



City Council

Special Meeting AGENDA

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

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September 29, 2023 - 3:30 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

The City Council welcomes input from the audience. If there is a matter of business on the agenda that you are interested in, you may address the Council when this matter is considered. If you wish to speak on a matter that is not on this agenda that is within the subject matter jurisdiction of the City Council, you may do so at this time. 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 in which the subject is not listed on the agenda.

3. PUBLIC HEARING

- 3.a. Continuation of Public Hearing for an Appeal of Planning Commission Decision to Deny a Major Site Development Permit for Construction of a Redwood Credit Union Bank Facility at 101 South Main Street, APN 002-231-001; File No. 22-7977.

Recommended Action: 1) Conduct a public hearing to consider the appeal request, in accordance with UCC Section 9266; 2) find the Project consistent with the intent of Mitigation Measure CUL-2 related to Demolition Permit No. 21-6155; and 3) overturn the Planning Commission denial of the Project, approving the Major Site Development Permit, as revised in the 7th design iteration, allowing issuance of the Demolition Permit, based on the Findings included in Attachment 2 and the Conditions of Approval included in Attachment 3.

Attachments:

1. 7th Design Iteration and Correspondence from Applicant, 092023 & 092223.
2. Draft Findings for Approval rev 092229
3. Draft Conditions of Approval rev 092223

4. CLOSED SESSION - CLOSED SESSION MAY BE HELD AT ANY TIME DURING THE MEETING

4.a. **Conference with Legal Counsel – Existing Litigation**

(Government Code Section 54956.9(d)(1))

Name of case: Roofing & Solar Construction, Inc. v. City of Ukiah et al., Mendocino County Superior Court Case No. 22CV00048

5. 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 City Council after distribution of the agenda packet are available for public inspection at the front counter at the Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA 95482, during normal business hours, Monday through Friday, 8:00 am to 5:00 pm.

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.

Kristine Lawler, CMC
Dated: 9/22/23



AGENDA SUMMARY REPORT

SUBJECT: Continuation of Public Hearing for an Appeal of Planning Commission Decision to Deny a Major Site Development Permit for Construction of a Redwood Credit Union Bank Facility at 101 South Main Street, APN 002-231-001; File No. 22-7977.

DEPARTMENT: Community Development

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

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

ATTACHMENTS:

1. 7th Design Iteration and Correspondence from Applicant, 092023 & 092223.
2. Draft Findings for Approval rev 092229
3. Draft Conditions of Approval rev 092223

Summary: This is a continued public hearing from July 19, 2023, to consider an appeal of the June 14, 2023, Planning Commission's denial of Major Site Development Permit No. 22-7977 for construction of a Redwood Credit Union Bank Facility at 101 South Main Street.

Background: This is a continued public hearing from the July 19, 2023, meeting of the City Council considering the appeal of the Planning Commission's decision to deny a Major Site Development Permit (SDP) for construction of a Redwood Credit Union Bank Facility at 101 South Main Street. All agenda packet materials for the July 19 meeting and previous public hearings concerning the project, including videos of public hearings, may be found online by navigating to the respective meeting(s) via the City's meetings webpage at: <https://cityofukiah.com/meetings/>.

On July 19, in addition to continuing the public hearing to a date uncertain, Council requested the applicant consider design modifications to the Project. Minutes of the July 19 meeting, which list each of the requested modifications, can be accessed at this link: <https://ukiahca.portal.civicclerk.com/event/1572/files>. Council's requested modifications are also listed in the Discussion section below.

Discussion: Per Council direction, Staff has been working with the Applicant to clarify and bring back items responding to Council's requested modifications. On September 20, 2023, the applicant submitted proposed modifications to the Project, as well as responses to comments provided by the Council at the July 19 hearing.

Based on a September 21 conversation with Staff, on September 22 the Applicant submitted a slightly revised site plan to address parking requirements and the inclusion of a future proposed minor subdivision, as further discussed below. Together, these modifications comprise the 7th design iteration. The 7th design iteration and correspondence received by the applicant is provided in Attachment 1.

In summary, the Applicant has agreed to nearly all of Council's requested modifications even though many of Council's requested modifications are not required by the Downtown Zoning Code. The Applicant has additionally increased the amount of pressed metal siding, from 450 square feet to 850 square feet, and made façade improvements to improve the conformity of the structure with the architectural aesthetic of the historic Downtown, as well as proposing a minor subdivision to address Council's concerns about lot coverage.

Below Staff has listed each of the Council's requested modifications, followed by a summary of the Applicant's response and a summary of Staff's analysis related to the Applicant's response. Full responses from the Applicant are included in Attachment 1, and full details of Staff analysis are included in the Findings within Attachment 2.

Council Request #1: Reconsider an authentic second story for at least a part of the building for mixed use.

Applicant response: Applicant proposes a partial "true" second story for two offices, resulting in an increased total building square footage of 5,320.

Staff analysis: Applicant responsive to Council's request. Based on the addition of the second story, the Major Exception for height is no longer required.

Council Request #2: Use the diesel generator only as a last resort.

Applicant response: Generator will be turned on only after a power outage is close to draining the backup battery system.

Staff analysis: Applicant responsive to Council's request.

Council Request #3: Reduce the number of parking spaces.

Applicant response: Parking spaces will be reduced by two to 16 (9/20/23); parking spaces will be 18 (9/22/23).

Staff analysis: In their September 20, 2023, submittal, Applicant proposed a reduction of two parking spaces to be responsive to Council's request. However, because the square footage of the building has increased to accommodate the partial "true" second story, 18 spaces are now required. Per the DZC, reducing the parking by two would require approval by the Council of a Major Exception. To avoid the need for this additional Exception, Applicant amended their submittal on September 22, 2023 to 18 spaces. To reduce the number of parking spaces to 16, a Major Exception would be required.

Council Request #4: Have 'No Idling' PR

Applicant response: Parking lot will include signage that says "no idling." The drive-thru ATM has also been eliminated.

Staff analysis: Applicant responsive to Council's request. Removal of drive-thru ATM should also reduce presence of idling vehicles.

Council Request #5: Redwood Credit Union (RCU) to describe how the project enhances economic development and economic opportunities for other business owners.

Applicant response: Redwood Credit Union will present this information at the September 29 meeting.

Staff analysis: Applicant responsive to Council's request pending presentation at the September 29 meeting.

Council Request #6: Reconsider enhancing the corner entrance.

Applicant response: The current entry is designed to accommodate the existing slopes at the site and ADA Accessibility requirements, as well as a future City-constructed roundabout at the corner of Perkins and Main Streets. "Our approach to the corner balances the desired corner emphasis of the DZC with the significant slopes

that occur along the East Perkins Street sidewalks. The current entry is designed to accommodate the existing slopes at the site and ADA Accessibility requirements."

Staff analysis: Applicant has attempted to be responsive to Council's request, but topographical considerations and future City roundabout plans, together with building code requirements, limit design possibilities. Applicant provides two entrances and a corner facade that is in conformance with the historic downtown architectural style.

Council Request #7: Reduce the setbacks to closer to the 6 ft. and 10 ft. requirements in the code.

Applicant response: "We have studied a 41-foot wide by 110-foot deep subdivided lot that could occur adjacent to the east side of the building starting at the east property line. Such a new lot would...create a compliant condition for the remaining RCU lot to be less than 10 feet from its east property line."

Staff analysis: Applicant's proposed subdivision removes the Exception related to the side setback. Per Applicant's request, Staff has included the minor subdivision as Condition of Approval No. 5 (Attachment 3). The minor subdivision would need to be approved prior to occupancy. The remaining exception requested by the applicant is the maximum rear (south) setback requirement of 6 ft. Although Applicant has attempted to be responsive to Council's request, the combination of landscaping/trees, parking, building and fire code requirements, and the 24-foot emergency access easement make the 6 ft. setback infeasible. Due to these site constraints, this Exception can be supported.

Council Request #8: Eliminate the parklets.

Applicant response: Parklets have been removed.

Staff analysis: Applicant has been responsive to Council's request.

Council Request #9: Eliminate the exit on Perkins.

Applicant response: Perkins Street driveway/exit has been removed and replaced with landscaping and a future Minor Subdivision. Access will be provided via a two-way driveway on Main Street, and the access easement to the adjacent parcel will be maintained.

Staff analysis: Applicant responsive to Council's request. Submittal of a Final Landscaping Plan prior to Building Permit issuance will be required as Condition of Approval No. 12.

