Planning Commission

Regular Meeting
AGENDA

(to be held both at the physical and virtual locations below)

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

To participate virtually, go to the following link: https://us06web.zoom.us/j/91264543193
To view the meeting (without participating) go to: http://www.cityofukiah.com/meetings/

Or you can call in using your telephone only:
****Toll-free 1-669-444-9171***
****Enter the Access Code: 912 6454 3193***
****Raise hand: after being recognized, Enter *9***
****To Speak after being recognized: enter *6 to unmute yourself***

June 14, 2023 - 6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4.a. Approval of the Minutes of May 10, 2023, a Regular Meeting

Recommended Action: Approve the Minutes of May 10, 2023, a Regular Meeting

Attachments:
1. May 10, 2023, Minutes

5. APPEAL PROCESS

All determinations of the Planning Commission regarding major discretionary planning permits are final unless a written appeal stating the reasons for the appeal is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appears and states his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by June 26, 2023.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

The Planning Commission welcomes input from the audience that is within the subject matter jurisdiction of the Planning Commission. 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.

7. SITE VISIT VERIFICATION

8. VERIFICATION OF NOTICE

9. PLANNING COMMISSIONERS REPORT

10. DIRECTOR'S REPORT

10.a. Receive Director's Report

Recommended Action: Receive Community Development Director's verbal report and associated Planning Division projects report

Attachments:

1. Planning Division Projects Report - 6-1-23

11. CONSENT CALENDAR

12. UNFINISHED BUSINESS

13. NEW BUSINESS

13.a. Continuation of a Public Hearing for Consideration of a Proposed Major Site Development Permit for Construction of a Redwood Credit Union Bank Facility at 101 S. Main St. APN 002-231-001; File No. 22-7977.

Recommended Action: Staff Recommends Planning Commission 1) Conduct a public hearing; and 2) Approve the proposed Major Site Development Permit (and requested exceptions to the Downtown Zoning Code); and 3) Find the Project consistent with the intent of Mitigation Measure CUL-2 associated with Demolition Permit No. No. 21-6155, allowing for issuance of the permit.

Attachments:

1. Communications Received-Dennis Crean
2. Communications Received from Staff- Draft Findings for Denial

14. 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. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available at the Civic Center 300 Seminary Ave. Ukiah, CA 95482; and online at: www.cityofukiah/meetings/ at the end of the next business day.

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 72 hours prior to the meeting set forth on this agenda.

Dated: June 7, 2023
Stephanie Abba, Planning Commission Secretary

CITY OF UKIAH
PLANNING COMMISSION MINUTES
REGULAR MEETING

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

Virtual Meeting Link: *https://zoom.us/j/91264543193*

May 10, 2023
6:00 p.m.

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1. CALL TO ORDER

The City of Ukiah Planning Commission held a Regular Meeting on May 10, 2023. The meeting was legally noticed on May 3, 2023. The meeting was held in person and at the following virtual link: *https://zoom.us/j/91264543193*. Chair Hilliker called the meeting to Order at 6:00 p.m.

CHAIR HILLIKER PRESIDING.

2. ROLL CALL

Roll was taken with the following **Commissioners Present**:, Alex de Grassi, Rick Johnson, Michelle Johnson, and Mark Hilliker. **Commissioners Absent:** Thao Phi **Staff Present:** Craig Schlatter, Community Development Director; Michelle Irace, Planning Manager; Tim Eriksen, Director of Public Works and City Engineer; Jesse Davis, Chief Planning Manager; Darcy Vaughn, Assistant City Attorney; and Stephanie Abba, Planning Commission Secretary.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. APPROVAL OF MINUTES

a. Approval of the Minutes of April 26, 2023, a Regular Meeting.

Motion/Second: R. Johnson/A. de Grassi to approve the Minutes of April 26, 2023, a Regular Meeting as submitted. Motion **carried** by the following roll call votes: AYES: T. Phi, A. de Grassi, R. Johnson, M. Johnson, and M. Hilliker NOES: None ABSENT: None ABSTAIN: None.

5. APPEAL PROCESS

Chair Hilliker stated that the appeals deadline date is May 22, 2023. No appeals were received.

6. COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

None

7. SITE VISIT VERIFICATION

Site Verified

8. VERIFICATION OF NOTICE

Verified by Staff

9. PLANNING COMMISSIONERS REPORTS

No report received

DRAFT

10. DIRECTOR'S REPORT
Presenter: Craig Schlatter, Community Development Director.

Report received

11. CONSENT CALENDAR
No items on the Consent Calendar

12. UNFINISHED BUSINESS
No Unfinished Business was agendized

13. NEW BUSINESS

a. Consideration of a Proposed Major Site Development Permit for the Construction of a Redwood Credit Union Bank Facility at 101 S. Main St. APN 002-231-001; File No. 22-7977

(Commissioners Rick Johnson and Mark Hilliker told the Commission that they are members of the Credit Union and asked legal council, Darcy Vaughn, if they needed to recuse themselves. Legal council said they would not have to recuse themselves since they are not benefitting from the Redwood Credit Union moving to a new location and that it would not affect their bank accounts).

Presenters: Craig Schlatter, Community Development Director, Michelle Irace, Planning Manager

Applicant: Tony Hildesheim, Chief Operating Officer of Redwood Credit Union; Doug Hilberman, President, AXIA Architects

Public Comment: Pinky Kushner; Linda Sanders, Holly Brackmann, Cindy Ricoh, Alejandra Pisado, Alan Nicholson, Roger Foote, Ken Steely, Mary Anne Landis, Dennis Crean, Stephen Scalmanini, Todd Andrus

Public Hearing Open: 6:35 p.m.

Recess: 8:12 p.m.
Reconvened: 8:24 p.m.

Public Hearing Closed: 8:27 p.m.

9:23 p.m. Chair opened up Public Comment.

Public Comment: Doug Hilberman, President, AXIA Architects; Tony Hildesheim, Chief Operating Officer of Redwood Credit Union; Alan Nicholson; Dennis Crean

9:33 p.m. Chair closed Public Comment

Motion/Second: R. Johnson/M. Johnson to move for continuance to June 14, 2023, at 6:00 p.m. Motion **failed** by the following roll call votes: AYES: R. Johnson, and M. Johnson. NOES: A. de Grassi and M. Hilliker. ABSENT: T. Phi, ABSTAIN: None.

After further discussion, Commissioner M. Hilliker changed his vote to AYE.

Motion/Second: R. Johnson/M. Johnson to move for continuance to June 14, 2023, at 6:00 p.m. Motion **carried** by the following roll call votes: AYES: R. Johnson, M. Johnson, and M. Hilliker. NOES: A. de Grassi. ABSENT: T. Phi, ABSTAIN: None.

DRAFT

14. ADJOURNMENT

There being no further business, the meeting adjourned at 10:10 p.m.

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Stephanie Abba, Planning Commission Secretary

DRAFT

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

City of Ukiah
Submitted Planning Applications

As of 6/1/2023

Permit #	Site Address	Date of Submittal/ Resubmittal	Summary of Project	Status	Assigned Planner
n/a	600 Live Oak Ave.	2/27/23	Todd Grove Public Art Mural Permit within the Public Facilities (PF).	Design Review Board Meeting: 5/25/23 (DRB recommended to PC with modifications)	Jesse Davis
23-8069	218 Mason St.	1/20/23; 5/18/23	Minor Use Permit for conversion of use from commercial to mixed-use within the Community Commercial (C1) zoning district.	Incomplete: 1/23/23; 5/27/23	Michelle Irace
22-7977	101 S. Main St.	12/12/22; 2/13/23; 2/21/23; 4/16/23	Major Site Development Permit for construction of a new 4,557 sf Redwood Credit Union bank facility, located within the Urban Center (UC) zoning district.	Design Review Board Hearing: 3/23/23 Planning Commission Hearing: 5/10/23.; Item continued to 6/14/23 Planning Commission	Michelle Irace
22-7956	162 Talmage Rd.	12/9/22	Major Site Development Permit for the Splash Express Car Wash #5 (dBA LUV Car Wash) facility. Includes demolition of the existing structures and redevelopment of a new 2,433 sf car wash facility, located within the Heavy Commercial (C2) zoning district.	Airport Land Use Commission: 3/23/23 (ALUC Staff - Deemed Consistent) Design Review Board Hearing: 5/25/23 (DRB recommended PC approval with modifications); Planning Commission Hearing: 6/28/23	Jesse Davis
17-3069	1294 N. State St.	9/13/17; 9/14/21; 9/28/22; 5/12/23	Resubmitted Major Use Permit and Site Development Permit to allow for construction of two retail suites (including one drive-through), located in the C-1 (Community Commercial) zoning district.	Incomplete 6/2/22; 9/29/22; 5/27/23	Michelle Irace
22-7483	734 S. State St.	8/15/22	Xpress Gas Station Major Use Permit-request to resume operation of the gas station within the Community Commercial (C1) Zoning District.	Incomplete: 8/19/22 No formal application activity since Aug., 2022	Jesse Davis
23-8376	441 N State St.	4/24/23	Renewal of a Cannabis Retail Facility. Per UCC Section 9174.2(D), cannabis-related business will be subject to review after the first year of operation by the Zoning Administrator.	Submitted: 04/24/23 Zoning Administrator Hearing: 6/1/23	Michelle Irace

