



## City of Sebastopol Planning Commission Staff Report

Meeting Date: July 12, 2022  
Agenda Item: 5A  
To: Planning Commission  
From: Kari Svanstrom, Planning Director  
Subject: Peacetown Concert - Temporary Use Permit Review

Recommendation: Review

Applicant/Owner: Jim Corbett, Applicant / The Barlow, owner  
File Number: 2022-038  
Address: The Crooked Goat (120 Morris Street #120)  
Foundry/Woodfour Building (6780 Depot Street #160)  
Community Market south lawn (6762 Sebastopol Avenue #100)  
Acre Pizza (6570 McKinley St)

CEQA Status: Exempt  
General Plan: Manufacturing  
Zoning: Commercial Industrial (CM)

### **Background:**

This is a Temporary Use Permit (TUP) application from Jim Corbett for “Peacetown” concerts at the Barlow every Wednesday from June 22th to September 7, from 4:30 pm until 8:30 pm. The application is to permit music stages at the parking lots of The Crooked Goat (120 Morris Street #120) and Foundry/Woodfour Building (6780 Depot Street #160) and the Community Market south lawn (6762 Sebastopol Avenue #100). A “children’s village” is proposed in front of Acre Pizza (6570 McKinley St) as well.

Stages are also to be provided at the Barlow Event Center and Hopmonk (which already are permitted for live events and will not be part of this application review).

The Planning Commission approved the TUP, with conditions, at its June 14, 2022 regular meeting. However, the Commission continued the hearing for a review of the TUP operations at its July 12, 2022 meeting, with the intent on insuring the conditions of approval were adequate and the potential to adjust the conditions should there be continued issues with the operation. This item serves as the requested review of Peacetown Temporary Use Permit.

**Discussion:**

The event has had four Peacetown concert events since the Planning Commission hearing and decision. Staff has not received any complaints (staff reached out to the Rialto cinema, which had previously commented on the project). However, staff did receive one comment from Commissioner Fernandez, who visited to observe the event, that there appeared to only be one parking monitor at one of the four events.

**Public Comment:**

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

**Recommendation:**

Review the Temporary Use Permit

**Attachments:**

Approval letter, including Findings for Approval and Conditions of Approval



City of Sebastopol  
Planning Department

June 8, 2022

Jim Corbett  
7869 Washington Avenue  
Sebastopol, CA 95472

**Re: Temporary Use Permit Application for the “Peacetown” Summer Concert Series – Extension of TUP File 2021-036**

Dear Jim Corbett:

This letter is to extend your temporary use permit application from 2021 (file 2021-036), requesting to operate the summer “Peacetown” concert series at the Barlow, for two additional dates, June 8 and June 15, 2022.

The “Peacetown” Concert Series will be in operation daily from 4:30 P.M. until 7:30 P.M on those dates. This approval is valid with the following changes/additional conditions of approval to the existing TUP on file at the City of Sebastopol:

- No closure of McKinley Street is allowed.
- Applicant shall provide a professional security firm/guards to monitor private parking lots adjacent to the Barlow to ensure that no Peacetown event attendees park in private lots.

This letter contains an analysis of the application to ensure consistency with the applicable provisions of the Zoning Ordinance.

Zoning Ordinance Section 17.400.040(A) authorizes the Planning Director to approve temporary uses for one term of up to six months, and one extension of up to six months. However, typically events longer than six months and annual events are referred to the Planning Commission for review of the Temporary Use Permit per SMC Table 17.400.-1. This Planning Director extension is therefore limited to the two dates (June 8 and 15, 2022) prior to the Planning Commission’s review and decision, at which time the Planning Commission’s decision shall become final and effective, including any modified or additional conditions of approval they may require.

The Planning Department provided written notice of the event to all owners of property adjoining the subject property as required in the Zoning Ordinance Section 17.400.050 and in compliance with section 17.460, and has received notification from all owners that these two events are acceptable to them. They, as well as other members of the public, may provide additional public comment at the Planning Commission hearing, which will be considered separately by

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the Planning Commission.

The Planning Department routed the application to the Building, Fire, and City Manager's Office; the following comments were received and were added as conditions of approval.

- A professional parking monitor shall be provided to ensure the public does not park in private lots for the event.
- No closure of McKinley Street is allowed for these extended dates.
- No public property (ie sidewalk sales in downtown or streets outside of those indicated on the application) as approved as a part of this permit. Any use of public property will require a Special Use permit through the Public Works department.
- All events must comply with Sonoma County and State of California public health directives related to Covid-19 in place at the time of the event.

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

The event is not expected to have a detrimental impact on the general welfare of Sebastopol. The Planning Department has coordinated with the other City departments to mitigate potential impacts. The City has also implemented project conditions of approval, as listed below, to further minimize adverse impacts. Additionally, the proposed event is similar to past events that have taken place at the subject property, including events held by the Barlow, which were successful in years past and resulted in no negative impacts to the community.