Council Request #10: Applicant to provide additional renderings of future design(s).

Applicant response: Colored renderings have been provided (Attachment 1).

Staff analysis: Applicant responsive to Council's request.

Council Request #11: Staff to work with applicant to bring back items or clarifications if needed – to lessen expense in respect to producing additional architectural renderings of the most recent iteration.

Applicant response: N/A

Staff analysis: Staff has worked with Applicant to bring back items per Council direction.

Council Request #12: Staff to clarify the possibility of eliminating of the 24 ft. easement on the Main Street side of the project.

Applicant response: N/A

Staff analysis: At Council's request, the Perkins Street driveway/exit has been eliminated by Applicant. Elimination of this second exit necessitates maintaining the existing 24-foot emergency access easement that provides shared access from Main Street to the adjacent (east) parcel.

Further, in the event that the easement were to be removed, a minimum of 12 ft would be required for one-way access per the Building Code, resulting in the need for an exception to the 6 ft setback.

Staff Conclusions and Recommendations:

With these revisions, the Project meets all requirements of the Downtown Zoning Code, except one (1), which is infeasible due to the access requirements. The Project also meets the requirements of Mitigation measure CUL-2 associated with Demolition Permit No. 21-6155. The final proposed Project incorporates significant input and efforts from the applicant to incorporate a high-quality design and landscape and pedestrian improvements to Main and Perkins Streets that will aid in enhancing a prominent corner parcel and connecting multi-modal users within the Downtown area, supporting the intent of the Downtown Zoning Code and General Plan.

Staff recommends Council continue the public hearing to consider the appeal request, in accordance with UCC Section 9266; 2) find the Project consistent with the intent of Mitigation Measure CUL-2 related to Demolition Permit No. 21-6155; and 3) overturn the Planning Commission denial of the Project, approving the Major Site Development Permit, as revised in the 7th design iteration, allowing issuance of the Demolition Permit, based on the Findings included in Attachment 2 and the Conditions of Approval included in Attachment 3.

Alternatively, Council may uphold the Planning Commission's denial of the Project and disallow issuance of

the Demolition Permit. If Council chooses to uphold denial of the Project, Council may adopt the Planning Commission's Findings for denial or revise and/or adopt new findings as desired.

Recommended Action: 1) Conduct a public hearing to consider the appeal request, in accordance with UCC Section 9266; 2) find the Project consistent with the intent of Mitigation Measure CUL-2 related to Demolition Permit No. 21-6155; and 3) overturn the Planning Commission denial of the Project, approving the Major Site Development Permit, as revised in the 7th design iteration, allowing issuance of the Demolition Permit, based on the Findings included in Attachment 2 and the Conditions of Approval included in Attachment 3.

BUDGET AMENDMENT REQUIRED: N/A

CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: N/A

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: David Rapport, City Attorney; Sage Sangiacomo, City Manager

DIVERSITY-EQUITY INITIATIVES (DEI): N/A

CLIMATE INITIATIVES (CI): N/A



Approved:


Sage Sangiacomo, City Manager

RESPONSE TO CITY COUNCIL FEEDBACK FROM 07/19/23 MEETING:**AXIA Architects, 09.20.23***Revised 9.22.23***Achieved:****Reconsider an authentic second story for at least a part of the building for mixed use.**

The project has added a couple of second floor offices above the ATM vestibule instead of creating a faux second floor. While extending the second floor across the building is cost prohibitive for project budget, the additional offices provide the flexibility to offer some community-oriented space. The second floor offices are limited and positioned in a manner so as not to require an elevator or additional restrooms, both of which would have been substantial impacts to the project budget feasibility. Insurance and Investment services would utilize this space, providing a mixture of uses within the building. The volume of the overall building achieves similar heights to a 2-story building on the exterior.

Use the diesel generator only as a last resort

The diesel generator is turned on only after a power outage is close to draining the backup battery system.

Reduce the number of parking spaces

According to planning staff the Downtown Zoning Code requires us to have 18 parking stalls to accommodate the additional square footage of the newly added partial second floor. This total parking is less than what was originally proposed, but greater than the site plan presented on July 19th to Council. With the elimination of the drive-thru ATM, the code compliant parking spaces will be needed as most RCU members in Mendocino County do not live in downtown Ukiah. The walk-up ATMs connect to the pedestrian sidewalks in three different locations.

Have “No idling” PR

The parking lot will include signage that says “No idling”. The drive-thru ATM has also been eliminated.

Redwood Credit Union (RCU) to describe how the project enhances economic development and economic opportunities for other business owners.

Redwood Credit Union will present this information at the next Council hearing.

Eliminate the parklets

As requested, the parklets have been eliminated.

Eliminate the exit on Perkins

As requested, the exit on to Perkins has been eliminated.

Applicant to provide additional renderings of future design

Additional colored elevations are included in this submission.

Staff to work with applicant to bring back items or clarifications if needed – to lessen expense – in respect to producing additional architectural renderings of the most recent iteration.

Planning staff have been available to respond to questions.

Metal Siding: Additional Item not on Council Notes: The current design increases the use of new stamped metal siding. The previous design used approximately 450 SF. The current design proposes using about 850 SF.

Studied but not Incorporated:

Reconsider enhancing the corner entrance

The existing street corner has a radius of about 6 feet. Public Works has requested a radius of 15 feet which cuts back the corner significantly. The future roundabout could potentially cut it back even further. Given the steep slopes on the Perkins Street sidewalk, a corner entry tie-in between Perkins and Main becomes problematic from an ADA standpoint. The cross slope of the diagonal is approximately 6%, about three times the allowable cross slope allowed by the building code for ADA.

Our approach to the corner balances the desired corner emphasis of the DZC with the significant slopes that occur along the East Perkins Street sidewalks. The current entry is designed to accommodate the existing slopes at the site and ADA Accessibility requirements. The pathway to the entry doors includes one step from the Perkins Street side and no steps from the South Main Street side. The entry design is similar to many of the buildings in Ukiah's historical downtown. It addresses the corner and the pedestrian at the street intersection.

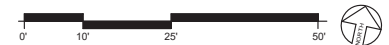
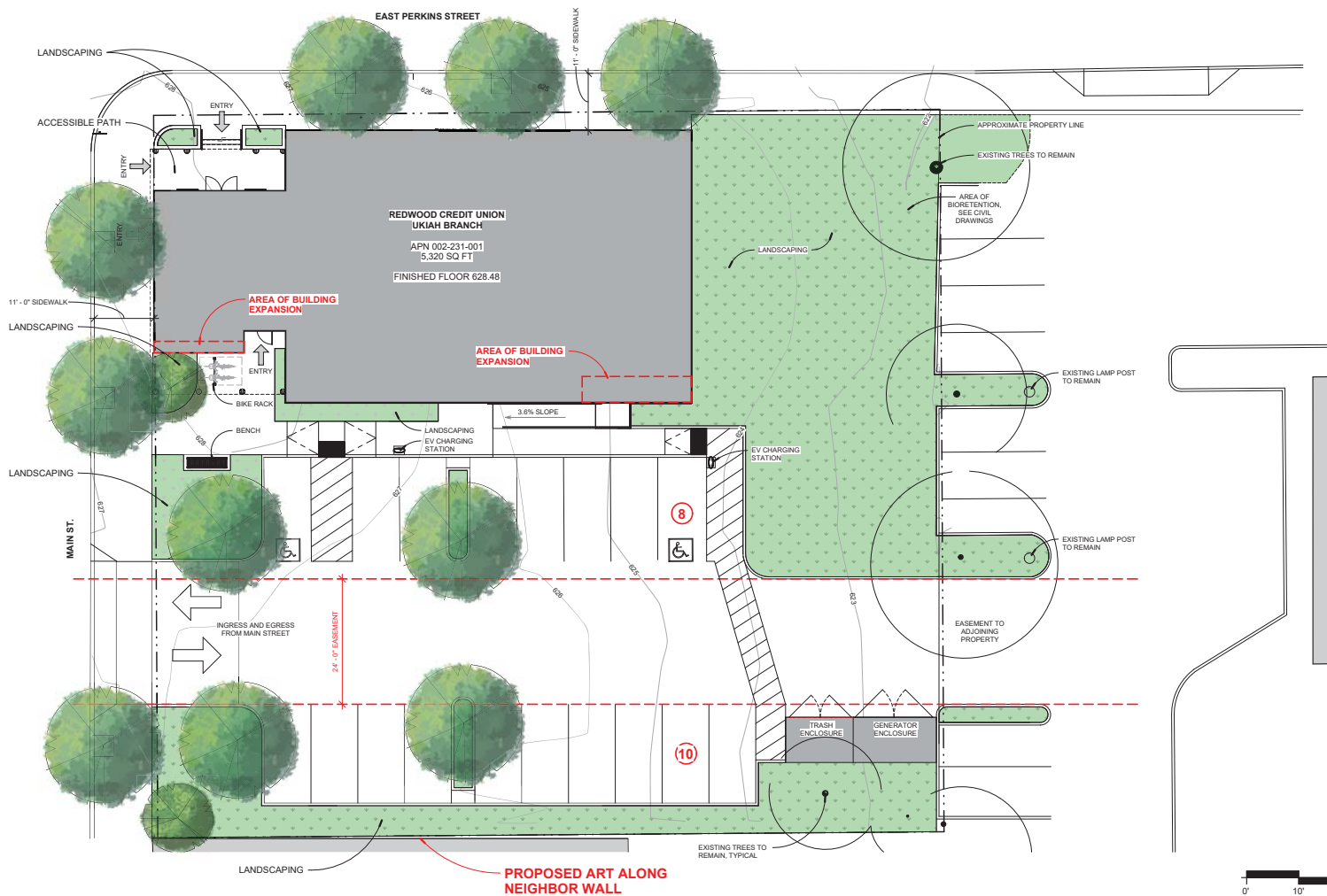
Reduce the setbacks to closer to the 6ft and 10 ft. requirements in the code.

