



City of Ukiah

Demolition Review Committee

Special Meeting **AGENDA**

This meeting will be held virtually at the Zoom link and number below.

<https://zoom.us/j/98735445301>

You can also dial in using your phone (US Toll-free): 1 669 900 9128

Meeting ID: 987 3544 5301

Passcode: 563991

February 2, 2022 - 2:00 PM

1 CALL TO ORDER

2 ROLL CALL

3 APPROVAL OF MINUTES

3.a. Approve December 28, 2021 Meeting Minutes

Recommended Action: Approve the December 28, 2021 Meeting Minutes.

Attachments:

1. Draft Minutes_December_28_2021

4 COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

The Demolition Review Committee welcomes input from the audience. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments.

5 APPEAL PROCESS

There is no formal process of decisions made by the Committee, as all decisions are advisory to the City Council.

6 NEW BUSINESS - DISCUSSION/ACTION

6.a. Request for Review and Recommendation to the City Council Regarding an Application for Demolition of Two Structures over the Age of 50 Years Old; Located at 1102 and 1104 South State Street (APNs 003-130-09 & 003-530-11)

Recommended Action: 1) Review the proposal to demolish the building at 1102 South State Street in accordance with UCC Section 3016, and make a recommendation to the City Council; and

2) Review the proposal to demolish the building at 1104 South State Street in accordance with UCC Section 3016, and make a recommendation to the City Council.

Attachments:

1. Application
2. UCC Section 3016, Modifications to the California Building Code
3. Agency Comments

7 UNFINISHED BUSINESS - DISCUSSION/ACTION

8 ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 24 hours prior to the meeting set forth on this agenda.

**CITY OF UKIAH
DEMOLITION PERMIT REVIEW
COMMITTEE MEETING
MINUTES
December 28, 2021**

1. CALL TO ORDER

Acting Chair Tim Eriksen called the Demolition Permit Review Committee meeting to order at 3:01 p.m. via Zoom teleconference.

Acting Chair Eriksen presiding.

2. ROLL CALL

Members Present: Matt Keizer, Building Official, Community Development Department – Building Division, Alyssa Ballard, Archivist & Historian, Historical Society of Mendocino County, and Acting Chair Tim Eriksen, City Engineer

Members Absent: Chair Craig Schlatter, Director, Community Development Department

Staff Present: Michelle Irace, Planning Manager; Mireya Turner, Planning Manager; Jesse Davis, Planning Manager; Shannon Riley, Deputy City Manager; Ian Broeske, Fire Marshal

Others present: Todd Schapmire, Pinky Kushner, Edith Lucas, Tom Liden, Patience Forest

3. APPROVAL OF MINUTES – November 28, 2017

Motion/Second Keizer/Eriksen to approve the minutes of November 28, 2017, as submitted. Motion carried by the following roll call vote: AYES: Member Eriksen, Keizer and Ballard. NOES: None. ABSTAIN: None. ABSENT: Chair Schlatter.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

None.

5. APPEAL PROCESS

There is no formal process of decisions made by the Committee, as all decisions are advisory to the City Council.

6. NEW BUSINESS

- a. Request for Review and Recommendation to the City Council Regarding an Application for Demolition of Two Structures Over the Age of 50 Years Old Located at 101 and 105 South Main Street (APN 002-231-01).

Planning Manager Michelle Irace presented the Project.

PUBLIC INPUT OPENED: 3:20 p.m.

Speakers: Edith Lucas, Pinky Kushner, Todd Schapmire, Tom Liden

PUBLIC INPUT CLOSED: 3:40 p.m.

- 1) **Motion/Second: Keizer/Eriksen** to recommend City Council approval of the demolition permit to demolish the building located at 101 S. Main St., based on the criteria listed in UCC Section 3016.

Motion carried by the following roll call vote: AYES: Members Eriksen and Keizer. NOES: Member Ballard ABSENT: Chair Schlatter. ABSTAIN: None.

- 2) **Motion/Second:** to recommend City Council approval of the demolition permit to demolish the building located at 105 S. Main St., based on the criteria listed in UCC Section 3016.

Motion carried by the following roll call vote: AYES: Members Eriksen, Keizer, and Ballard. NOES: None. ABSENT: Chair Schlatter. ABSTAIN: None.

7. **UNFINISHED BUSINESS**

None

8. **ADJOURNMENT**

There being no further business, the meeting adjourned at 3:44 p.m.



TO: Demolition Review Committee

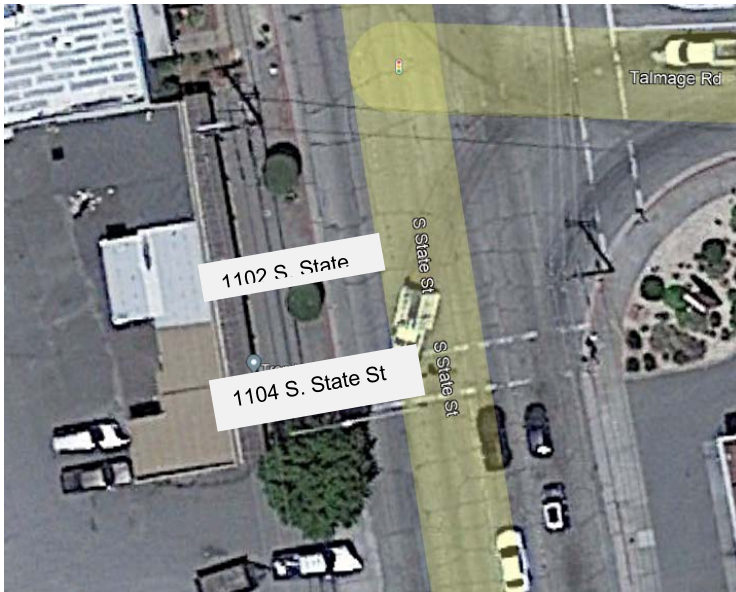
FROM: Mireya Turner, Planning Manager

DATE: January 28, 2022

SUBJECT: Request for Review and Recommendation to the City Council Regarding an Application for Demolition of Two Structures Over the Age of 50 Years Old Located at 1102 and 1104 South State Street (APNs 003-130-09 & 003-530-11)

PROJECT LOCATION

The two-parcel project site is approximately 1.01 acres; is located at the intersection of South State Street and Talmage Road, and is developed with two buildings, united through a single front façade. 1102 S. State Street is a single suite structure, ±734 sf building which is vacant with doors and windows boarded. 1104 S. State Street contains one ±1,221 sf, two-suite building currently occupied by a tax service business and a hair salon.





BACKGROUND

On July 7, 2021, an application for a Major Use and Site Development Permit was received by the property owner, Bhupinder Singh, to demolish the two existing structures, and replace them with a single commercial structure for a cannabis retail/dispensary business (**Attachment 1**). The Major Use and Site Development Permit was approved by the Planning Commission on January 26, 2022.

1102 South State Street. The existing vacant and boarded building was estimated to have been built in 1953, according to the Mendocino County Assessor’s record. It has also used the 1100 South State Street address, according to building permit records from 1984. The structure has housed a variety of commercial land uses, but has been out of use for the last two years. The building is not listed as an historic resource in the Ukiah 1985 Survey of Historic Resources, the 1999 Ukiah Survey of Historic Resources, or the 2020 State Inventory of Historic Resources.

1104 South State Street. According to the Mendocino County Assessor’s records, the tax service and salon building was built in 1948. The building is not listed as an historic resource in the Ukiah 1985 Survey of Historic Resources, the 1999 Ukiah Survey of Historic Resources, or the 2020 State Inventory of Historic Resources.

Because the buildings are not listed in a local, state or national register, a detailed Historic Resource Evaluation is not required to be provided.

PROJECT DESCRIPTION

With the recent approval of the cannabis retail/dispensary use and site development permit, the property owner proposes to demolish the existing structures on-site, in compliance with the use permit Conditions of Approval. Demolition would take place in compliance with all current health and safety and environmental regulations. No road closures are anticipated.

After the City Council approves the demolition of the two existing structures, the Applicant will apply for a demolition permit and a building permit.

In accordance with the California Environmental Quality Act (CEQA), the project qualifies for a Class 2 Categorical Exemption (§15302.b) for the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. The proposed building will be located in largely the same footprint, be used for retail as has historically taken place in the existing buildings, and will not exceed the historic density..

STAFF REQUEST

Per Ukiah City Code Section 3016(b), structures over 50 years old proposed for demolition that do not meet the exemption criteria of being either an immediate safety hazard, or an accessory structure that is not listed on the local historic inventory, shall be reviewed for their historic or architectural significance. Specifically, the City’s Demolition Review Committee shall review the proposal and make a recommendation to the Ukiah City Council. Per UCC Section 3016(e):



In reviewing proposed permits, and formulating recommendations to the city council, the demolition review committee shall consider any information provided during the meeting, and shall use the following criteria. The structure:

- 1. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind; or*
- 2. Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, or architectural history; or*
- 3. Is strongly identified with persons or events significant in local, state, or national history.*

Per UCC Section 3016(f), if the Demolition Review Committee finds that any of the criteria listed in subsection (e) apply to the building proposed for demolition, it shall recommend denial of the permit to the City Council. For reference UCC Section 3016 is included in **Attachment 2**.

The application was referred to departments and agencies with jurisdiction or interest in the project, including the City Building Official and all other relevant City departments, Mendocino County Air Quality Management District, Mendocino County Environmental Health Department, and the Mendocino County Historic Society; comments received are included in **Attachment 3**.

Staff is requesting the Demolition Review Committee:

- 1) Review the proposal to demolish the building at 1102 South State Street in accordance with UCC Section 3016, and make a recommendation to the City Council.
- 2) Review the proposal to demolish the building at 1104 South State Street in accordance with UCC Section 3016, and make a recommendation to the City Council.

ATTACHMENTS

1. Planning Permit Application
2. UCC Section 3016, Modifications to the California Building Code
3. Referral comments received from City Departments and interested agencies



City of Ukiah

Community Development Department
 Planning Division
 300 Seminary Ave., Ukiah CA 95482
 Email: planning@cityofukiah.com
 Web: www.cityofukiah.com
 Phone: (707) 463-6268
 Fax: (707) 463-6204

Planning Permit Application

PROJECT NAME: Green Advtr 101 LLC			
PROJECT ADDRESS/CROSS STREETS: 1104 S State St, Ukiah CA 95482		AP NUMBER(S): 003-130-09 and 003-530-11	
APPLICANT/AUTHORIZED AGENT: Bhu Pinder Singh	PHONE NO: 707-412-9383	FAX NO:	E-MAIL ADDRESS: SONU@chandiihospitality.com
APPLICANT/AUTHORIZED AGENT ADDRESS: 614 4th St.	CITY: Santa Rosa	STATE/ZIP: CA/95402	
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Jatinder Singh	PHONE NO: 925-348-2693	FAX NO:	E-MAIL ADDRESS: Joti@chandiihospitality.com
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT: PO Box 14979	CITY: Santa Rosa	STATE/ZIP: CA/ 95402	
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
<input type="checkbox"/> AIRPORT LAND USE COMM. DETERMINATION REFERRAL 100.0800.611.003	\$	<input type="checkbox"/> REZONING – PLANNED DISTRICT 100.0800.611.001	\$
<input type="checkbox"/> ANNEXATION 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	\$
<input type="checkbox"/> APPEAL 100.0400.449.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	\$
<input type="checkbox"/> GENERAL PLAN AMENDMENT 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	\$
<input type="checkbox"/> MURAL PERMIT 100.0400.449.001	\$	<input type="checkbox"/> SPECIFIC/MASTER PLAN 100.0800.611.003	\$
<input type="checkbox"/> PRE-DEVELOPMENT MEETING 100.0800.611.003	\$	<input type="checkbox"/> MINOR SUBDIVISION/TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$
<input type="checkbox"/> STAFF RESEARCH (MORE THAN 1 HOUR) 10023100.41153	\$	<input type="checkbox"/> MAJOR SUBDIVISION/TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$
<input type="checkbox"/> LOT LINE ADJUSTMENT OR MERGER 100.0800.610.001	\$	<input type="checkbox"/> OTHER	\$
<input type="checkbox"/> USE PERMIT – AMENDMENT 100.0400.449.001	\$	<input checked="" type="checkbox"/> USE PERMIT – MAJOR 100.0400.449.001	\$
		<input type="checkbox"/> USE PERMIT – MINOR 100.0400.449.001	\$
		<input type="checkbox"/> VARIANCE – MAJOR 100.0400.449.001	\$
		<input type="checkbox"/> VARIANCE – MINOR 100.0400.449.001	\$
		<input type="checkbox"/> ZONING AMENDMENT MAP or TEXT 100.0800.611.001	\$
		<input type="checkbox"/> REZONING 100.0800.611.001	\$
		<input type="checkbox"/> OTHER	\$
COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	MAJOR PERMIT DEPOSIT:	\$
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	MINOR PERMIT FEE:	\$
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	TOTAL FEE:	\$
APPLICATION NUMBER(S):			FILING DATE:
			TOTAL AMOUNT PAID: \$
			RECEIPT NUMBER:

Recommendation: Prior to submitting an application, discuss your project with Staff to discover what fees (sewer, water, in-lieu park fees, traffic impact fees, etc.) may be required for your project. Also, ask about street tree requirements, required sidewalk repairs, drainage issues, storm water mitigation requirements, frontage improvements, etc.

