



11 March 2020

**SENT VIA EMAIL**

Husarys 76  
2110 Gravenstein Hwy N  
Sebastopol, CA 95472  
mooseh@comcast.net

Re: File No.: PLP19-0035  
Address: 2000 Hwy 116 N, Sebastopol  
APN: 130-263-004

This letter is in reference to your request for a Use Permit to expand convenience store daily hours of operation (from 6 A.M. – 11 P.M. to 5 A.M. - 11 P.M.), continue 24-hour operation of fuel pumps daily, and allow alcoholic beverage sales for off-site consumption at an existing 76 gas station (previously approved by Use Permit UP94-765); and, Administrative Design Review for sign and color modifications, including replacement of 4 illuminated ball signs with 4 LED illuminated ball signs on 2 canopies and re-facing an existing illuminated monument sign (adding LED illumination), with no increase in sign square footage, on a 1.45 acre parcel.

Notice of the County's intent to waive the hearing requirement for the requested Use Permit was posted for 10 days and no protests were received. Pursuant to Section 26-92-040(d) of the Sonoma County Code, no public hearing is required and the Use Permit will be issued subsequent with conformance with the attached conditions. Once compliance with all pre-operational conditions has been achieved, a Use Permit Certificate will be issued and the approved use may commence.

This approval is based on the following findings:

1. The use is consistent with the Sonoma County General Plan, the Local Guidelines Highway 116 Scenic Corridor, and Sonoma County Zoning Code.
  - a. The subject parcel is located within the Limited Commercial Land Use designation which is intended to accommodate retail sales and services for the daily self sufficiency of local rural or urban neighborhoods or communities in keeping with their character.
  - b. The design of the existing gas service station and convenience store have been previously approved under UP94-765 and were found to be consistent with the Local Guidelines Highway 116 Scenic Corridor. This project proposes no new development.
  - c. Neighborhood Commercial District allows for Small Alcoholic Beverage Retail Establishments (less than 10,000 square feet of floor area) with a Use Permit, subject to the following standards in Section 26-88-195 (Zoning Code Section Sec. 26-30-020(u)):
    - i. The number of alcohol licenses per capita within a one-half mile radius of the premises as compared to the county-wide average;
      1. The premises holds a current Alcoholic Beverage Control License #20-



589442. The Alcoholic Beverage Control maintains control over license concentration for Type 20 (off-sale beer/wine).

- ii. The numbers of calls for service, crimes, and arrests at the premises and within a one-half mile radius of the premises as compared to the county-wide average;
  - 1. Analysis conducted using publicly available data from both the Alcoholic Beverage Control and Sonoma County Sheriff on file with this permit show that calls for service, crimes, and arrests at the premises are below the county-wide average.

- iii. Whether the site plan and floor plan for the premises incorporate design features to assist in reducing alcohol-related problems. These features may include, but are not limited to, openness to surveillance and control of the premises, the perimeter, and surrounding properties; reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage objectionable activities.

- 1. The site plan and floor plans submitted with the application incorporate design features to reduce alcohol-related problems. The convenience store floor plan is an open design with the cashier located to provide visibility of the entire store, including cold cases where beer and wine are displayed.

High-definition security cameras (13) are installed an operational providing constant surveillance of the store and grounds with digital recording retained for 30 days. A monitored robbery alarm system is in place and access to the interior restrooms is monitored by the cashier.

- 2. It is the determination of the department that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301, because the use will be conducted entirely within an existing building and no new structures have been proposed.

The Use Permit shall be issued for the use as described on the application form, the proposal statement, the site plan (dated 25 September 2019) submitted to this department and as modified by the Conditions of Approval. Any modifications of the use, expansion or alteration shall be submitted for review and approval by the Permit and Resource Management Department, Project Review Division, in advance of the proposed change and may, at the discretion of the department, require a new Use Permit with or without a public hearing.

This decision may be appealed in writing, along with an appeal fee, within 10 (ten) calendar days of the date of this letter.

If you have any questions, feel free to contact me at [ross.markey@sonoma-county.org](mailto:ross.markey@sonoma-county.org) or at 707-565-2543. Please refer to your file number PLP19-0035 and site address when making inquiries.



**Sonoma County Permit and Resource Management Department**  
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900  
[www.PermitsSonoma.org](http://www.PermitsSonoma.org)



Sincerely,



Ross Markey  
Project Planner

Enclosures: Conditions of Approval dated 11 March 2020  
PLP19-0035\_DRAFT\_CS\_Well\_monitoring\_Easement

c: File No.: PLP19-0035



**Sonoma County Permit and Resource Management Department**  
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900  
[www.PermitSonoma.org](http://www.PermitSonoma.org)