We heard from Council the importance of the East Perkins Street frontage. We have studied a 41-foot wide by 110-foot deep subdivided lot that could occur adjacent to the east side of the building starting at the east property line. Such a new lot would allow for additional development along the Perkins Street frontage and would create a compliant condition for the remaining RCU lot to be less than 10 feet from its east property line. If this is a direction desired by Council, we would ask that the project be conditioned with this subdivision prior to Occupancy. As lot line adjustments and subdivisions take time to process, this would allow the activities to occur in parallel with the remainder of the regulatory process and construction.

Extending the building to the south setback continues to be impaired by the 24-foot wide easement. With the removal of the Perkins Street driveway, the easement access is now critical for circulation on the site.

Staff to clarify the possibility of eliminating of the 24 ft. easement on the Main Street side of the project.

Council has requested removal of the access to Perkins Street. Thus, the current easement through the property is more critical than ever for emergency vehicle and for general vehicle circulation.

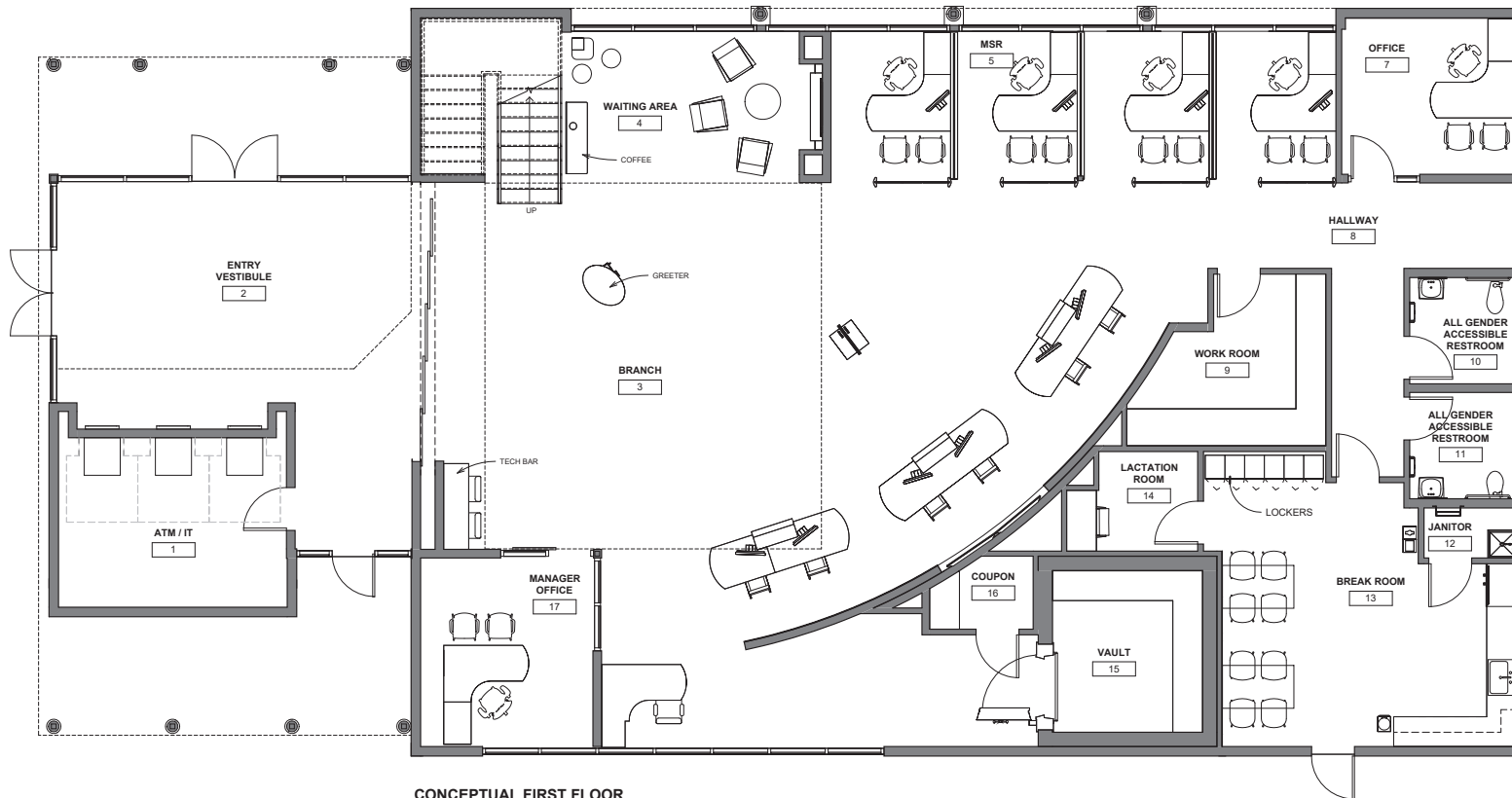


CONCEPTUAL SITE PLAN

RCU UKIAH BRANCH

101 SOUTH MAIN ST, UKIAH, CALIFORNIA

AXIA
ARCHITECTS
SEPTEMBER 20, 2023
Revised September 22, 2023

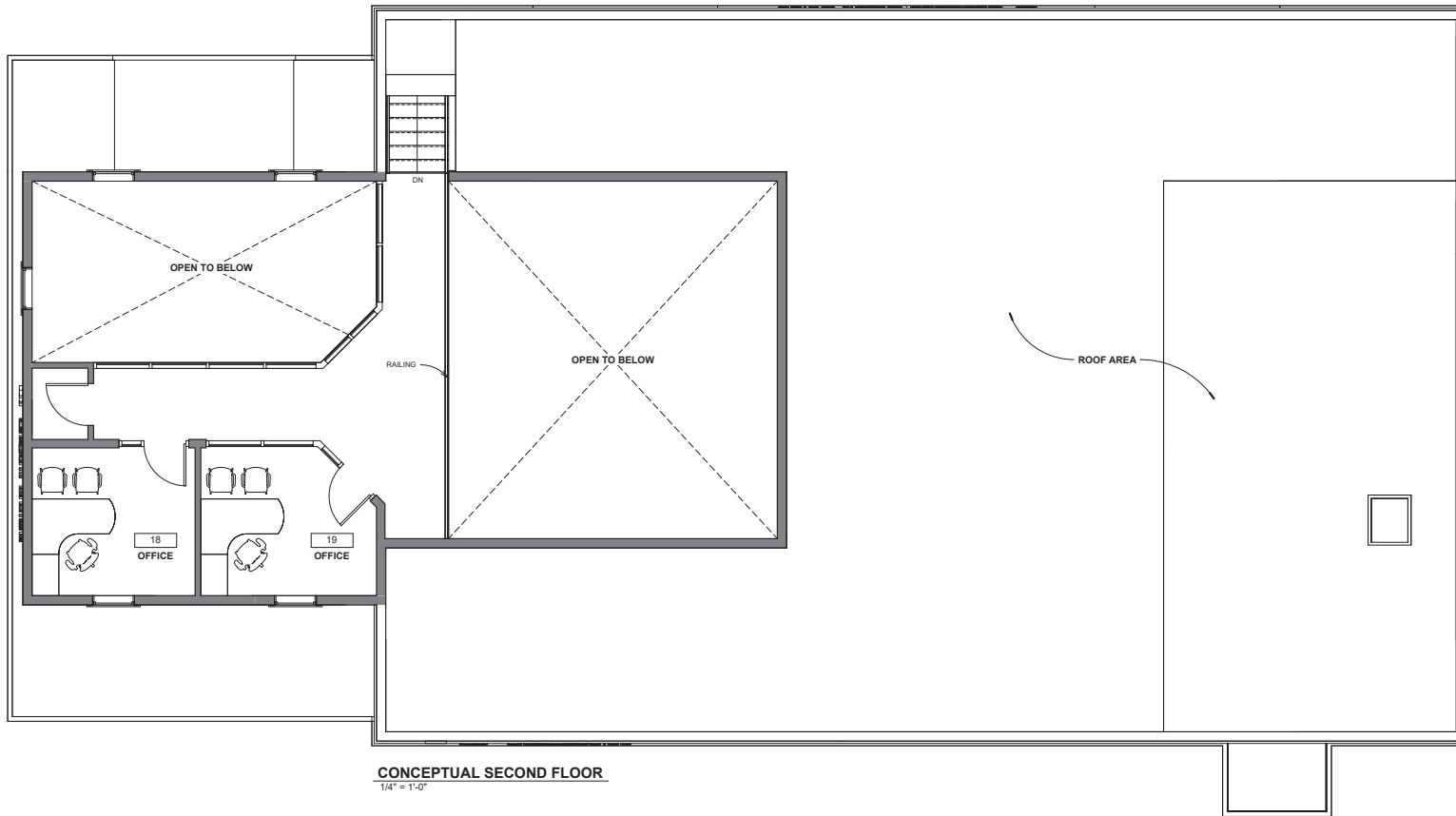


RCU UKIAH BRANCH

CONCEPTUAL FLOOR PLANS

101 SOUTH MAIN ST, UKIAH, CALIFORNIA

AXIA
ARCHITECTS
SEPTEMBER 20, 2023



RCU UKIAH BRANCH

CONCEPTUAL FLOOR PLANS

101 SOUTH MAIN ST, UKIAH, CALIFORNIA

AXIA
ARCHITECTS
SEPTEMBER 20, 2023



NORTH ELEVATION

SIGNAGE NOTE: 102' BUILDING FRONTAGE X 1.5" = 153 SQ FT ALLOWED
LOGO & LETTERS TOTAL SIZE = 84.5 SQ FT



SOUTH ELEVATION

SIGNAGE NOTE: 102' BUILDING FRONTAGE X 1.5" = 153 SQ FT ALLOWED
LOGO & LETTERS TOTAL SIZE = 84.5 SQ FT



WEST ELEVATION

SIGNAGE NOTE: 52' BUILDING FRONTAGE X 1.5" = 78 SQ FT ALLOWED
LOGO & LETTERS TOTAL SIZE = 55.36 SQ FT



EAST ELEVATION



RCU UKIAH BRANCH

CONCEPTUAL EXTERIOR ELEVATIONS

101 SOUTH MAIN ST, UKIAH, CALIFORNIA

AXIA
ARCHITECTS
SEPTEMBER 20, 2023



STOREFRONT WINDOWS,
ANODIZED ALUMINUM



PLASTER FINISH, PAINTED
COLOR A



STAMPED METAL SIDING,
SEE CONCEPTUAL ELEVATIONS
COLOR B



FULL COVER METAL AWING WITH
CANOPY HANGERS AT ENTRANCES
COLOR C



COLOR A
KELLY MOORE - TRANQUIL TAUPE



COLOR B
KELLY MOORE - BAT WING



COLOR C
LEAF GREEN



METAL PARAPET CAP,
PAINTED COLOR C

CONCEPTUAL EXTERIOR VIEW
NOT TO SCALE

NOTE: TREES REMOVED FOR VISUAL ACCESS TO THE BUILDING FINISHES.



MATERIAL BOARD

RCU UKIAH BRANCH

101 SOUTH MAIN ST, UKIAH, CALIFORNIA



**DRAFT FINDINGS TO APPROVE 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
Revised September 22, 2023**

The Community Development Department's recommendation for conditional approval of a Major Site Development Permit to allow the construction of a +/-5,320 Redwood Credit Union bank facility 101 S. Main St., as described in the application materials (last revised on September 22, 2023), and staff reports associated with the Project prepared for the March 23, 2023 Design Review Board meeting; the May 10, 2023 and June 14, 2023 Planning Commission hearings; as well as the July 19, 2023, and September 29, 2023 City Council hearings. This approval also includes one (1) 'major exception' from the Downtown Zoning Code for the rear setback. This approval is based on the following findings, in accordance with Sections 9231.3 (Table 27, Site development Procedures), and 9231.5 (Table 29, Exception Procedures) of the Downtown Zoning Code.

Site Development Permit Findings -Downtown Zoning Code

1. The proposed project is consistent with the City of Ukiah General Plan, Ukiah City Code, and this code.