Project Description

Please attach a written project description including summary of work (both interior and exterior for construction and operation) and/or business proposed. The purpose of the project description is to assist Staff in understanding the project. The project description will also be included in the Staff Report required to review (and ultimately approve or deny) the planning permit. Providing complete information will help expedite the project review process and in determining what additional information, if any, related to the project and required environmental review is required.

Environmental Review and Reports

Please be aware that projects are required to comply with the California Environmental Quality Act (CEQA). Projects will be reviewed by Staff for compliance with CEQA and Staff will determine the appropriate CEQA document to prepare for the project (exemption, negative declaration, etc.). In order to make this determination, specific reports (traffic, arborist, soils, etc.) and or additional information may be required.

Use Information

Please provide the following information related to the use of the site and building:

Description of Building & Site			
Parcel Size:	Building Size:	Number of Floors:	
Use of Building (check all that apply)	Description	Square Footage	Number of Units/Suites
<input type="checkbox"/> Office (business/professional)			
<input type="checkbox"/> Office (medical/dental)			
<input checked="" type="checkbox"/> Retail	Retail-Cannabis	2954	1
<input type="checkbox"/> Light Industrial			
<input type="checkbox"/> Residential			
<input type="checkbox"/> Other:			
Operating Characteristics			
Days and Hours of Operation: 7 Days a week 9am-9pm			
Number of Shifts: 2	Days and Hours of Shifts: Shift 1: 8am-3pm Shift 2 : 2pm-10pm		
Number of Employees/Shift: 3-5			
Loading Facilities: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Type/Vehicle Size: NA		
Deliveries: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Type: Local Only	Number (day/week/month): 7 days a week	Time(s) of Day: 10am-8pm
Outdoor areas associated with use? (check all that apply) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sales area: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Square Footage:	Unloading of deliveries: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Square Footage:	Storage: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Square Footage: 500 Sqft
Noise Generating Use? <input type="checkbox"/> Yes <input type="checkbox"/> No	Description:		

To Be Completed by Staff

General Plan Designation:	Zoning District:	Airport Land Use Designation:
City's Architectural & Historic Inventory: <input type="checkbox"/> YES <input type="checkbox"/> NO	Age of Building:	Demolition Policy:
Hillside: <input type="checkbox"/> YES <input type="checkbox"/> NO	Flood Designation FIRM Map:	Flood Designation Floodway Map:
Tree Policies		
General Plan Open Space Conservation <input type="checkbox"/> NO <input type="checkbox"/> YES GOAL/POLICY #:	Community Forest Management Plan <input type="checkbox"/> NO <input type="checkbox"/> YES GOAL/POLICY #:	
Landscaping and Streetscape Design Guidelines <input type="checkbox"/> NO <input type="checkbox"/> YES GUIDELINE #:	Commercial Development Design Guidelines <input type="checkbox"/> NO <input type="checkbox"/> YES GUIDELINE #:	
Tree Protection and Enhancement Policy <input type="checkbox"/> NO <input type="checkbox"/> YES NOTES:	Tree Planting and Maintenance Policy <input type="checkbox"/> NO <input type="checkbox"/> YES NOTES:	
UCC: Street Tree Policy, Purpose and Intent <input type="checkbox"/> NO <input type="checkbox"/> YES NOTES:	Other:	
Notes		

I, Jatinder Singh, owner authorize Green Advtr 101 LLC
to act on my behalf for this project and I have read and agree with all of the above. (Application must be signed by owner).

Gurcharan Singh 4/28/21
PROPERTY OWNER SIGNATURE DATE

I, Gurcharan Singh, am the owner / authorized agent of the property for which the development is proposed. The above information and attached documents are true and accurate to the best of my knowledge.
I have read and agree with all of the above.

I hereby authorize employees of the City of Ukiah, the City's authorized agents, and persons with review or decision making authority for the project to enter upon the subject property, as necessary, to inspect the premises, post notices, and process this application.

I understand that conditions of approval may be placed on my project by the city of Ukiah and it is my responsibility to fully understand the conditions and ask questions about them before action is taken on my planning permit.

Gurcharan Singh 4/28/21
 OWNER / AUTHORIZED AGENT DATE

INDEMNIFICATION AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, and hold harmless the City of Ukiah, its agents, officers, council members, employees, boards, commissions or Council 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 any approval of the application or related decision, or the adoption or certification of any environmental documents or negative declaration which relates to its approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of it or in connection with the approval of the application or related decision, whether or not there is concurrent, passive, or active negligence on the part of the City, its agents, officers, council members, employees, boards, commissions of Council. 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.

The City of Ukiah shall have the right to appear and defend its interests in any action through its City Attorney or outside counsel. The applicant shall not be required to reimburse the City for attorney's fees incurred by the City Attorney of the City's outside counsel if the City chooses to appear and defend itself in the litigation.

I have read and agree to all of the above.

Gurcharan Singh 4/28/21
 PROPERTY OWNER / AUTHORIZED AGENT
(PLEASE PRINT NAME)

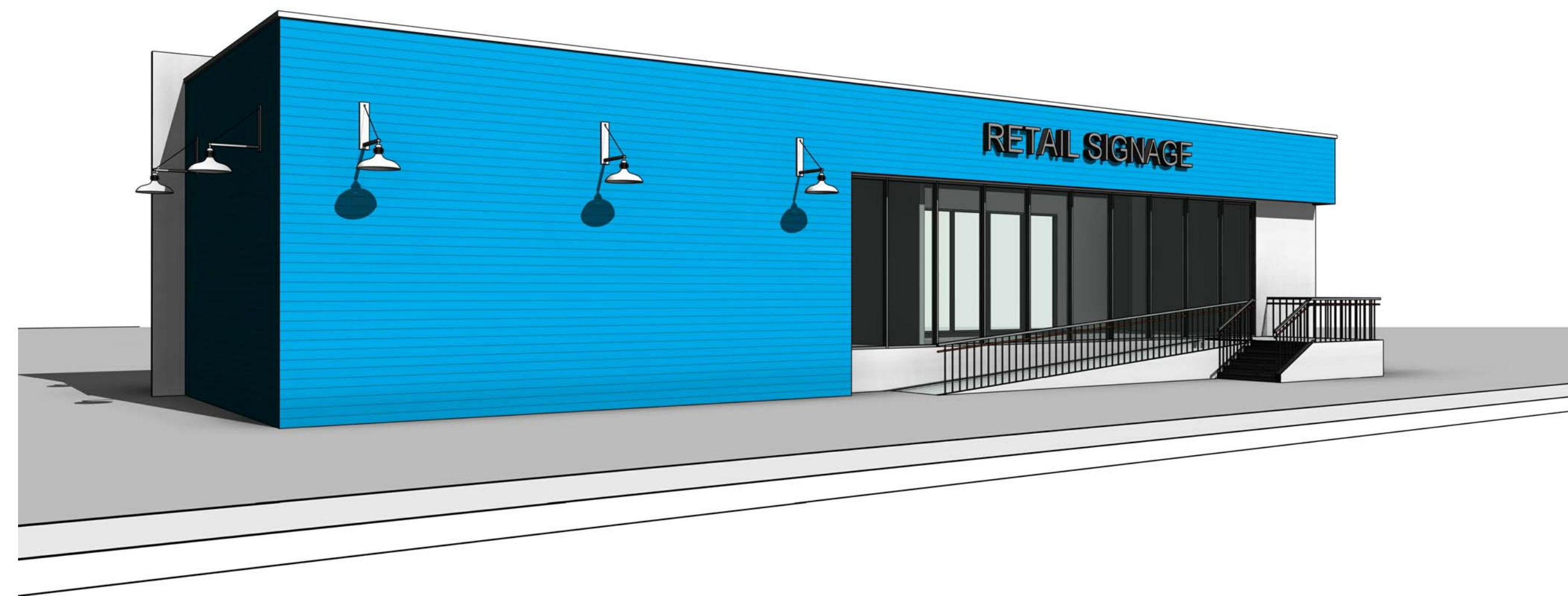
PROPERTY OWNER / AUTHORIZED AGENT DATE
(SIGNATURE)

Revised 08/19/2019

PROPOSED RETAIL BUILDING

ADDRESS: 1104 S STATE ST., UKIAH, CA 95482

A.P.N.: 003-130-09-00

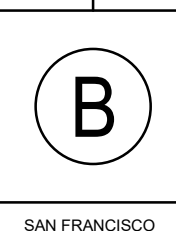


SHEET INDEX:

- T-0 COVERSHEET
- A-0 EXISTING SITE PLAN
- A-1 PROPOSED SITE PLAN
- A-2 EXISTING FIRST FLOOR PLAN
- A-3 PROPOSED FIRST FLOOR PLAN
- A-3 PROPOSED FIRST FLOOR FURNITURE PLAN
- A-5 EXISTING ELEVATIONS
- A-6 PROPOSED ELEVATIONS
- A-7 VIEWS
- A-8 MATERIAL BOARD
- L-1 LANDSCAPE



