

### City of Sebastopol Planning Commission Staff Report

<u>Meeting Date</u> :	January 28, 2025
<u>Agenda Item</u> :	6B
<u>To</u> :	Planning Commission
<u>From</u> :	John Jay, Associate Planner
Subject:	Conditional Use Permit
Recommendation:	Approval with conditions
Applicant/Owner:	Barbara Hom/Sebastopol Famers Market
File Number:	2024-58
Address:	6908 Weeks Way
CEQA Status:	Project is Exempt from CEQA Section 15301, Class 1 <i>Existing facilities</i>
General Plan:	Community Facilities
Zoning:	Community Facilities (CF)

### Introduction:

The applicant for the Sebastopol Farmers Market is proposing a modification request to their previously approved 1997 Use Permit. The Sebastopol Farmers Market has been in operation since 1995, when they were conditionally approved to operate within the Weeks Way parking lot in the downtown square. The proposed revised Use Permit would (continue to be located at the same site, within the square as it has been in operation since 1995.

### Project Description:

As discussed above, the applicant is requesting modifications to their originally approved permit to include:

- Modification of hours of operation from 10:00am to 1:30pm, every Sunday to the current proposal to operate from 9am-1:30pm every Sunday
- The Farmer's Market Use Permit required there to be a restriction on non-produce up to 20% of the market vendors. The current proposal request is to remove this requirement entirely.
- The proposed use would not include provision for amplified music.
- Police and Public Works have reviewed the proposed changes and offered suggested condition

### Project Location and Surrounding Land Uses:

The project is located within the downtown core in the square. The site is surrounded by various commercial uses including retail, shops, restaurants, and grocery stores. To the north is the Whole Foods supermarket along with other retail shops. To the east is current the vacant site of the proposed Hotel Sebastopol and adjacent Rialto Theater. To the west is a variety of local

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shops that have front facing entrances on Main Street. To the south are additional shops and restaurants and the West America parking lot.

### General Plan Consistency:

The project is consistent with the following General Plan goals listed below:

- **Policy EV 1-11**: Work with and support local business organizations in order to promote a strong business base through joint business attraction and retention efforts that include marketing and outreach, technical assistance, workforce development, training, and welcome/orientation activities for new businesses.
- **Policy EV 2-3:** Develop a distinct image and brand for Sebastopol that reflects its unique identity and sets it apart from the region.
- **Policy EV 2-4**: Encourage businesses and programs that emphasize and promote shopping locally.
- **Policy EV 4-1**: Encourage businesses in Sebastopol which respond to and meet the needs of West County residents.

- **Policy EV 4-2**: Support the maintenance and expansion of Farmers' Markets.
- **Policy EV 4-3**: Encourage amenities needed to support tourism, including hotels, bed- and breakfasts, eco-lodging, and a variety of restaurants, shopping, and services, in that.
- **Policy EV 4-4**: Encourage the development of civic amenities, entertainment venues, retail and restaurants, and services that increase visitation, spending, and tourism, in that.
- **Policy CHW 3-1**: Promote the availability of locally grown and locally sourced fresh fruits and vegetables, meats, dairy, eggs, and other natural and nutritional food options.
- **Policy CHW 3-2**: Encourage sustainable local food systems including farmer's markets, community gardens, edible school yards, community supported agriculture, neighborhood garden exchanges, federal food assistance programs, and healthy food retailers and recognize that water use to support local food systems is an appropriate use and is not considered comparable to water use for a lawn or landscaping.
- **Policy CHW 3-5**: Encourage and support the continued year-round operation of farmers' markets.

### Zoning Ordinance Consistency:

As stated in Table 17.25-1 of the Sebastopol Municipal code, Outdoor Farmers Markets required a Conditional Use Permit within the Downtown Core Zoning district. Also, an Outdoor Farmers' Market is defined as "a certified California farmers' market, pursuant to the requirements of Division 17, Chapter 10.5, Article 1 of the Food and Agricultural Code and Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5 of the California Code of Regulations, or their successor provisions, which is held outdoors."

As the project has already been approved as a conditional use, it is consistent with the Zoning Ordinance. Amendments may be requested by the applicant at any time but are required to be reviewed by the approval authority.

### 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.

### Analysis:

The Farmer's Market has been in operation since 1995. Located within the square of Weeks Way, it has been well attended for over 30 years and is a popular community event and economic development engine as it attracts visitors as well as locals. Their market operation has changed over time. For example, in 1997 there was a modification to the permit that expanded the allowed spaces and location of the market to includes the reduced use of the square in the month of December.

Over the last year the City has been notified of various complaints about the use of the West America parking spaces from businesses owners in proximity to the Farmers Market. In June of 2024 Barbara Hom, the current market organizer, reached out to the City Manager to request the procedure required to expand the market's footprint into those parking spaces. Planning Staff contacted Ms. Hom to explain that an expansion to the market's footprint would require an amendment to the approved use permit and that the action would be subject to review at a public hearing by the Planning Commission. Planning Staff provided the steps that would need to be taken and did not hear from the applicant. After that conversation there were additional complaints from the business owners making the same complaint about the use of the West America parking spaces. The City has also received communications supporting the use.

### Delayed compliance.

On October 29, 2024, Planning staff sent a letter to Ms. Hom stating that if there was no application filed for the revised operational model for submittal by the end of the week, the Planning Department would be forced to enforce the Code and schedule a revocation hearing with the Planning Commission.