General Plan. *The Project site carries a General Plan designation of Downtown Core (DC). This designation is applied to the central core that comprises parcels with the Downtown Zoning District (DZC). As discussed in the General Plan, "This 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.*

While the General Plan allows for mixed use projects to be developed, it does not require every project to be mixed use. Specifically, Land Use Element Table 2-1, General Plan Land Use Designations, lists a variety of single intensity uses, including multiple-family dwellings, entertainment venues, hotels and lodging establishments, large and small format retail sales, personal service/repair, medical, and office uses, administrative and professional offices, central gathering spaces, plazas and paseos, as typical uses within the DC land use designation. This means that any one of the listed uses, as well as other similar uses, are expected to locate within the DC land use designation.

The proposed Project would include redevelopment of a commercial property, containing two abandoned, deteriorated buildings within the Downtown area. The final proposed Project incorporates significant Staff input and recommendations by the DRB, Planning Commission and City Council to incorporate a high-quality design, landscape and pedestrian improvements to Main and Perkins streets that will aid in enhancing a prominent corner parcel and connecting

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multi-modal users within the Downtown area, supporting the intent of the Downtown Core. The Project supports growth and development of commercial and service uses in Ukiah to provide jobs and support the local economy. Lastly, the Project supports many of the General Plan goals and policies related to economic development, multi-modal access, as well as development patterns within the Downtown area and connectivity, including but not limited to, the following goals and policies contained within the Economic Development, Mobility, and Land Use elements of the General Plan.

Economic Development Element

- **Goal ED-6: To maintain a supportive business climate and a healthy economy that leads to the expansion of existing businesses and the attraction of new ones.**

The Project would allow a local existing business (Redwood Credit Union) that is currently operating in the Orchard Plaza to relocate and expand into the Downtown area. The Project would also create a new parcel and development opportunity within the Downtown.

- **Goal ED-7: To grow the local economy and employment base by supporting efforts to retain, expand and attract local businesses.**

The Project would allow a local existing business (Redwood Credit Union) to relocate and expand into the Downtown area and would employ ±16 persons. The Project would also create a new parcel and development opportunity within the Downtown, leading to increased employment opportunities.

Mobility Element

- **Policy MOB-1.2: Multi-modal Access. The City shall require that all new development and redevelopment projects include provisions for multi-modal access provisions such as pedestrian and bicycle facilities, and vehicle and transit where relevant.**

The Project supports multi-modal access, as it would be located within the Downtown area and includes widening the Perkins Street sidewalk to 11ft. and bicycle parking spaces. Additionally, the Project is in close proximity to a Mendocino Transit Authority (MTA) bus stop, located in front of the Mendocino County Library at 105 N. Main St.

- **Policy MOB-1.8: New Development and Complete Streets. The City shall require all new development to provide adequate access for pedestrians, bicyclists, motorists, transit users, and persons with disabilities, as well as facilities necessary to support the City's goal of maintaining a complete street network.**

See MOB-1.2 above. The Project includes widening the Perkins and Main street sidewalks to 11ft, bicycle parking, and also includes street trees and landscaping along both Main and Perkins streets, consistent with the complete streets model.