VICINITY MAP



DESIGN STUDIO

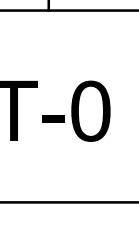
DESIGN MANAGEMENT

SAN FRANCISCO GURGAON HOUSTON

CHANDI HOSPITALITY GROUP

COVERSHEET

OCTOBER 27, 2021

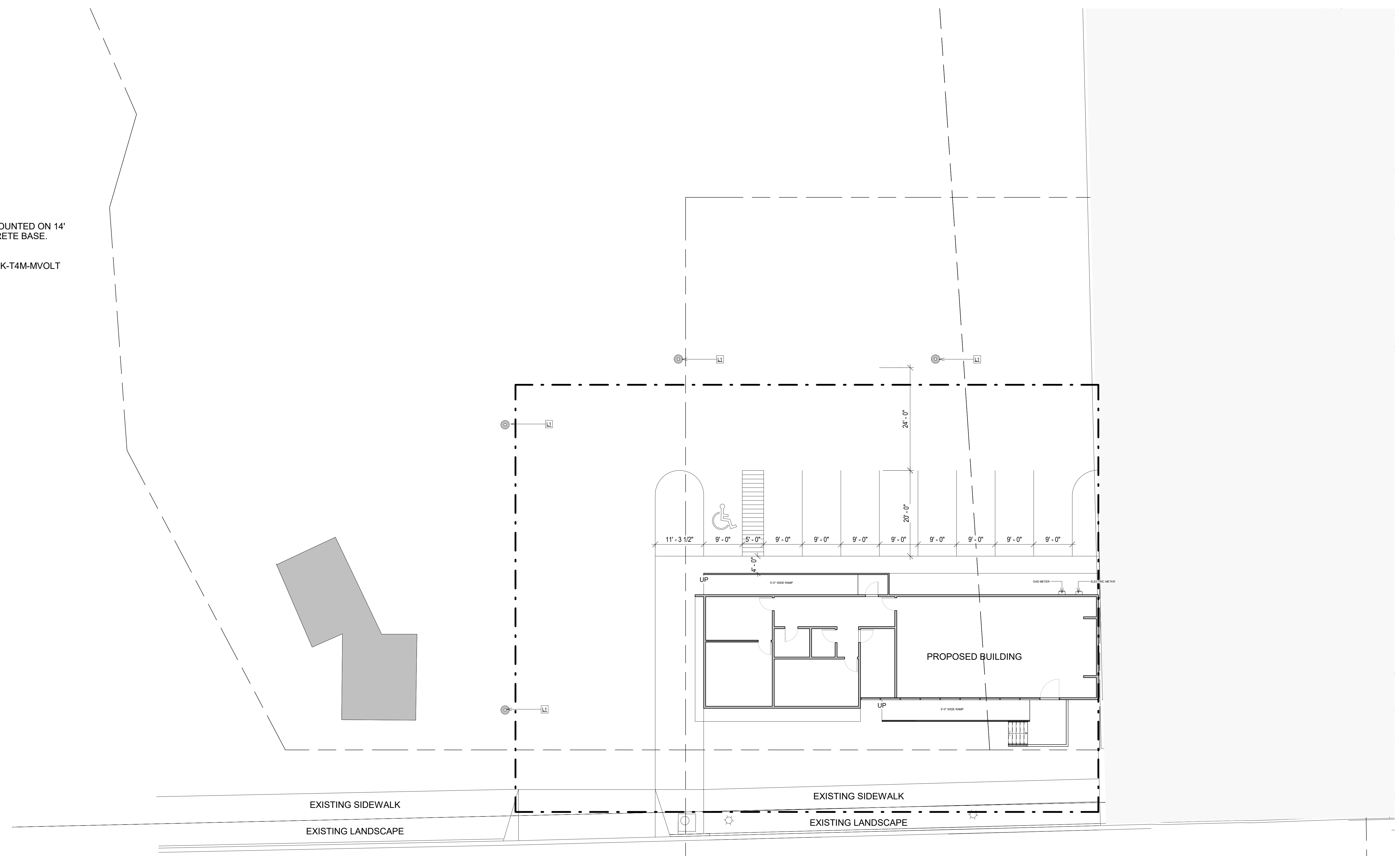




1 SITE PLAN
1" = 60'-0"

2 EXISTING SITE PLAN
3/32" = 1'-0"

L1 - LITHONIA LIGHT FIXTURE
BUG RATING B=1, U=0, G=2. MOUNTED ON 14'
SQUARE POLE WITH 2' CONCRETE BASE.
LAMP WATTAGE - 49
MODEL NO. - DSXO-LED-P2-30K-T4M-MVOLT

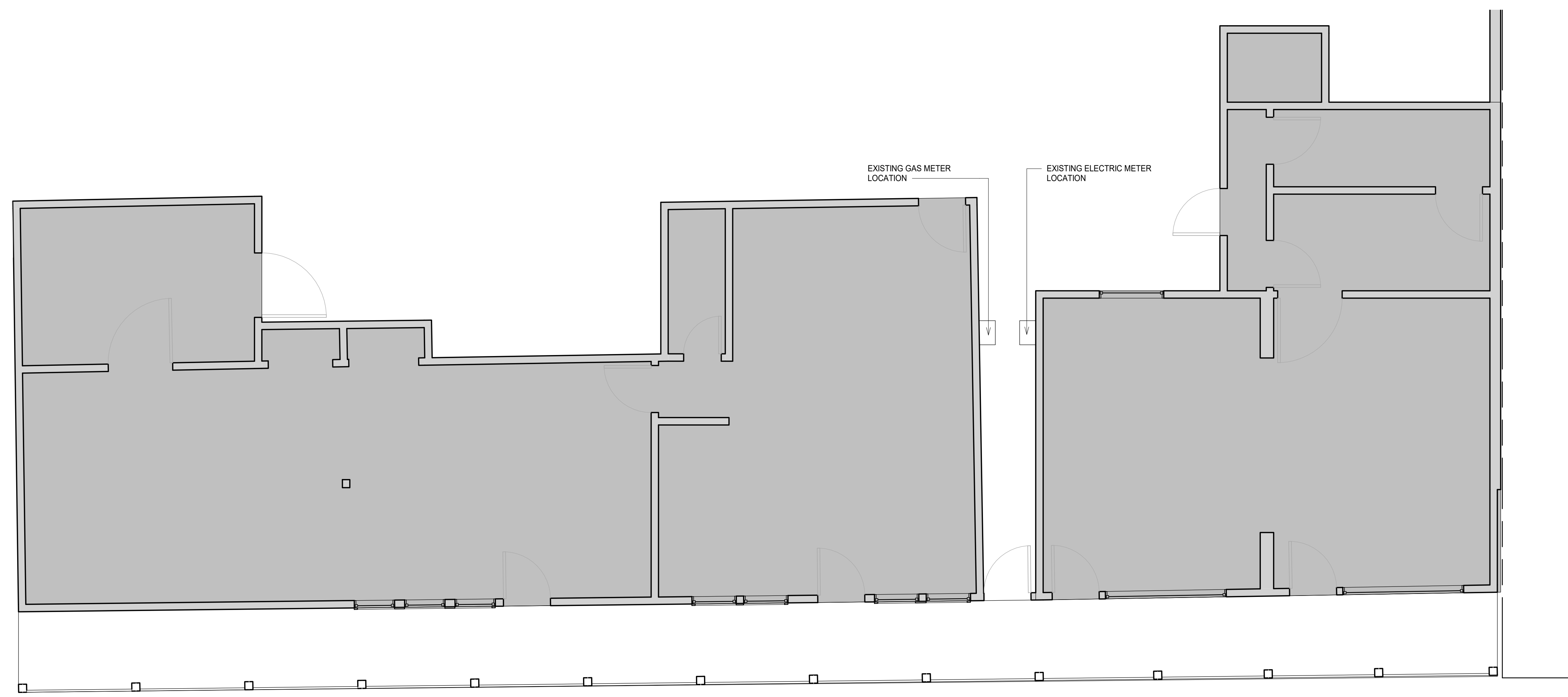


1 PROPOSED SITE PLAN
3/32" = 1'-0"

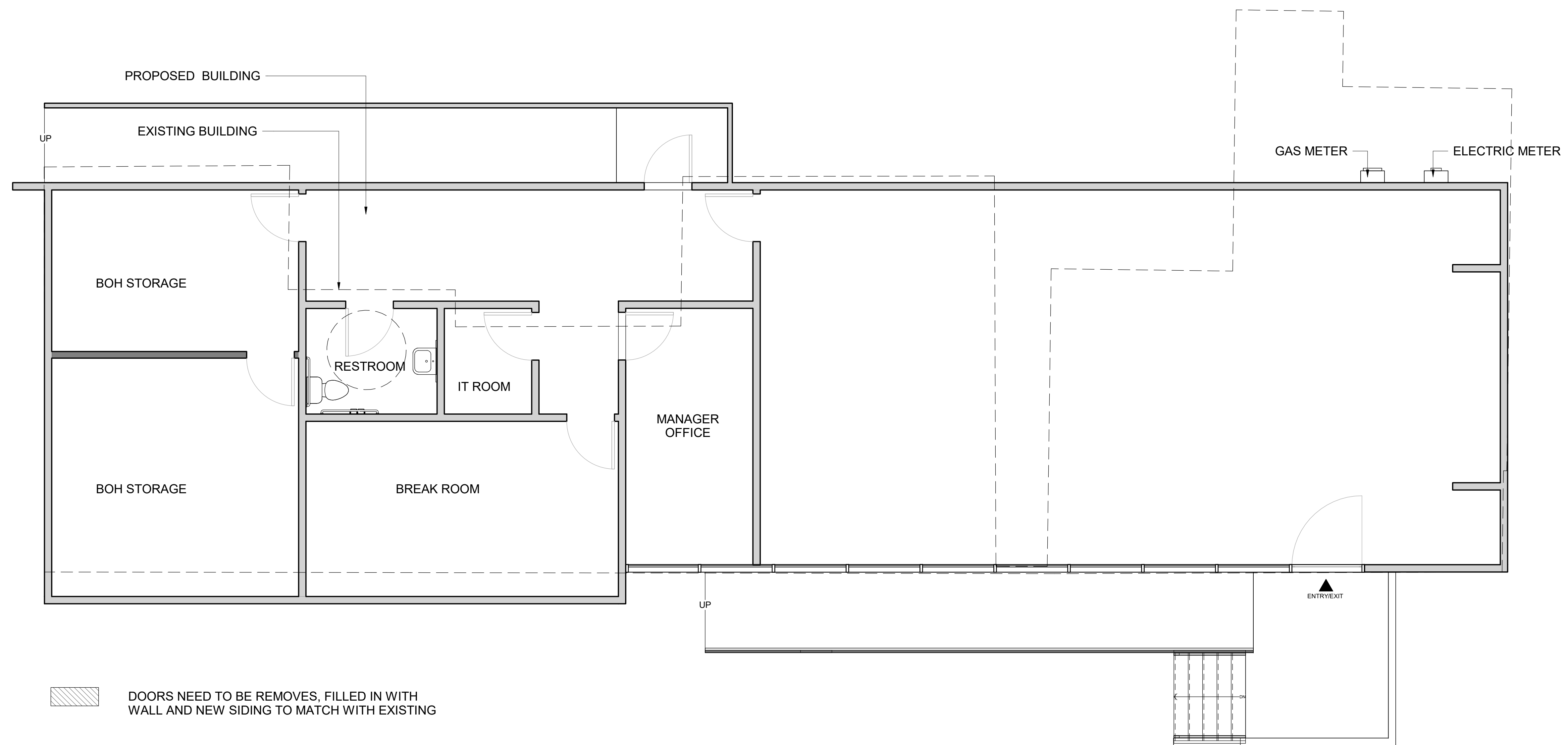
B DESIGN STUDIO
DESIGN MANAGEMENT
SAN FRANCISCO GURGAON HOUSTON


