



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

December 11, 2024 - 6:00 PM

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. **AB 2449 NOTIFICATIONS AND CONSIDERATIONS**

5. **APPROVAL OF MINUTES**

5.a. Approval of the Minutes of November 13, 2024, a Regular Meeting.

Recommended Action: Approve the Minutes for November 13, 2024, a Regular Meeting.

Attachments:

1. November 13, 2024, Minutes

6. **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 [December 23, 2024].

7. **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.

8. **SITE VISIT VERIFICATION**

9. **VERIFICATION OF NOTICE**

10. **PLANNING COMMISSIONERS REPORT**

11. **DIRECTOR'S REPORT**

11.a. Receive Community Development Director's Report and Discuss any Questions with Staff.

Recommended Action: Receive Community Development Director's Report.

Attachments:

1. Planning Division Projects Report - December 2024

12. **CONSENT CALENDAR**

The following items listed are considered routine and will be enacted by a single motion and roll call vote by the Planning Commission. Items may be removed from the Consent Calendar upon request of a Commissioner or a citizen in which even the item will be considered at the completion of all other items on the agenda. The motion by the Commission on the Consent Calendar will approve and make findings in accordance with Administrative Staff and/or the Commission recommendations.

13. **UNFINISHED BUSINESS**

14. **NEW BUSINESS**

14.a. A Public Hearing for a Minor Use Permit for voluntary modifications to an existing structure per Ukiah City Code Section 9231.14(C)(3) to allow for renovation and reuse for 'Financial Services', as well as a Major Site Development Permit to utilize the existing drive-through facility in accordance with the Downtown Zoning Code (DZC) at 414 Ea Perkins Street, Ukiah, CA; APN 002-200-35; File No. 24-000015.

Recommended Action: Staff Recommends that the Planning Commission 1) Conduct a public hearing; and 2) Approve the requested Minor Use Permit for voluntary modifications to an existing nonconforming structure per Ukiah City Code Section 9231.14(C)(3) to allow for renovation and reuse for 'Financial Services', as well as a Major Site Development Permit to utilize the existing drive-through facility in accordance with the Downtown Zoning Code (DZC).

Attachments:

1. Draft Findings
2. Draft Conditions of Approval
3. Original Entitlement Documents (1980-1982)
4. Application Materials - File No. 24-000015
5. Agency Referral - Responses Received
6. Design Review Board Draft Minutes (11.21.2024)
7. Applicant Response - DRB Hearing (12.02.2024)
8. 14a Correspondence Received - Linda Sanders
9. 14a Correspondence Received - Brandon Smith

14.b. A Public Hearing and Recommendation to the Ukiah City Council for an Ordinance Amending Ukiah City Code to Preserve and Strengthen Agricultural Uses In and Around Ukiah that Impact the Regional Economy Consistent with the Ukiah 2040 General Plan.

Recommended Action: Adopt the resolution providing a report and recommendation to the Ukiah City Council regarding the proposed adoption of amendments to Ukiah City Code Divisions 7 and 9, and the Findings of Consistency pursuant to CEQA Section 15183 related thereto the Resolution and Addendum (Exhibit A) as presented during the public hearing.

Attachments:

1. Draft Resolution
2. Exhibit A - Ordinance Amendments - Redline
3. Ordinance Amendments - Clean
4. Ukiah Valley - Agriculture Maps
5. Mendocino County Zoning Regulations
6. CEQA Guidelines Section 15183 Findings of Consistency
7. City of Ukiah Agriculture Element

15. 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 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: December 4, 2024
Stephanie Abba, Planning Commission Clerk

**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>

**November 13, 2024
6:00 p.m.**

1. CALL TO ORDER

The City of Ukiah Planning Commission held a Regular Meeting on November 13, 2024. The meeting was legally noticed on November 06, 2024. The meeting was held in person and at the following virtual link: <https://zoom.us/j/91264543193>. Chair R. Johnson called the meeting to order at 6:04 p.m.

CHAIR R. JOHNSON PRESIDING

2. ROLL CALL

Roll was taken with the following **Commissioners Present:** Mark Hilliker, Alex de Grassi, and Chair Rick Johnson. **Commissioners Absent:** None. **Staff Present:** Craig Schlatter, Community Development Director, Jesse Davis, Chief Planning Manager; and Stephanie Abba, Planning Commission Clerk.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Johnson.

4. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

No Notifications or Considerations Received.

5. APPROVAL OF MINUTES

a. Approval of the Minutes of September 25, 2024, a Regular Meeting.

Motion/Second: de Grassi/Hilliker to approve the Minutes of September 25, 2024, a Regular Meeting as submitted. Motion **carried** by the following Roll Call votes: **AYES:** M. Hilliker, A. de Grassi and R. Johnson. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

6. APPEAL PROCESS

Chair R. Johnson stated the appeals deadline date is November 25, 2024. No appeals were received.

7. COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

No Comments from Audience

8. SITE VISIT VERIFICATION

Verification not necessary

9. VERIFICATION OF NOTICE

Verified by Staff

10. **PLANNING COMMISSIONERS' REPORTS**

Commissioner de Grassi expressed interest in learning what LAFCo does and would like to find out if someone from LAFCo would come and do a Q&A with the Commissioners.

11. **DIRECTOR'S REPORT**

Received.

12. **CONSENT CALENDAR**

No items on the Consent Calendar

13. **UNFINISHED BUSINESS**

No Unfinished Business was agendized.

14. **NEW BUSINESS**

a. Receive Presentation on Major Advanced Planning and City Projects and Discuss with Staff.

Presenters: Craig Schlatter, Community Development Director and Jesse Davis, Chief Planning Manager.

Presentation Received.

b. Public Hearing to Consider Recommendation to the City Council regarding Ordinance to Amend Existing Provisions of Ukiah City Code to Preserve and Strengthen Agricultural Uses in and around Ukiah that Impact the Regional Economy by aligning Ukiah's Agricultural Standards, Allowance and Land-Use Terminology with those Adopted by Mendocino County.

Presenters: Jesse Davis, Chief Planning Manager.

Motion/Second: Hilliker/de Grassi to Continue Public Hearing to Time and Date Certain at 6:00 p.m. on December 11, 2024 Motion **carried** by the following Roll Call votes: **AYES:** M. Hilliker, A. de Grassi, and R. Johnson. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

15. **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:34 P.M.

Stephanie Abba, Planning Commission Clerk



AGENDA SUMMARY REPORT

SUBJECT: Receive Community Development Director's Report and Discuss any Questions with Staff.

DEPARTMENT: Community Development

PREPARED BY: Craig Schlatter, Community Development Director

PRESENTER: Craig Schlatter, Community Development Director

ATTACHMENTS:

1. Planning Division Projects Report - December 2024

Summary: Planning Commission will receive the Community Development Director's report.

Background: Director's Reports are bi-monthly oral reports given by the Community Development Director on the status of projects of the Planning Division of the Community Development Department. Updates may include, but are not limited to, application status of major and minor discretionary permits, the implementation status of advanced planning and related 2040 General Plan programs and projects, and updates related to the activities of other divisions of the Department.

Discussion: This report is expected to provide updates in the following areas:

- December 2024 Planning Division Projects Report (Attachment 1).
 - This is a monthly report produced on the first of each month. Updates that have occurred since the first of the month are provided to the Commission verbally during the report. The December 2024 Report and previous monthly reports are also located on the Planning Division Services webpage, under "Current Planning Reports":
<https://cityofukiah.com/communitydevelopment/planning-services/>

Recommended Action: Receive Community Development Director's Report.



