



City of Sebastopol Planning Commission Staff Report

Meeting Date: June 23, 2026
Agenda Item: 6C
To: Planning Commission
From: John Jay, Associate Planner
Subject: Conditional Use Permit Amendment
Recommendation: As the project meets the Zoning requirements, staff is recommending the Planning Commission review the application materials, hear public comment, and either approve or deny the application

Applicant/Owner: Barbara Hom/Sebastopol Farmers Market
File Number: 2026-007
Address: 6908 Weeks Way
CEQA Status: Exempt
General Plan: Community Facilities
Zoning: Community Facilities (CF)

Introduction:

The applicant for the Sebastopol Farmers Market is proposing an amendment to include live music to their previously amended use permit that was approved by the Planning Commission on January 28, 2025, file number 2024-056. 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.

Project Description:

As discussed above, the project is requesting to include live music in their recently amended use permit 2024-058. Previously, the Farmers Market had been making requests for a one-year variance from the Noise Ordinance, which is acted upon by the City Manager's office. As the City had responded to complaints over the last year about the music continuing to play beyond the hours of the Market and the lock on electrical outlet being left unlocked multiple times, the City informed the Farmers Market on their December 2, 2025 variance request that this would be the last permit the City Managers office would approve and the Farmers Market would need to amend their use permit to include live music. This was done so that appropriate conditions of approval could be applied to the City's approval.

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 currently the vacant site of the proposed Hotel Sebastopol, adjacent to the Rialto Theater. To the west is a variety of local

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 require 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, and 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 finding

- A. *General Conditional Use Permit Criteria. A conditional use permit may be granted only if the establishment, maintenance or operation of the proposed use or development applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or development, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

Determination: A Farmers Market is an allowed use within the Community Facilities District, and live music has always been a part of the Farmers' Market. As conditioned, the approval of the permit for live music is not expected to be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or development, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Background:

In February of 2026, the City received a use permit amendment application from the Farmers Market to expand into the West America Parking lot, extend the hours to include an hour and a half to allow for setup and break down, and include live music as part of their permit. This application is still in review by the City and has not yet been deemed complete. However, the live music aspect of the permit has been bifurcated out as a separate request because the last variance that was approved by the City Manager's office did not allow for music exceeding the limits of the Noise Ordinance past June 9, 2026.

On March 16, 2026, the City sent out an email to the Farmers Market notifying them that the electrical box in the Plaza had been used after the hours of the Market.

On March 30, 2026, the City sent out another email to the Farmers Market notifying the Market that the City received another complaint about live music on March 22, 2026, that music was being played beyond 5:00 pm. This email also indicated that this would be the final notice regarding live music approval through the City Manager's office and that after June 9th, 2026, any additional live music requests would need to be included in an approved use permit amendment request.

As music is something that has been a part of the Farmers Market for the past 30 years, staff feels confident in approving the request for allowing live music at the site. However, given the recent history of violations related to the electrical box and music playing past the hours of the market, staff has included conditions that if the City receives more than two verified complaints/violations that the City reserves the right to revoke the live music permit and the Farmers Market would be subject to staying within the dBA's allowed within the Noise Ordinance Section 8.25 of the Sebastopol Municipal Code.

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.

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 the vicinity of the subject property.

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 – Resolution 2026-06, and subject to the Recommended Conditions of Approval found in Exhibit B.

Attachments:

Exhibit A – Resolution 2026-06

Exhibit B – Recommended Conditions of Approval

RESOLUTION NO. 26-06

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEBASTOPOL APPROVING A USE PERMIT AMENDMENT FOR LIVE MUSIC FOR THE SEBASTOPOL FARMERS MARKET (2026-007) AT 6908 WEEKS WAY (APN 004-053-028)

WHEREAS, on February 17, 2026, an application was submitted to the City of Sebastopol for a Use Permit amendment for live music located at 6908 Weeks Way (APN 004-053-028); and

WHEREAS, on March 6, 2026, a revised application was received by the Planning Department of the City of Sebastopol to address incompleteness items; and

WHEREAS, the application was reviewed by City staff for compliance with the Sebastopol Municipal Code and applicable planning regulations; and

WHEREAS, the project is consistent with the General Plan, in that it conforms to the following: 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.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA, codified at Public Resources Code § 21000 et seq.) and the State CEQA Guidelines (14 CCR, § 15000 et seq.), the project fits the Categorical Exemption of Section 15301, "*Class 1: Existing Facilities, 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.” in that, the market has been in operation of the existing square and building the market qualifies for this exemption; and

WHEREAS, the project is consistent with SMC 17.415.030 Conditional Use Permit Findings as follows:

- A. *The proposed use is consistent with the General Plan and all applicable provisions of this title; 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. A Farmers Market is an allowed use within the Community Facilities District, and live music has always been a part of the Farmers’ Market. As conditioned, the approval of the permit for live music is not expected to be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or development, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and*

WHEREAS, the Planning Commission held a duly noticed public hearing on June 23, 2026; and

WHEREAS, the Planning Commission considered the staff report, all written and oral testimony, and all other evidence presented.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Sebastopol hereby approves the project subject to the Conditions of Approval attached hereto as Exhibit B.

This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Planning Commission of the City of Sebastopol at a regular meeting held on June 23, 2026, by the following vote:

VOTE:
AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: _____
Evert Fernandez
Chair, Planning Commission

Certified: _____
Jane Riley
Interim Planning Director

EXHIBIT B
RECOMMENDED CONDITIONS OF APPROVAL

Conditional Use Permit

Live Music at Farmer's Market (2026-007)
6908 Weeks Way (004-053-028)

1. The use shall be in substantial conformance with the application materials prepared by Barbara Hom, and stamped received on February 17, 2026, further modified on March 6, 2026, and on file at the City of Sebastopol Planning Department, except as modified herein. This approval applies only to the allowance for amplified music, and not to the balance of the use permit request to expand the Farmer's Market, which will be heard at a later date.
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. In the event the City of Sebastopol receives more than two verified complaints/violations of live music continuing after hours, the City shall reserve the right to revoke the live music permit, and the Farmers Market would again be subject to the rules and regulations of the Noise Ordinance Section 8.25 of the Sebastopol Municipal Code.
4. The Planning 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 are subject to City Public Works Department approval and 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 Planning Director, pursuant to Section 17.400.100 of the Zoning Ordinance.
7. The Use Permit shall remain in effect unless it is abandoned or closed for 12 months or longer.
8. The conditions of approval from permit number **2024-056** shall still be in effect.
9. 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.