CHANDI HOSPITALITY GROUP

PROPOSED SITE PLAN
OCTOBER 27, 2021
A-1

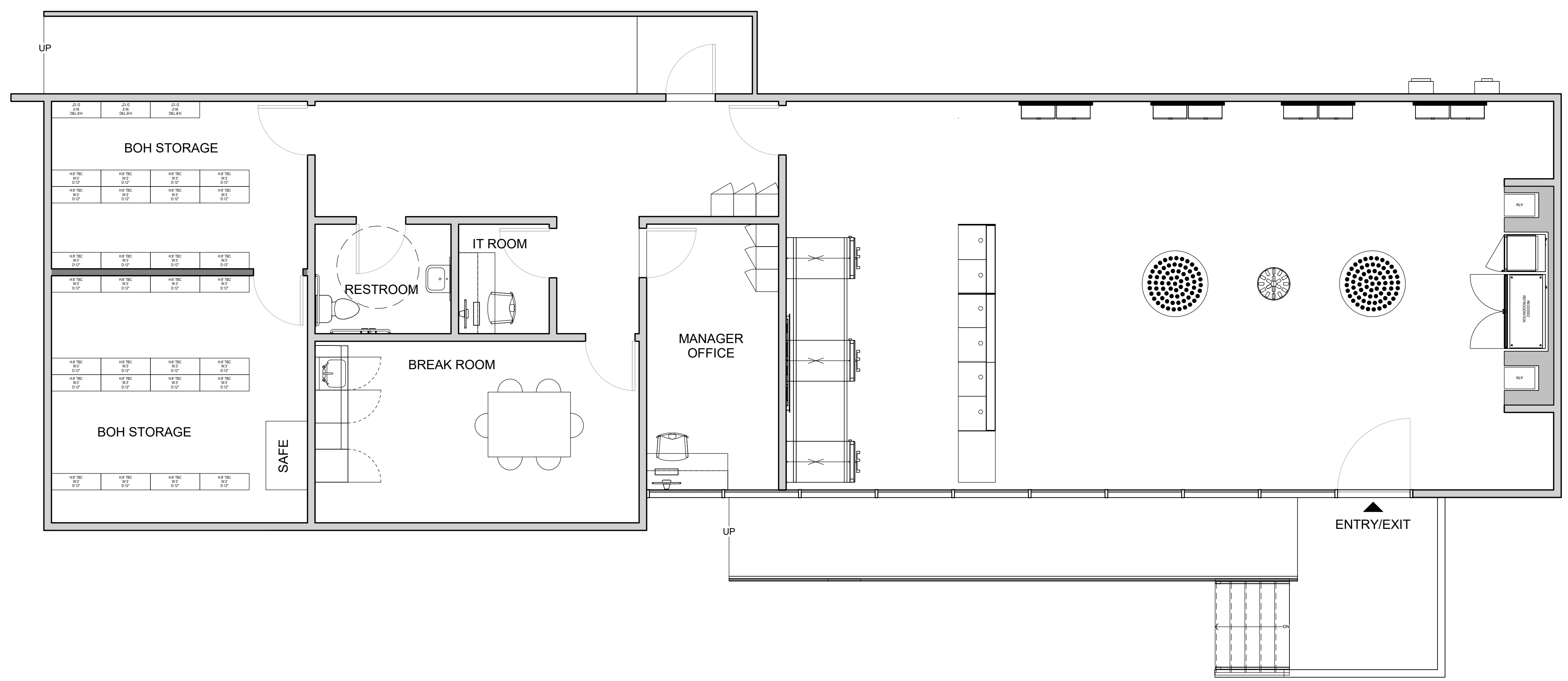


1 EXISTING FIRST FLOOR
1/4" = 1'-0"

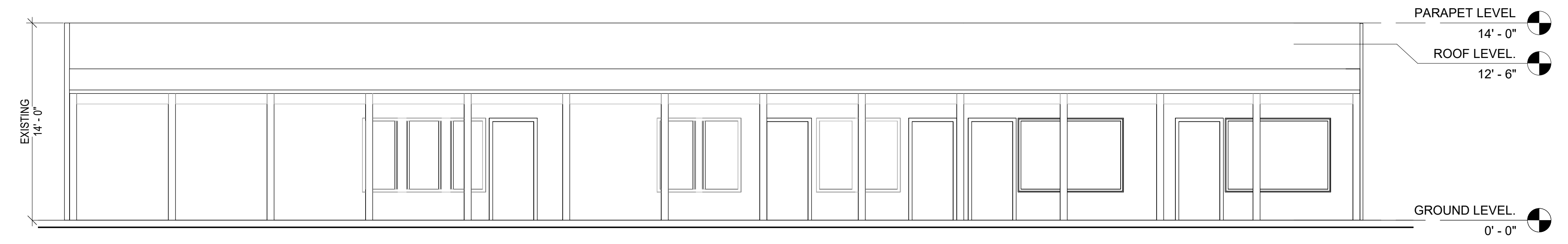


 DOORS NEED TO BE REMOVES, FILLED IN WITH WALL AND NEW SIDING TO MATCH WITH EXISTING

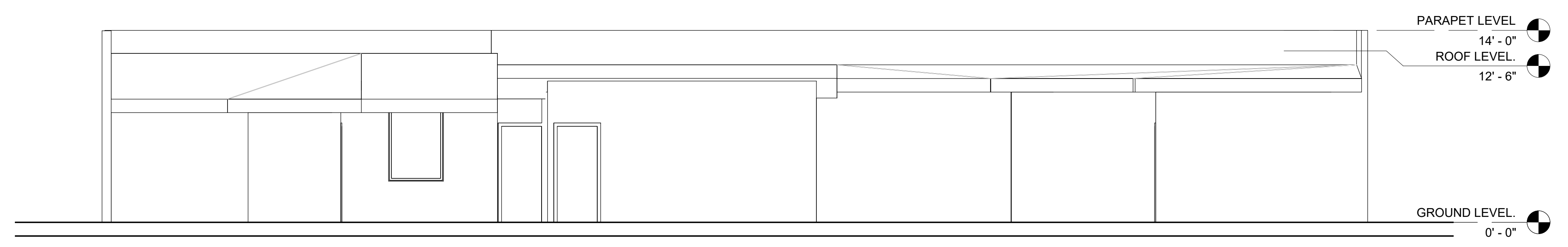
1 PROPOSED FIRST FLOOR
1/4" = 1'-0"



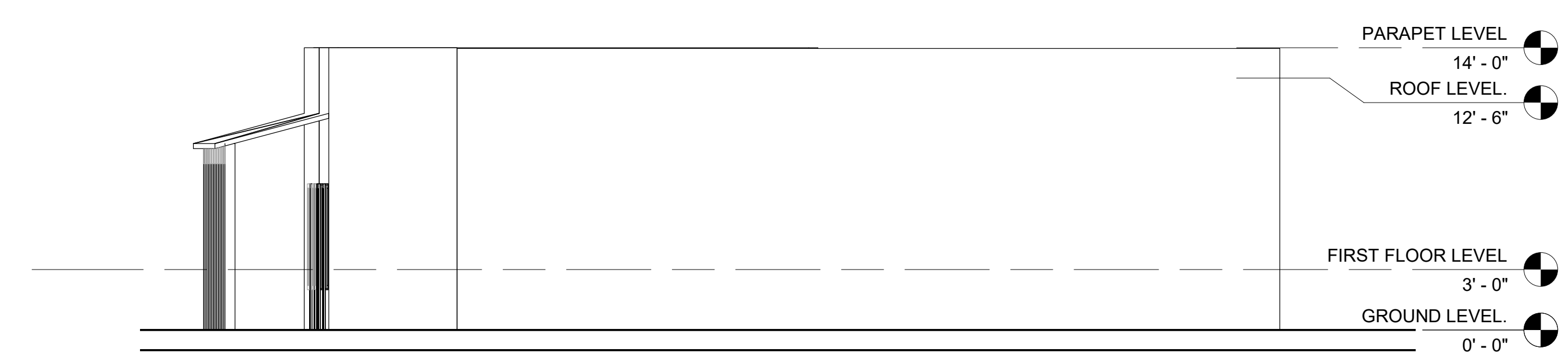
1 PROPOSED FIRST FLOOR FURNITURE LAYOUT
 1/4" = 1'-0"



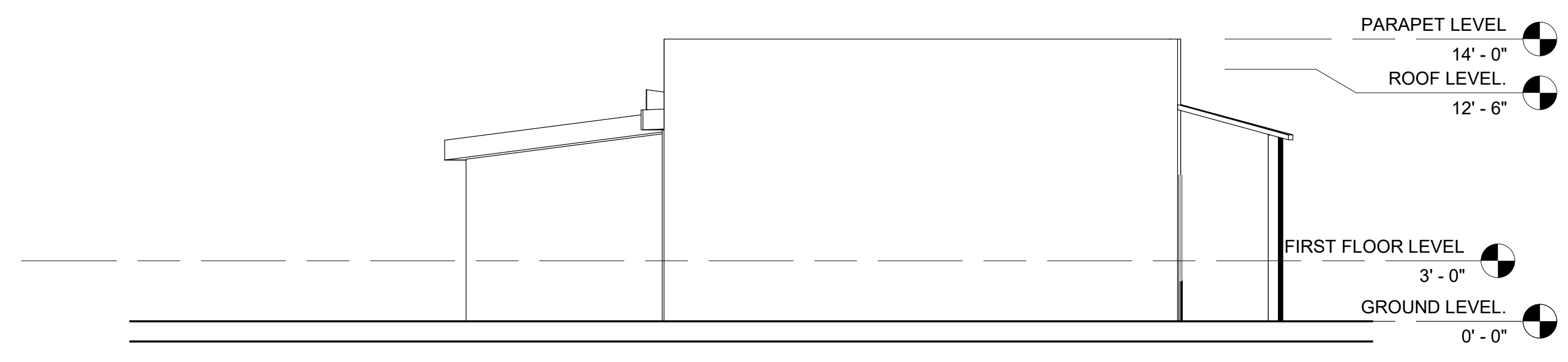
1 EXISTING ELEVATION A
3/16" = 1'-0"



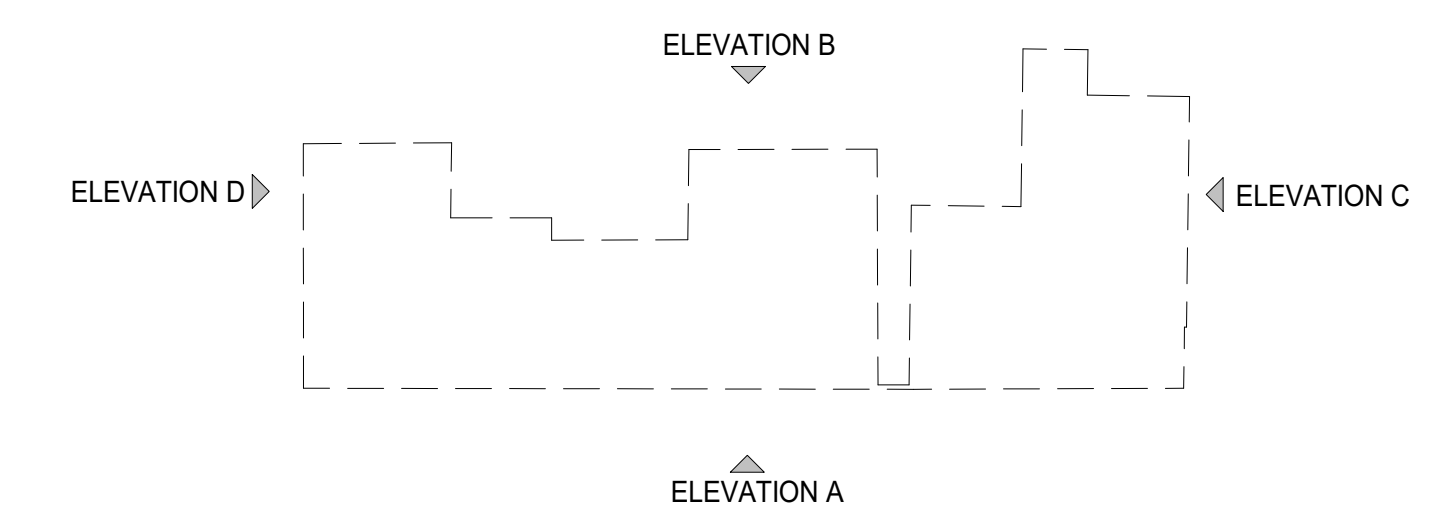
2 EXISTING ELEVATION B
3/16" = 1'-0"



3 EXISTING ELEVATION C
3/16" = 1'-0"



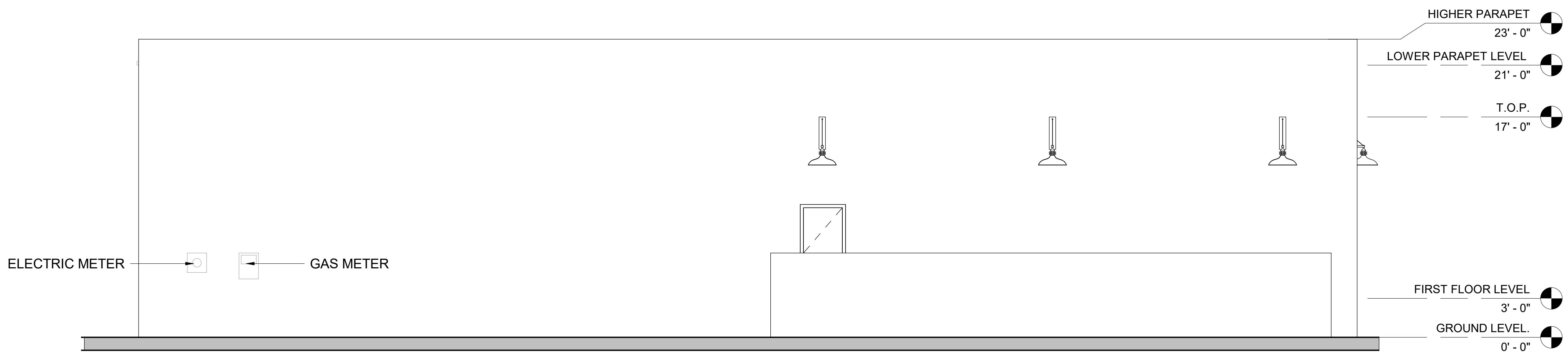
4 EXISTING ELEVATION D
3/16" = 1'-0"