**City of Ukiah
Submitted Planning Applications**

As of 12/03/2024

Permit #	Site Address	Date Submitted	Summary of Project	Status
17-3069	1294 N. State St.	7/11/23	Resubmitted Major Use Permit and Site Development Permit to allow for construction of two retail suites (including one drive-through), within the Community Commercial (C1) zoning district at the "Old Tackroom" location.	Design Review Board Hearing (DRB): 4/25/24 Recommended Approval to Planning Commission (PC); PC Hearing: TBD. Original submittal 9/13/17 (File no. 17-3069). Initial DRB evaluation on January 25, 2018. Revised project submitted July 2023 notably omitting the second-story residential use in favor of a single-story commercial structure with a drive-thru
24-001302	120/150 Brush St	9/23/24	Minor Use Permit to allow for 'Cannabis Distribution' in accordance with a Type 11: Distribution License from the California Department of Cannabis Control (DCC). Distribution activities would utilize an existing warehouse structure (150 Brush Street) within the Manufacturing (M) zoning district.	Zoning Administrator (ZA) Hearing scheduled for 12/13/24
24-001301	1351 S. State St.	9/27/24	Minor Use Permit for the demolition and replacement of an existing modular structure within the Ukiah Municipal Airport. The replacement structure will allow for modernized and improved crew facilities for Reach Air Medical Services staff.	ZA Hearing scheduled for 12/13/24
24-001349	414 E. Perkins St.	10/6/24	Minor Use Permit for voluntary modifications to an existing nonconforming structure per Ukiah City Code (UCC) Section 9231.14(C)(3) to allow for renovation and reuse for 'Financial Services', as well as a Major Site Development Permit to utilize the existing drive-through facility in accordance with the Downtown Zoning Code (DZC)	DRB Hearing: 11/21/24 Recommended Approval to PC. PC Hearing scheduled for 12/11/24
24-001455	1076 Cunningham St.	10/24/24	In accordance with UCC Section 9174.3(C)(5)(B), a one year renewal of a previously approved modification to a Major Use Permit allowing for 'Cannabis Consumption - Outdoor' at an existing 'Cannabis Microbusiness'.	ZA Hearing scheduled for 12/13/24
24-001454	420 Cooper Ln.	10/29/24	Demolition of a structure over 50 years old in compliance with UCC Section 3016 (Historical Review).	Demolition Review Committee (DRC) Hearing: 11/22/24 Recommend Approval to City Council (CC); CC Hearing scheduled for 12/18/24
24-001480	401 S State St.	11/5/24	Minor Use Permit request to allow for voluntary modifications of an existing structure to facilitate 'General Retail' and 'Small Products Manufacturing' within the DZC in accordance with UCC Section 9231.14(C)(3).	ZA Hearing scheduled for 12/13/24

**City of Ukiah
Advanced Planning Projects**

As of 12/03/2024

Permit #	Site Address	Approved Date	Summary of Project	Comments
N/A	Citywide	N/A	Ordinance Amendment for modifications to UCC Section 3016 for Demolition Permit procedures	CC on 8/21/2024 provided direction to Staff to complete an updated Historic Resources Survey and develop a historic preservation code. A Request for Proposals (RFP) 'Architectural and Historical Resource Survey Preparation' was released on 10/28/2024, with proposals due by 12/5/2024.
N/A	Citywide	N/A	Ordinance Amendment to bring consistency to Agricultural regulations of UCC with Mendocino County regulations and Ukiah 2040 Agriculture Element by amending Agricultural Combining "A" and Agriculture Exclusive "AE" zoning districts.	PC hearing scheduled for 11/13/24, continued to 12/11/24. Ukiah 2040 Agricultural Element IP C (2030).
N/A	Citywide	N/A	An Ordinance Amendment to facilitate the creation of an Open Space (O-S) zoning designation, as envisioned in the Ukiah 2040 General Plan. The designation seeks to preserve and manage areas of significant natural value, such as wildlife habitats, riparian corridors, creeks, and scenic resources, while supporting community resilience and sustainable land use practices.	PC workshop scheduled for 12/11/2024.

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



As of 12/03/2024

Permit #	Site Address	Approved Date	Summary of Project	Comments
24-9265	195 Low Gap Rd.	9/18/24	A General Plan Amendment to convert the subject property from Low Density Residential (LDR) to Community Commercial (CC) land use designation, as well as a Rezone to convert the property from the Low Density Residential (R1) zoning district to the Community Commercial (C1) zoning district.	PC recommended approval to CC on 08/14/24; Introduction to CC (5-0) on 9/04/2024; CC adopted on 9/18/2024
24-000177	1825 Airport Rd.	9/25/24	Modification of existing Use Permit to allow for Non-Storefront Retail (Type 9) of 'Cannabis Products' and On-Site Consumption of 'Cannabis Products'. The requested uses would be in addition to the existing and approved cannabis activities on-site, including 'Processing', 'Distribution' and 'Non-Volatile Manufacturing'. The applicant proposes to use existing indoor and outdoor facilities to facilitate the requested uses. Beyond limited landscaping, no permanent exterior building improvements or substantial tenant improvements are proposed. No other changes to the existing use permit are proposed	PC approved on 09/25/24 (3-0)
24-9277	960-979 Marlene St	10/16/24	Minor Subdivision of an existing 2.3± acre lot into two (2) parcels. Parcel 1 would be 1.23 acres and feature the existing condominiums; Parcel 2 would be 1.07 acres and undeveloped. Additionally, both parcels would be rezoned to R-2, removing the Planned-Development requirements of Use Permit No. 80-40.	PC Hearing 08/28/24 continued to date certain); PC recommended approval to CC on 09/11/24; CC Hearing scheduled for 10/02/24 (Introduction), CC Approved on 10/16/24.
24-001334	233 Thomas St.	10/9/24	Demolition of a residential structure over 50 ears old to allow for more usable off-street area for the existing commercial structure on the subject property.	DRC Hearing 10/21/24 (Recommended Approval to CC). CC Approved on 11/6/24
A_2022-02	Unincorporated Western Hills	11/4/2024	Western Hills Annexation Request & Sphere of Influence Amendment	LAFCo Hearing 11/04/2024: Approved.

N/A	Citywide	10/16/2024	Ordinance Amendment to encourage 'Missing Middle' housing within the City of Ukiah by amending the regulations of the R-1, R-2 and R-3 zoning districts.	PC recommended approval to CC on 09/25/24; CC Hearing scheduled for 10/02/24 (Introduction), CC adopted on 10/16/24.
N/A	Existing southern terminus of the GRT at Commerce Drive to existing municipal facilities at Plant Road	10/16/2024	CEQA Document for the construction of a 1.9 multi-modal trail segment of the Great Redwood Trail (GRT) in the south of Ukiah.	CEQA State Clearinghouse circulation and public comment period in process: 8/29/24 - 9/26/24; CC adopted on 10/16/24.



DATE: December 11, 2024
TO: Planning Commission
FROM: Jesse Davis, Chief Planning Manager
SUBJECT: Consideration of a Minor Use Permit for voluntary modifications to an existing structure per Ukiah City Code Section 9231.14(C)(3) to facilitate its reuse for 'Financial Services', as well as a Major Site Development Permit to utilize the existing drive-through facility in accordance with the Downtown Zoning Code (DZC) at 414 Ea Perkins Street, Ukiah, CA; APN 002-200-35; File No. 24-000015.

