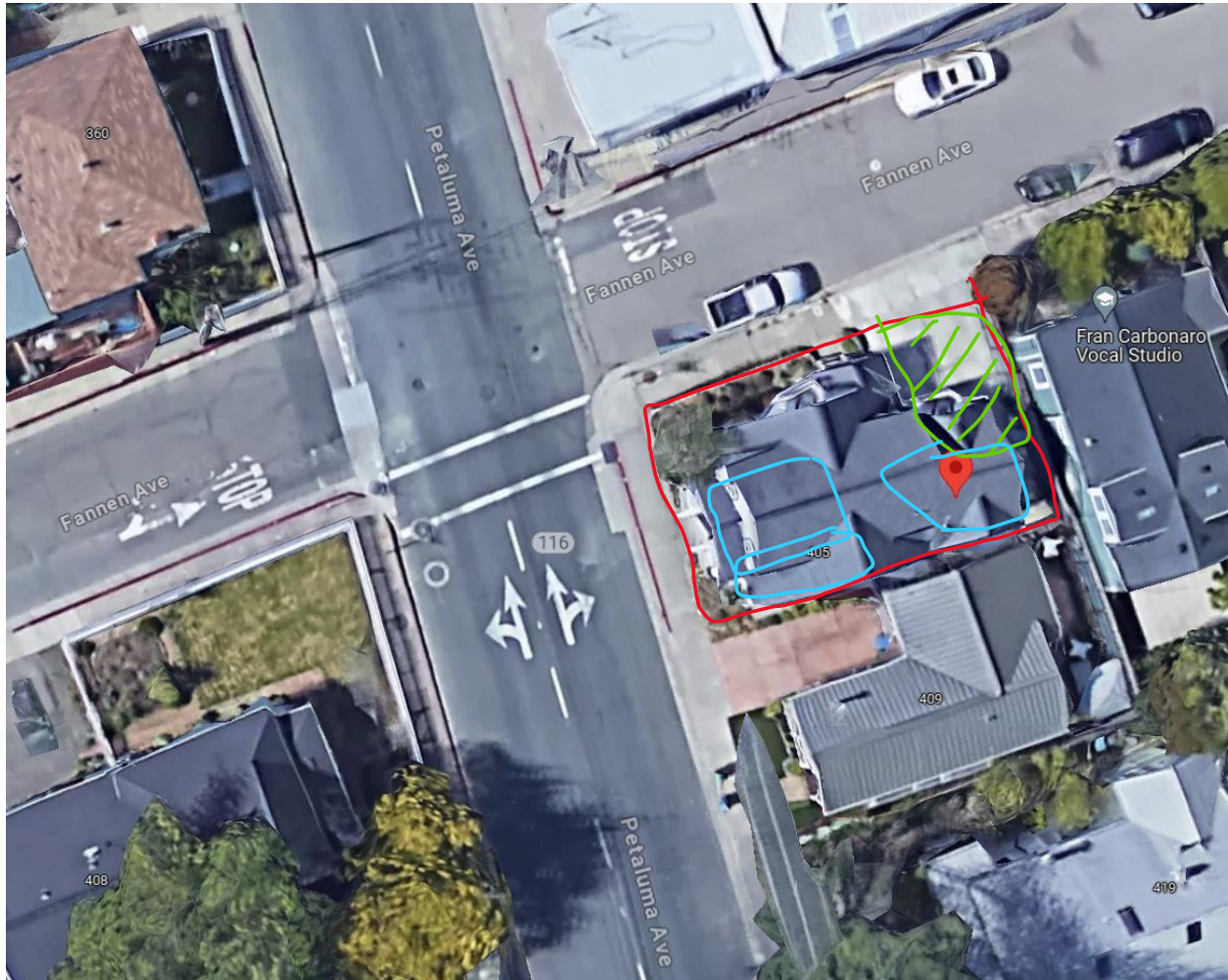
NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.