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

This approval is in accordance with the findings and subject to the conditions contained in this letter. This approval is not effective until the Appeal Period has officially expired. Anyone dissatisfied with the decision of the Planning Department has the right to file an appeal to the Planning Commission within seven (7) days of the decision. This requires the submittal of a completed City Appeal Form, written statement, and payment of the applicable fee delivered to the Planning Department at 7120 Bodega Avenue, Sebastopol.

Please feel free to contact me at [ksvanstrom@cityofsebastopol.org](mailto:ksvanstrom@cityofsebastopol.org) or (707)823-6167 if you have any questions.

cc:

Property Owner, Barlow LLC  
City Manager/ City Clerk  
Fire Department  
Police Department

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Building and Safety Department  
Planning Department

**TEMPORARY USE PERMIT: 2021-036**  
**“Peacetown” Summer Concert Series**  
**6780 Depot Street**

**FINAL FINDINGS FOR APPROVAL**

1. That the event is categorically exempt from the requirements of CEQA, pursuant to Section 15304, Class 4, in that the event will take place for one day and will not require any permanent improvements.
2. That, as conditioned, the event is not expected to have a detrimental impact on the neighborhood or general welfare of Sebastopol as it will take place within a controlled area of The Barlow property and the parking lot immediately behind the business and the event will be under the supervision of event staff.
3. That the event will have amplified music and various announcements, however, this component is not expected to create an undue noise disturbance since it will occur during daytime hours and will cease at 8:00 p.m.
4. That event parking will be provided at The Barlow, which, as conditioned, contains sufficient onsite parking and will ensure that surrounding businesses and/or residences are not negatively impacted.
5. That similar events to the proposed have been held by The Barlow, and other businesses at the Barlow, and have not resulted in detrimental impacts to the neighborhood and/or Sebastopol in past years.
6. That the City has added conditions to this Temporary Use Permit to minimize any potential adverse impacts.

**FINAL CONDITIONS OF APPROVAL**

1. Approval is granted for the Temporary Use Permit for the “Peacetown” Summer Concert Series for the June 8 and June 15, 2022 concerts, with the following modifications:
  - a. Stages shall be at the Barlow Event Center, Community Market south lawn, Crooked Goat Brewing parking lot, and Foundry Building/Woodfour/Fern Bar lot.
  - b. No closure of McKinley Street is approved for these events. The parking along these street frontages shall remain open.
  - c. The Applicant shall make 385 Morris Street available for parking, with parking areas delineated so that parking is restricted to previously developed surfaces.
  - d. Any ADA parking spaces which are closed off for the events shall be accommodated with an equivalent number of temporary ADA parking spaces provided close to the location of the permanent ADA spaces, and with an accessible path of travel to the event (such as sidewalks, etc.).
  - e. The Applicant and Barlow shall develop a good neighbor policy, to include a contact at the Barlow who is present and available during the events to

resolve any issues with the public.

2. No sound may emanate from the property, which causes an undue disturbance more than fifty (50) feet from the event site or violates the Noise Ordinance. The Police Department has the authority to require modifications or require termination of the noise source in the event of a noise issue.
3. All applicable permits shall be obtained from other agencies prior to commencement of this use, including, but not limited to ABC, Building and Safety Department, Health Department, and Fire Department clearances.
4. A professional security firm shall be present and provide a minimum of two parking guards to ensure the public does not park in the Rialto Parking lot (6868 McKinley St) during the event. Parking / security shall be branded as 'Peacetown' concert series.
5. No public property (ie sidewalk sales in downtown or streets outside of those indicated on the application) is approved as a part of this permit. Any use of public property will require a Special Use permit through the Public Works department.
6. The event must comply with Sonoma County and State of California public health directives related to Covid-19 in place at the time of the event.
7. Live music shall cease at 8:00 p.m. in accordance with the application description.
8. The Planning Commission will continue the public hearing to review the Temporary Use Permit at its July 12, 2022, Planning Commission meeting. The Planning Commission may modify conditions of approval or revoke the TUP at that time.
9. The temporary improvements and debris shall be removed and restored to their former condition within seven (7) days following the event.
10. All street and access point closures must provide a physical barrier. Individuals must be present at all closure points throughout the duration of the event to ensure removal of the barricades for emergency vehicle response.
11. All food vendors will require business licenses.
12. Applicant shall ensure that all storm drains within the event area are protected from debris and/or wash water.
13. All tent structures, when used shall be labeled by the State Fire Marshal's Office as fire/flame retardant and shall meet the requirements of Title 19 of the California Code of Regulations. No propane devices are allowed in any tents or structures. Please contact the Fire Chief for inspection prior to use, if applicable, at (707) 823-8061.
14. The applicant shall contact the Police Department and Fire Department at least ten (10) days in advance of the event for coordination.
15. All persons serving or distributing alcoholic beverages are required to attend the Responsible Beverage Service training program or an equivalent, either in-person or online to the satisfaction of the Police Chief.

- 16.** 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.
- 17.** The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.
- 18.** The Planning Director shall have the right to modify or terminate this Temporary Use Permit at any time if any of the terms of such permit or the conditions of approval for said permit are violated, or for other good cause deemed necessary to maintain or improve the public right-of-way or to preserve and protect the health, safety and welfare of the public.