SUMMARY

OWNER: Kevin Nguyen, TTTE
APPLICANT & AGENT: Redwood Credit Union (Tony Hildesheim); Axia Architects (Doug Hilberman)
LOCATION: 414 Ea Perkins Street, Ukiah, CA; APN 002-200-35
TOTAL ACREAGE: ±0.69 acres
GENERAL PLAN: Downtown Core (DC)
ZONING DISTRICT: Downtown Zoning Code (Urban Center)
ENVIRONMENTAL DETERMINATION: Categorical Exemption, pursuant to CEQA Guidelines Article 19, Section 15301(a), Existing Facilities
RECOMMENDATION: Conditional Approval, based on the Findings in Attachment 1 and Conditions of Approval in Attachment 2.

PROJECT LOCATION & EXISTING CONDITIONS

The ±0.69-acre project site (APN 002-200-36) is located north of East Perkins Street, approximately 1,000 feet west of U.S. Highway 101. It is adjacent to the Pear Tree Center, an existing commercial shopping area, as well as a vacant parcel to the west, which has remained unimproved since 2009, when a fire destroyed the associated restaurant. The subject parcel features a vacant single-story, ±4,400 square foot structure, as well as an open parking lot containing ±27 off-street parking spaces, based on the current striping layout. Previously, this subject structure was used for 'Financial Services' and features a multi-lane drive-through ATM and banking facility. The building was intentionally designed at a 30-degree angle to Perkins Street, with the drive-up banking facility screened from the public right of way. The building is ±28 feet in height with a trombe wall for internal air circulation and glass windows oriented for passive solar heating.

Access to the parcel is primarily provided via an existing encroachment from East Perkins Street, but the property also includes a 24' wide driveway to the Pear Tree Center along its northern property line.

BACKGROUND

In June 1981, Site Development Application No. 81-25 (81-87) was approved and conditioned by the Ukiah Planning Commission. After approximately a year of deliberation and modifications, the approved design featured a wooden building with a tile roof, intended to complement the adjacent Pear Tree Center while maintaining a distinct commercial identity. The existing nonconforming commercial structure was completed in 1982 under building permit #669 (Attachment 3).

From 1982 to 2016, the structure and parcel served as a branch of a local financial services company (Savings Bank of Mendocino County – Pear Tree Center). Since branch closure in 2016, the property has remained vacant. While originally well-maintained, the structure and property have increasingly fallen into a state of disrepair. In 2022, windows of the facility and glass doors were boarded to prevent vandalism, and in 2023 temporary fencing was installed around alcoves and entrances to prevent trespass and loitering. Since 2019, the landscaping associated with the property has become increasingly overgrown, and maintenance or care provided has been sporadic, resulting in an unkempt appearance that detracts from the visual appeal of the site and its surrounding area/commercial corridor.

Under Ukiah City Code Article 18 (Downtown Zoning Code), the structure is considered legal nonconforming, as it does not comply with the current site development regulations for the Urban Center (UC) zoning district in which it is located or with applicable general regulations, such as those regarding accessibility, building or energy efficiency; however, it did comply with the provisions in effect at the time of its construction.

PROJECT DESCRIPTION

On October 6, 2024, the applicant, Redwood Credit Union, submitted an application (Attachment 4) to renovate and reuse the existing structure at 414 East Perkins Street. The applicant requests a Minor Use Permit for voluntary modifications and improvements per Ukiah City Code Section 9231.14(C)(3) and a Major Site Development Permit to utilize the existing drive-through facility, in accordance with Tables 3, 9, and 27 of the Downtown Zoning Code (DZC).

The proposed improvements, as detailed in the application materials, include interior and exterior renovations, installation of a backup generator, construction of a detached trash enclosure, minor modifications to the façade and building footprint to accommodate walk-up ATMs, roof replacement, pedestrian improvements, enhanced connectivity to an adjacent commercial shopping center, expanded landscaping, and the addition of bicycle parking at the building's entrance.

Please refer to the project description and design details submitted by the applicant in Attachment 4 for more information. Attachment 4 also includes the site plan, architectural plans and elevations, landscaping plan, photometric plan, street view images (2007-2024) and site improvement plans.

Specific project considerations for the renovation and reuse of the subject property include:

- Construction of a new off-street encroachment along the eastern property line to connect the subject property to the existing Pear Tree Center, improving site circulation;
- Construction of a new peripheral curb and sidewalk along the eastern property line with striping and crosswalk to the Pear Tree Center;
- Interior and exterior improvements to the existing structure, including enhanced mechanical systems, energy efficiency upgrades, revised window placement, and interior alterations;

- Construction of a detached trash enclosure and installation of an emergency backup generator;
- Replacement of the existing roof with a vertical seam metal roof in *Classic Green*;
- Installation of new irrigation and landscaping, including parking lot trees;
- Delineation and construction of pedestrian walkways;
- Redwood Credit Union signage on public-facing façades;
- Installation of down-shielded parking lot and building lighting;
- Hours of operation: generally 9:00 a.m. to 5:00 p.m., Monday through Friday, and 9:00 a.m. to 2:00 p.m. on Saturdays.

SURROUNDING USES AND ZONING

The property is surrounded by primarily commercial uses that are reviewed in Table 1:

TABLE 1: SURROUNDING USES AND ZONING

	ZONING:	USE:
NORTH	Community Commercial (C-1)	Pear Tree Shopping Center
EAST	Urban Center (UC)	Vacant
SOUTH	Urban Center (UC)	Office
WEST	Urban Center (UC)	Commercial/Residential

DOWNTOWN ZONING CODE

The Project site has a 2040 General Plan land use designation of Downtown Core (DC) and is zoned Urban Cener (UC) within the Downtown Zoning Code (DZC). The DZC was adopted in 2012 and prescribes several development and architectural standards. As described in Ukiah City Code, the UC Zone allows for higher density residential and mixed-use buildings that may accommodate retail, office, services, local and regional civic uses, and residential uses.

Per Ukiah City Code Section 9231.12, it is the intent of DZC to discourage the long-term continuance of nonconformities, providing for their eventual elimination, while allowing them to exist under the limited conditions. As conveyed by the DZC, the continuance of a nonconforming use or structure is generally considered detrimental to the orderly development of the area within the boundaries of this code and the general welfare of its residents and is particularly detrimental to the welfare of persons and property in the vicinity of the nonconformity.

That being said, the level and impact of the nonconformity is not particularly conveyed within the DZC, effectively treating all nonconforming situations in the manner described above, detrimental to the welfare of persons and property.

At the same time, and perhaps more critically, per UCC Section 9220.1(E), it is also the intent of the DZC to promote and encourage sustainability through the reuse and improvement of existing buildings. If not considered historic, nearly all existing structures within the DZC feature some level of nonconformity, due to setback, structure height, frontage type, or lot coverage.

Within the DZC, nonconforming structures are regulated per Ukiah City Code Section 9231.14. Since the subject structure was not involuntarily damaged or destroyed by accident (e.g., fire,

explosion, etc.) or natural disaster (e.g., earthquake, etc.), it is primarily, but not completely, subject to UCC Section 9231.14(C), which regulates the voluntary modifications, as well as major and minor repair of nonconforming structures. As conveyed in Attachment 4, there are some nonvoluntary repairs required due to vandalism, age or safety of the existing structure.

Since a nonconforming structure may undergo ordinary repair and maintenance only in a specified manner, UCC Section 9231.14(C), specifies how the reconstruction or structural alteration of a nonconforming structure may be allowed with approval of a minor use permit; provided, that the review authority first determines that the modification is necessary to secure added safety or to reduce the fire hazard and/or to secure aesthetic advantages through the alignment, architecture, or closer conformity to surrounding allowed structures in the immediate neighborhood.

Staff review has determined that minor repair and other voluntary modifications provide the most appropriate framework for the Planning Commission's evaluation of the repairs and modifications requested. While required by Ukiah City Code, relying on appraised value as a basis to restrict repairs or modifications presents difficulties when addressing worsening non-historic structures. To ensure compliance with this aspect of the DZC, Staff conditions the project to provide a recent appraisal of the commercial property for compliance with UCC Section 9231.14(C) ensuring that proposed work does not exceed fifty percent (50%) of the current market value of the structure during any calendar year.