23-8331	300 Seminary Ave.	4/18/23	Minor Site Development Permit for installation of a 39' training tower by the UVFA for roof operations, interior firefighting, confined space rescues, search and rescue operations, door breaching/forcible entry, high-angle descent and rescue.	Submitted: 04/18/23 Zoning Administrator Hearing: 6/1/23	Jesse Davis
23-8466	960 N. State St.	5/18/23	Minor Use Permit for operation of Medstar Ambulance within existing structures, located within the Community Commercial (C1) Zoning District.	Submitted: 5/18/23 Project Referral: 5/30/23	Michelle Irace

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

City of Ukiah
Recently (Within Previous 90 Days) Approved Projects

As of 6/1/2023

Permit #	Site Address	Approval Date	Summary of Project	Comments	Assigned Planner
22-7565	200 Ford St.	March, 2023	Major Use Permit and Site Development Permit to allow for expansion of the Ford Street Project recovery center, located in the Heavy Commercial (C2) zoning district.	Approved per WIC Section 5960.3.(a)	Michelle Irace & Jesse Davis

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

City of Ukiah
Advanced Planning Projects

As of 6/1/2023

Permit #	Site Address	Approved Date	Summary of Project	Comments	Assigned Planner
n/a	Citywide	n/a	2040 General Plan Implementation Programs	2040 General Plan adopted by City Council 12/7/22. Implementation efforts began January, 2023	Michelle Irace, Jesse Davis
n/a	Unincorporated Western Hills	n/a	Western Hills Open Land Acquisition and Limited Development Agreement Project - Annexation Application.	Annexation application submitted to LAFCo: 6/8/22. Incomplete letter from LAFCo received 6/29/22. Prezoning and application modifications to PC/CC anticipated July/August, 2023	Michelle Irace, Jesse Davis
n/a	Citywide	n/a	Annexation of City-owned parcels.	Submitted Annexation Application to LAFCo 2/23/22. Incomplete letter received 3/25/22. Updated application submitted in June 2022. Prezoning and application modifications to Planning Commission 3/22/23 City Council on 4/5/23. Application update submitted to LAFCo on 04/20/23.	Jesse Davis
n/a	Citywide	4/15/2023	Cannabis Consumption Ordinance	Planning Commission recommended approval on: 2/8/23 City Council 1st Readting: 3/15/23; City Council Adoption Hearing 04/05/23	Jesse Davis

Agenda Item No: 13.a.

MEETING DATE/TIME: 6/14/2023

ITEM NO: 2023-2769

City of Ukiah

AGENDA SUMMARY REPORT

SUBJECT: Continuation of a Public Hearing for Consideration of a Proposed Major Site Development Permit for Construction of a Redwood Credit Union Bank Facility at 101 S. Main St. APN 002-231-001; File No. 22-7977.

DEPARTMENT: Community Development

PREPARED BY: Craig Schlatter, Community Development Director, Michelle Irace, Planning Manager

PRESENTER: Craig Schlatter, Community Development Director; Michelle Irace, Planning Manager

ATTACHMENTS:

1. Communications Received-Dennis Crean
2. Communications Received from Staff- Draft Findings for Denial

Summary: This is a continued public hearing from May 10, 2023.

Background: The May 10, 2023 agenda packet may be found online at: https://ukiahca.portal.civicclerk.com/event/1657/overview or by navigating to the meeting via the City's meetings webpage at: https://cityofukiah.com/meetings/.

Discussion: Attachment 1 contains public correspondence received between May 11, 2023 and June 6, 2023. Attachment 2 contains correspondence from Staff submitted to the Commission on June 6, 2023 with Draft Findings for denial. The Draft Findings for denial were requested by the Commission for the June 14, 2023 continued public hearing.

Recommended Action: Staff Recommends Planning Commission 1) Conduct a public hearing; and 2) Approve the proposed Major Site Development Permit (and requested exceptions to the Downtown Zoning Code); and 3) Find the Project consistent with the intent of Mitigation Measure CUL-2 associated with Demolition Permit No. No. 21-6155, allowing for issuance of the permit.