REVISED
 09-23-76=
 12-29-76=
 03-21-80=
 02-29-84=
 02-03-06=Adj. BC



Assessor's Map Bk. 004, Pg. 08
 Sonoma County, Calif. (ACAD)
 KEY 9/5/17 DBL

Site Plan



- Property line
- Off Street Parking
- Location of Rooms for Rent

Demolition Plan

N/A – no demolition intended

Building Elevations

N/A

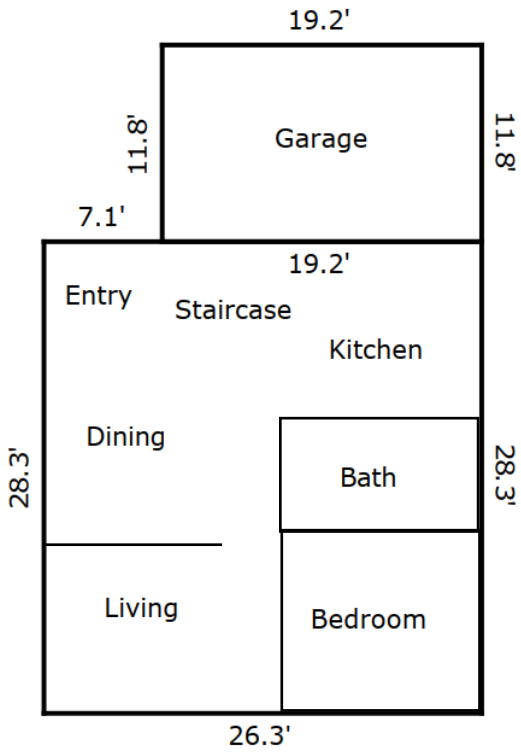
Streetscape Elevations

N/A

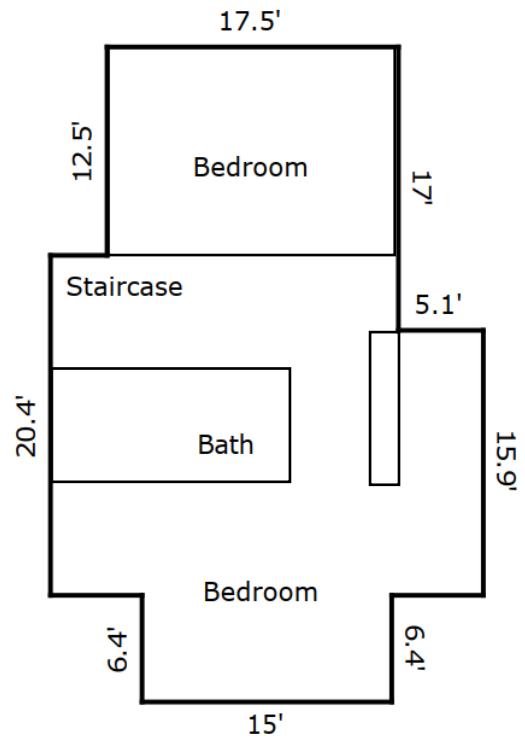
Renderings

N/A – no changes to the home are proposed

Floor Plans



Downstairs



Upstairs

Sections

N/A

Roof Plan

N/A – no changes will be made to the roof.

Grading/Drainage Plan

N/A – no changes will be made to grading / drainage.

Preliminary Landscape Plan

N/A – no changes will be made to the landscaping.

Sign Plans

N/A – no signs will be installed / displayed.

Arborist Report

N/A – no changes will be made to the exterior plants / trees.

Photometric Study/Plan

N/A – no changes will be made to the lighting.