Following receipt of the letter, Ms. Hom had communicated with staff and the City Manager to schedule a meeting with the Farmers Market board members, City Manager, Councilmember Hinton, Associate Planner, Interim Planning Director, Police Chief, and members of the local business community within the square. The meeting included discussion re. the purpose of the Farmers Market and its original intent to promote sales of goods by local farmers. It should be noted that the 1997 use permit set specific criteria for the allowable vendors to participate in the market and as noted in condition of approval number 2 *"Up to twenty percent of Market vendors at any given time may be non-produce. Such sales shall only include sale of such agriculturally related products as arts and crafts products such as wool goods, gourds, baskets, nursery plants, etc., and prepared foods made locally off-site such as goat cheese, jams, sausages, smoked fish, and the like. Non-produce merchandise may only include items produced directly by the market vendors."* 

The conclusion of this meeting set forth the guidelines for the next steps of the Farmer's Market as follows:

- 1) Market operation would apply for the use permit amendment with the City of Sebastopol Planning Department.
- 2) The remaining events of 2024 would be required to operate under the 1997 permit and events in December would move inwards towards the square as they have done in the past.
- 3) Ms. How was informed that events in January would also be required to operate under the limitations of the original Use permit until such a time as the proposal could be considered by the Planning Commission and the appeal period for a successful approval by the Planning Commission (seven days from the action) had passed.

As per the application materials the applicant has requested the following modifications to their previously approved permit:

- Modification of the hours of operation to 9am-1:30pm.
  - This would allow the senior and church populations to attend the market.
  - The majority of the shops in the direct area are not open yet by 9am and this would reduce the amount of competition with local businesses.
- Remove the percentage restrictions on types of booths in the market.
  - As mentioned in the application materials the market is governed by the Federal Department of Food and Agriculture and California Department of Food and Agriculture and neither of these organizations place restrictions on ratios of vendors.

The applicant has also provided three maps that include the spaces the marketplace would operate throughout the year. See attached maps. From January to April the market would be more focused along the inner part of the square, which would allow for parking on the perimeter. From May to November, it would include more of the square and some of the outer parking stalls. Also to note on this map, there would be heavy "no parking" barricades on the east side of the square which would allow vehicle traffic to still enter and access the West America parking lot. Finally, in December the market would take place solely in the square and would free up all parking stalls for the holiday rush.

Staff is recommending that the Commission discuss the percentage vendor type allowances for the Market. Staff has no concerns about the modification request for the hours of operation given the location near the commercial district and early hours. The intent behind the Farmer's Market is to provide a place for local farmers and makers to sell their wares to the local community. For these reasons, staff is recommending that no more than 15% of the ratio be dedicated to arts and crafts and no agricultural related products. The focus behind the market should be to promote local farmers, e.g. to sell fruits, vegetables, jams, cheeses and the like with other economic development endeavors, such as sales of arts and craft products, as ancillary retail offerings. One concern expressed by local businesses is that the Market's inclusion of extra-agricultural products does not necessarily lead to the intended result of additional business for them and especially if comparable products are being sold.

### Environmental Review:

The project is exempt from CEQA under Section 15301, Class 1 which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. As the Market has been in operation of the existing square and building the market qualifies for this exemption.

### **City Departmental Comments:**

The project was routed out to the various city agencies, such as the City of Sebastopol Police, Building, Police, Public Works, and Fire Departments. The department's conditions have been added to the recommended 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. As of the date of the preparation of this report staff has received public comments and are attached to this report.

### Recommendation:

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

• Recommended Market vendor type ratios: limitation to no more than 15% of arts and crafts or as otherwise suggested by the Commission. Remaining 85% shall include primarily agricultural or food related products.

### Attachments:

Exhibit A – Recommended Findings of Approval Exhibit B – Recommended Conditions of Approval Application materials Public Comment

### EXHIBIT A RECOMMENDED FINDINGS OF APPROVAL Conditional Use Permit 6908 Weeks Way 004-053-028, 2024-058

- 1. The project is CEQA under Section 15301, Class 1 which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. As the market has been in operation of the existing square and building the market qualifies for this exemption.
- 2. That the project is consistent with the General Plan and the following policies
  - Policy EV 1-11: Work with and support local business organizations in order to promote a strong business base through joint business attraction and retention efforts that include marketing and outreach, technical assistance, workforce development, training, and welcome/orientation activities for new businesses, in that the farmer's market provides a way for local farmers and businesses to share their products and services with the local Sebastopol community.
  - Policy EV 2-3: Develop a distinct image and brand for Sebastopol that reflects its unique identity and sets it apart from the region, in that the farmer's market brings in the local agricultural and makers from the Sebastopol city limits and greater West County.
  - Policy EV 2-4: Encourage businesses and programs that emphasize and promote shopping locally, in that the market promotes a shop local theme in providing a space for small businesses to sell their products without a traditional store front.
  - Policy EV 4-1: Encourage businesses in Sebastopol which respond to and meet the needs of West County residents, in that the market provides additional opportunities for the West County to find local fruits, vegetables, and other agricultural products.
  - Policy EV 4-2: Support the maintenance and expansion of Farmers' Markets, in that the farmer's market has been in operation for more than 30 years and continues to thrive. With these modifications it would allow them to further support their mission statement.
  - Policy EV 4-3: Encourage amenities needed to support tourism, including hotels, bedand breakfasts, eco-lodging, and a variety of restaurants, shopping, and services, in that the market brings in people from outside of Sebastopol city limits and encourages those visitors to shop local Sebastopol.
  - Policy EV 4-4: Encourage the development of civic amenities, entertainment venues, retail and restaurants, and services that increase visitation, spending, and tourism, in that the market provides a space for people to visit Sebastopol and for local farmers to share their products with the masses.
  - Policy CHW 3-1: Promote the availability of locally grown and locally sourced fresh fruits and vegetables, meats, dairy, eggs, and other natural and nutritional food options, in that

the market promotes the sales of these items as the highest priority in stall spaces available.

- Policy CHW 3-2: Encourage sustainable local food systems including farmer's markets, community gardens, edible school yards, community supported agriculture, neighborhood garden exchanges, federal food assistance programs, and healthy food retailers and recognize that water use to support local food systems is an appropriate use and is not considered comparable to water use for a lawn or landscaping, in that the farmers market has been operating and providing local foods to Sebastopol residents and West County as a whole.
- Policy CHW 3-5: Encourage and support the continued year-round operation of farmers' markets, in that the farmers market has been operating year round for more than 30 years and has had a track record of being well attended.
- **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, a Farmers Market is an allowed use within the Community Facilities
  - 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 farmers market has been in operation for more than 30 years in this location and has not shown any detriment to the health, safety, peace, morales, or comfort to the neighborhood.