From:	Dennis Crean
To:	Mark Hilliker; Michelle Johnson; Rick Johnson; Alex De Grassi; Thao Phi
Cc:	Michelle Irace
Subject:	Citizen findings to deny RCU application
Date:	Friday, June 2, 2023 6:01:26 PM
Attachments:	RCU-Application-Findings-for-Denial.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissions,

On behalf of a group of citizens, I hereby submit to you—and for the public record—a list of findings that support denial of the major site development permit file no. 22-7977 for construction of a Redwood Credit Union Facility at 101 S. Main Street in Ukiah.

We are opposed to this application for the reasons described in this document. We request that you take into consideration these findings as you deliberate and rule on this application at the June 14 Planning Commission meeting.

Kind regards,
Dennis Crean

FINDINGS TO DENY A MAJOR SITE DEVELOPMENT APPLICATION
FOR CONSTRUCTION OF A REDWOOD CREDIT UNION FACILITY
101 S. MAIN ST. (APN 002-231-001); FILE NO. 22-7977

Submitted to the City of Ukiah Planning Commission
June 2, 2023

Overview

We oppose this application and assert that it should be denied for these general reasons:

1. The application conflicts with fundamental goals and policies for the future physical development of Ukiah as described in the Ukiah 2040 General Plan (GP).
2. The design does not conform with several fundamental elements of Ukiah's Downtown Zoning Code (DZC) and would require the granting of major exceptions, which are not satisfactorily supported.
3. The application does not include a site-specific traffic analysis to assess impacts due to a likely substantial increase in traffic, which should be undertaken regardless of whether environmental review is required under CEQA and without which the project cannot reasonably be approved.
4. The design does not fulfill the City Council's mitigation measure CUL-2, requiring a building that honors the architectural heritage of the historic structure that will be demolished.

The following detailed findings provide specific grounds to support denial of the application, including denial of the three requested "exceptions" to the DZC.

General Plan Findings

The proposed project conflicts with many of the specific principles, goals, and policies of the General Plan, as described below. *Italics are used to indicate text excerpted from the General Plan;* roman text is used for commentary/rationale.

General Plan Guiding Principles

- *Neighborhood Identity: "Ensure development in all neighborhoods is compatible with the unique characteristics and land use patterns and fosters a sense of place."*

  The project is not compatible with General Plan land use goals (see below). The project is not compatible with the unique characteristics of Downtown Ukiah, nor does it foster a sense of place. The design reflects the "brand" style of the applicant and could easily be located in any suburb or city. The design does not enhance the sense of place that is unique to Ukiah's historic core.

- *Mobility: "Maintain and advance a well interconnected circulation network that accommodates and encourages alternative modes of transportation that reduce congestion and encourage walkable and bikeable neighborhoods."*

  The project does not advance or encourage alternative modes of transportation. The auto-oriented design will support vehicle transportation. The proposed use will bring increased auto traffic to the site and adjacent major thoroughfares, thereby increasing congestion at an already busy intersection.

Land Use Element

- *"[The Downtown Core] designation is intended to establish and promote Downtown Ukiah as the central gathering place in the community for commercial, entertainment, hospitality, and urban living. Development in the Downtown Core is meant to establish a walkable, infill-oriented environment, focusing on multi-modal transportation and overall connectivity to the remainder of the city. This designation allows for a combination of higher-density residential, mixed-use, office, and commercial uses. Projects in this designation are required to comply with the design standards and guidelines as specified in the Downtown Zoning Code." (GP, Table 2-1, Downtown Core)*

  The application is for a low-density, single-use commercial development located in the Downtown Core on a site formerly occupied by two businesses and in an area intended for high-density, residential, and mixed-use. The project design requires exceptions to 1) minimum building height, 2) maximum parking allowances, and 3) maximum setback requirements, and therefore does not comply with design standards and guidelines in the DZC. The inclusion of excess parking, multiple driveways, and drive-through ATM does not support the General Plan intention for a "walkable environment." Because the applicant's purchase of the property contributed to the departure of two active businesses from that site, the proposal does not fulfill the General Plan intention for infill development or development of an abandoned site. No projected improvement to multimodal transportation and connectivity have been demonstrated by the applicant's proposed move from its current nearby location. No data has been provided to support the claim for increased economic impacts.

- *Overview: "The Land Use Element … includes goals and policies identifying the City's philosophy for future change and development … related to the physical structure and appearance of the city's built environment and … that are sustainable and enhance Ukiah's unique identity." (p. 1-13)*

  This project does not reflect the City's overall General Plan philosophy to encourage new downtown development that is high-density, mixed-use, pedestrian-oriented, and enhances this particular site's unique history and location in the heart of Ukiah.