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: *[Handwritten Signature]* Date: 6/18/24

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: 6/18/24

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: 6/18/24

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

EXHIBIT A
RECOMMENDED FINDINGS OF APPROVAL

Non-Hosted Vacation Rental
403 Petaluma Ave
APN 004-082-001, File 2024-027

1. That the project is exempt under California Code of Regulations, Title 14, Section 15061(b)(3) as there is no reasonable possibility that the activity in question may have a significant effect on the environment.
2. That the project is consistent with the General Plan and the following policies
 - *Land Use Element, Goal LU 1: 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, in that the use of a vacation rental would provide new opportunities for visitors to experience Sebastopol.*
 - *Economic Vitality Element, Goal EV 4: Emphasize Sebastopol's role as a market, service, and tourism hub for the West County and as a gateway to the coast, in that the vacation rental would allow outside residents to stay within Sebastopol city limits and provide to its economic vitality.*
 - *Housing Element, Goal B-2: Preserve Housing Resources Sebastopol will strive to maintain and preserve existing housing resources, including both affordable and market rate units, in that the home would be owner occupied while the homeowners are in town and would be rented out while they are gone to ensure that the home isn't left vacant for long periods of time.*
3. That the proposed vacation rental is consistent with the standards established by Section 17.260.060 of the SMC and will not detrimentally affect the health, safety, or welfare of the surrounding neighborhood or area.
4. That approval of the vacation rental will not result in an over concentration of such uses in a neighborhood as there are currently 39 vacation rentals throughout the City, none of which are on Petaluma Ave.
5. That the proposed vacation rental will not detrimentally affect the health, safety, or welfare of the surrounding neighborhood, as it will be a non-hosted vacation rental within an existing single-family dwelling.
6. That the proposed vacation rental provides adequate parking as prescribed by SMC 17.260.060, which states that one parking space per room shall be provided for a non-hosted rental in addition to the on-site parking requirements required under SMC 17.110 in that the project meets the parking requirements.
7. That the proposed vacation rental will maintain the residential character of the neighborhood and the architectural/historic character of the structure as no changes to the exterior are proposed and, as conditioned the signage for the rental will be consistent with the City's Zoning Ordinance.

8. 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 non-hosted vacation rental is an allowed use with the approval of a conditional use permit by the Planning Commission.
 - 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 conditioned the vacation rental will be required to the municipal code requirements regarding safety and peace of the neighborhood.

EXHIBIT B
RECOMMENDED CONDITIONS OF APPROVAL

Non-Hosted Vacation Rental
403 Petaluma Ave
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1. The Use shall be in substantial conformance with the proposed operations as described in the application materials prepared by Matthieu Pelpel, and stamped received on June 18th, 2024, and on file at the City of Sebastopol Planning Department, except as modified herein:
2. 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.
3. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.
4. 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.
5. 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.
6. The Use Permit shall be in effect unless it is abandoned or closed for 12 months or longer.
7. Site Design and Parking:
 - a. The site design, architecture, and any improvements shall be compatible with the neighborhood in terms of landscaping, scale, and the architectural character. The operation of the use, and any physical improvements related to it, shall be harmonious and compatible with the existing uses within the neighborhood.
 - i. Hosted Rental: One parking space shall be provided on-site for a hosted vacation rental in addition to the on-site parking required under SMC 17.110.
 - ii. Non-Hosted Rental: One on-site parking space shall be provided for each sleeping room or guest bedroom in the vacation rental. If a garage is used to meet the parking requirement for the sleeping rooms or guest bedrooms, the garage shall be accessible to the guests of the vacation rental.
 - b. Excessive amounts of paving shall not be allowed. Tire strips and permeable travel surfaces shall be encouraged. Areas devoted to parking and paving shall not be disproportionate to the site size.
 - c. Pools, hot tubs, and outside gathering areas shall be adequately screened from adjacent properties to minimize noise and lighting impacts and shall have the hours of operation clearly posted adjacent to the facility.