### EXHIBIT B RECOMMENDED CONDITIONS OF APPROVAL Conditional Use Permit 6908 Weeks Way 004-053-028, 2024-058

- 1. Plans and elevations shall be in substantial conformance with plans prepared by Barbara Hom, and stamped received on December 17, 2024, and on file at the City of Sebastopol Planning Department, except as modified herein:
  - a. Recommended Market vendor type ratios: limitation to no more than 15% of arts and crafts or as otherwise suggested by the Commission. Remaining 85% shall include primarily agricultural or food related products.
- 2. In addition to providing a local amenity and visitor draw for promotion of the local economy, sales of the products at the Farmers Market should point sales tax revenue to the City of Sebastopol, the point of sale, rather than the location of the vendor's business or location of product growth or production. For this reason, the Market manager (applicant) shall provide written materials to all vendors indicating incorporated Sebastopol as the point of sale.
- 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 Community Development Director shall interpret applicable requirements in the event of any redundancy or conflict in the 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 Design Review approval where 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 Community Development Director, pursuant to Section 17.400.100 of the Zoning Ordinance.
- 7. The Use Permit shall be in effect unless it is abandoned or closed for 12 months or longer.
- 8. The Applicant shall provide parking barricades that block traffic flow into the marketplace but shall still allow vehicles to access the West America parking lot.
- 9. The hours of operation shall be those listed within the application of 9am-1:30pm.
- 10. The remaining conditions of approval from permit number **1997-003** shall still be in effect, unless otherwise requested for modifications. Amendments to this permit shall be submitted to the Planning Department in writing.

11. The operator shall maintain current emergency contact information with the Sebastopol Police Department at all times. The operator shall inform the Police and Planning Department of any security breaches.

19 CPL/FORMITE	<b>City of Sebastopol</b> Planning Department 7120 Bodega Avenue Sebastopol, CA 95472 (707) 823-6167	MASTER PLANNING APPLICATION FORM
APPLICATION TYPE		
<ul> <li>Administrative Permit Review</li> <li>Atcohol Use Permit/ABC Transf</li> <li>Conditional Use Permit</li> <li>Design Review</li> </ul>	fer Dreapplication Conference Preliminary Review Sign Permit	Temporary Use Permit Tree Removal Permit Variance Other
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🗆 Staff/Admin 🗌 Design F	Review/Tree Board Implanning Commission	🗋 City Council 🔲 Other
APPLICATION FOR		
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Present Use of Property: 0 Las	En / Farmers Zoning/General Plan	Designation:
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Mailing Address:	Phone:	
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### **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.
- 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. <u>REPRODUCTION AND CIRCULATION OF PLANS</u>: 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

A zoning ordinance

An ordinance affecting building permits or grading p	ermits
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#### 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:

Date:

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 perjuty.

Applicant's Signature:

**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.

From:	Barbara Hom <sebastopolfm@gmail.com></sebastopolfm@gmail.com>
Sent:	Tuesday, December 17, 2024 7:04 AM
То:	John Jay; Don Schwartz; Nan Koehler; Mandy Reilly; Woodlands Charcuterie; Nathan Bender; Zeke Boland; Barbara Hom; lesliewiser@gmail.com;
	derzweibel@gmail.com
Subject:	Revisions to 1997 Use Permit
Attachments:	SFM May-November Full Market.pdf; SFM Dec Plaza Market (1).pdf; SFM Jan- April Inward-Facing Market.pdf

### Good Morning John,

At this time, we agree to the 1997 use permit for the Sebastopol Certified Farmers Market with the following exceptions effective January 2025. At a later date , we may reapply for a new permit for expansion.

- 1. Market Hours 9:00 am 1:30
  - It is specifically our seniors and church goers that ask for the 9 am opening.
  - As the morning progresses and the market fills up, it becomes difficult for our seniors. especially those with disabilities ,to navigate through the market.
  - They like to come early when the customer count is at its minimum.
  - Churchgoers want to shop before heading to church.
  - With the reduced hours in the 1997 permit, the crowd is more condensed thereby creating more of a parking shortage.
  - Shops are not open at 9am ensuring market customers do not compete for parking spaces.
  - We also have to have a 2 hour window to set up and an one hour window to break down. Not only is it essential to operations, this is also a safety measure as it mitigates vendor traffic when opening/closing the market.
  - The majority of weekend farmers markets in Sonoma county have an operating time of 4-5 hours. We're scheduling a total of 4.5 hours of commercial activity in the plaza.

2. We request that the city has no percentage restrictions on the type of booths in the market.

- It is atypical for farmers markets to have any percentage restrictions in their city use permits.
- We are governed by the Federal Department of Food and Agriculture and the California Department of Food and Agriculture. Neither of these organizations place any restrictions on the ratio of vendors or variety of products sold. As a Certified Farmers Market we are required to have at least 50% of our sales be food and food products.

- We fully understand and appreciate the city's and community's desire to ensure the market remains focused on its primary purpose and does not evolve into a craft fair or flea market.
- As the season changes the number of our farmers increase and decrease and we continue to change the mix of vendors to accommodate this.
- In order to remain financially viable, we must have an average of 50 vendors participating in the market.
- By our own self-imposed guidelines, we try to operate under a 40--40 -20 ratio. 40 % farmers, 40% other foods, and less than 20% arts and crafts. However, we cannot always stick to this given the fluctuating seasonality of our vendor and farmer participation.
- Our mission statement is as follows:

Strengthen local and regional food systems by creating opportunities for small to midsize producers and

advocate for short supply of chains.