- *Downtown Core Density/Intensity Standards: Residential, 28 min. to 40 max. dwelling units/acre (du/ac); Commercial, floor area ratio (FAR) maximum 2.5. (Table 2-1)*

  The project does not reflect the density intended by the General Plan. The Downtown Core designation allows for a combination of higher-density residential, mixed-use,

office, and commercial uses. The project is single-use and includes no residential or other mixed-use development. The project is low-density, with a floor area ratio (FAR) of approximately 0.22 (4,331 sf/20,000 sf lot), which is less than 10% of the allowed density of 2.5.

- *LU-1.4 High-density residential uses: "The City shall encourage new high-density residential development to locate in areas close to services and transit." (p. 2-14)*

  The project does not include any residential use despite a Downtown Core zoning designation that encourages high-density residential up to 40 dwelling units/acre.

- *LU-2.1 Downtown mixed-use: "The City shall encourage mixed-use development to locate within the downtown … [to] create vibrant, walkable areas rather than non-pedestrian-friendly strip retail developments along downtown corridors." (p. 2-14)*

  The project is not mixed-use despite being located in the downtown and along a "gateway" corridor. The project does not create a walkable area but is instead auto-oriented and designed similar to strip retail development, as evidenced by an onsite parking lot that exceeds the DZC maximum, multiple driveways, and a drive-through ATM.

- *LU-2.3 Mixed-use design: "The City shall require new mixed-use development to limit the number of access driveways, minimize building setbacks, and provide public ground floor spaces adjacent to sidewalks." (p. 2-15)*

  The development does not limit the number of access driveways and requests exceptions to maximum building setbacks. The project does not provide public ground floor spaces adjacent to sidewalks. While this requirement could be interpreted as not-applicable because the proposed development is single-use, the site is in the downtown and along a downtown corridor for which mixed-use development is to be encouraged. Thus, these required elements of mixed-use design can reasonably be expected for this project.

- *LU-2.4 Pedestrian orientation: "The City shall require new mixed-use and commercial developments with street or bike route frontage to include amenities that connect and create a comfortable environment for walking, sitting, and socializing." (p. 2-15)*

  The project is not pedestrian oriented. The car-centric design is not oriented to pedestrians and will likely reduce the safety and comfort of pedestrians walking to/from and past the site. The application further provides no data indicating the likelihood or volume of pedestrian visitors to the business. The project does not include the required amenities for sitting and socializing.

- *LU-3: "To improve and enhance the appearance and vibrancy of Downtown Ukiah to create a high-quality place for residents, businesses, and visitors." (p. 2-15)*

  The development does not improve and enhance the appearance and vibrancy of the Downtown. New construction in and of itself does not necessarily result in an improved appearance, and the design of the proposed building can reasonably be considered to detract from the character of the historic Downtown due to its style. The site development, consisting largely of paved driveways and parking, will also detract from the dense urban character envisioned for this site by the General Plan. And the auto-

oriented use proposed for the site will detract from the vibrancy of the Downtown as a walkable environment.

- *LU-3.2 New downtown development: "The City shall ensure new development in the Downtown is compatible with existing uses and enhances the character of the area." (p. 2/15)*

  The project is not compatible with existing uses, nor will it enhance the character of the area. Adjacent properties include the public library, retail shopping, and (until recently) dining. The proposed use as a banking facility with a drive-through ATM will detract from the character of the central Downtown because it is auto-oriented.

- *LU-3.3 Downtown arts entertainment: "The City shall encourage private-sector investment in Downtown to transform it into a safe, vibrant, and prosperous arts and entertainment district that offers enhanced shopping, dining, recreational, and cultural experiences and events for residents, families, and visitors. (p. 2-15)*

  This project does not contribute to the development of Downtown as an arts and entertainment district. It's auto-oriented use will cause the area to be less safe for pedestrians and vehicles. The project does not provide shopping, dining, recreational or cultural experiences and events.

- *LU-4.1 High-quality building design: "The City shall encourage distinctive and high-quality commercial building design and site planning that respects the character of Ukiah." (p. 2-16)*

  The proposed design and site planning were not developed to reflect the character of Ukiah. The design reflects the applicant's "brand" style, similar to its other recent development projects in cities in Sonoma County. The site plan was developed to support the applicant's planned auto-oriented use and not in support of primary design standards in Ukiah's DZC, as evidenced by requested major exceptions related to site density and setbacks. Despite the minor cosmetic use of pressed-metal siding, the design does not meet the intent of the CUL-2 mitigation to "pay homage to the agricultural, commercial function of the original building." More generally, the overall design can reasonably be classified as nondistinctive in relationship to Ukiah's character and instead is representative of a bland style ubiquitous in suburbs and cities throughout the country.