- **Policy 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.**

See MOB-1.2 and MOB-1.8 above.

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Land Use Element

- **Policy 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.*

The Project includes new commercial development within the Downtown area that is consistent with surrounding uses, including a number of commercial/retail businesses. Additionally, the Project would enhance the visual aesthetic of the site, as it would replace the existing deteriorating buildings with new construction; would widen the existing Perkins St. sidewalk, install street trees along Main and Perkins streets where street trees do not currently exist; and would include landscaping within the parking lot and throughout the site, where it does not currently exist.

- **Goal LU-4: To encourage the growth and development of retail, office, service, and entertainment uses in Ukiah to provide jobs, support City services, and make Ukiah an attractive place to live.**

The Project would allow a local existing business (Redwood Credit Union) that is currently operating in the Orchard Plaza to relocate and expand into the Downtown area, and would employ ±16 persons. The Project would also create a new parcel and development opportunity within the Downtown.

- **Policy 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.*

The final proposed Project includes a high quality commercial building design that incorporates extensive input from Staff, other City Departments, outside agencies, the Design Review Board, Planning Commission, City Council, and provides consistency with historic buildings in downtown Ukiah.

- **Policy LU-8.4: Reuse of Underutilized Property.** *The City shall encourage property owners to revitalize or redevelop abandoned, obsolete, or underutilized properties to accommodate growth.*

The Project includes redevelopment of a commercial property that currently contains abandoned, deteriorated buildings. The Project would also create a new parcel and development opportunity within the Downtown.

- **Goal LU-11: To ensure high-quality site planning, landscaping, and architectural design for all new construction, renovation, or remodeling.**

See LU-4.1 above.

The General Plan provides a “blueprint” for the vision and development of the City through 2040, and contains goals and policies to aid in accomplishing the vision. While it is intended to be generally applied and supported by individual projects, it is not intended to be prescriptive at a Project level basis. While a city’s or county’s land use decisions must be consistent with the

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goals and policies in its general plan, the courts have consistently held that a finding of general plan consistency requires only that a project be “compatible with,” the general plan, State law does not require precise conformity of a proposed project with the land use designation for a particular site or an exact match between the project and the general plan. Instead, development projects must simply be in agreement or harmony with the terms of the general plan.

The modifications to the Project (7th design iteration) submitted by the Applicant in response to concerns raised by the Planning Commission and City Council, further support the intent of the General Plan, as they would enhance a gateway corridor, pedestrian access and green spaces, circulation and access, and provide visual consistency with historic buildings in the downtown.

As such, the Project consistent with the General Plan.

Zoning. The Project site is zoned Urban Center (UC) within Downtown Zoning Code (DZC). The UC zoning district is intended for medium to higher density residential and commercial uses and is envisioned to have a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the frontages. The Project includes a two-story commercial development on the frontage of Main and Perkins streets, and incorporates wide sidewalks and street tree planting, consistent with the vision of the UC zoning district.

While the Downtown Zoning Code allows for, and in some instances encourages mixed use, it does not require every project to be mixed use. Specifically, DZC Table 3 (Allowed Uses and Permit Requirements) of the DZC, identifies a variety of single intensity uses, including but not limited to, a variety of professional office, large and small format commercial, recreation and institutional, residential uses, service and manufacturing uses of varying intensities. It also notes that live/work units and mixed uses are allowed (or permitted) but does not require every project to be mixed use. Section 9224.12, Mixed Use Projects, contains separate design requirements from those listed in the main design and development standards of the DZC (Tables 4 through 26 and Figures 1 through 7), further differentiating mixed use projects from single intensity uses allowed per Table 3. While it is not considered ‘mixed use’ by 9224.12, the Project (7th design iteration) incorporates a second story with two offices for commercial/office use.

As discussed throughout the analyses contained within the referenced agenda packets, the DZC contains extensive design and development standards. To allow for flexibility from the extensive standards, the DZC allows for projects to seek ‘exceptions’ from certain requirements. As noted in the prepared staff report (s), the Project has met or exceeded all DZC standards, apart from the one (1) requirement which is being requested as an exception as a part of the Project. The exception requested can be supported by Staff, based on the Findings related to the requested exception below.

Based on the information contained herein, as well as information contained within the staff reports for the aforementioned Planning Commission and City Council meetings, the Project is consistent with the intent of the DZC.

- 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; will maintain the community’s character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public; includes the appropriate use of materials, texture, and color, which will remain aesthetically appealing**

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and appropriately maintained; and the location and orientation of windows, doorways, and outdoor use areas reduce the potential for heat, glare, noise, or other disturbance from on-site or off-site sources. The neighborhood compatibility part of this finding does not apply if it would render the project inconsistent with the architectural requirements of the zoning district in which the project is located.

The proposed Project would include redevelopment of a commercial property, containing two abandoned, deteriorated buildings within the Downtown area. The applicant has designed the building to be compatible with the scale and architectural features of existing buildings in the surrounding area. The final proposed Project incorporates significant Staff input and recommendations by the DRB, Planning Commission and City Council to incorporate a high-quality design, landscape and pedestrian improvements to Main and Perkins streets that will aid in enhancing a prominent corner parcel and connecting multi-modal users within the Downtown area, supporting the intent of the Downtown Core. The Project is consistent with all DZC architectural and design standards, apart from one (1) which can be supported through the exception procedures contained within the DZC (see below). The project is compatible with existing surrounding commercial, and retail uses within the Downtown area.

- 3. Siting: The siting of the structure(s) on the parcel is compatible with the siting of other structures in the immediate neighborhood. This finding does not apply if the resulting setbacks are inconsistent with the requirements of the zoning district in which the parcel is located.**

The Project site is located on the corner of Main and Perkins streets. The only structure immediately adjacent to the site is located south of the Project parcel. However, the building on the adjacent parcel is separated from the site by a fire wall and the Project is seeking an exception to the rear setback requirement and proposes a ±75 setback from the south property line, partially to maintain the existing access easement.

The future Minor Subdivision proposed in the 7th design iteration removes the need for the side setback exception and would create a new lot to provide an opportunity for new development in the future.

- 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 previously proposed Perkins Street driveway has been eliminated by the applicant in the 7th design iteration in response to Council concerns related to access. The Project incorporates and maintains the existing 24-foot emergency access easement that provides access from Main St. to the adjacent (east) parcel that was required for development of the adjacent parcel (Major Site Development Permit No, 97-42). The Project also includes landscaping and LID measures, widening Perkins and Main street sidewalks to 11 ft. for pedestrian access and includes bicycle parking. The Project has been reviewed by the Public Works Department, Building Division and Ukiah Valley Fire Authority for traffic and access concerns, and meets all required regulations, including maintaining the 'sight distance' or 'vision triangle' required for vehicles approaching the site. Lastly, as discussed further in the

Environmental Documentation section of the previous Staff Reports, the Project meets the screening criteria for 'small projects' in the City's adopted thresholds for Vehicle Miles Traveled (VMT), resulting in a less than significant impact to traffic.

- 5. Landscaping: The landscaping for the project provides opportunities for shading west and south facing windows and outdoor use areas, utilizes native and drought tolerant species, is in keeping with the character and design of the project, and consistent with requirements of this code and City standards.**

The Landscaping Plan included in the 6th design iteration included a minimum of 4,850 sf of landscaping, resulting in the Project exceeding the required DZC minimum of 15%. Landscaping includes parking lot and perimeter landscaping, bioretention areas to address stormwater run-off, and street trees along both frontages. The street trees proposed along Perkins and Main streets will provide shade to the building's windows located on the west and north facades. The landscaping provided on-site offers approximately 54% shade of the parking lot (south side of the building) and site, and incorporates drought tolerant and native plants that are included on the species lists within the DZC, as well as all other landscaping requirements contained within the code. A final Landscape Plan in accordance with all DZC requirements is required as a Condition of Approval prior to issuance of Building Permits.