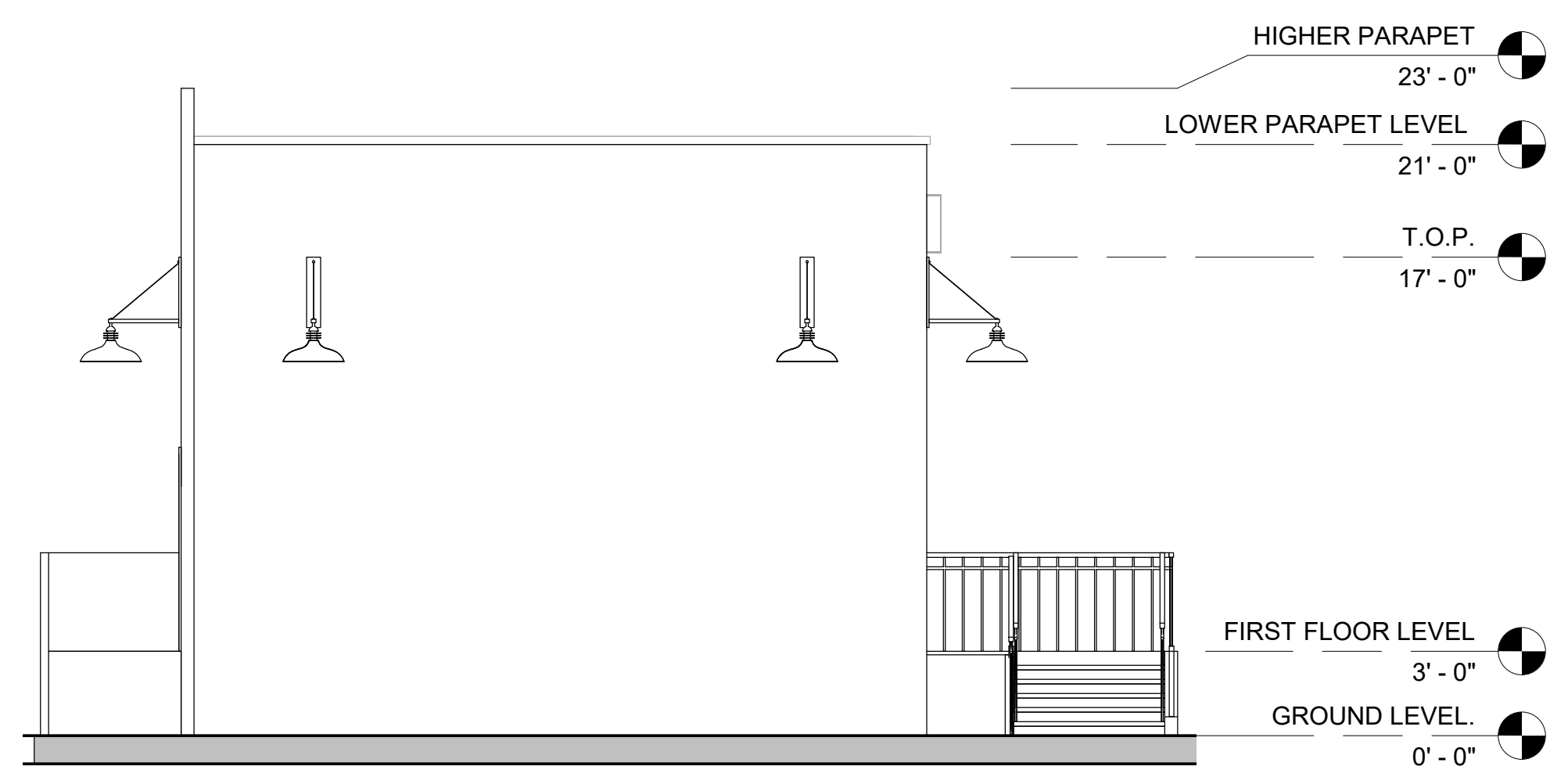
KEY PLAN



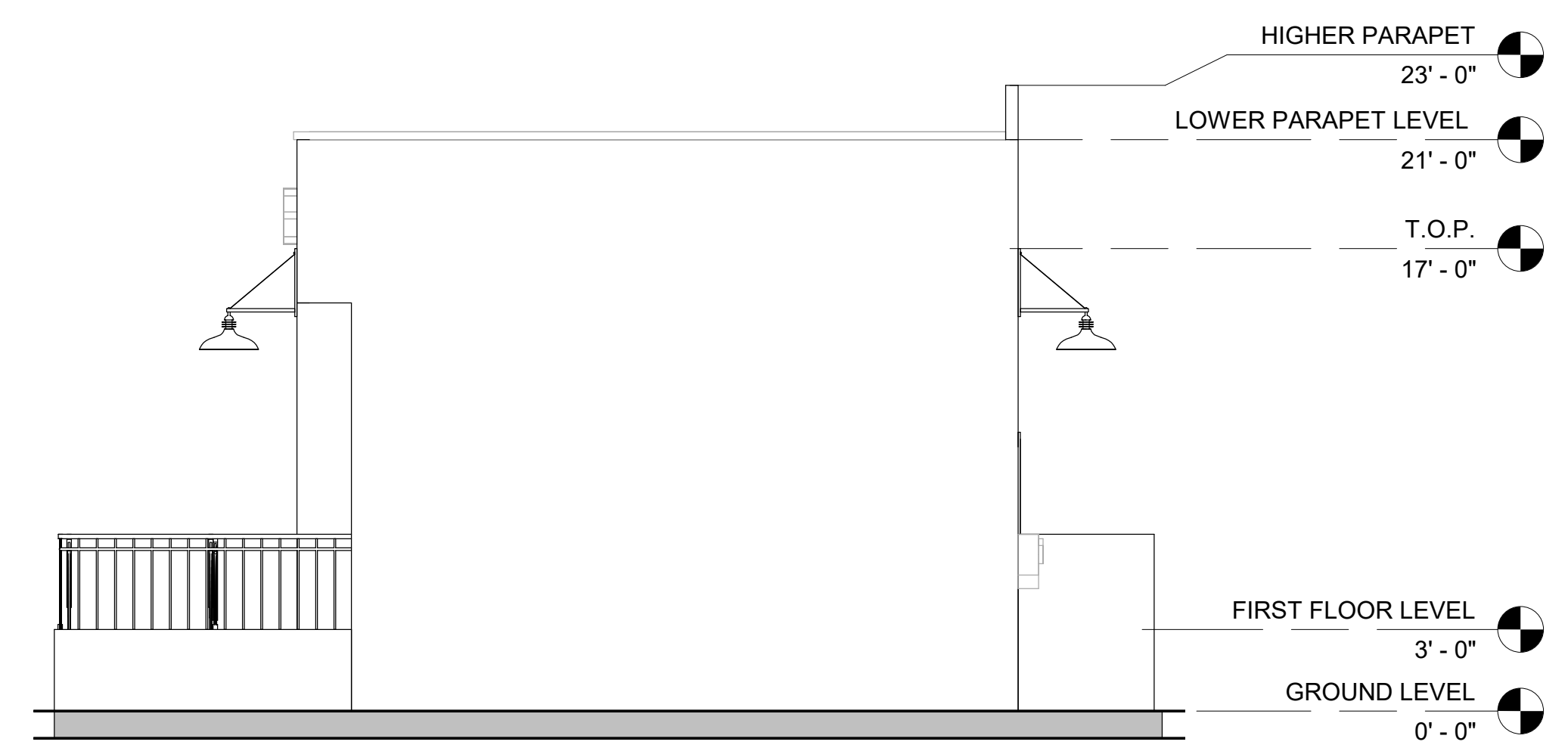
1 PROPOSED ELEVATION A
3/16" = 1'-0"



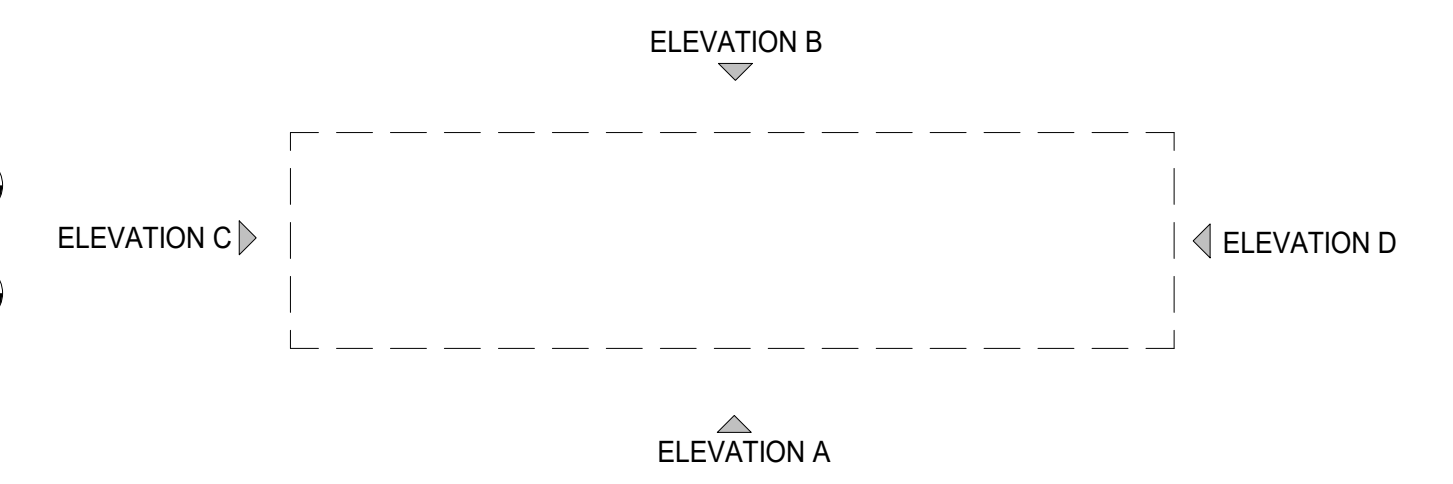
2 PROPOSED ELEVATION B
3/16" = 1'-0"



3 PROPOSED ELEVATION C
3/16" = 1'-0"



5 PROPOSED ELEVATION D
3/16" = 1'-0"



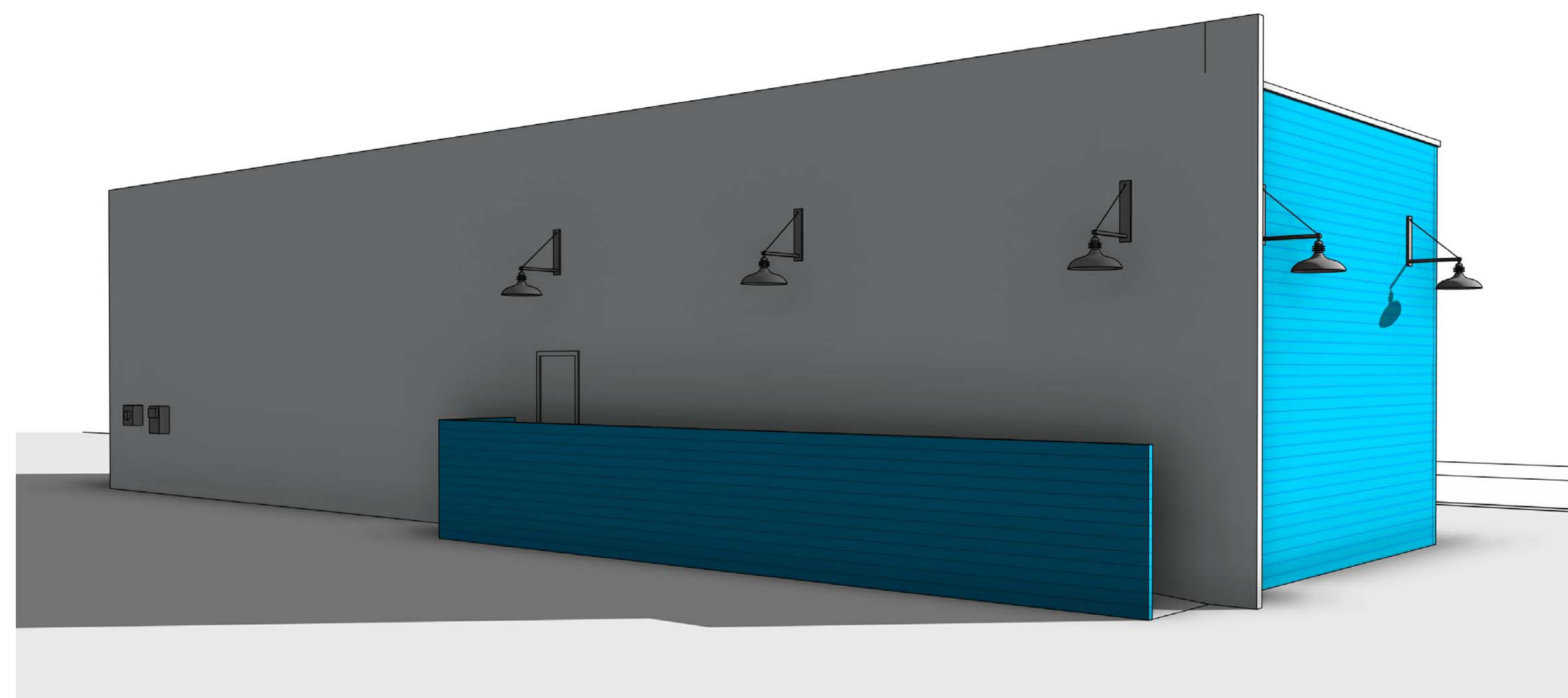
KEY PLAN



EXISTING VIEW



PROPOSED VIEW



PROPOSED VIEW



PROPOSED VIEW

PROPOSED VIEW

CHAPTER 1 BUILDING REGULATIONS

ARTICLE 3. EXCLUSIONS AND MODIFICATIONS

SECTION:

§3015: Exclusion

§3016: Modifications To The California Building Code

§3020: Small Residential Rooftop Solar Energy System Review Process

§3030: California Building Code Section 105.5

§3031: California Building Code Appendix G, Section G102.3

§3032: California Building Code Appendix G, Section G102.4

§3033: California Building Code Appendix G, Section G102.5

§3034: California Building Code Appendix G, Section G102.6

§3035: California Building Code Appendix G, Section G103.10

§3036: California Residential Code Section R105.5

§3037: California Mechanical Code Section 104.4.3

§3038: California Plumbing Code Section 104.4.3

§3039: California Electrical Code Section 89.108.4.1

§3040: Uniform Code For Building Conservation

§3015 EXCLUSION

The provisions of this chapter shall not apply to any project under the control and jurisdiction of the city of Ukiah, the county of Mendocino, the state of California or the United States unless, and to the extent, the contract or specifications for a particular project specifies compliance with this chapter or any of the model codes adopted herein. (Ord. 838, §1, adopted 1984; Ord. 1103, §1, adopted 2007)

§3016 MODIFICATIONS TO THE CALIFORNIA BUILDING CODE

A. The section of the California building code, relating to applications for building permits is modified to require in an application to demolish a building, the date when the building was first constructed, if known. The terms "demolish" or "demolition", as used in this section, shall mean: 1) the tearing down of all or part of a building or 2) the cumulative alteration of a building pursuant to one or more building permits issued over a five (5) year period, where fifty percent (50%) or more of the structural or exterior components of the building are removed or replaced. The review required by this section shall occur with the application for the permit that: 1) results in the tearing down of all or part of the building or 2) authorizes the cumulative alteration of the building that equals or exceeds the specified percentage.

B. The section of the California building code, relating to the issuance of a building permit, is modified to require that, as to buildings constructed fifty (50) years or more prior to the date of application, the director of planning or his/her designee shall determine whether:

1. The building is an accessory building such as, but not limited to, a garage, storage shed, or carport, whether attached or detached to a main building; except that certain accessory buildings, such as carriage houses, which are presumed to have historic or architectural significance shall be subject to further review as provided in subsection D of this section, unless the building is subject to demolition under subsection B2 of this section.
2. Immediate demolition of the building is necessary to protect the public health or safety and the failure to immediately demolish the building would constitute a serious threat to the public health or safety.

C. If subsection B1 or B2 of this section applies to the building, no further review shall be required under this section and the permit shall be issued in accordance with the provisions of the California building code.

D. If the planning director finds that neither of the exceptions in subsection B1 or B2 of this section applies to the building, a building permit to demolish a building shall be subject to further review in accordance with this section. The planning director shall transmit the proposal to the demolition review committee, or other official reviewing body established by the city council, for review, comment, and a recommendation to the city council. Once the demolition review committee formulates a recommendation concerning the disposition of the proposed permit, the planning director shall schedule and duly notice the matter for a public hearing and decision by the city council. The public noticing shall indicate the day, time, place, and purpose of the public hearing, and how additional

information about the subject matter can be obtained. The public noticing shall be accomplished in the following manner:

1. Publication in a newspaper of general circulation in the city at least ten (10) days prior to the hearing.
2. Mailing or delivery at least ten (10) days prior to the hearing to the owner(s) of the subject property, or his/her agent, and to the project applicant, if the applicant is not the owner.
3. First class mail notice to all owners (as shown on the latest available Mendocino County tax assessor's equalized assessment roll) of property within three hundred feet (300') of the subject property.

E. In reviewing proposed permits, and formulating recommendations to the city council, the demolition review committee shall consider any information provided during the meeting, and shall use the following criteria. The structure:

1. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind; or
2. Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, or architectural history; or
3. Is strongly identified with persons or events significant in local, state, or national history.

F. If the demolition review committee finds that any of the criteria listed in subsection E of this section apply to the building proposed for demolition, it shall recommend denial of the permit to the city.

G. 1. The city council shall conduct a public hearing pursuant to subsection D of this section to consider the recommendation of the demolition review committee, and to determine if any of the criteria listed in subsection E of this section apply to the building proposed for demolition. If the city council determines that any one of the criteria applies, it shall make a corresponding finding to that effect.

2. At the hearing, the applicant shall have the opportunity to present evidence that a viable market does not exist for the building, taking into account the condition of the building, the probable cost to put the building into marketable condition, and the uses of the property allowed under existing or probable future zoning regulations. The city council shall consider such evidence offered by the applicant and any other information presented at the meeting by any

interested party or by staff, to determine whether or not a viable market exists. "Viable market" means that it is reasonably likely that the building could be sold within a commercially reasonable period of time for more than the seller would be required to invest in the purchase of the property and preparing the property for sale, or that the property could produce a reasonable return on the amount of money it would take to purchase the property and prepare the building for income producing purposes. "Reasonable return" means the average rate of return on real estate investments in the Ukiah Valley.

3. If the city council determines that a viable market exists:

a. It shall so notify the building official who shall not issue the permit. The city council shall determine whether a viable market exists based on substantial evidence presented at the hearing, or, it may assume that a viable market exists, if the applicant fails to present substantial evidence that a viable market does not exist;

b. Not more than once within any twelve (12) month period, the applicant may submit a new application for a permit and the city council may reconsider whether a viable market exists:

(1) Upon a showing by the applicant that market conditions have changed; or

(2) Based upon new information that in the exercise of reasonable diligence the applicant could not have produced at the first hearing.

4. If the city council determines, based on substantial evidence, that a viable market does not exist, the issuance of the permit shall be stayed for a period of ninety (90) days.

a. During that ninety (90) day period, the city shall do the following:

(1) Determine whether other alternatives to demolition exist, which are acceptable to the applicant, that would preserve the historic, architectural or cultural significance of the building;

(2) Determine whether funds are available from any private source for the acquisition and preservation of the building through a negotiated purchase on terms acceptable to the applicant; or

(3) If sufficient funds are available from any private source and a negotiated purchase is not possible, determine whether to acquire the building through eminent domain.

- b. If within the ninety (90) days, the city does not reach agreement with the applicant or commence acquisition of the building, the building official may issue the permit in accordance with the provisions of the California building code.
- c. If within the ninety (90) day period, the city either: 1) reaches agreement with the applicant or 2) commences acquisition of the building, the building official shall not issue the permit.
- d. However, the building official shall continue to process the application for the permit in accordance with the California building code, if the city and the applicant terminate their agreement or the city fails to diligently pursue or abandons acquisition of the building.
- e. The city manager or his/her designee shall inform the building official whenever the city and the applicant terminate their agreement or the city fails to diligently pursue or abandons acquisition of the building.
- f. If the building official has issued a demolition permit under this subsection and the permittee applies to extend the permit an additional one hundred eighty (180) days in accordance with the applicable provisions of the California building code then in effect, the building official shall refer the application to the city manager for an initial determination as to whether market conditions have changed. The city manager shall make the determination within ten (10) days after the application is referred by the building official. If the city manager determines that market conditions may have changed and that a viable market may exist for the property, he or she shall schedule the matter for a hearing before the city council to be noticed and conducted in accordance with subsection D of this section and this subsection G. However, at the hearing the city shall have the burden of proving by a preponderance of the evidence that market conditions have changed and a viable market exists. If the city manager determines that market conditions have not changed, he or she shall so notify the building official and the applicant. Upon such notification, the building official shall further process the application to extend the term of the permit in accordance with the requirements of the California building code then in effect. If the city council conducts a hearing upon referral by the city manager, the city clerk shall provide written notification to the building official and the applicant of the city council decision. If the city council decides that a viable market exists, the building official shall not issue the permit, but the provisions of subsection G3b of this section shall apply. If the city council decides that a viable market does not exist, the building official immediately shall proceed to further process the application in accordance with the applicable provisions of the California building code then in effect.

5. "Diligently pursue acquisition" means taking all steps within the time required by law to acquire the building by eminent domain.

6. References to "applicant" herein shall include the building owner.

H. The planning director shall provide a written notice of the city council determination to the applicant. The written notification shall be mailed or hand delivered within five (5) days from the date of the city council's decision. The notice shall include the finding(s) and decision made by the city council and a copy of this section.

I. The applicant for a permit for a building determined to have historic, architectural or cultural significance shall salvage the building materials for reuse to the maximum extent feasible, and shall ensure that upon completion of the demolition, the site is left in a safe, presentable, and clutter free condition.

J. 1. Grounds For Reconsideration: The city council may reconsider a decision under this section within sixty (60) calendar days from the date the decision was made, if information that may have materially affected the decision was: a) misrepresented by the applicant, or b) not disclosed by the applicant, if the applicant knew or should have known that the information may have affected the city council decision. "Information" as used herein means matters of fact or law.

A decision may not be reconsidered, if all three (3) of the following have occurred: The permit: a) has been issued, b) did not at the time it was issued violate any provision of the California building code, as adopted by the city, or any other city ordinance or state or federal law, and c) the permittee has commenced demolition in good faith reliance on the permit.

2. Procedure On Reconsideration: Reconsideration of a decision under this section may be placed on the agenda for a regular city council meeting by any member of the city council who voted in favor of the original decision. Notice of any meeting where reconsideration is on the agenda shall be provided in accordance with subsection D of this section. If already issued, the permit shall be suspended from the date that an eligible city council member requests that the matter be placed on the agenda and until the city council makes a final decision upon reconsideration. The building official shall notify the applicant in writing of the permit suspension. At the meeting, the city council shall determine, based on evidence provided to the city prior to or during the meeting, whether reconsideration is permitted under subsection J1 of this section. Any motion to reconsider the decision shall contain findings supported by substantial evidence. If upon reconsideration the city council makes a different decision, the city clerk shall provide notice of that decision to the building official and the applicant/permittee within five (5) working days after the decision is made. If, upon reconsideration, the city council determines that a

building has historic, architectural, or cultural significance, and the building official has issued a permit based on the previous decision, the building official shall revoke the permit. If the previously issued permit has expired, the building official shall deny an application for a new permit, unless the permit is issued in accordance with subsection G4 of this section. (Ord. 838, §1, adopted 1984; Ord. 927, §1, adopted 1992; Ord. 1014, §1, adopted 1998; Ord. 1103, §1, adopted 2007)

§3020 SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM REVIEW PROCESS

A. The following words and phrases as used in this section are defined as follows:

"Electronic submittal" means the utilization of one or more of the following:

1. E-mail;
2. The Internet;
3. Facsimile.

"Small residential rooftop solar energy system" means all of the following:

1. A solar energy system that is no larger than ten (10) kilowatts alternating current nameplate rating or thirty (30) kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of section [714](#) of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
3. A solar energy system that is installed on a single or duplex family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

"Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of section [801.5](#) of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

B. Section [65850.5](#) of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

C. Section [65850.5](#) of the California Government Code provides that in developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The Building Official is hereby authorized and directed to develop and adopt such checklist.

D. The checklist shall be published on the City's Internet website together with any required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signature.

E. Prior to submitting an application, the applicant shall:

1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads.

F. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection by the Building Official and Fire Chief. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however, the subsequent inspection need not conform to the requirements of this subsection.

G. An application that satisfies the information requirements in the checklist, as determined by the Building Official, shall be deemed complete. Upon receipt of an incomplete application, the Building Official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

H. Upon confirmation by the Building Official of the application and supporting documentation being complete and meeting the requirements of the checklist, the Building Official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider. (Ord. 1162, §1, adopted 2015)

§3030 CALIFORNIA BUILDING CODE SECTION 105.5

Section 105.5 is amended as follows:

Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void unless a required inspection is received and signed off within 180 days after its issuance or within 180 days of the last received and signed off inspection. If a permit expires, the permittee may apply to reinstate the permit, subject to a fee established from time to time by resolution of the City Council.