- *LU-11.2 Gateways. "The City shall establish key gateways to Ukiah through landscape design, appropriately scaled signage, and building form, and historic themes to create a unique sense of place."*

  The project does not include design elements indicative of the site's "gateway" location on the Perkins Street corridor and near the heart of Ukiah's historic downtown. The building's form presents an unremarkable, largely blank "backside" to visitors who are entering Ukiah along this gateway thoroughfare.

(continued)

Mobility Element

- *MOB-2: "To reduce vehicle miles traveled (VMT) to and from residences, jobs and commercial uses in Ukiah."*

  The project does not support reduced vehicle miles traveled. No traffic study or other data has been provided to indicate that the project will result in any reduction in vehicle miles traveled. Since the project entails the applicant simply relocating its business a few blocks from its current location, it is reasonable to assume that VMT will not appreciably change.

- *MOB-2.2 Transportation demand management: "The City shall support programs to reduce vehicle trips, including measures such as reduced parking requirements that aim to increase transit use, car-pooling, bicycling, and walking." (p. 4-20)*

  The project does not support reduced parking. The applicant has requested an exception for parking spaces that exceed the maximum allowed by the DZC. Thus, allowing this exception would result in increased, and not reduced, parking.

- *MOB-2.3 Pedestrian facilities: "The City shall encourage new development and redevelopment that increases connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, shopping, and employment destinations throughout the City." (p. 4-20)*

  The project does not support safe pedestrian connections to public amenities. The project site is adjacent to the Mendocino County Public Library, and the applicant's auto-oriented design and use will increase vehicle traffic when compared to recent site usage, thereby reducing pedestrian safety, especially children's safety, when crossing the already busy intersection.

Downtown Zoning Code Findings

The proposed project conflicts with standards and requirements of the Downtown Zoning Code, as described below. *Italics are used to indicate text excerpted from the DZC;* roman text is used for commentary/rationale.

Findings for DZC Requirements

§9231.3 Site Development Permits, C. Findings: "The review authority may approve a site development permit application only after first finding that:

1. *"The proposed project is consistent with the City of Ukiah General Plan, Ukiah City Code, and this [Downtown Zoning] code."*

   The proposed project is not consistent with the General Plan (see above discussion) or the Downtown Zoning Code (see discussion below). Thus, the application cannot be approved.

2. *Design: The design of the proposed project is consistent with the architectural standards of this code and compatible with the character of the neighborhood [except if neighborhood compatibility] …would render the project inconsistent with the architectural requirements of the zoning district in which the project is located.*

   The design in not consistent with important standards of the DZC, as indicated by the requested exceptions to building height, maximum setbacks, and allowed parking. "Neighborhood compatibility" is not a finding for approval that can be applied to this project in regard to building height, setbacks, and parking standards since it would render the project inconsistent with DZC requirements for such standards. That is, comparing the height, setbacks, and parking design to those of neighboring parcels cannot be a basis for allowing such exceptions. Neighboring parcels were built to different standards of earlier codes. Thus, the application cannot be approved.

3. *Siting: The siting of the structure(s) on the parcel is compatible with the siting of other structures in the immediate neighborhood [except if] … the resulting setbacks are inconsistent with the requirements of the zoning district in which the parcel is located.*

   Due to requested exceptions, the siting is not consistent with setback requirements of the DZC. "Compatibility" with the siting of structures in the immediate neighborhood is therefore not a finding for approval that can be applied to this project. Structures on neighboring parcels were sited according to different standards of earlier codes. Thus, the application cannot be approved.

4. *"Ingress, Egress, Circulation, Parking: The project provides adequate ingress, egress, parking for vehicles and bicycles, and internal circulation for vehicles, bicycles, pedestrians, and delivery vehicles designed to promote safety and convenience and to conform to City standards and will not create potential traffic, pedestrian, or bicycle hazards or a distraction for motorists. Low impact development (LID) design has been incorporated into the project where feasible."*

   The application does not include sufficient data or evidence to support a finding that the project will provide adequate ingress, egress, circulation, and parking. Significant impacts on pedestrian, bicycle, and vehicle traffic can reasonably be anticipated due to the auto-oriented use of the site (including drive-through facilities and excess parking) and the parcel's location at a busy intersection. Likewise, significant public comment demonstrates a concern regarding potential hazards and the expectation that such hazards must be assessed prior to approval of this project.

   Inadequate internal circulation can also reasonably be anticipated due the project's inclusion of a drive-through with a short queuing lane. No study has been undertaken or other evidence has been provided to support a finding that this design will provide adequate internal circulation.