- 1. Encourage responsible, organic, and regenerative practices in agriculture and artisan production.
- 2. Develop financial resources to address food insecurity within the community.
- 3. Provide educational programs and resources that promote awareness about the benefits of locally sourced,
- 4. seasonal, and sustainable produce and farming practices.
- 5. Cultivate a community gathering space that is safe, fun and engaging for all.
- 6.
- 7. It is important to note that any motions to substantially increase our arts and craft vendors would be contrary to our mission statement. Hopefully this helps
- 8. alleviate concerns over local downtown competition, and reduces confusion over arbitrary farmers market definitions.
  - Historically, we have always been a farm based market and the city has accepted us as such and we have no intention of changing our path.
  - In order to remain financially stable we must occasionally adjust our vendor ratios. This is handled case by case to accommodate the season, the availability of the produce, the diversity of the food products, whether it is produce or other food based products, and last but not least - our space allotment.

3. Attached are 3 different maps that we have used for the different seasons and would like them to be included in the use permits

• Attachment 1 - May through November - a full market when most of our farmers are there. This has been what we have done for years. We put up barricades to stop

car traffic at the end of the Tombe Reality building. An ideal situation would be if we had the entire parking where there would be no vehicular traffic.

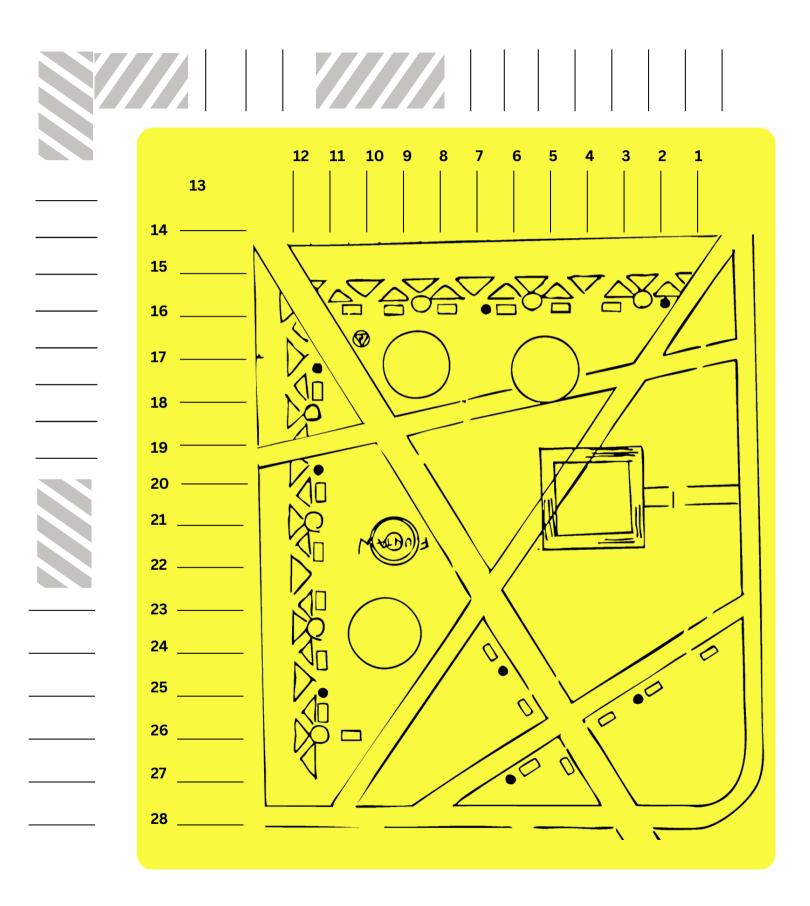
- Attachment 2 December just the plaza. We have no issue with this. We also have done this for years to accommodate the local downtown merchants. It is very difficult to fit everyone in but it is only possible because our farmers are at the minimum. We cannot not do this at any other time.
- Attachment 3 January through April. We call this our inward facing market, We use just the inside parking spaces and the plaza. Our vendors are facing into the plaza and are bordered by the farmers' vehicles. All pedestrian traffic is in the plaza. This is very safe for the pedestrian as there is no crossover traffic. We did this last year and the merchants accepted this because as you can see it added 10 parking spaces during those months. We cannot do this year round as there is not enough space for our summer and fall farmers.

We submit this as our request for our new updated use permit.

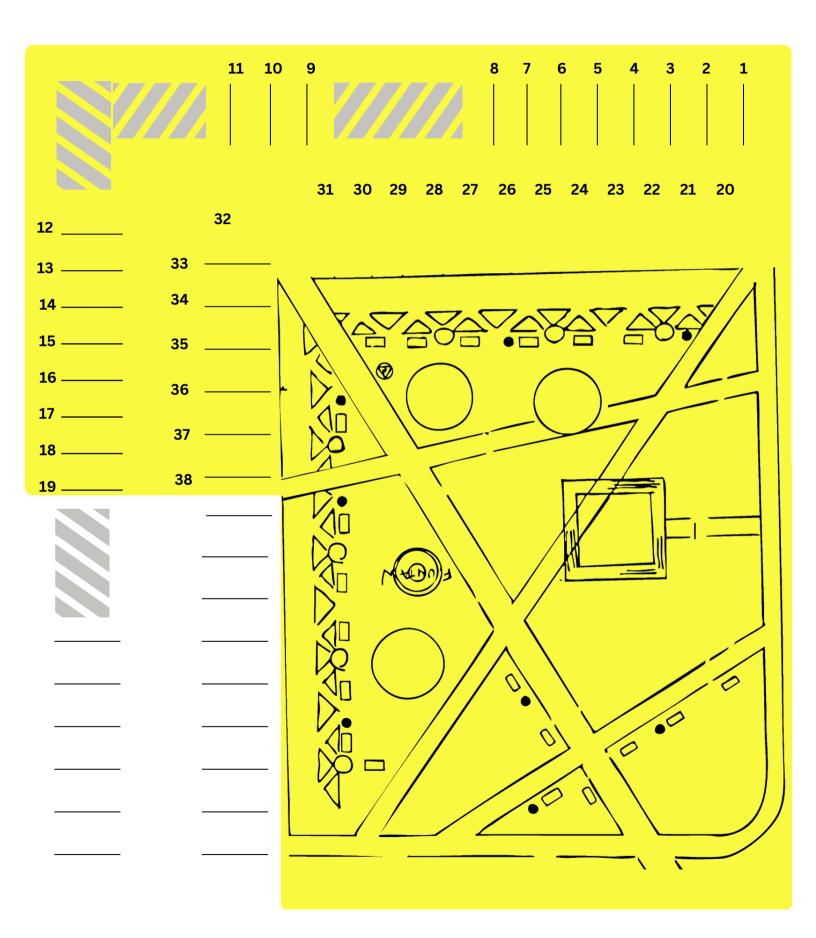
If you have any questions, please do not hesitate to call or email me. Thank you.