(Ord. 1128, adopted 2010; Ord. 1142, §1, adopted 2013)

§3031 CALIFORNIA BUILDING CODE APPENDIX G, SECTION G102.3

California Building Code Appendix G, Section G102.3, is added as follows:

Legal Authority Authorizing Regulation of Land Use. The legal authority authorizing the regulation of land use includes California Government Code Sections [65302](#), [65560](#) and [65800](#), authorizing local governments to promote the public health, safety, and general welfare of its residents through the adoption of zoning and subdivision ordinances, the authorities cited in the California Building Standards Code and the other codes adopted in this Division 3 of the Ukiah City Code and in the subdivision and zoning regulations contain in Division 9 of this Code.

(Ord. 1171, §2, adopted 2016)

§3032 CALIFORNIA BUILDING CODE APPENDIX G, SECTION G102.4

California Building Code Appendix G, Section G102.4, is added as follows:

Abrogation and Greater Restrictions. These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, storm water management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

(Ord. 1171, §2, adopted 2016)

§3033 CALIFORNIA BUILDING CODE APPENDIX G, SECTION G102.5

California Building Code Appendix G, Section G102.5, is added as follows:

Disclaimer of Liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Ukiah, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

(Ord. 1171, §2, adopted 2016)

§3034 CALIFORNIA BUILDING CODE APPENDIX G, SECTION G102.6

California Building Code Appendix G, Section G102.6, is added as follows:

Severability. This Chapter and the various parts thereof are hereby declared to be severable. Should any section of this Chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Chapter as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

(Ord. 1171, §2, adopted 2016)

§3035 CALIFORNIA BUILDING CODE APPENDIX G, SECTION G103.10

California Building Code Appendix G, Section G103.10, is added as follows:

Requirement to Submit New Technical Data. The Building Official shall require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to the Federal Emergency Management Agency the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change the base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.

(Ord. 1171, §2, adopted 2016)

§3036 CALIFORNIA RESIDENTIAL CODE SECTION R105.5

California Residential Code Section R105.5 is amended as follows:

Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void unless a required inspection is received and signed off within 180 days after its issuance or within 180 days of the last received and signed off inspection. If a permit expires, the permittee may apply to reinstate the permit, subject to a fee established from time to time by resolution of the City Council.

(Ord. 1128, adopted 2010; Ord. 1142, §1, adopted 2013; Ord. 1171, §2, adopted 2016. Formerly 3031.)

§3037 CALIFORNIA MECHANICAL CODE SECTION 104.4.3

California Mechanical Code Section 104.4.3 is amended as follows:

Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void unless a required inspection is received and signed off within 180 days after its issuance or within 180 days of the last received and signed off inspection. If a permit expires, the permittee may apply to reinstate the permit, subject to a fee established from time to time by resolution of the City Council.

(Ord. 1128, adopted 2010; Ord. 1142, §1, adopted 2013; Ord. 1171, §2, adopted 2016. Formerly 3032.)

§3038 CALIFORNIA PLUMBING CODE SECTION 104.4.3

California Plumbing Code Section 104.4.3 is amended as follows:

Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void unless a required inspection is received and signed off within 180 days after its issuance or within 180 days of the last received and signed off inspection. If a permit expires, the permittee may apply to reinstate the permit, subject to a fee established from time to time by resolution of the City Council.

(Ord. 1128, adopted 2010; Ord. 1142, §1, adopted 2013; Ord. 1171, §2, adopted 2016. Formerly 3033.)

§3039 CALIFORNIA ELECTRICAL CODE SECTION 89.108.4.1

California Electrical Code Section 89.108.4.1 is amended as follows:

Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void unless a required inspection is received and signed off within 180 days after its issuance or within 180 days of the last received and signed off inspection. If a permit expires, the permittee may apply to reinstate the permit, subject to a fee established from time to time by resolution of the City Council.

(Ord. 1171, §2, adopted 2016)

§3040 UNIFORM CODE FOR BUILDING CONSERVATION

(Ord. 913, §4, adopted 1990; Rep. by Ord. 1103, §1, adopted 2007)

The Ukiah City Code is current through Ordinance 1216, passed September 1, 2021.

Disclaimer: The City Clerk's office has the official version of the Ukiah City Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.cityofukiah.com/>

City Telephone: (707) 463-6217

[Code Publishing Company](#)



City of Ukiah

COMMUNITY DEVELOPMENT
DEPARTMENT

300 SEMINARY AVENUE
UKIAH, CA 95482

BUILDING DIVISION

Email: buildingdivision@cityofukiah.com
 Web: cityofukiah.com
 Phone: 707-467-5786
 Fax: 707-463-6204

Interoffice MEMORANDUM

To: Mireya Turner, Planning Manager
From: Matt Keizer, Building Official
Date: January 21, 2022
RE: Demolition Permit for Structure more than 50 Years Old
Address: 1102 & 1104 S. State Street
APN: 003-130-09 & 003-530-11

On January 21, 2022, I reviewed the Demolition Permit application materials and performed a site visit of 1102 & 1104 S State st. The building is not included in the City of Ukiah's Historic Resources Survey (last updated in 1999), nor is it listed in the State of California's inventory of historic resources or National Register of Historic Places.

The building is of Type V-B construction (wood) and I have not found anything that would be Historical in any way. I therefore recommend the approval of demolition.

The Building Division has reviewed the above-referenced demolition permit and made the following determination: Recommend the approval of demolition

The applicant is required to obtain air-quality clearance from the Air Quality Management District prior to obtaining a demolition permit from the Building Division.

Matt Keizer, Building Official

PROJECT REVIEW REFERRAL
Please provide comments by:

The City of Ukiah Community Development Department is soliciting input on the project described below for use in the staff analysis, CEQA document, and public hearing documents. Please identify any questions you have or missing information you need to complete your review, as well as suggested Conditions of Approval.

TO:	
City Planning Manager	Mendocino County Planning and Building
City Building Official	Mendocino County Surveyor/Assessor
City Public Works Dept.	Mendocino Transit Authority
Ukiah Valley Fire Authority	US Army Corps of Engineers
City Police Dept. Captain	Regional Water Quality Control Board
City Police Dept. Community Service Officer	CA Dept. of Fish and Wildlife
City Electric Utility Dept.	CA Dept. of Transportation
Ukiah Municipal Airport Operations Manager	Sonoma State Northwest Information Center
Airport Land Use Commission	AT & T
Mendocino County Air Quality	PG & E (gas)
Mendocino County Environmental Health	PG & E (Land Rights)
California Military Land Use Office	Other:
FROM PROJECT PLANNER:	

PROJECT INFORMATION:	
Project Name & Permit #:	
Site Address & APN:	
General Plan:	
Zoning:	
Airport Compatibility Zone:	
Date Filed:	
Resubmittal:	
Date Referred:	
Prev. Projects on Site (include file #)	
Applicant/Agent Name:	
Phone:	
Email:	
Project Summary:	

Please indicate whether you have comments and sign and date below. Return this Project Referral Form by the date noted above to the Project Planner listed.

Name and Affiliation/Department (please print) _____

- No Comment
- Comments / Conditions of Approval Attached

Scott Duggal

Signature

Date

Comments / Conditions of Approval:

Empty box for comments or conditions of approval.

Project Description

The Applicant proposes to demolish two existing buildings located at 1102 and 1104 South State Street (APNs: 003-130-09 & 003-530-11). The ±1.01-acre project site is located at the intersection of South State Street and Talmage Road, and is developed with a parking lot and two buildings: one ±734 sf building that is vacant and boarded at the entrances and windows; and one ±1,221 sf building that is occupied by a tax service business and hair salon.

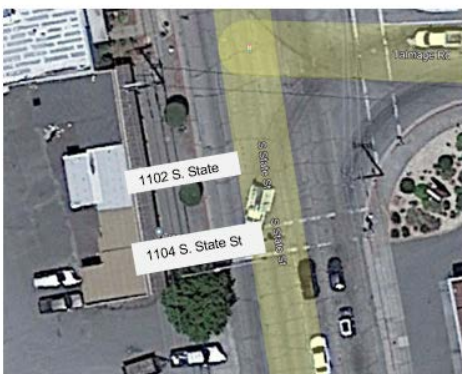
1102 South State Street. The existing vacant and boarded building was estimated to have been built in 1953, according to the Mendocino County Assessor's record. It has also used the 1100 South State Street address, according to building permit records from 1984. The structure has housed a variety of commercial land uses, but has been out of use for the last two years. The building is not listed as an historic resource in the Ukiah 1985 Survey of Historic Resources, the 1999 Ukiah Survey of Historic Resources, or the 2020 State Inventory of Historic Resources.

1104 South State Street. According to the Mendocino County Assessor's records, the tax service and salon building was built in 1948. The building is not listed as an historic resource in the Ukiah 1985 Survey of Historic Resources, the 1999 Ukiah Survey of Historic Resources, or the 2020 State Inventory of Historic Resources.

Because the buildings are not listed in a local, state or national register, a detailed Historic Resource Evaluation is not required to be provided.

Per Ukiah City Code Section 3016(b), structures over 50 years old proposed for demolition shall be reviewed for their historic or architectural significance. Specifically, the City's Demolition Review Committee shall review the proposal and make a recommendation to the Ukiah City Council. See attached UCC Sections for more information.

In accordance with the California Environmental Quality Act (CEQA), the project qualifies for a Class 2 Categorical Exemption (§15302.b) for the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. The demolition permit will not require an Initial Study.



CHAPTER 1 BUILDING REGULATIONS

ARTICLE 3. EXCLUSIONS AND MODIFICATIONS

SECTION:

§3015: Exclusion

§3016: Modifications To The California Building Code

§3020: Small Residential Rooftop Solar Energy System Review Process

§3030: California Building Code Section 105.5

§3031: California Building Code Appendix G, Section G102.3

§3032: California Building Code Appendix G, Section G102.4

§3033: California Building Code Appendix G, Section G102.5

§3034: California Building Code Appendix G, Section G102.6

§3035: California Building Code Appendix G, Section G103.10

§3036: California Residential Code Section R105.5

§3037: California Mechanical Code Section 104.4.3

§3038: California Plumbing Code Section 104.4.3

§3039: California Electrical Code Section 89.108.4.1

§3040: Uniform Code For Building Conservation

§3015 EXCLUSION

The provisions of this chapter shall not apply to any project under the control and jurisdiction of the city of Ukiah, the county of Mendocino, the state of California or the United States unless, and to the extent, the contract or specifications for a particular project specifies compliance with this chapter or any of the model codes adopted herein. (Ord. 838, §1, adopted 1984; Ord. 1103, §1, adopted 2007)

§3016 MODIFICATIONS TO THE CALIFORNIA BUILDING CODE

A. The section of the California building code, relating to applications for building permits is modified to require in an application to demolish a building, the date when the building was first constructed, if known. The terms "demolish" or "demolition", as used in this section, shall mean: 1) the tearing down of all or part of a building or 2) the cumulative alteration of a building pursuant to one or more building permits issued over a five (5) year period, where fifty percent (50%) or more of the structural or exterior components of the building are removed or replaced. The review required by this section shall occur with the application for the permit that: 1) results in the tearing down of all or part of the building or 2) authorizes the cumulative alteration of the building that equals or exceeds the specified percentage.

B. The section of the California building code, relating to the issuance of a building permit, is modified to require that, as to buildings constructed fifty (50) years or more prior to the date of application, the director of planning or his/her designee shall determine whether:

1. The building is an accessory building such as, but not limited to, a garage, storage shed, or carport, whether attached or detached to a main building; except that certain accessory buildings, such as carriage houses, which are presumed to have historic or architectural significance shall be subject to further review as provided in subsection D of this section, unless the building is subject to demolition under subsection B2 of this section.

2. Immediate demolition of the building is necessary to protect the public health or safety and the failure to immediately demolish the building would constitute a serious threat to the public health or safety.

C. If subsection B1 or B2 of this section applies to the building, no further review shall be required under this section and the permit shall be issued in accordance with the provisions of the California building code.