As conveyed by UCC Section 9231.16, alterations, reconstruction, or repairs otherwise required by law (e.g., City adopted building, electrical, plumbing codes) shall be allowed. Reconstruction required to reinforce unreinforced masonry structures or to comply with building code requirements shall be allowed without cost limitations; provided, the retrofitting and code compliance are limited exclusively to compliance with safety standards other applicable building code requirements.

Processing a structure as an "existing building" under an updated zoning code does not inherently remove its nonconforming status unless the zoning code explicitly provides for such an outcome, which the DZC does not. Nor does the DZC include a mechanism (like reclassification or amortization) to eliminate nonconformity of such structures. The DZC does, however, provide allowances for 'Existing Buildings' as conveyed by Table 6, and encourages reuse and improvement as conveyed through UCC §9220.1(I).

ASSOCIATED DEFINITIONS

- *Drive-Through: A facility where food and other products may be purchased or services may be obtained by motorists without leaving their vehicle. Examples of these include fast food restaurants, drive-through coffee, pharmacies, drive-through teller windows and automatic teller machines (ATMs). Does not include fueling stations/gas stations or other vehicle services which are separately defined (§9232.3 DEFINITIONS).*
- *Financial Services: Establishments primarily providing financial and banking services. Typical uses include banks, savings and loan institutions, credit and lending services, and similar services (§9278 DEFINITIONS).*
- *Structure, Legal Nonconforming: A building or structure including off street parking or loading space, that does not comply with current applicable site development regulations for the district in which it is located, or with applicable general regulations, but which complied with applicable provisions at the time of construction (§9278 DEFINITIONS).*

- Substantial Modification: *Any alteration, abandonment, damage, destruction, or loss of or to a building that would result in the loss of status as a nonconforming use or nonconforming buildings under subsection 9209D or E of this code or would require a discretionary permit (§9232.3 DEFINITIONS).*

ARCHITECTURAL STANDARDS

For the purposes of review by the DRB, Table 2 below provides a list of applicable DZC design standards (generally identified in DZC Tables 6,7,11 & 12), as well as a summary of landscaping and parking standards, and a consistency analysis for the proposed project. Also addressed are considerations utilize the existing drive-through facility in accordance with DZC Tables 3, 9, and 27.

Table 2, Project Consistency with DZC Design Standards

STANDARDS	Urban Center (UC)	MODIFICATION TO STANDARD	PROJECT CONSISTENCY
EXISTING BUILDING			
Frontage type	Exterior modifications and additions to existing buildings with nonconforming facade orientation shall utilize an allowed frontage type as required by Table 6	Major Exception (Table 6)	Major Exception Required
Setbacks	Additions not exceeding 1,000 square feet of gross floor area or 50% of the gross floor area of the existing building, whichever is less, may continue the setbacks of the existing building.	Major Exception (Table 6)	Consistent
Height	Additions not exceeding 1,000 square feet of gross floor area or 50% of the gross floor area of the existing building, whichever is less, may continue the existing building height.	Major Exception (Table 6)	Consistent
PARKING, DRIVE-THROUGH ACCESS			
Existing Facilities Parking	Existing open parking facilities as of the date of the adoption of this code shall be considered legal nonconforming; provided, that they were legal at the time of their creation.	None (Table 18)	Consistent
Existing Open Parking – No Expansion	Existing parking facilities that are nonconforming in terms of location (layer) are not required to be relocated to comply with the parking layer requirement.	None (Table 17)	Consistent

STANDARDS	Urban Center (UC)	MODIFICATION TO STANDARD	PROJECT CONSISTENCY
Existing Facilities Parking - Modification	Modifications to existing parking facilities shall comply with the requirements of Tables 16, 17 and 18.	Minor Exception (Table 18)	Minor Exception Required
Drive-through or drive-up – bank, pharmacy	Use Allowed Accessory to a Principal Use (Drive-through Lane/facility is subject to Planning Commission approval of a site development permit.)	None (Table 3)	Consistent
Drive-Through Facility Design	To reduce noise and visual impacts as viewed from frontages. On a project-by-project basis, screening and landscaping may be required in order to comply with this requirement.	Major Exception (Table 9)	Consistent
Drive-Through Facility Location	Prohibited on frontage(s). In areas with residential uses, locate to reduce exposure of residential uses to noise, exhaust, and visual impacts. On a project-by-project basis, delivery hours may be restricted in order to comply with this requirement.	Major Exception (Table 9)	Consistent
Drive-Through Screening	Screen from view from all frontage(s).	Major Exception (Table 9)	Consistent
OUTDOOR LIGHTING			
Design	Compatible with building architecture.	Minor Exception (Table 9)	Consistent
Direction of Fixtures	Directed downward and away from adjoining properties and public right-of-way.	Minor Exception (Table 9)	Consistent
Energy Efficiency	Energy efficient fixtures/lamps, such as high-pressure sodium, hard-wired compact fluorescent, LED, or other lighting technology that is of equal or greater energy efficiency.	Minor Exception (Table 9)	Consistent
BUILDING MATERIALS & ARCHITECTURE			
Facade(s) – Primary Exterior Finish	Brick, wood siding, fiber cement siding, stucco, stone.	Minor Exception (Table 12)	Consistent
Facade – Location of Materials	Combined horizontally with heavier material below the lighter material.	Minor Exception (Table 12)	Minor Exception Requested

STANDARDS	Urban Center (UC)	MODIFICATION TO STANDARD	PROJECT CONSISTENCY
DEVELOPMENT STANDARDS			
Trash / Recycling Receptacles:	Location – All Building Types: Prohibited on frontage(s).	Major Exception (Table 9)	Consistent (Staff Determination)

REQUESTED EXCEPTIONS

Section 9231.5 of the DZC, allows specific requirements to be modified with approval of an exception. Table 29, Exception Procedures, establishes two levels of exceptions, major and minor, and the procedures for the review and processing of exceptions. Upon review of Staff the following major and minor exceptions to the DZC development and design standards are required or requested. As noted in DZC Table 29, the below exceptions may be granted with approval by the Planning Commission.

1) Existing Building – Frontage Type (Major Exception Required)

- *Requirement: Exterior modifications and additions to existing buildings with nonconforming facade orientation shall utilize an allowed frontage type as required by Table 6.*
- Major Exception – Required: Given the current layout, orientation, and architectural character of this existing building, adhering strictly to an allowed frontage type per Table 6 would require substantial structural changes, essentially amounting to a complete rebuild given its unique shape and orientation to the frontage. Such a modification would not only be impractical but would also conflict with the City of Ukiah's goals for sustainability and environmental responsibility, which prioritize the adaptive reuse of existing buildings.

The building's current orientation, which does not meet the prescribed frontage types, is a legacy condition. Modifying this facade to meet current DZC standards would compromise the project's sustainability objectives by necessitating major demolition and reconstruction activities, while only minimal upgrades are presently requested to reoccupy structure. Additionally, the building's unique angled rooflines and architectural features, including its Trombe wall, add character to the commercial area and would be challenging to replicate under a strict frontage requirement.

Furthermore, the DZC emphasizes flexibility in reusing existing structures as a means to foster a vibrant and sustainable commercial corridor. As this project aligns closely with the DZC's broader objectives—supporting local businesses, enhancing pedestrian connectivity, and minimizing environmental impacts—a Major Exception for the facade orientation is both reasonable and consistent with the DZC's intent. This exception allows Redwood Credit Union to preserve the architectural integrity of the existing building while updating its functionality and aesthetic.