Kindly, Barbara Hom Sebastopol Farmers Market

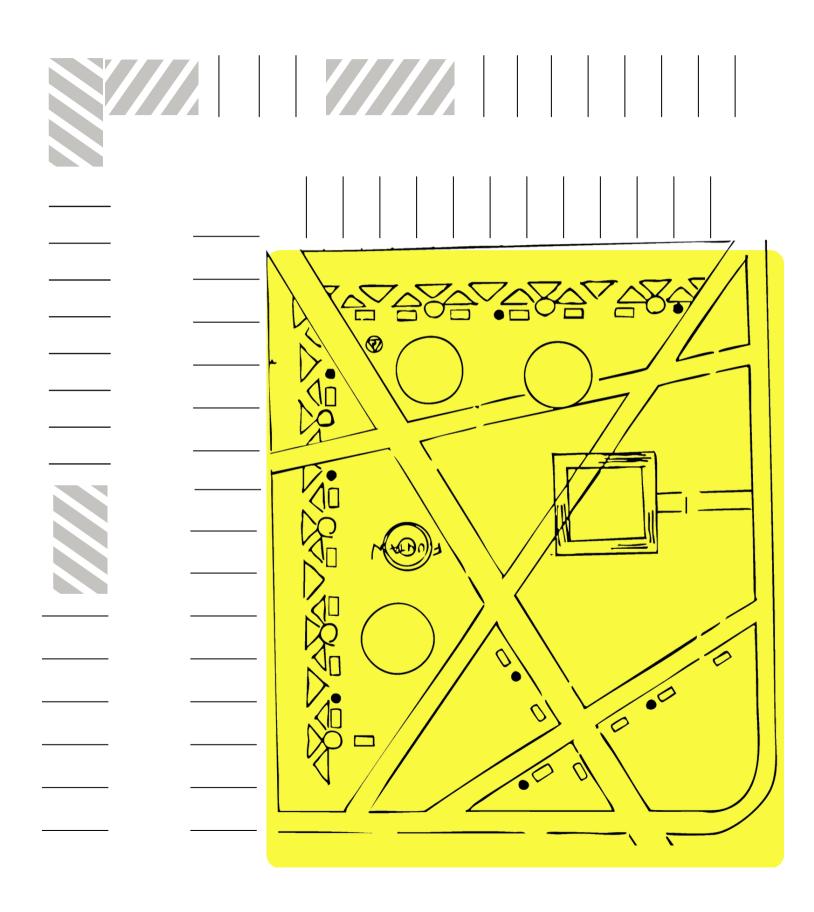
## SFM Jan-April Inward-Facing Market



# SFM May-November Full Market



## SFM December Market – Plaza ONLY





City of Sebastopol

Planning Department 714 Johnson Street Sebastopol, California 95472 (707) 823-6167 (707) 823-4721- FAX FILE

Planning Director Kenyon Webster

February 13, 1997

Sebastopol Farm Market Paula Downing Post Office Box 592 Sebastopol, CA 95473

Dear Ms. Downing:

This letter is to inform you that at its February 11, 1997 regular meeting, the Planning Commission approved your application for an amendment to the existing Use Permit to expand Market operations as detailed in this staff report and in the application, for this operation located at 6901 McKinley Street, The Town Plaza, APN 004-053-003, based on the facts, findings and analysis contained in the staff report and subject to the conditions of approval as listed below:

- 1. The Market may operate year-round on Sundays from 10:00 a.m. to 1:30 p.m. except for those Sundays where the City requires use of the Plaza for other uses and events.
- 2. Up to twenty percent of Market vendors at any given time may be non-produce. Such sales shall only include sale of such agriculturally-related products as arts and crafts products such as wool goods, gourds, baskets, nursery plants, etc., and prepared foods made locally off-site such as goat cheese, jams, sausages, smoked fish and the like. Non-produce merchandise may only include items produced directly by the market vendors.
- 3. Cooking demonstrations and food tasting by local chefs and caterers using Market products may be permitted, provided the area used by such demonstrations does not comprise more than ten percent of total Market operations at any given time.
- 4. The area of use by the Market shall be limited to that shown in the application. During the month of December, the Market may not use the Plaza parking spaces or parking aisles except for off-loading goods, but may use the plaza area itself. The City Manager may approve exceptions to the area of use on a case-by-case basis.
- 5. Unless otherwise approved by the City Manager, market vendors with taxable sales shall obtain a Sebastopol business license prior to starting any sales of such items.
- 6. Prior to exercise of the rights granted herein, the Market shall enter into an agreement

with the City Manger on behalf of the City regarding the expansion in area and scope of use, which agreement shall also address scheduling and coordination of non-Market use of the Plaza on certain Sundays.

- 7. Complete clean-up of the site is required during and after each Sunday market.
- 8. Liability insurance is required, to the satisfaction of the City Manager. A current certificate of insurance, along with a signed endorsement naming the City of Sebastopol as an additional insured must be on file with the City Manager's office.
- 9. Toilet facilities shall be provided to the satisfaction of the Building Official and County Health Department.
- 10. Sales of prepared food shall be subject to all permit requirements by the County Health Department.
- 11. Details of any food vending uses which include open flame, propane, barbecue, etc., shall require Fire Department approval.
- 12. Measures to address pedestrian/user safety related to bollards and wheel stops shall be required to the satisfaction of the Building Official.
- 13. Street crossing pedestrian safety measures shall be those required by, and satisfactory to the Police Chief.
- 14. The Market shall be responsible for placing barricades for traffic control in locations to the City's satisfaction and for notifying the Police Department if there are violators. Driveways shall be kept clear of all vehicles, stands and other obstructions except for traffic barricades.
- 15. Fire hydrants shall not be blocked.
- 16. Parking by vendors shall be in marked spaces only.
- 17. No permanent signs may be placed in the area with City permits and approvals. If changes to existing signs at the Plaza pertaining to the Market are necessary as a result of this approval, the Market shall reimburse the City for the costs of altering such signs.