- 6. Resource Protection: The proposed project will not excessively damage or destroy resources or natural features, including cultural and historic resources, trees, shrubs, creeks, and the natural grade of the site.**

Vegetation on the site is limited and all healthy, mature Oak trees will be preserved. The Chinese Pistache tree and Cypress tree(s) currently located against the 101 S. Main St. building would be removed. However, these species are not listed environmentally sensitive species at the local, state, or federal level. All the remaining trees, including the existing large Oak trees on the south portion of the parcel, will be preserved. The site does not contain water features or other environmentally sensitive resources, as most of it is currently hardscaped with a paved parking lot and existing buildings. Lastly, as described within the Staff Analysis portion of the Staff Report, the Project is designed for consistency with Mitigation measure CUL-2 related to historic resources, associated with Demolition Permit No. No. 21-6155.

- 7. Health, Safety, Welfare: The proposed project would not be detrimental to the public health, safety, or welfare; is not materially injurious to the properties or improvements in the immediate vicinity; and will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in the area.**

Project referrals were sent to the following responsible or trustee agencies with interest or jurisdiction over the Project: Ukiah Valley Fire Authority, City of Ukiah Public Works Department, City of Ukiah Police Department, City of Ukiah Electric Utility Department, City of Ukiah Community Development Department- Building Division, Ukiah Municipal Airport Operations Manager, Mendocino County Environmental Health Department, Mendocino Air Quality Management District, Mendocino Transit Authority, and Historical Society of Mendocino County. The aforementioned entities reviewed the Project for health and safety concerns, and comments received have been included into the Conditions of Approval (Attachment 2) for the Project, as appropriate.

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As noted above, the Project includes redevelopment of an existing commercial site within the Downtown area that is compatible with surrounding uses, including a number of commercial/retail businesses. Additionally, the Project would include pedestrian and landscaping improvements that would enhance the visual character of the site. Lastly, the final proposed Project includes a high quality commercial building design that incorporates extensive input from Staff, other City Departments, outside agencies, the Design Review Board, Planning Commission and City Council. Additionally, the Project includes modifications proposed to address some of the concerns raised by the Planning Commission and City Council (including voluntary modifications not required by the code). As such, the Project will not cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in the area.

Exception Findings

The Project (6th design iteration) previously requested three (3) exceptions within the Downtown Zoning Code: minimum height; maximum side setback; and maximum rear setback. The 7th design iteration removes two (2) exceptions, but the request for one (1) exception remains.

Exceptions removed: Related to the previously requested height exception, because the Project proposes a true second story with offices, this exception is no longer needed. Additionally, the exception related to the side setback is no longer required, as the applicant proposes to subdivide the parcel, meeting the maximum setback requirement of 10 ft. The requirement for the Minor Subdivision is included as Condition of Approval No. 5 and shall be completed in accordance with lot standards noted in Table 4 of the DZC, as well as the City's subdivision regulations (beginning in Section UCC 8000), prior to occupancy.

Exception Requested: The Major Site Development Permit includes the following 'major' exception from the Downtown Zoning Code:

Maximum rear setback (Project proposes a ± 75 ft. rear buildings setback (south), but the maximum rear setback noted in the DZC is $6 \pm$ ft.). Rather than requiring minimum setbacks, the DZC includes both minimum and maximum setbacks. Staff also notes the DZC defines a "side yard" building as, "A building that occupies one side of the lot with a setback to the other side", but also notes that the required setbacks (DZC Table 6) apply to both "fronts" for corner lots. These two requirements can be conflicting and challenging to meet depending on the parcel size and other DZC development standards. For example, the DZC requires side yard buildings to be on the Perkins and Main frontage lines with a 0 ft. setback, but requires a rear maximum setback of 6 ft.

The applicant notes the access easement, functional parking and tree preservation as reasons for requesting the rear (south) setback exception. Staff notes that Major Site Development Permit No. 97-42 requires a 24-foot access easement (existing) through the Project site to the adjacent (east) property for emergency services access on the adjacent parcel because the adjacent parcel only has a 'horseshoe' design with two (2) one-way driveways. The easement provides access from Main Street to the adjacent parcel and does not allow for the placement of permanent structures. The 24-foot access easement for the adjacent parcel requires a minimum setback on the south portion of the parcel of

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24 ft. Even if the easement were to be relocated further south on the parcel, any development on the site would require an exception to the maximum six foot setback to accommodate the 24-foot easement, as no structures are allowed to be constructed within it. Further, in the event that the easement were to be removed, a minimum of 12 ft would be required for access per the Building Code, resulting in the need for an exception to the 6 ft setback. As such, meeting the rear setback on this particular parcel is infeasible and this exception can be supported.

Findings to grant exceptions in the Downtown Zoning Code are as follows:

1. The request is consistent with the intent of this code and the Ukiah General Plan.

The applicant has revised the Project several times in an effort to remove the need for the exceptions, and in response to comments and concerns raised by City Staff, members of the public, the Design Review Board, Planning Commission and the City Council. Modifications in the 7th design iteration include those required by the DZC, as well as voluntary modifications in response to Council's request. The Project meets all requirements of the Downtown Zoning Code, apart from one (1), which is infeasible to meet due to the access requirements.

As noted throughout the Staff Report(s) and the Findings to approve a Site Development Permit, the final proposed Project incorporates significant Staff input and recommendations by the DRB, Planning Commission and City Council to incorporate a high-quality design, landscape and pedestrian improvements to Main and Perkins streets that will aid in enhancing a prominent corner parcel and connecting multi-modal users within the Downtown area, supporting the intent of the DZC and General Plan Downtown Core land use designation.

The allowance of exceptions was incorporated into the DZC to alleviate concerns with the DZC requirements raised by the public, Planning Commission and City Council during development of the DZC, in recognizing that deviations from the requirements are necessary to facilitate the variety of parcels and development proposals within its various zoning districts. As noted in the Staff Report(s), the Project has met or exceeded all DZC standards, apart from the one (1) requirement which is being requested as an exception as a part of the Project. As noted above, the exception being requested can be supported by Staff due to the site being located on a corner lot, the parcel size and shape, preservation of the existing Oak trees, required existing access easement, accommodating Project components related to pedestrian access, design considerations related historic preservation, and due to efforts to address concerns raised by the Planning Commission and City Council.

The Project also supports the following goals and policies contained within the Economic Development (Goals ED-6 and ED-7), Mobility (Policies MOB-1.2, 1.8, and 2.3), and Land Use (Goal LU-2, and Policies LU-3.2, 4.2 and 8.4) elements of the General Plan.

As previously noted, while a city's or county's land use decisions must be consistent with the goals and policies in its general plan, the courts have consistently held that a finding of general plan consistency requires only that a project be "compatible with," the general plan, State law does not require precise conformity of a proposed project with the land use designation for a particular site or an exact match between the project and the general plan. Instead, development projects must simply be in agreement or harmony with the terms of the general plan.

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The modifications to the Project (7th design iteration) submitted by the Applicant, in response to concerns raised by the Planning Commission and City Council, further support the intent of the General Plan and the DZC, as they would enhance a gateway corridor, pedestrian access and green spaces, circulation and access, and provide visual consistency with historic buildings in the downtown.

2. The project is compatible with the neighborhood and design intent of this code.

The Project would be compatible with the neighborhood, as it would redevelop an existing commercial lot, surrounded by other retail and commercial uses within the Downtown area, and incorporates all but one of the design components outlined within the DZC, which is infeasible to meet due to access requirements. The final proposed Project design (7th iteration) incorporates pedestrian improvements to connect the site to adjacent properties, as well as Main and Perkins streets. The final design incorporates extensive review by Staff, other City Departments and agencies, as well as the Design Review Board, Planning Commission and City Council.

3. The project provides appropriate connections, transitions, and relationships between buildings and the street, adjacent properties and one another.

The Project site is a corner lot that proposes a building on the frontage line(s). As such, there are no buildings immediately adjacent to the proposed building. However, the Project maintains the shared access easement with the parcel to the east, and as noted in the Project Description, the Project has been designed for compatibility with the scale and architectural form and features of the adjacent buildings, as well as historic building within the Downtown area. The Project also includes pedestrian and landscape improvements, including the widening of Perkins and Main street sidewalks, as well as street trees along Perkins and Main streets to provide enhanced pedestrian connections to the adjacent properties and larger Downtown area.

The project provides adequate and appropriate pedestrian facilities and connections.

The Project includes pedestrian and landscape improvements, including pedestrian corner entrances from Perkins and Main streets, widening of the existing sidewalks, as well as street trees along Perkins and Main streets to provide enhanced pedestrian connections to the Downtown area.

4. The project would not impair the desirability of investment, employment, or residence in the neighborhood.

The Project would redevelop an existing commercial lot and would include new construction, landscaping and pedestrian improvements that would enhance the visual character of the site. There are no components of the Project that would impair the desirability of investment, employment, or residence in the neighborhood.