The requested exception aligns with the DZC's purpose and is therefore appropriate for consideration by the Planning Commission. By allowing this exception, the City can ensure that the structure retains its architectural distinctiveness.

2) Existing Facilities (Parking) – Modifications

- *Requirement: Modifications to existing parking facilities shall comply with the requirements of Tables 16, 17 and 18.*
- Minor Exception – Requested: In accordance with Table 18 of the DZC, existing open parking facilities that were legal at the time of their creation are recognized as legal nonconforming uses. While Redwood Credit Union does not intend to expand the parking area at 414 East Perkins Street, they do propose minor modifications aimed at improving accessibility, circulation, and connectivity—particularly by creating a new access connection and walkway to the adjacent Pear Tree Center.

These proposed improvements align with the City's objectives for increased modal connectivity. Given the requirements of Tables 16, 17, and 18, however, even relatively minor modifications to existing parking areas that require consistency with current DZC standards for layout, accessibility, and design can be costly and counterproductive to adaptive reuse that would otherwise be permitted if the parking lot remained unchanged.

The applicant's modifications are intended to:

- Enhance ADA accessibility by refining access points and walkways and installing improvements (e.g. tactile warning surfaces, signage and accessible routes); and
- Improve overall circulation to better delineate pedestrian and vehicular areas, which would improve public safety and connectivity; and
- Create a new connection to the Pear Tree Center, promoting ease of access and further distribute vehicular traffic, while creating a new pedestrian path; and
- Reduce the number of parking spaces to accommodate landscaping, trash enclosures, and backup generator.

To accommodate these updates, a Minor Exception is required so that the modifications conveyed above can be made without being subject to the comprehensive DZC standards outlined in Tables 16, 17, and 18. The proposed circulation pattern allows for queuing to occur on-site, while reducing pressure on the existing on-site encroachment onto Perkins Street. While the facility remains autocentric, Staff considers the requested modification an incremental improvement to a facility that previously served a similar purpose.

The proposed updates will leave most of the existing parking unchanged, while making the site area more functional and accessible, benefiting both the property itself and the adjacent commercial property with only minimal alterations.

Given the nonconforming but legally established status nature of the existing parking facility, these improvements provide a balanced approach to the regulatory environment created by the DZC, thereby supporting improvements without extensive redevelopment.

3) Facade – Location of Materials – Minor Exception Requested

- *Requirement: Combined horizontally with heavier material below the lighter material.*
- Minor Exception – Requested: The architectural design at 414 East Perkins Street is characterized by angular forms and unique, modernist lines that create a visually distinctive, dynamic facade. The Redwood Credit Union's proposal to forgo the

horizontal base banding requirement aligns with the intention to preserve this existing aesthetic while avoiding visual clutter that could detract from the building's character. The project architect has highlighted that adding horizontal base banding, as required by the DZC, would compete with the structure's angular design, leading to a visually overwhelming appearance. The base banding requirement typically serves to add stability and grounding to a building's appearance, especially when transitioning between lighter and heavier materials. In this case, however, the building's design already achieves a grounded aesthetic through its massing, scale, and material choice, which collectively fulfill the intent of the DZC's requirement.

Therefore, an exception to this requirement would not compromise the appearance or stability of the facade. Additionally, the building's design features a complexity in form and massing that would be diluted by the addition of horizontal bands. Adding such a design element would impose a competing visual language that conflicts with the existing architectural style. By allowing the proposed exception, the Planning Commission can help preserve the building's architectural integrity and avoid compromising its unique character.

4) Trash / Recycling Receptacle – Consistent (Staff Determination)

- *Requirement:* Location – All Building Types: Prohibited on frontage(s).
- *Consistent:* In this proposal, the location of the trash and generator enclosures—set back from Perkins Street and positioned near the commercial entry and shipping/receiving lane of the adjacent Pear Tree Center—aligns with the DZC requirements for such enclosures regarding frontages, even though they are relatively exposed.

While the DZC typically discourages placing trash and generator enclosures on prominent frontages, the selected location in this proposal ensures they are both visually screened and strategically positioned to minimize impacts on pedestrian areas and streetscape visibility, especially along East Perkins Street. The project's design includes appropriate screening for the trash and generator areas, ensuring that they remain visually unobtrusive. Screening mitigates any potential impact on the commercial entry of Pear Tree Center, blending the enclosures with surrounding structures and landscaping.

AGENCY CONSIDERATIONS & REFERRAL

On November 7, 2024, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project (See Table 3). Only limited comments were received. All responding departments and agencies are included in Attachment 5 and comments reflected within the Conditions of Approval, as appropriate.

Table 3: Agency Comments	
Agency	Comment
City of Ukiah, Community Development Director	No Response
City of Ukiah, Building Inspection Division	Response Received – Conditions Requested

City of Ukiah, Fire Prevention Division	Response Received – Conditions Requested
City of Ukiah, Electrical Utility, Department	Response Received
City of Ukiah, Public Works Department	No Response
Mendocino County Air Quality Management Dist.	No Response
City of Ukiah Police Department (UPD)	No Comment
City of Ukiah, Code Enforcement Division	No Response
Ukiah Valley Fire Authority	No Response
City of Ukiah, City Manager's Office	No Response
Design Review Board	Hearing – November 21, 2024
City Manager's Office	No Response

STAFF ANALYSIS

AIRPORT LAND USE CONSISTENCY: The proposed reuse of the structure aligns with the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP), as the subject parcel is located within Compatibility Zone 6 (Traffic Pattern). Compatibility Zone 6 is designated for areas with the lowest levels of airport-related impacts, primarily concerning overflight annoyance and potential hazards related to aircraft operations. Zone 6 permits most types of urban development and commercial uses, provided they are not highly noise-sensitive or involve large gatherings of people in outdoor spaces. The reuse of the bank structure would be considered 'Normally Compatible' with the only criteria being that the intensity limits are compatible. Zone 6 features a Max. Single-Acre Intensity of 1,200 people per acre.

DESIGN REVIEW BOARD: At its special meeting on November 21, 2024, the City of Ukiah Design Review Board (DRB) reviewed the proposal for the renovation and reutilization of the existing structure at 414 East Perkins Street. The project, presented by representatives from Axia Architects and Redwood Credit Union, presented the associated plan, and engaged members of the DRB on a variety of topics including access, solar energy, and materials selection. Public input was provided, including correspondence and verbal comments, which were considered by the DRB during the review. A draft copy of the meeting minutes is available for review as Attachment 6.

Following a staff presentation and discussion, the DRB unanimously voted to recommend the project to the Planning Commission with the following key considerations:

1. **Rooftop Photovoltaic System:** The applicant should further study and provide detailed plans for the installation of a rooftop solar energy system, addressing structural and location feasibility.
2. **Pedestrian Access Enhancements:** Additional pedestrian access improvements should be evaluated, considering feedback from public correspondence and discussions with an aim to enhance connectivity with adjacent properties, improve walkability, and align with existing public crosswalks.

3. **Architectural Cohesion:** The design should incorporate softer material transitions and refined corner treatments to create a more visually appealing and cohesive building façade.

The DRB's unanimous decision to recommend the project indicates their overall support for the proposal, subject to these refinements and further evaluation of the considerations provided by RCU and the Planning Commission.

GENERAL PLAN (2040): The Project site carries a General Plan designation of Downtown Core (DC). The proposal aligns with the City's 2040 General Plan by revitalizing a longstanding vacant building (LU-11.9) and promoting sustainable development through the renovation of an existing structure (ENV-3.7). This approach also meets the intent of the Downtown Zoning Code (DZC), which encourages a sustainable community through the reuse and improvement of existing buildings (UCC §9220.1(l)). Additionally, by incrementally improving the parking lot and enhancing pedestrian connectivity with neighboring commercial areas, the project supports policies within the City's Mobility Element (MOB-2.3).