If you are dissatisfied with the decision of the Planning Commission, you have the right to appeal their decision to the City Council within five (5) working days of the decision. This is by Monday, February 24, 1997, at 5:00 p.m. This must be in the form of a letter and a \$150.00 processing fee delivered to the Planning Department, 714 Johnson Street, Sebastopol, CA.

Please let me know if you have any questions.

Sincerely,

Kungen Dette

Kenyon Webster Planning Director

cc: Todd Cunningham, Building Official John Zanzi, Fire Chief Dwight Crandall, Police Chief Paul Berlant, City Manager Dave Baranzini, Superintendent of Public Works

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From:	David Klein
Sent:	Sunday, January 19, 2025 8:50 PM
То:	John Jay
Subject:	Comment on Sebastopol Farmers Market

To Whom It May Concern,

I am writing in support of the use permit changes requested by the Sebastopol Farmers Market.

I am a small business owner with an orchard and tasting/sales room located just north of town. The majority of my family's weekly food purchases are made at the Sebastopol farmers market. It is important to me to buy local and know the producers I buy from.

I have historically gone to the market right when it opens at 9 am. This has been ideal for me as parking is easy at 9 am, the lines are short and I can get back to my facility with plenty of time to be ready to open for my customers. The recent shift to 10 am has been a hardship as It is challenging to make my purchases and get back to my facility to prepare it for opening. I also observe that parking is harder and lines are longer at 10 am, presumably because others are similarly impacted. It is best for the market and local business to have the earlier start to maximize access to the market and to minimize congestion.

Similarly I ask that you remove the restrictions on the percentage of food processor businesses. We live on a farm and in season we grow many of our own fruits and vegetables. We do enjoy purchasing produce that we do not grow. However we also need to purchase meats, baked goods, cheese, coffee, etc. The farmers market provides a direct relationship to processors so that I can verify they are sourcing quality produce and meats ethically and locally when possible. They are a critical part of a resistant food ecosystem that supports local farms and should not be unjustly excluded.

Sincerely David Klein

From:	Aamil Rick Targow
Sent:	Sunday, December 29, 2024 9:37 AM
То:	John Jay
Subject:	Farm Market start time

Dear Planning Commission:

Please, please allow the Farm Market to once again start at 9 a.m. on Sundays.

I am elderly, and since the beginnings of Covid, have shopped early on Sundays because that is the time when there are few others in the markets. My first stop is Whole Foods and then, at 9, the Farm Market. Since the City required the market to open at 10, this has disrupted my Sunday mornings, both because of the difference in the commercial market shoppers, and because much of my Sunday activities begin at 10.

Kindly return the start time to 9 a.m.

Thank you, Aamil Targow

From:	Cameron Chin
Sent:	Tuesday, January 21, 2025 10:14 AM
То:	John Jay
Subject:	Farmers Market: Hours, vendor, ratio size

Dear Mr. Jay,

My name is Cameron Chin. I am a City of Sebastopol resident and high school senior. I have been working as an assistant to the farmers market manager since 2023. The recent regulation, requiring the market to open at 10:00 instead of 9:00, and requiring the market to have 80% farmers and 20% vendors, has been detrimental to the market's business and its customers. The market does better when it opens at 9:00 instead of 10:00 because it gives more time for the vendors to sell their goods and customers to buy goods. In the wintertime, it is more challenging to keep the 80% farmer ratio because fewer farmers have produce to sell in the winter. With few farmer vendors, we have to remove non-farmer vendors to maintain the ratio required.

Please allow the market to open at 9:00 and allow the farmer's market manager to make decisions about the ratio.

Please also ensure that the market can expand into the parking lot of Westamerica Bank during summer hours when there are more vendors. There was an instance when we were compacted into a small area and someone in a wheelchair came up to me and asked if we could make more space for the paths between vendors. The expansion reduces congestion and makes the market safer and more friendly to people with disabilities who need more space to maneuver.

Thank you for supporting the farmer's market and ensuring its viability in the future.

Sincerely, Cameron Chin

From:	Maraline
Sent:	Friday, January 17, 2025 4:17 PM
То:	John Jay
Subject:	Farmers market

### Hello,

I want to start out saying that I love the Sebastopol farmers market as a consumer. However, as a business person who is open hours when the farmers market is open, the impact on parking and traffic is huge.

I think it would be very helpful for us to make better signage for public parking spots during the farmers market, pointing out the CVS parking lot, the public lot by Hopmonk, or possibly asking Rite Aid and or Safeway for use of the parking lot during the farmers market. As a business right on the corner, I can tell you that my Sunday business is slow until the farmers market is over and parking is opened. Good signage directing people to more public parking would be very helpful.

And I would really love to see a crossing guard so that people are forced to wait a few minutes to cross the street and not stop every other car and back up traffic. If perhaps a crossing guard would wait till they had five people waiting to cross and then stop traffic. That would be a huge help.

Other than that, I totally support the farmers market in every aspect. And I am so happy to have Barbara as the manager. She is an incredibly capable, dynamic person.

I think with some changes this could be a wonderful asset to all townspeople, tourists, farmers, producers and businesses.