5. The project is not detrimental to the public's health, safety and general welfare.

Project referrals were sent to the following responsible or trustee agencies with interest or jurisdiction over the Project: Ukiah Valley Fire Authority, City of Ukiah Public Works Department, City of Ukiah Police Department, City of Ukiah Electric Utility Department, City of Ukiah Community Development Department- Building Division, Ukiah Municipal Airport Operations Manager, Mendocino County Environmental Health Department, Mendocino Air

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Quality Management District, Mendocino Transit Authority, and Historical Society of Mendocino County. The aforementioned entities reviewed the Project for health and safety concerns, and comments received have been included into the Conditions of Approval (Attachment 3) for the Project, as appropriate. As noted throughout the Staff Report(s) and the findings to approve a Site Development Permit, the Project includes construction of a bank facility on an existing commercial lot, would not result in excessive noise, traffic, or the use of hazardous substances, and meets all codes and requirements related to health and safety. The final Project (7th design iteration) includes removal of the Perkins Street driveway to alleviate concerns related to traffic and circulation raised by Planning Commission and City Council. As such, the Project would not be detrimental to the public's health, safety and general welfare.

6. **Special circumstances or conditions apply to the site, building, improvement or use, such as the preservation of natural resources (creek, tree preservation), providing enhanced pedestrian facilities or enhanced outdoor areas (outdoor seating, enhanced landscaped areas).**

As noted in Exception finding No. 1 above, the exception being requested can be supported due to the site being located on a corner lot, the parcel size and shape, the required access easement for the adjacent parcel, preservation of the existing Oak trees, the Project components related to pedestrian and vehicular access, and the design considerations related to historic preservation. Refer to Finding No.1 for more information.

CEQA Findings

1. An Initial Study/Mitigated Negative Declaration (SCH No.2022030389; approved by City Council on May 18, 2022) analyzed impacts associated with Demolition Permit No. 21-6155. General assumptions were made related to construction impacts associated with potential future development. However, no development was proposed at that time. As such, the ISMND notes that additional project specific CEQA may be required for new development, such as the Project. The ISMND also included Mitigation Measure CUL-2 which states:

CUL-2: The 101 South Main Street building shall not be demolished until there is a development proposal approved in accordance with the Ukiah City Code and, specifically, the Downtown Zoning Code. At the time of demolition, the pressed metal siding on the west and north portions of the building shall be salvaged. If the pressed metal siding is not able to be salvaged, similar pressed metal siding may be used. Any new development will incorporate into the design all, or a portion, of the pressed metal siding of the existing building to pay homage to the agricultural commercial function of the original building. New development shall require review by the Design Review Board and the Planning Commission, in accordance with the Downtown Zoning Code.

As noted in the May 10, 2023 Planning Commission Staff Report, the Applicant conducted a detailed analysis of the existing pressed metal (± 850 sf.) on the west and north facades, and ultimately found that all the metal is unusable based on its condition, structural implications, and presence of lead. As such, the Applicant proposes to incorporate ±850 sf. of new, pressed metal that is visually similar to the existing metal. In the 7th design iteration of the Project, the applicant

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proposes to use the same amount of pressed metal that exists today. However, the pressed metal would be incorporated on all sides of the building, whereas the existing metal is located on the west and north facades. Additionally, the proposed structure is also located within the same location as the existing structure and includes a parapet, and corner entrance, similar to the existing building. Lastly, the latest revisions to the Project (7th design iteration) include architectural features similar to other historic buildings in the downtown.

The proposed design meets Mitigation Measure CUL-2 in the following ways:

1. Design includes the proposed building in the same location as the existing building.
2. Design includes the main entrance positioned towards the corner, similar to the existing building.
3. Design includes arches and other features common to the buildings within downtown Ukiah; as well as a parapet wall around the building to provide a tall one-story façade, similar to the original Holz Feed Company building that historically occupied the site, as well as other historic building facades within the Downtown.
4. Design includes ±850 sf. of new pressed metal siding that wraps around the building to pay homage to the existing pressed metal (currently 850sf on the north and west facades).

Based on the aforementioned, the Project is consistent with the requirements of Mitigation Measure CUL-2 and the Demolition Permit may be issued. All other mitigation measures associated with the Demolition Permit remain in effect and have been included as Conditions of Approval.

2. The proposed Project (construction and operation of the RCU bank facility) is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Article 19 §15303, New Construction or Conversion of Small Structures, which consists of the construction, location and conversion of limited numbers of new, small facilities or structures. The Project qualifies for the §15303 CEQA exemption for the following reasons:
 - The Project includes the construction of a 5,320 sf building in an urban area, developed with a mix of land uses, including other commercial/retail within Downtown Ukiah.
 - The Project site is zoned Urban Center (UC) within the Downtown Zoning Code and allows for financial institutions to be located within this zoning district by-right. In addition, the Project includes one approved exception to the zoning code and a Site Development Permit, in compliance with all applicable zoning codes.
 - The Project is consistent with the General Plan, as it supports the intent of the General Plan Downtown Core land use designation, as well as goals and policies contained within the Economic Development, Mobility, and Land Use elements of the General Plan.
 - The Project would comply with all applicable air quality regulations and would not involve the use of significant amounts of hazardous materials.
 - All public services are available to the site and the Project has been reviewed by all applicable City departments and agencies responsible for providing services.

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- The Project incorporates Best Management Practices and Low Impact Development features to manage and capture stormwater runoff.
- Vegetation on the site is limited and all healthy, mature Oak trees will be preserved. The Chinese Pistache tree and Cypress tree(s) currently located against the 101 S. Main St. building would be removed. However, these species are not listed environmentally sensitive species at the local, state or federal level. All of the remaining trees, including the existing large Oak trees on the south portion of the parcel, will be preserved.
- The Project provides adequate access (including emergency access) from Main street and maintains the emergency access easement for the adjacent parcel to aid in reducing traffic congestion; and includes bicycle parking, wide sidewalks to encourage walking and alternate modes of transportation in the Downtown area. Additionally, the Project meets the screening criteria for 'small projects' in the City's adopted thresholds for Vehicle Miles Traveled (VMT), resulting in a less than significant impact to traffic and no further analysis is required. As a part of the General Plan Environmental Impact Report (EIR), the City identified that the following projects are expected to result in less than significant impacts: small projects that meet existing categorical CEQA exemptions (such as the proposed Project), residential uses, employment uses in areas with a diverse mix of land uses, local serving retail, projects in proximity to a major transit stop, transportation projects, and all residential projects. For more information, please refer to Section 4.11, Transportation, and Appendix D of the City's General Plan Environmental Impact Report, which may be accessed online at:
https://ukiah2040.com/images/docs/Ukiah_2040_Compiled_Appendices.pdf

Public Notice

Notice of all public hearings related to the Project were provided in accordance with UCC §9231.3, 9263, 9264, and 9226.

**DRAFT CONDITIONS OF APPROVAL
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
Revised September 22, 2023**

The following Conditions of Approval shall be made a permanent part of the Site Development Permit, shall remain in force regardless of property ownership, and shall be implemented in order for this entitlement to remain valid.

Approved Project Description: The Applicant proposes the construction of a ±5,320 sf Redwood Credit Union bank facility at 101 S. Main St., as described in the application materials, last revised on September 29, 2023 (7th design iteration). This approval includes one 'major exception' (maximum rear setback requirement) from the Downtown Zoning Code, as described within the associated staff reports and analyses.

CITY OF UKIAH SPECIAL CONDITIONS

1. Conditions of Approval for Demolition Permit No. 21-6155 and Mitigation Measures associated with the Initial Study/Mitigated Negative Declaration (SCH No.2022030389) prepared for the Demolition Permit remain applicable to the demolition of the existing buildings.
2. Per Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP) Policy 3.2.8(b), recordation of an Overflight Notification is required as a condition for approval for new construction prior to occupancy.¹ This notification serves as a form of buyer awareness documentation recorded in the chain of title of a property stating that the property may be subject to annoyances and inconveniences associated with the flight of aircraft to, from, and around a nearby airport. The notification shall be of a format similar to that indicated in Appendix G of the UKIALUCP and shall contain the following language dictated by state law with regard to Airport Proximity Disclosure in conjunction with real estate transfer. The notification shall be evident to prospective purchasers of the property and shall appear on the property deed.