The project aligns with the following goals and policies contained within the Environment & Sustainability, Mobility, and Land Use elements of the 2040 General Plan, as described below:

Land Use Element

- LU-3: To improve and enhance the appearance and vibrancy of Downtown Ukiah to create a high-quality place for residents, businesses, and visitors.
- 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.
- Policy LU-11.9 *Historic Preservation & Restoration*: The City shall encourage restorative maintenance to deteriorated buildings, particularly in Downtown, and restrict the demolition of historically and/or architecturally significant buildings to accommodate new development.

By revitalizing a prominent location along a prominent corridor to Downtown Ukiah, the project enhances the City's appearance and vibrancy. Improvements like the updated façade, landscaping, and pedestrian access contribute to a higher-quality commercial space attractive to residents, businesses, and visitors. Though not explicitly designated as historically significant, the project's restorative approach—focused on upgrades rather than demolition—supports adaptive reuse and preservation of the structure's architectural integrity.

Mobility Element

- 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.

Enhanced pedestrian connectivity, including new walkways, curbs, and a crosswalk connecting to the Pear Tree Center, aligns with this policy's focus on improving safe, direct access to nearby amenities and destinations. Presently, no such access consideration for pedestrians exists. The proposed mobility improvements, including new pedestrian walkways, a crosswalk, and enhanced connectivity to the Pear Tree Center, are proportional to the scale and scope of the requested renovation and reuse of the property at 414 East Perkins Street. These upgrades align with the project's objective to modernize the site while incrementally improving accessibility and circulation. Staff find these mobility enhancements to be appropriate, as they contribute to the

overall functionality of the site without exceeding the scope of the requested modifications.

Eniornment & Sustainability Element

- ENV-3.7 *Adaptive Reuse*. The City shall encourage appropriate adaptive reuse of historic resources.

Modernization and reuse of the building minimizes resource consumption compared to new construction, supporting sustainability and the City's emphasis on environmentally conscious redevelopment. Additionally, the Downtown Zoning Code aims to promote revitalization, enhance economic vitality, and encourage sustainable development in the downtown area. Adaptive reuse supports these goals by preserving and updating underutilized buildings, reducing environmental impacts associated with demolition and new construction, and fostering economic growth through reinvestment.

ENVIRONMENTAL DOCUMENTATION

The proposed project at 414 East Perkins Street is subject to the California Environmental Quality Act (CEQA) and qualifies for a categorical exemption under CEQA Guidelines, Article 19, Class 1, Section 15301 (Existing Facilities) (a), which covers minor interior or exterior alterations.

The project involves relatively limited renovations to an existing 4,400-square-foot commercial structure, avoiding any significant changes to the building's footprint or surrounding site. The planned modifications by Redwood Credit Union (RCU) will not damage or disturb any significant natural features on the property.

Additionally, the project is consistent with existing zoning and planning regulations, including the 2040 General Plan, Downtown Zoning Code requirements, and other relevant local policies, aligning with the City's established land-use expectations for the site. Upon review, it has been determined that the project will not impact sensitive environmental resources, such as habitats for endangered species, geologically sensitive areas, or sites of historical or archaeological importance.

NOTICE

Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9264:

- Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9231.3, 9263 and 9264:
- Published in the Ukiah Daily Journal on December 1, 2024
- Posted on the Project site on December 1, 2024;
- Posted at the Civic Center (glass case) on December 1, 2024; and
- Mailed to property owners within 300 feet of the Project parcels on December 1, 2024
- Emailed to all agencies having jurisdiction: December 1, 2024.

RECOMMENDATION

Staff recommends that the City of Ukiah Planning Commission:

- 1) Conduct a public hearing; and

2) Approve the Minor Use Permit to allow voluntary modifications to an existing structure at 414 East Perkins Street, Ukiah, CA; APN 002-200-35 per Ukiah City Code Section 9231.14(C)(3) to facilitate its reuse for 'Financial Services'; and

3) Approve the Major Site Development Permit to utilize the existing drive-through facility in accordance with the Downtown Zoning Code (DZC) Table 9.

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Original Entitlement Documents (1980-1982)
4. Application Materials – File No. 24-000015; Project Description; Site Plan; Landscape and Photometric Plan; Color and Materials Board; Architectural Details & Elevations; Maps; Interior Photographs
5. Agency Referral Responses
6. Design Review Board Draft Minutes – November 21, 2024

DRAFT FINDINGS
MAJOR SITE DEVELOPMENT PERMIT & MINOR USE PERMIT
RENOVATION & REUSE OF AN EXISTING COMMERCIAL STRUCTURE
414 EA PERKINS STREET, UKIAH, CA; APN 002-200-35; FILE NO. 24-000015

The Community Development Department's recommendation for conditional approval of a Minor Use Permit for voluntary modifications to an existing structure per Ukiah City Code Section 9231.14(C)(3) to facilitate its reuse for 'Financial Services', as well as a Major Site Development Permit to utilize the existing drive-through facility in accordance with the Downtown Zoning Code (DZC). Proposed development consists of interior and exterior renovations to the existing building including installation of ATMs, minor façade and footprint modifications, roof replacement, pedestrian improvements and enhanced connectivity to adjacent commercial parcels, revised landscaping, accessibility enhancements, as well as the addition of bicycle parking. This approval also includes exceptions from 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.

The proposal aligns with the City's 2040 General Plan by revitalizing a longstanding vacant building (LU-11.9) and promoting sustainable development through the renovation of an existing structure (ENV-3.7). This approach also meets the intent of the Downtown Zoning Code (DZC), which encourages a sustainable community through the reuse and improvement of existing buildings (UCC §9220.1(I)). Additionally, by incrementally improving the parking lot and enhancing pedestrian connectivity with neighboring commercial areas, the project supports policies within the City's Mobility Element (MOB-2.3).

- LU-11.9- The City shall encourage restorative maintenance to deteriorated buildings, particularly in Downtown, and restrict the demolition of historically and/or architecturally significant buildings to accommodate new development. The City shall encourage adaptive re-use of historic structures to maintain their historic character while supporting economic development
- ENV 3.7- The City shall encourage appropriate adaptive reuse of historic resources.
- MOB 2.3 - 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

Modernization and reuse of the building minimizes resource consumption compared to new construction, supporting sustainability and the City's emphasis on environmentally conscious redevelopment. Additionally, the Downtown Zoning Code aims to promote revitalization, enhance economic vitality, and encourage sustainable development in the downtown area. Adaptive reuse supports these goals by preserving and updating underutilized buildings, reducing environmental impacts associated with demolition and new construction, and fostering economic growth through reinvestment. By revitalizing a

prominent location along a prominent corridor to Downtown Ukiah, the project enhances the City's appearance and vibrancy. Improvements like the updated façade, landscaping, and pedestrian access contribute to a higher-quality commercial space attractive to residents, businesses, and visitors. Though not explicitly designated as historically significant, the project's restorative approach—focused on upgrades rather than demolition—supports adaptive reuse and preservation of the structure's architectural integrity.

- 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 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 renovation of the 414 East Perkins Street bank structure respects the building's unique architectural style, which includes passive heating features and a Trombe wall. As requested, a minor exception was identified by RCU to forgo the horizontal base banding requirement aligning with the intention to preserve this existing aesthetic while avoiding visual clutter that could detract from the building's character.

While the original design aligned with the Pear Tree Center, the refresh will enhance its visual appeal and functionality, alluding to a healthy and vibrant commercial area.