Maraline Olson

Sent from my iPhone

From:	Ray Chin
Sent:	Tuesday, January 21, 2025 12:04 PM
То:	John Jay
Subject:	Farmer's Market

Dear Mr. Jay,

I hope this letter finds you well. I am writing to you as a dedicated member of the Sebastopol community to discuss some important considerations regarding our beloved Sebastopol Farmer's Market. This market is a cornerstone of our town, bringing together residents and visitors, fostering a sense of community, and supporting local businesses. To further enhance its success and accessibility, I would like to propose the following changes:

- 1. **Adjusting Market Opening Time to 9:00 AM**: Allowing the market to open at 9:00 AM would provide greater convenience for both vendors and customers. An earlier start time accommodates those who prefer to shop in the morning and can help increase overall foot traffic. This adjustment would also align with the schedules of many local residents who start their day early, thereby boosting market attendance and sales.
- 2. **Empowering the Market Manager to Determine Vendor Ratios**: Granting the market manager the authority to determine the ratio of farmers to vendors would ensure a balanced and diverse market. The manager, being closely involved with the market's operations, is best positioned to make informed decisions that reflect the needs and preferences of the community. This flexibility would allow for a dynamic and responsive market environment, catering to the evolving demands of our patrons.
- 3. **Expanding the Market into the West America Bank Space**: The expansion of the market into the West America Bank space presents a valuable opportunity for growth. This additional space would enable the market to accommodate more vendors and offer a wider variety of products, enhancing the overall market experience. It would also provide more room for community activities and events, further solidifying the market's role as a central hub in Sebastopol.

These changes would significantly benefit our community by making the market more accessible, diverse, and vibrant. I kindly request your consideration of these proposals and look forward to discussing them further.

Thank you for your time and attention to this matter.

Sincerely,

Ray Chin

From:	Leo Galbraith
Sent:	Tuesday, January 21, 2025 11:41 AM
То:	John Jay

Dear Mr. Jay,

My name is Leo Galbraith. I am a Sebastopol resident and former stand manager at the farmers market. The regulation requiring the market to open at 10:00 instead of 9:00, and requiring the market to have 80% farmers and 20% vendors, is not good for the market. The later start time gives the vendors less time to sell their goods, harming business. In the wintertime, maintaining the 80 percent farmer ratio is very difficult due to less crops being produced in the winter.

Please consider changing these regulations for the interests of the farmers and vendors.

Thank you for supporting the farmer's market.

Sincerely, Leo Galbraith

From:	Sunny Galbraith
Sent:	Tuesday, January 21, 2025 8:54 AM
То:	John Jay
Subject:	Please allow the Farmer's Market to resume normal hours, expand in
	summer, and have control over food/ craft vendor ration

Hello Mr. Jay,

My name is Sunny Galbraith and I have been a Sebastopol resident for 25 years. I am a huge supporter of our Sunday Farmers Market and have been mystified and upset by how the city has been imposing limits on the market hours of operation and food/ craft vendor ratio. Please let the Market return to opening at 9am, let the market manager have full control food to craft vendor ratio, and give the market the option to expand in the summer months.

The Sebastopol Farmers market supports local growers and artisans and brings the community together every week, all year round. In summer months, when there are more customers and vendors, the marker really needs the extra space to expand.

Thank you, Sunny Galbraith

From:	Paloma Bala
Sent:	Tuesday, January 21, 2025 3:04 PM
То:	John Jay
Subject:	Sebastopol Farmers Market Regulations

Dear Mr. Jay,

My name is Paloma Bala. I've been a part of the Sebastopol community for five years and have worked at the market as an assistant manager for two years. I'm contacting you today to discuss the regulations affecting the market and urge you to help us make it more accessible for all.

1. Changing opening hours from 10 am to 9 am. Market-goers who typically came at our previous 9 am opening hours were those who had trouble navigating during busier, more crowded times. They were also those who came before their Church service in order to get groceries for the week. Opening at 10 am means these people do not get the same amount of space others do when navigating the market.

2. Changing the ratio regulation. Currently, we cannot have more than 20% of our vendors be non-farmers. This is especially troubling during winter months, when farms have less produce and, as a result, less to sell. Reducing our farmer booths in the winter also means we have to reduce the number of non-farmer booths, effectively shrinking the market when we could instead have more non-farmer booths to make up the gap.

3. Expansion into the Westamerica bank lot. As stated before, many customers in the market are seniors who have a harder time navigating it, especially during busier hours. Expansion into the bank lot during the summer would mean less congestion and more room for customers to get around each other without risk of injury.

Thank you for taking the time to read this and support the farmers market and our customers.

Sincerely,

Paloma Bala

From:	Lani Chan
Sent:	Wednesday, January 22, 2025 9:11 PM
То:	John Jay
Subject:	Statement of support for SFM use permit

As a resident, business owner, and vendor at the Sebastopol Farmers Market, I strongly urge you to approve the updates to the market permit and allow the market to continue operating as it has for decades.

I have worked at several farmers markets in Sonoma County, and Sebastopol's year-round Sunday market consistently stands out as a favorite among both customers and vendors. Its diverse offerings and unique Sebastopol character make it truly special. The central location makes the market an easily accessible and convenient stop for many residents and visitors alike. The market's reputation extends throughout the Bay Area, and I frequently encounter customers who have traveled from San Francisco and the South Bay specifically to shop at our market.

Having moved here in 2020, I have found the farmers market to be an important place for building community and friendships. It is one of the reasons I purchased my first home here. I know that the market also holds significance and economic value for the broader business community and the city as a whole.

The Sebastopol Farmers Market is a cornerstone of our community, enriching lives, supporting local businesses, and embodying the values that make Sebastopol unique. By approving the proposed adjustments to its use permit, you are investing in the future of a vital institution that serves as both a marketplace and a gathering place for residents and visitors alike.

Thank you for your time and thoughtful consideration.

Sincerely, Lani Chan

From:	Ashley Hansen
Sent:	Thursday, January 23, 2025 8:07 AM
То:	John Jay
Cc:	City Council; Mary Gourley
Subject:	Support for Sebastopol Farmers Market Use Permit

I am writing to express my wholehearted support for the Sebastopol Farmers Market and its proposed use permit adjustments. The market is a cherished community hub that not only provides access to fresh, local produce but also fosters a sense of connection and vitality in the heart of our town. I respectfully urge you to consider the following points in support of the market's ongoing success:

### Extended Hours (9:00 AM - 1:30 PM)

The proposed extended hours make the market more accessible to a diverse range of attendees. Families with children, those who prefer to shop early to avoid crowds, and individuals with varying schedules all benefit from a larger time frame to shop. Additionally, longer hours help ease parking congestion by spreading attendance throughout the morning, enhancing the overall experience for both shoppers and nearby businesses.