D. If the planning director finds that neither of the exceptions in subsection B1 or B2 of this section applies to the building, a building permit to demolish a building shall be subject to further review in accordance with this section. The planning director shall transmit the proposal to the demolition review committee, or other official reviewing body established by the city council, for review, comment, and a recommendation to the city council. Once the demolition review committee formulates a recommendation concerning the disposition of the proposed permit, the planning director shall schedule and duly notice the matter for a public hearing and decision by the city council. The public noticing shall indicate the day, time, place, and purpose of the public hearing, and how additional

information about the subject matter can be obtained. The public noticing shall be accomplished in the following manner:

1. Publication in a newspaper of general circulation in the city at least ten (10) days prior to the hearing.
2. Mailing or delivery at least ten (10) days prior to the hearing to the owner(s) of the subject property, or his/her agent, and to the project applicant, if the applicant is not the owner.
3. First class mail notice to all owners (as shown on the latest available Mendocino County tax assessor's equalized assessment roll) of property within three hundred feet (300') of the subject property.

E. In reviewing proposed permits, and formulating recommendations to the city council, the demolition review committee shall consider any information provided during the meeting, and shall use the following criteria. The structure:

1. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind; or
2. Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, or architectural history; or
3. Is strongly identified with persons or events significant in local, state, or national history.

F. If the demolition review committee finds that any of the criteria listed in subsection E of this section apply to the building proposed for demolition, it shall recommend denial of the permit to the city.

G. 1. The city council shall conduct a public hearing pursuant to subsection D of this section to consider the recommendation of the demolition review committee, and to determine if any of the criteria listed in subsection E of this section apply to the building proposed for demolition. If the city council determines that any one of the criteria applies, it shall make a corresponding finding to that effect.

2. At the hearing, the applicant shall have the opportunity to present evidence that a viable market does not exist for the building, taking into account the condition of the building, the probable cost to put the building into marketable condition, and the uses of the property allowed under existing or probable future zoning regulations. The city council shall consider such evidence offered by the applicant and any other information presented at the meeting by any

interested party or by staff, to determine whether or not a viable market exists. "Viable market" means that it is reasonably likely that the building could be sold within a commercially reasonable period of time for more than the seller would be required to invest in the purchase of the property and preparing the property for sale, or that the property could produce a reasonable return on the amount of money it would take to purchase the property and prepare the building for income producing purposes. "Reasonable return" means the average rate of return on real estate investments in the Ukiah Valley.

3. If the city council determines that a viable market exists:

a. It shall so notify the building official who shall not issue the permit. The city council shall determine whether a viable market exists based on substantial evidence presented at the hearing, or, it may assume that a viable market exists, if the applicant fails to present substantial evidence that a viable market does not exist;

b. Not more than once within any twelve (12) month period, the applicant may submit a new application for a permit and the city council may reconsider whether a viable market exists:

(1) Upon a showing by the applicant that market conditions have changed; or

(2) Based upon new information that in the exercise of reasonable diligence the applicant could not have produced at the first hearing.

4. If the city council determines, based on substantial evidence, that a viable market does not exist, the issuance of the permit shall be stayed for a period of ninety (90) days.

a. During that ninety (90) day period, the city shall do the following:

(1) Determine whether other alternatives to demolition exist, which are acceptable to the applicant, that would preserve the historic, architectural or cultural significance of the building;

(2) Determine whether funds are available from any private source for the acquisition and preservation of the building through a negotiated purchase on terms acceptable to the applicant; or

(3) If sufficient funds are available from any private source and a negotiated purchase is not possible, determine whether to acquire the building through eminent domain.

- b. If within the ninety (90) days, the city does not reach agreement with the applicant or commence acquisition of the building, the building official may issue the permit in accordance with the provisions of the California building code.
- c. If within the ninety (90) day period, the city either: 1) reaches agreement with the applicant or 2) commences acquisition of the building, the building official shall not issue the permit.
- d. However, the building official shall continue to process the application for the permit in accordance with the California building code, if the city and the applicant terminate their agreement or the city fails to diligently pursue or abandons acquisition of the building.
- e. The city manager or his/her designee shall inform the building official whenever the city and the applicant terminate their agreement or the city fails to diligently pursue or abandons acquisition of the building.
- f. If the building official has issued a demolition permit under this subsection and the permittee applies to extend the permit an additional one hundred eighty (180) days in accordance with the applicable provisions of the California building code then in effect, the building official shall refer the application to the city manager for an initial determination as to whether market conditions have changed. The city manager shall make the determination within ten (10) days after the application is referred by the building official. If the city manager determines that market conditions may have changed and that a viable market may exist for the property, he or she shall schedule the matter for a hearing before the city council to be noticed and conducted in accordance with subsection D of this section and this subsection G. However, at the hearing the city shall have the burden of proving by a preponderance of the evidence that market conditions have changed and a viable market exists. If the city manager determines that market conditions have not changed, he or she shall so notify the building official and the applicant. Upon such notification, the building official shall further process the application to extend the term of the permit in accordance with the requirements of the California building code then in effect. If the city council conducts a hearing upon referral by the city manager, the city clerk shall provide written notification to the building official and the applicant of the city council decision. If the city council decides that a viable market exists, the building official shall not issue the permit, but the provisions of subsection G3b of this section shall apply. If the city council decides that a viable market does not exist, the building official immediately shall proceed to further process the application in accordance with the applicable provisions of the California building code then in effect.

5. "Diligently pursue acquisition" means taking all steps within the time required by law to acquire the building by eminent domain.

6. References to "applicant" herein shall include the building owner.

H. The planning director shall provide a written notice of the city council determination to the applicant. The written notification shall be mailed or hand delivered within five (5) days from the date of the city council's decision. The notice shall include the finding(s) and decision made by the city council and a copy of this section.

I. The applicant for a permit for a building determined to have historic, architectural or cultural significance shall salvage the building materials for reuse to the maximum extent feasible, and shall ensure that upon completion of the demolition, the site is left in a safe, presentable, and clutter free condition.

J. 1. Grounds For Reconsideration: The city council may reconsider a decision under this section within sixty (60) calendar days from the date the decision was made, if information that may have materially affected the decision was: a) misrepresented by the applicant, or b) not disclosed by the applicant, if the applicant knew or should have known that the information may have affected the city council decision. "Information" as used herein means matters of fact or law.

A decision may not be reconsidered, if all three (3) of the following have occurred: The permit: a) has been issued, b) did not at the time it was issued violate any provision of the California building code, as adopted by the city, or any other city ordinance or state or federal law, and c) the permittee has commenced demolition in good faith reliance on the permit.

2. Procedure On Reconsideration: Reconsideration of a decision under this section may be placed on the agenda for a regular city council meeting by any member of the city council who voted in favor of the original decision. Notice of any meeting where reconsideration is on the agenda shall be provided in accordance with subsection D of this section. If already issued, the permit shall be suspended from the date that an eligible city council member requests that the matter be placed on the agenda and until the city council makes a final decision upon reconsideration. The building official shall notify the applicant in writing of the permit suspension. At the meeting, the city council shall determine, based on evidence provided to the city prior to or during the meeting, whether reconsideration is permitted under subsection J1 of this section. Any motion to reconsider the decision shall contain findings supported by substantial evidence. If upon reconsideration the city council makes a different decision, the city clerk shall provide notice of that decision to the building official and the applicant/permittee within five (5) working days after the decision is made. If, upon reconsideration, the city council determines that a

building has historic, architectural, or cultural significance, and the building official has issued a permit based on the previous decision, the building official shall revoke the permit. If the previously issued permit has expired, the building official shall deny an application for a new permit, unless the permit is issued in accordance with subsection G4 of this section. (Ord. 838, §1, adopted 1984; Ord. 927, §1, adopted 1992; Ord. 1014, §1, adopted 1998; Ord. 1103, §1, adopted 2007)

§3020 SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM REVIEW PROCESS

A. The following words and phrases as used in this section are defined as follows:

"Electronic submittal" means the utilization of one or more of the following:

1. E-mail;
2. The Internet;
3. Facsimile.

"Small residential rooftop solar energy system" means all of the following:

1. A solar energy system that is no larger than ten (10) kilowatts alternating current nameplate rating or thirty (30) kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of section [714](#) of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
3. A solar energy system that is installed on a single or duplex family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

"Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of section [801.5](#) of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

B. Section [65850.5](#) of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

PROJECT REVIEW REFERRAL
Please provide comments by: January 19, 2022

The City of Ukiah Community Development Department is soliciting input on the project described below for use in the staff analysis, CEQA document, and public hearing documents. Please identify any questions you have or missing information you need to complete your review, as well as suggested Conditions of Approval.

TO:			
<input type="checkbox"/>	City Planning Manager	<input type="checkbox"/>	Mendocino County Planning and Building
<input checked="" type="checkbox"/>	City Building Official	<input type="checkbox"/>	Mendocino County Surveyor/Assessor
<input checked="" type="checkbox"/>	City Public Works Dept.	<input type="checkbox"/>	Mendocino Transit Authority
<input checked="" type="checkbox"/>	Ukiah Valley Fire Authority	<input type="checkbox"/>	US Army Corps of Engineers
<input checked="" type="checkbox"/>	City Police Dept. Captain	<input type="checkbox"/>	Regional Water Quality Control Board
<input type="checkbox"/>	City Police Dept. Community Service Officer	<input type="checkbox"/>	CA Dept. of Fish and Wildlife
<input checked="" type="checkbox"/>	City Electric Utility Dept.	<input type="checkbox"/>	CA Dept. of Transportation
<input type="checkbox"/>	Ukiah Municipal Airport Operations Manager	<input type="checkbox"/>	Sonoma State Northwest Information Center
<input type="checkbox"/>	Airport Land Use Commission	<input type="checkbox"/>	AT & T
<input checked="" type="checkbox"/>	Mendocino County Air Quality	<input type="checkbox"/>	PG & E (gas)
<input type="checkbox"/>	Mendocino County Environmental Health	<input type="checkbox"/>	PG & E (Land Rights)
<input type="checkbox"/>	California Military Land Use Office	<input checked="" type="checkbox"/>	Other: Mendocino County Historic
FROM PROJECT PLANNER:			

PROJECT INFORMATION:	
Project Name & Permit #:	Demolition of two buildings older than 50 years; #21-6370
Site Address & APN:	1102 & 1104 S. State Street; APNs 003-130-09 & 003-530-11
General Plan:	Commercial
Zoning:	"C-2" Heavy Commercial
Airport Compatibility Zone:	2 (Inner Approach/Departure Zone)
Date Filed:	7/7/2021
Resubmittal:	N/A
Date Referred:	12/5/2022
Prev. Projects on Site (include file #)	N/A
Applicant/Agent Name:	Bhupinder Singh
Phone:	707-412-9383
Email:	sonu@chandihospitality.com
Project Summary:	
Demolition of two existing structures the above listed address. See attached Project Description and application materials	

Please indicate whether you have comments and sign and date below. Return this Project Referral Form by the date noted above to the Project Planner listed.

Name and Affiliation/Department (please print) CECILE CRAN UKIAH PD

- No Comment
 Comments / Conditions of Approval Attached

C. Cran
Signature

1/11/22
Date

Mireya Turner

From: Jason Benson
Sent: Tuesday, January 11, 2022 9:49 AM
To: Mireya Turner
Cc: Tim Eriksen; Daniel Flores
Subject: RE: Request for review of proposed demolition - 1102 & 1104 S. State St. - REVISED

Mireya –

Public Works has reviewed this project and have no comments.



Jason Benson, PE
Public Works – Senior Engineer
C: (707)510-5485

From: Mireya Turner
Sent: Wednesday, January 5, 2022 2:08 PM
To: Matthew Keizer <mkeizer@cityofukiah.com>; Tim Eriksen <teriksen@cityofukiah.com>; Jason Benson <jbenson@cityofukiah.com>; Ian Broeske <ibroeske@cityofukiah.onmicrosoft.com>; Noble Waidelich <nwaidelich@cityofukiah.com>; Cedric Crook <ccrook@cityofukiah.com>; Scott Bozzoli <sbozzoli@cityofukiah.com>; Sonu Upadhyay <supadhyay@cityofukiah.com>; Mendocino County Air Quality Mgmt District <mcaqmd@mendocinocounty.org>; Alyssa Ballard <mendocinocountyhistory@gmail.com>
Subject: Request for review of proposed demolition - 1102 & 1104 S. State St. - REVISED

My apologies. The referral pdf I just sent contained pages related to a different demolition review request. Attached please find the much shorter, corrected version. I apologize for any inconvenience.

Cordially,



Mireya G. Turner, MPA (*she, her*)
Planning Manager
Department of Community Development
300 Seminary Avenue, Ukiah, CA 95482
P: 707.463.6203
www.cityofukiah.com/community-development