   The 2015 *Railroad Depot Site Traffic Impact Study Report* (table 15, page 40) anticipates a level of service (LOS) rated "D," or "long traffic delays," for the adjacent intersection at West Perkins and Main Street during peak afternoon hours following development of the new Ukiah courthouse. As stated in the General Plan (page 4-4), *"While LOS is no longer relevant for CEQA purposes, LOS-based performance goals remain relevant for non-CEQA planning purposes and as a tool for the City to ensure its roadway system*

meets the expectations of the community." Given the close proximity of the project's ingress/egress driveways to this already busy intersection, a finding of adequate ingress/egress/circulation cannot be made without additional study to assess potential impacts due to the proposed changed use of this site. Thus, the application cannot be approved.

Findings for Exceptions

1. *Maximum parking requirement: Project proposes 19 spaces; DZC maximum parking spaces allowed is 14 for the project (1 space for every 300 sf)*

   The applicant states: "In order to minimize impact on neighbors with street parking, we request up to three additional stalls be allowed within our site."

   This exception should be denied because the applicant's basis for this exception conflicts with the intent of the DZC and General Plan.

   The applicant's rationale conflicts with the Mobility Element of the General Plan, which states that *"on-street vehicle parking is generally permitted on most collector streets [e.g., Main Street] and encouraged adjacent to commercial and mixed-use sites" (p. 4-10).*

   This staff report rationale also does not support granting this exception.

   The staff report notes the presence of excess parking spaces in the existing parking lot on the project site as rationale for approval. However, nonconforming conditions on an existing site do not constitute a suitable finding to grant an exception for new development, since such a finding "*would render the project inconsistent with the architectural requirements of the zoning district in which the project is located"* (see also "Findings, item 2 above).

   The staff report notes the that the parking lot will be available to the community after hours for use, but this rationale for approval conflicts with the intention of the maximum parking requirement of the DZC, which "was adopted to reduce the number of large (often vacant or underutilized) parking lots."

   In terms of precedent, the only parking exception granted previously under the DZC was for the Chipotle project, based on the finding of no street parking or nearby public parking. However, in this case, the project parcel is one block from a public parking lot and street parking is available nearby on Main Street.

   Thus, this exception cannot be supported.

2. *Maximum side and rear setbacks. Project proposes a ±75 ft. rear setback (south) and a ±45 ft. side setback (east); but the maximum rear setback allowed in the DZC is 6 ft. and the side maximum setback is 10 ft.*

   The applicant states: "For functional parking and ATM drive-thru service in Layer 3 behind the corner siting of the building, we need a greater setback than 6 feet from

building to the rear property line. Oak trees also existing near the rear property line, require[e] some separation for their health."

The applicant's setback exception to allow "functional parking" is not reasonable since the large size of the parking lot is itself based on a requested exception. Large setbacks on both frontages of the parcel are not necessary to accommodate an ATM drive-thru lane exiting on a single frontage. Similarly, a much smaller setback would be sufficient to protect the health of the oak trees mentioned by the applicant.

This exception should be denied because it conflicts with the intent of the DZC and General Plan.

As described in the staff report, the intention of both the DZC and GP is to "promote and allow for higher density and buildout" in the Downtown Core. But the requested setback exceptions will result in a low-density buildout of approximately 0.2 FAR in a zoning area that allows up to 2.5 FAR density.

The staff rationale to support this exception also conflicts with the DZC and General Plan intention for high-density development. The staff report contends that DZC setback requirements as applied to this parcel corner are problematic because this would result in a building that "essentially cover[s] the entire lot uniformly." However, even such a building would have a FAR of less than 1.0, which is substantially less than the 2.5 FAR allowed under the General Plan.

The staff report also contends that the requested setback exceptions are required to allow the project to meet "fire and building code regulations related to access, as well as other aforementioned DZC requirements." However, fire and building codes do not require such large setbacks as those requested by the applicant. Much smaller setbacks than the requested 45 feet and 75 feet can meet any fire and building code requirement

More generally, the challenges presented by a corner site could just as easily indicate that the applicant's needs are incompatible with the site. Accommodating a project and use that does not fit well on the site is not a suitable rationale to grant exceptions that will compromise important the intention for this site as established by the City's General Plan and Downtown Zoning Code.

Therefore, this exception cannot be supported.