### Removal of Percentage Restrictions on Booths (80/20 Rule)

The current 80/20 rule is outdated and no longer reflects the operational standards of most markets. The Sebastopol Farmers Market already maintains a strong focus on local farmers and produce, but removing this restriction allows for an increased variety of food, beverage, and arts-and-crafts vendors. Many of these small businesses rely on the market as their primary outlet, as they lack brick-and-mortar locations. Greater vendor diversity enriches the market experience, attracts more visitors, and boosts foot traffic for downtown businesses.

### **Seasonal Expansion of Vendors**

The seasonal nature of the market necessitates flexibility in its size to accommodate increased demand during spring, summer, and fall. Allowing for more vendors during these peak seasons not only strengthens the market's financial stability through additional booth fees but also provides more space for the community to gather and celebrate the vibrancy of Sebastopol. As a "community living room" in the center of town, the market plays a vital role in bringing people together. Supporting its ability to grow seasonally ensures its longevity and the preservation of its legacy as a beloved institution.

The Sebastopol Farmers Market is a cornerstone of our community, enriching lives, supporting local businesses, and embodying the values that make Sebastopol unique. By approving these proposed adjustments to its use permit, you are investing in the future of a

vital institution that serves as both a marketplace and a gathering place for residents and visitors alike.

Thank you for your time and thoughtful consideration.

Sincerely,

--

Ashley Hansen



From:	Danielle Steffener
Sent:	Thursday, January 23, 2025 8:51 AM
То:	John Jay
Cc:	City Council; mgourley@cityofsebastool.gov
Subject:	Support for Sebastopol Farmers Market Use Permit

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Sincerely, Danielle Steffener

Sent from my iPhone

From:	shayna bustilloz
Sent:	Thursday, January 23, 2025 7:49 AM
То:	John Jay; City Council; Mary Gourley
Subject:	Support for Sebastopol Farmers Market Use Permit

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Sincerely,

Shayna Thomas.

Sent from my iPhone

From:	Jisaela Tenney
Sent:	Thursday, January 23, 2025 3:43 PM
То:	John Jay
Cc:	Mary Gourley; City Council
Subject:	Support for Sebastopol Farmers Market User Permit

I'm reaching out to express my strong support for the Sebastopol Farmers Market and the proposed adjustments to its use permit. The market is far more than just a place to shop for fresh produce—it's the beating heart of our downtown every Sunday. It's a gathering space where neighbors connect, businesses thrive, and our community's unique spirit comes to life. I believe these adjustments are not only necessary but vital to ensuring the market continues to thrive as a dynamic, inclusive space for everyone.

### Extended Hours (9:00 AM - 1:30 PM)

The proposed extension of market hours is a much-needed improvement. Longer hours make the market accessible to a broader range of shoppers—early risers, families with busy schedules, and those who need a less crowded environment would all benefit. For someone like me, living with Multiple Sclerosis, navigating the market during peak crowds can be overwhelming, and having extended hours would allow me to shop at a more comfortable pace. I can imagine this would be helpful for others navigating the world with mobility issues, disability, or even anxiety. Beyond benefiting shoppers, extended hours also reduce congestion, giving vendors a steadier flow of customers and easing parking challenges throughout the morning.

### **Outdated Percentage Restrictions (80/20 Rule)**

The 80/20 rule simply doesn't reflect the reality of modern farmers markets. It's an outdated standard, and Sebastopol's insistence on reinforcing it is, quite frankly, absurd. Today's farmers markets thrive when they offer a diverse range of vendors, from local farmers and food artisans to craftspeople and small business owners. This variety creates a more holistic shopping experience, one that invites patrons to linger, explore, and invest in their community.

Many of the vendors who don't fall into the "farmer" or "produce" category rely on this market as their main source of income. For them, this isn't just a weekend pastime—it's their livelihood. These are small businesses that can't necessarily afford brick-and-mortar locations, and cutting back on their presence would be devastating to them and their families. To me, it's the opposite of a community-minded decision. If we want to nurture Sebastopol's entrepreneurial spirit and foster local success, we need to support the inclusion of these vendors, not limit them.

### **Seasonal Expansion**

A farmers market isn't static—it's a living, breathing organism that changes with the seasons. During the peak months of spring, summer, and fall, there's a natural need for the market to expand to accommodate both increased foot traffic and a wider variety of seasonal offerings. Allowing for seasonal flexibility not only ensures the market's financial stability but also strengthens its role as a vibrant community hub.

When the market grows, it doesn't take away from nearby businesses—it enhances them. Every Sunday, the energy of the farmers market spills out into the streets, driving foot traffic to local stores, cafes, and restaurants. Supporting the market's seasonal expansion ensures that this synergy continues, benefiting both vendors and the surrounding downtown businesses.

### In Closing

The Sebastopol Farmers Market is a cornerstone of our town, infusing Sundays with life, connection, and vitality. It's a space where community members gather, support local businesses, and celebrate the unique character of Sebastopol. Approving these changes to the use permit isn't just about logistics—it's about investing in a legacy. By allowing the market to grow, evolve, and meet the needs of our community, you're ensuring it remains a cherished institution for generations to come.

Thank you for your time, attention, and thoughtful consideration of this matter.

Sincerely, Saela Tenney

From:	Gabriella Iraola
Sent:	Thursday, January 23, 2025 2:42 PM
То:	John Jay; City Council; Mary Gourley
Subject:	Support for the Sebastopol Farmers Market

I am writing to express my wholehearted support for the Sebastopol Farmers Market and its proposed use permit adjustments. The market is a cherished community hub that not only provides access to fresh, local produce but also fosters a sense of connection and vitality in the heart of our town. I respectfully urge you to consider the following points in support of the market's ongoing success:

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Sincerely,

Gabriella Iraola