



CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF:

July 7, 2026

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To: Honorable Mayor and City Councilmembers
 From: Councilmember Hinton
 Councilmember Carter
 Responsible Department: Planning Department
 Subject: Request for Direction to Staff to Prepare Zoning Code/Map Amendments
 and/or Return with Options to Allow Commercial Outdoor Barbecue (BBQ)
 Operations with Permits in Certain Zoning Districts or on Specific Parcels

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RECOMMENDATION(s): That the City Council direct Staff to return to a future City Council meeting with proposed Zoning Code/Map amendments and/or an item evaluating potential Zoning Code/Map amendments (and other options as appropriate) that would allow commercial outdoor barbecue (BBQ) uses within specified zoning districts, subject to approval of a Conditional Use Permit (CUP) or similar discretionary entitlement.

PROCESS OF AGENDA ITEM:

- Presentation of agenda item
- Council questions and discussion
- Public comment
- Council deliberation and action

EXECUTIVE SUMMARY: This item is being brought forward in response to issues that arose regarding A&M BBQ, a local business operating at 495 S. Main Street. At the June 2, 2026 City Council meeting, public comments and discussion highlighted challenges with the business’s commercial outdoor barbecue operations. Following neighbor complaints regarding smoke, City staff reviewed the site and determined that commercial outdoor barbecue operations are prohibited in the current zoning district (even with a use permit). The City has been working cooperatively with the business owner, Mr. Kris Austin, to achieve compliance while exploring relocation options within appropriately zoned areas. Staff met with Mr. Austin after the June 2 meeting; he expressed willingness to continue working with the City and indicated interest in pursuing a Zoning Text Amendment to allow smokers in this zoning district via a Conditional Use Permit.

BACKGROUND: Councilmembers Hinton and Carter are requesting that the City Council consider directing staff to evaluate potential zoning code/text amendments that would allow commercial outdoor barbecue (BBQ) uses within specified zoning districts with approval of a use permit. This approach would maintain City oversight through a discretionary process and provide opportunities for community input via noticed public hearings at the Planning Commission and City Council levels. As an alternate request, staff to provide other viable alternatives.

DISCUSSION: Key Elements for Staff Analysis:

- Explore amendments to the Sebastopol Municipal Code to permit commercial outdoor BBQs as a conditional use in appropriate zoning districts (e.g., General Commercial, Mixed-Use, or Industrial).
- Ensure commercial outdoor BBQ operations are not permitted by right, but instead require a Conditional Use Permit (CUP) or similar discretionary review.
- Develop performance standards and conditions to address impacts such as smoke, odors, noise, traffic, hours of operation, fire safety, air quality, and compatibility with surrounding uses (particularly residential neighborhoods).
- Consider alternative options, including targeted rezoning of specific parcels or districts.
- Evaluate consistency with the General Plan, economic benefits to local businesses, neighborhood compatibility, public health/safety, and environmental considerations.

Anticipated Process for Options Under Consideration:

If directed by the Council, Staff would return with a detailed analysis of the following primary options, including the typical City process for each:

1. **Zoning Text Amendment:**
 - Staff would prepare a staff report, draft ordinance language, and proposed performance standards (e.g., setbacks, hours of operation, smoke/odor control, fire safety, and compatibility criteria).
 - The proposal would be noticed and heard at a Planning Commission public hearing (recommendation to Council).
 - Followed by a City Council public hearing for final adoption.
 - This is generally the most efficient citywide or district-wide approach and ensures consistent standards. Environmental review (CEQA) would be completed as part of this process.
2. **Targeted Rezoning** of specific parcels or districts:
 - Staff would analyze specific sites (potentially including areas near the current A&M BBQ location), prepare maps, and evaluate consistency with the General Plan.
 - Process includes: Pre-application/neighborhood outreach (as needed), Planning Commission hearing, and City Council hearing(s).
 - Rezoning typically requires more site-specific environmental review and findings. This option allows for tailored application but involves longer timelines and individual property owner noticing.

Additional Considerations Common to Both Options:

- Either option would require A&M BBQ (and any similar businesses) to submit an application for a use permit (e.g., Conditional Use Permit) for outdoor BBQ operations. The application process can be done simultaneously with whichever process is approved.
- Any amendment would not make commercial outdoor BBQs a permitted use by right. Instead, each proposal would require a Conditional Use Permit (CUP) or similar discretionary review for site-specific conditions addressing smoke, odors, noise, traffic, hours of operation, and neighborhood compatibility.
- Timeline: Staff estimates 2 months for a full return agenda item and subsequent hearings, depending on Council direction and complexity.

STAFF ANALYSIS: The purpose of this review is to support local business development while balancing neighborhood compatibility, public health, safety, environmental, and operational considerations.

CITY COUNCIL GOALS/PRIORITIES/ AND OR GENERAL PLAN CONSISTENCY:

This agenda item represents the City Council goals/priorities as follows:

Goal 4: HIGH PERFORMANCE ORGANIZATION

Restore public trust, improve public communications, and strengthen collaborative partnerships with outside agencies and service providers.

PUBLIC COMMENT: As of the preparation of this staff report, no public comments have been received on this item. Any comments received after distribution of the report will be provided to the City Council as supplemental materials. Public comment will also be accepted during the meeting.

COMMUNITY OUTREACH: This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

FISCAL IMPACT: The initial analysis and preparation of the follow-up agenda item can likely be completed using existing staff resources. If the City Council directs staff to pursue formal zoning code/text amendments, additional costs may be incurred for staff time, City Attorney review, noticing requirements, and public hearings. Detailed staff time estimates (approximately 25 to 30 hours, inclusive of legal review) and any associated costs will be provided in the subsequent report.

RESTATED RECOMMENDATION: That the City Council direct Staff to return to a future City Council meeting with proposed Zoning Code/Map amendments and/or an agenda item evaluating potential zoning code/text amendments (and other options as appropriate) that would allow commercial outdoor barbecue (BBQ) uses within specified zoning districts, subject to approval of a Conditional Use Permit (CUP) or similar discretionary entitlement.

CITY COUNCIL OPTIONS:

1. Deny the request and direct staff to continue with code enforcement of the zoning violation.
2. Provide other direction to staff.

ATTACHMENT(S):

None

APPROVALS:

Department Head Approval: Approval Date: 6/30/2026

CEQA Determination (Planning): Approval Date: N/A

The proposed action is not a project under the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15378, the recommended action is not a "project" subject to the California Environmental Quality Act (CEQA) because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. In the alternative, the recommended action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the recommended action may have a significant effect on the environment.

General Plan Goal (Planning): Approval Date: 6/30/2026

Administrative Services (Financial) Approval Date: 6/30/2026

Costs authorized in City Approved Budget: Yes No N/A

Account Code (if applicable) _____

City Attorney Approval: Approval Date: 6/30/2026

City Manager Approval: Approval Date: 6/30/2026