The updated design maintains the building's distinctive architectural features while introducing creative enhancements such as a new roof, window placement and minor façade changes, ensuring the structure remains engaging and avoids a monotonous or box-like appearance. This approach honors the building's original character while contributing to the vitality of the surrounding commercial district by effectively utilizing an existing structure.

- 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 structure is existing, and compatible with other improvements in the immediate commercial vicinity/neighborhood, a substantial portion of which is outside of the DZC. The proposed improvements are thoughtfully integrated to enhance an existing building by updating its features. Per Table 6, 'Existing Building', Staff determined that the project is consistent with required setbacks.

By maintaining existing ingress and egress points, adding a new connection to the Pear Tree Center, and clearly delineating pedestrian pathways, the proposal improves vehicular and pedestrian circulation. These modifications ensure safer, more convenient access for

additional modalities, including bicycles, without introducing new hazardous conditions.

- 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.**

By adding a vehicular connection to the Pear Tree Center along its eastern periphery, the project supports improved onsite circulation. This additional connection to the existing parking lot area will facilitate more effective dispersal of vehicular traffic that utilize the bank facility or drive-through.

The project design, as proposed, includes a sidewalk along its easterly frontage that enhances pedestrian access to the property and Pear Tree Center where no sidewalk previously existed. Additionally, the project enhances circulation and accessibility by increasing bicycle parking capacity to five spaces and positioning that bicycle parking in a prominent location near the Perkins Street entrance.

As the project includes replacing impervious surfaces (e.g., parking lots, driveways, or roofs), LID measures will be required to manage the increased stormwater runoff, as determined necessary by the City of Ukiah Low Impact Development (LID) Manual utilized by Santa Rosa and Sonoma County (see City of Ukiah Resolution No. 2014-27).

- 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.**

By adding a vehicular connection to the Pear Tree Center along its eastern periphery, the project supports improved onsite circulation. This additional connection to the existing parking lot area will facilitate more effective dispersal of vehicular traffic that utilize the bank facility or drive-through.

The project design, as proposed, includes a sidewalk along its easterly frontage that enhances pedestrian access to the property and Pear Tree Center where no sidewalk previously existed. Additionally, the project enhances circulation and accessibility by increasing bicycle parking capacity to five spaces and positioning that bicycle parking in a prominent location near the Perkins Street entrance.

As the project includes replacing impervious surfaces (e.g., parking lots, driveways, or roofs), LID measures will be required to manage the increased stormwater runoff, as determined necessary by the City of Ukiah Low Impact Development (LID) Manual utilized by Santa Rosa and Sonoma County (see City of Ukiah Resolution No. 2014-27).

- 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.**

The proposed renovation of the 414 East Perkins Street nonconforming structure by Redwood Credit Union (RCU) will not excessively damage or destroy natural features on the site. The project will retain existing trees, while incorporating additional drought-tolerant, native plants to enhance the site. The natural grade of the site will be minimally disturbed, ensuring that the development preserves the site's environmental integrity while improving its functionality and aesthetic appeal.

- 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.**

To be sure, a similar use operated within the structure for more than three decades without compromising the health, safety, or welfare of the public, as conveyed by public agencies that reviewed the project. While the site remains autocentric, the proposed renovation of the legal nonconforming structure by RCU is not expected to have any detrimental impact on the orderly development of the area. In fact, it may contribute to its revitalization as a commercial corridor and encourage additional investment in adjacent parcels, which have remained vacant. Given the nearby land use of a commercial shopping center, the project will complement existing development in a sustainable manner by repurposing an existing structure that was previously utilized for a similar purpose. The proposed renovation will enhance the site's circulation, access, and landscaping, further complementing the surrounding commercial environment and improving the overall functionality and appeal of the Perkins Street corridor without negatively impacting neighboring properties.

EXCEPTION FINDINGS

Section 9231.5 of the DZC, allows specific requirements to be modified with approval of an exception. Table 29, Exception Procedures, establishes two levels of exceptions, major and minor, and the procedures for the review and processing of exceptions. Upon review of Staff the following major and minor exceptions to the DZC development and design standards are required or requested. As noted in DZC Table 29, the below exceptions may be granted with approval by the Planning Commission.

1. Existing Building – Frontage Type (Major Exception Required)

- a. Requirement: Exterior modifications and additions to existing buildings with nonconforming facade orientation shall utilize an allowed frontage type as required by Table 6. Major Exception – Required: Given the current layout, orientation, and architectural character of this existing building, adhering strictly to an allowed frontage type per Table 6 would require substantial structural changes, essentially amounting to a complete rebuild given its unique shape and orientation to the frontage. Such a modification would not only be impractical but would also conflict with the City of Ukiah's goals for sustainability and environmental responsibility, which prioritize the adaptive reuse of existing buildings. The building's current orientation, which does not meet the prescribed frontage types, is a legacy condition. Modifying this facade to meet current DZC standards would compromise the project's sustainability objectives by necessitating major demolition and reconstruction activities, while only minimal upgrades are presently requested to

reoccupy structure. Additionally, the building's unique angled rooflines and architectural features, including its Trombe wall, add character to the commercial area and would be challenging to replicate under a strict frontage requirement

Furthermore, the DZC emphasizes flexibility in reusing existing structures as a means to foster a vibrant and sustainable commercial corridor. As this project aligns closely with the DZC's broader objectives—supporting local businesses, enhancing pedestrian connectivity, and minimizing environmental impacts—a Major Exception for the facade orientation is both reasonable and consistent with the DZC's intent. This exception allows Redwood Credit Union to preserve the architectural integrity of the existing building while updating its functionality and aesthetic.

The requested exception aligns with the DZC's purpose and is therefore appropriate for consideration by the Planning Commission. By allowing this exception, the City can ensure that the structure retains its architectural distinctiveness.

2. Existing Facilities (Parking) – Modifications

- a. Requirement: Modifications to existing parking facilities shall comply with the requirements of Tables 16, 17 and 18. Minor Exception – Requested: In accordance with Table 18 of the DZC, existing open parking facilities that were legal at the time of their creation are recognized as legal nonconforming uses. While Redwood Credit Union does not intend to expand the parking area at 414 East Perkins Street, they do propose minor modifications aimed at improving accessibility, circulation, and connectivity—particularly by creating a new access connection and walkway to the adjacent Pear Tree Center.

These proposed improvements align with the City's objectives for increased modal connectivity. Given the requirements of Tables 16, 17, and 18, however, even relatively minor modifications to existing parking areas that require consistency with current DZC standards for layout, accessibility, and design can be costly and counterproductive to adaptive reuse that would otherwise be permitted if the parking lot remained unchanged.

The applicant's modifications are intended to:

- Enhance ADA accessibility by refining access points and walkways and installing improvements (e.g. tactile warning surfaces, signage and accessible routes); and
- Improve overall circulation to better delineate pedestrian and vehicular areas, which would improve public safety and connectivity; and
- Create a new connection to the Pear Tree Center, promoting ease of access and further distribute vehicular traffic, while creating a new pedestrian path; and
- Reduce the number of parking spaces to accommodate landscaping, trash enclosures, and backup generator.

To accommodate these updates, a Minor Exception is required so that the modifications conveyed above can be made without being subject to the

comprehensive DZC standards outlined in Tables 16, 17, and 18. The proposed circulation pattern allows for queuing to occur on-site, while reducing pressure on the existing on-site encroachment onto Perkins Street. While the facility remains autocentric, Staff considers the requested modification an incremental improvement to a facility that previously served a similar purpose.