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an Airport Influence Area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

¹ <http://www.cityofukiah.com/NewWeb/wp-content/uploads/2021/06/Ukiah-Municipal-Airport-Land-Use-Compatibility-Plan-2021.pdf>

3. Demolition of the existing buildings and construction of the Project shall be conducted in accordance with UCC Section 9229.3, Tree Preservation. As noted in subsection 9229.3(D), Tree Protection Requirements, a tree protection plan for the existing Oak trees and any other species listed in Table 19 of the Downtown Zoning Code shall be submitted to the Community Development Department for review and approval prior to issuance of the Demolition Permit and Building Permits.
4. The existing 24-foot access easement required for Major Site Development Permit No, 97-42 shall be maintained to provide adequate emergency access from Main Street to the adjacent (east) parcel.
5. The Minor Subdivision shall be approved and recorded, in accordance with the Downtown Zoning Code, the City's Subdivision Ordinance, and the Subdivision Map Act prior to occupancy. The Minor Subdivision shall result in a maximum side (east) setback of 10ft for the RCU building. All future development on the newly created parcel shall comply with the Downtown Zoning Code.

CITY OF UKIAH STANDARD CONDITIONS

6. This approval is not effective until the 10-day appeal period applicable to this Planning permit has expired without the filing of a timely appeal. If a timely appeal is filed, the project is subject to the outcome of the appeal and shall be revised as necessary to comply with any modifications, conditions, or requirements that were imposed as part of the appeal.
7. All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plot plans accompanying the application or submitted by applicant in support thereof.
8. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Engineering Department of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission such standards shall be met.
9. Building permits shall be issued within two years after the effective date of the Planning Permit or same shall be null and void.
10. In addition to any particular condition which might be imposed; any construction shall comply with all building, fire, electric, plumbing, occupancy, and structural laws, rules, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
11. The Applicant shall obtain all required Sign Permits, in compliance with Division 3, Chapter 7, Signs, of the UCC. Prior to the placement/installation of any sign(s), the applicant shall make application for and receive approval of a sign permit.
12. A Final Landscaping Plan shall be submitted prior to issuance of Building Permit, in accordance with all applicable City codes. All landscaping shall be irrigated and maintained to a satisfactory condition throughout the life of the project.
13. The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to issuance of building permits.
14. All fees associated with the project planning permits and approvals shall be paid in full prior

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to occupancy.

15. As outlined in Article 20, Administration and Procedures, of the Zoning Code this planning permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.
16. In accordance with Public Resource Code 21082, in the event that prehistoric archaeological features such as a concentration of flaked stone artifacts, or culturally modified soil (midden) or dietary shell are encountered at any time during preparatory grading or underground excavation to remove existing structures, all work should be halted in the vicinity of the discovery. A qualified archaeologist should be contacted immediately to make an evaluation and determine if the discovered material represents a definite cultural resource. If it is determined that a potentially significant feature has been revealed, a temporary suspension of earth disturbing activities should be enforced until an appropriate mitigation program can be developed and implemented to satisfy the Planning Division. An archaeological monitor shall observe all further work during construction activities that are located within or near an archaeological site area, and formal tribal consultation may be required.

BUILDING DIVISION AND UKIAH VALLEY FIRE AUTHORITY CONDITIONS

17. A Building Permit will be required. Please submit plans, building permit application. Please submit 5 complete plan sets, two wet stamped and signed.
18. The design and construction of all site alterations shall comply with the 2022 California Building Code, 2022 Plumbing Code, 2022 Electrical Code, 2022 California Mechanical Code, 2022 California Fire Code, 2022 California Energy Code, 2022 Title 24 California Energy Efficiency Standards, 2022 California Green Building Standards Code and City of Ukiah Ordinances and Amendments.
19. Plot plan indicates one EV charging station that will be built to accessible standards. In addition to this EV parking stall, the project shall include one fully accessible van parking stall.

ELECTRIC UTILITY DEPARTMENT CONDITIONS

20. This property will be served from Underground power lines. Developer is to provide EUSERC approved electrical equipment compatible with the City of Ukiah's EUSERC Acceptability Chart before the panel can be used on this project.
21. All future site improvements shall be submitted to the Electric Utility Department for review and comment. At that time, specific service requirements, service Voltage and developer costs and requirements will be determined.
22. Developer/customer shall incur all costs of this future project to include (labor, materials, equipment and future services).
23. There shall be an easement provided to the EUD for any Primary or Secondary lines that transverse through the property. Or around any City owned Electric equipment.

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UKIAH POLICE DEPARTMENT CONDITIONS

24. Provide UPD dispatch with current appropriate business contact names and telephone numbers for after-hours contact.

DEPARTMENT OF PUBLIC WORKS CONDITIONS

25. All work within the public right-of-way shall be performed by a licensed and properly insured contractor. The contractor shall obtain an encroachment permit for work within this area. Encroachment permit fee shall be \$45 plus 3% of estimated construction costs.
26. Standard street tree requirements include street trees spaced approximately every 30 feet along the public street, within tree wells where feasible, otherwise within 5 feet of the back of sidewalk. Street trees shall be installed in accordance with City Standard Drawing No 601. Tree types shall be approved by the City Engineer. These trees must be irrigated for the first five years to be established and healthy. Irrigation chases for the water of the trees will be allowed to be installed under the sidewalk.
27. The new sidewalk on Perkins Street shall be a minimum width of 8 feet.
28. A new compliant ADA ramp shall be installed at the intersection of Perkins Street and Main Street. Developer shall increase the radius of the curb as part of the ramp to a minimum of 15 feet.
29. A detailed sediment and erosion control plan shall be included with the Building Permit plans, prepared by a Civil Engineer or other licensed erosion control specialist.
30. The capital water connection fee is based on the meter size. The engineer for the project shall supply the City with this information in order to calculate the connection fee.
31. The sewer fees will be calculated based on the number of drain fixture units at the time of Building Permit application.

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT CONDITIONS

32. Stationary and Portable Equipment and Mobile Vehicles:
 - a. Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District.
 - b. Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District.
 - c. Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate.
 - d. Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is limited to less than 5 minutes.
33. Asbestos Survey. Demolition of all commercial buildings are subject to the requirements of MCAQMD Regulation 1, Rule 492, National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Asbestos. Prior to receiving a demolition permit from the City, the

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applicant shall:

- a. Have an Asbestos Survey completed by a licensed Asbestos contractor for the presence of asbestos containing materials;
- b. Submit a completed Asbestos Demolition/Renovation form, all test results and applicable notification fees to the District at least 10 days prior to beginning the Project;
- c. Have asbestos containing materials abated by a licensed abatement contractor prior to beginning and demolition or renovation activities, if applicable; and
- d. Obtain written authorization from MCAQMD indicating that all requirements have been met prior to receiving the demolition permit.

34. Grading Projects- During Construction. All grading activities must comply with the following fugitive dust mitigation measures in accordance with District Regulation 1, Rule 1-430:

- a. All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions.
- b. All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 mph.
- c. Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed.
- d. Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles, and other surfaces that can give rise airborne dusts.
- e. All earthmoving activities shall cease when sustained winds exceed 15 mph.
- f. The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.
- g. The operator shall keep a daily log of activities to control fugitive dust.
- h. For projects greater than one acre or one mile of road not located within a Naturally Occurring Asbestos Area, prior to starting any construction the applicant is required to:
 1. Submit a Large Area Grading permit application to the District.
 2. Obtain a final determination from the Air Quality Management District as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR sections 93106 and 93105 relating to Naturally Occurring Asbestos.
 3. Obtain written verification from the District stating that the project is in compliance with State and Local regulations relating to Naturally Occurring Asbestos.
 4. If the project is located within a Naturally Occurring Asbestos Area, additional mitigations shall be required.

35. Property Development-Prior to starting any construction, the applicant is required to:

- a. Obtain a Property Development Permit from the District for any open outdoor burning.
- b. Obtain a Grading Permit, if applicable.
- c. Confirm whether the project is in a Naturally Occurring Asbestos Area, and follow additional MCAQMD recommendations, if applicable.

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- d. Consider alternate means of disposal other than open burning, such as cutting the majority of the larger material up as firewood, and chipping smaller material, if feasible to mitigate impacts from open outdoor burning.
- e. Obtain written verification from the MCAQMD stating that the project is in compliance with State and Local regulations.

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