8. Operator shall ensure compliance with the Noise limits required for vacation rentals:
 - a. No amplified outdoor sound is permitted.
 - b. Quiet hours shall be from 10:00 p.m. to 7:00 a.m.
 - c. The owner/operator shall ensure that quiet hours are included in the vacation rental agreements and are listed in all online advertisements and listings.
 - d. Nuisance noise by unattended pets is prohibited.
9. A Business License shall be required.
10. A fire inspection will be required.
11. Payment of Transient Occupancy Taxes (TOTs) shall be required.
 - a. The City has an agreement with AirBnB to automatically collect TOTs for rentals listed on their website.
 - b. The City does not have any such agreement with other vacation rental host sites, as such, the owner shall remit required TOTs to the City of Sebastopol Finance Department for any rental booked on other host sites.
12. Owner/Operator shall post a copy of the approved vacation rental permit (including all applicable standards and limits and the contact information of the authorized agent (including a phone number where this person can be reached 24 hours per day), 1) within the vacation rental property, 2) within 6 feet of the front door of the vacation rental, and 3) include as part of all rental agreements.
13. Vacation rentals shall be in permitted dwellings and shall not be permitted in non-habitable structures or in tents, recreational vehicles, or other features or provisions intended for temporary occupancy.
14. All Advertisements and/or Listings for the hosted vacation rental shall include the following information.
 - a. Maximum occupancy allowed.
 - b. Maximum number of vehicles allowed.
 - c. Notification that quiet hours must be observed between 10:00p.m. and 7:00 a.m.
 - d. Notification that no outdoor amplified sound is allowed.
 - e. The Transient Occupancy Tax certification number for the property; and
 - f. Permit file number (2024-004)
15. The only signage permitted for this rental shall be consistent with SMC 17.260.020(M): "Not more than one non-illuminated nameplate sign, not comprising more than two square feet in area, shall be permitted for a home occupation".
16. Owner/Operator shall not exceed the maximum overnight occupancy of 10 persons (2 per sleeping room plus two additional persons per property).
17. Owner/Operator shall not allow guest stays to exceed 30 days, with a seven-day period between stays.
18. Once a vacation rental permit has been approved, a copy of the permit listing all applicable standards and limits and identifying contact information for the owner or authorized agent can be reached 24 hours per day, shall be posted within the vacation rental property. These standards shall be posted in a prominent place within 6 feet of the front door of the vacation rental and shall be included as part of all rental agreements.

19. Owner/Operator shall document all complaints, and their resolution or attempted resolution(s) to the Planning Director within 72 hours of the occurrence. Failure to respond to complaints or report them to the Planning Director shall be considered a violation of this section and shall be cause for revocation of the vacation rental permit.
20. Upon receipt of any combination of three administrative citations or Planning Director determinations of violation of any of the permit requirements or performance standards issued to the owner or occupants at the property within a two-year period, the vacation rental administrative permit is summarily revoked, subject to prior notice and to appeal if appeal is requested pursuant to the appeals section of the Zoning Ordinance. Should such a revocation occur, an application to reestablish a vacation rental at the subject property shall not be accepted for a minimum period of two years.
21. This vacation rental permit is non-transferable. Any new property owner shall be required to comply with Municipal Ordinance provisions in effect at such time, including, but not limited to, the requirement for a new administrative review permit, or any prohibitions or restrictions in effect at such time.
22. The vacation rental shall be legal as long as the project complies with the conditions above, and that 403 Petaluma Ave. Should the fourth dedicated parking space be removed from 7330 Mary's Lane the non-hosted vacation rental use shall cease immediately.

EXHIBIT C
STANDARD CONDITIONS OF APPROVAL

Non-Hosted Vacation Rental
403 Petaluma Ave
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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. 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.
5. 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.
6. 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.
7. All permits and/or inspection fees required shall be paid in full prior to final occupancy being granted unless otherwise stipulated by the City.
8. 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:

9. 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.
10. 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.

Engineering and Public Works Department Standard Conditions of Approval:

11. 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.
12. 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.

Fire Department. Standard Conditions of Approval:

13. 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.
14. 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.
15. 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. 25% 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.

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

Building Department Standard Conditions of Approval:

17. 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.
18. 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