3. *Minimum Height Requirement. Project proposes a one-story building (12-ft. high ceiling), but the DZC requires a minimum of two-stories.*

The applicant states: "A number of buildings in the immediate vicinity are one story, including the Ukiah Public Library, the Curries [sic] Furniture Building, and the County Department of Child Support Services buildings. A two-story building is not functional for the proposed use. The building design incorporates the 12-foot high ceilings desired by the Downtown Zoning Code, but does so as a single story building. As partial mitigation, we have designed a parapet wall around the building to provide a tall one-story façade, similar in size to the original Holz Feed Company building that occupied the site."

This exception should be denied because the applicant's basis for this exception conflicts with the intent of the DZC and the new Ukiah 2040 General Plan.

As noted in the staff report, "the intent behind the two-story requirement [of the DZC] was to increase densities where appropriate and to extend the predominantly two-story Downtown area on School and State streets down Perkins St."

The staff report notes that "this requirement was contentious … but was ultimately adopted [in 2011] because a pathway for flexibility (exceptions) was included in the DZC." The DZC height requirement of two to three stories for new development also corresponds directly to the new Ukiah 2040 General Plan allowance for a floor area ratio of up to 2.5 (or three stories), adopted in December 2022. Thus, it is reasonable to interpret the DZC height requirement as the current design standard for new land-use developments.

The applicant and staff cite the nearby one-story buildings and the one-story height of the current building on the site as a rationale for approval of this exception. However, nonconforming conditions on an existing site do not constitute a suitable finding to grant an exception for new development, since such a finding "*would render the project inconsistent with the architectural requirements of the zoning district in which the project is located"* (see also "Findings, item 2 above).

In terms of precedent, the only minimum-height exception granted previously under the DZC was again for the Chipotle project, "because there are no two-story structures in the area and a two-story Chipotle Mexican Grill would appear overwhelming and out of character with existing commercial development in the area. Additionally, the subject parcel is one of the first parcels on the eastern end of the Downtown Zoning Code area, and a two-story building at this location would appear abrupt and would not allow for a smooth transition to taller buildings in the historic downtown." However, unlike the Chipotle development, this project is proposed for a parcel immediately adjacent to a two-story building and directly bordering the Downtown Core district, with many two-story buildings.

Furthermore, due its location one block from the beginning of East Perkins Street, this parcel is precisely situated to fulfill "the intent behind the two-story requirement … to extend the predominantly two-story Downtown area on School and State streets down Perkins St."

Thus, this exception cannot be supported.

Based on all the above findings, the application should be denied.

ATTACHMENT 2

DRAFT FINDINGS FOR DENIAL OF A MAJOR SITE DEVELOPMENT PERMIT FOR CONSTRUCTION OF A REDWOOD CREDIT UNION BANK FACILITY 101 S. MAIN ST. APN 002-231-001; FILE NO. 22-7977

The Planning Commission's denial of the Major Use Permit for construction of a ±4,331 sf Redwood Credit Union bank facility at 101 S. Main St. and the requested Exceptions from the Downtown Zoning Code (File No. 22-7977) is based on the following Findings.

Site Development Permit Findings for Denial – Downtown Zoning Code

1. The Planning Commission finds that the proposed Project is not consistent with the following City of Ukiah General Plan Policies:

   Land Use Element

   - *Policy LU-2.1 Downtown Mixed-Use. The City shall encourage mixed-use development to locate within the Downtown. Such developments include housing, retail commercial, offices, open space, and other compatible uses. This development pattern should create vibrant, walkable areas, rather than non-pedestrian friendly strip retail developments along downtown corridors.*
   - *Policy LU-2.2 Compatibility with Adjacent Uses. The City shall require new mixed-use development to be compatible with adjacent land uses, particularly residential uses, through site and architectural design techniques that establish transitions between uses and minimize negative impacts.*
   - *Policy LU-2.3 Mixed-Use Design. The City shall require new mixed-use development to limit the number of access driveways, minimize building setbacks, and provide public ground floor spaces adjacent to sidewalks.*
   - *Policy LU-3.4 Downtown Pedestrian Improvements. The City shall work with public agencies and private entities to create a safe, convenient, and pleasant pedestrian environment that supports the continued revitalization of the Downtown area. Improvements could include pedestrian-oriented amenities such as lighting, wider sidewalks, clearly marked pedestrian crossings, benches, landscaping, signage, sidewalk seating areas, and public art.*

2. The Planning Commission finds the Project's proposed density is not consistent with the Downtown Zoning Code and General Plan.
3. The Planning Commission finds that the requested Exceptions to the Downtown Zoning Code related to maximum parking, maximum setbacks and minimum height standards cannot be granted for the following reasons:
   a. The Project does not meet the vision and intent of the Downtown Zoning Code.
   b. The Project would result in hazardous traffic and circulation issues.