The proposed updates will leave most of the existing parking unchanged, while making the site area more functional and accessible, benefiting both the property itself and the adjacent commercial property with only minimal alterations. Given the nonconforming but legally established status nature of the existing parking facility, these improvements provide a balanced approach to the regulatory environment created by the DZC, thereby supporting improvements without extensive redevelopment.

3. Facade – Location of Materials – Minor Exception Requested

- a. Requirement: Combined horizontally with heavier material below the lighter material. Minor Exception – Requested: The architectural design at 414 East Perkins Street is characterized by angular forms and unique, modernist lines that create a visually distinctive, dynamic facade. The Redwood Credit Union's proposal to forgo the horizontal base banding requirement aligns with the intention to preserve this existing aesthetic while avoiding visual clutter that could detract from the building's character. The project architect has highlighted that adding horizontal base banding, as required by the DZC, would compete with the structure's angular design, leading to a visually overwhelming appearance. The base banding requirement typically serves to add stability and grounding to a building's appearance, especially when transitioning between lighter and heavier materials. In this case, however, the building's design already achieves a grounded aesthetic through its massing, scale, and material choice, which collectively fulfill the intent of the DZC's requirement. Therefore, an exception to this requirement would not compromise the appearance or stability of the facade. Additionally, the building's design features a complexity in form and massing that would be diluted by the addition of horizontal bands. Adding such a design element would impose a competing visual language that conflicts with the existing architectural style. By allowing the proposed exception, the Planning Commission can help preserve the building's architectural integrity and avoid compromising its unique character.

4. Trash / Recycling Receptacle – Consistent (Staff Determination)

- a. Requirement: Location – All Building Types: Prohibited on frontage(s). Consistent: In this proposal, the location of the trash and generator enclosures—set back from Perkins Street and positioned near the commercial entry and shipping/receiving lane of the adjacent Pear Tree Center—aligns with the DZC requirements for such enclosures regarding frontages, even though they are relatively exposed. While the DZC typically discourages placing trash and generator enclosures on prominent frontages, the selected location in this proposal ensures they are both visually screened and strategically positioned to minimize impacts on pedestrian areas and streetscape visibility, especially along East Perkins Street. The project's design includes appropriate screening for the trash and generator areas, ensuring that they remain visually unobtrusive. Screening mitigates any potential impact on

the commercial entry of Pear Tree Center, blending the enclosures with surrounding structures and landscaping.

USE PERMIT FINDINGS – MINOR

The subject structure was not involuntarily damaged or destroyed by accident (e.g., fire, explosion, etc.) or natural disaster (e.g., earthquake, etc.), and is therefore subject to UCC Section 9231.14(C), which regulates the voluntary modification of nonconforming structures. Since a nonconforming structure may undergo ordinary repair and maintenance only in a specified manner, UCC 9231.14(C), specifies how the reconstruction or structural alteration may be allowed; provided, that the review authority first determines that the modification is necessary to secure added safety or to reduce the fire hazard and/or to secure aesthetic advantages through the alignment, architecture, or closer conformity to surrounding allowed structures in the immediate neighborhood.

The text below outlines project consistency with the required minor use permit findings, including voluntary repair, as well as required exceptions:

1. The proposed land use is consistent with the provisions of this Title as well as the goals and policies of the City General Plan.

The proposed land use of financial services with a drive-through banking facility is consistent with both the zoning and land use designation of the subject property. Financial Services is considered an allowed use, not subject to discretionary review. The applicant's request to modify a legal nonconforming structure aligns with the intent of the Development Zoning Code (DZC), which encourages the reutilization of existing structures to promote sustainability and preserve the built environment. This structure, having served as a bank for over 30 years, is ideally suited for continued use as a financial services facility, and repurposing it helps maintain the character and functionality of the area while minimizing the environmental impact of new construction.

2. The proposed land use is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare.

The proposed land use is compatible with surrounding commercial uses, as it involves reactivating a building that was originally constructed as a drive through banking facility and will continue to serve as a financial institution with a drive through component. The structure has been vacant since 2016 and leaving it idle creates quality of life issues for adjacent property owners, as evidenced by the referral response of UPD (Attachment 3). Allowing for the requested improvements, ensures the building serves a productive role in the community, supporting the local economy without imposing additional burdens on municipal resources, such as police or code enforcement.

3. The reconstruction or structural alteration of a nonconforming structure may be allowed with Zoning Administrator approval of a minor use permit; provided, that the review authority first determines that the modification is necessary to secure added safety or to reduce the fire hazard and/or to secure aesthetic advantages through the alignment, architecture, or closer conformity to surrounding allowed structures in the immediate neighborhood, and only in compliance with subsections C1 and C2 of this section.

The proposed improvements to 414 East Perkins Street will enhance the property's compatibility with the surrounding neighborhood, which is characterized by a mix of commercial and retail structures, a portion of which is outside of the DZC. There does not appear to be any conforming DZC structure in proximity to the subject property. By renovating an existing commercial building and adapting it for use by Redwood Credit Union (RCU), the project will better align the site with the scale and function of neighboring commercial undertakings, particularly the Pear Tree Center, which remains an active commercial center with few vacancies.

- 4. Exception Findings:** The request is consistent with the intent of this code and the Ukiah General Plan; The project is compatible with the neighborhood and design intent of this code; the project provides appropriate connections, transitions, and relationships between buildings and the street, adjacent properties and one another; The project provides adequate and appropriate pedestrian facilities and connections;

Many of the requested considerations are separately addressed as required findings for the minor use permit or major site development permit. While the proposed project maintains the drive-through function of the original bank, it aligns with the City's General Plan by enhancing pedestrian circulation and multimodal access. By improving site connectivity with new walkways, bicycle parking, and landscaping, the project fosters a more pedestrian-friendly environment. Importantly, this proposal demonstrates that making productive use of underutilized or vacant spaces is essential. Even if incremental, this revitalization represents a meaningful alternative to leaving the structure dormant, which would hinder the City's long-term goals of sustainable development and commercial vitality along a critical commercial corridor that connects the City's downtown to the U.S. 101.

CEQA FINDINGS

The proposed project at 414 East Perkins Street is subject to the California Environmental Quality Act (CEQA) and qualifies for a categorical exemption under CEQA Guidelines, Article 19, Class 1, Section 15301 (Existing Facilities) (a), which covers minor interior or exterior alterations.

The project involves relatively limited renovations to an existing 4,400-square-foot commercial structure, avoiding any significant changes to the building's footprint or surrounding site. The planned modifications by Redwood Credit Union (RCU) will not damage or disturb any significant natural features on the property.

Additionally, the project is consistent with existing zoning and planning regulations, including the 2040 General Plan, Downtown Zoning Code requirements, and other relevant local policies, aligning with the City's established land-use expectations for the site. Upon review, it has been determined that the project will not impact sensitive environmental resources, such as habitats for endangered species, geologically sensitive areas, or sites of historical or archaeological importance.

PUBLIC NOTICE

- Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9231.3, 9263 and 9264:

- Published in the Ukiah Daily Journal on December 1, 2024; and
- Posted on the Project site on December 1, 2024; and
- Posted at the Civic Center (glass case) on December 1, 2024; and
- Mailed to property owners within 300 feet of the Project parcels on December 1, 2024; and
- Emailed to all agencies having jurisdiction: December 1, 2024.

DRAFT

**DRAFT CONDITIONS OF APPROVAL
MAJOR SITE DEVELOPMENT PERMIT & MINOR USE PERMIT
RENOVATION & REUSE OF AN EXISTING COMMERCIAL STRUCTURE
414 EA PERKINS STREET, UKIAH, CA; APN 002-200-35; FILE NO. 24-000015**

The following Conditions of Approval shall be made a permanent part of the Site Development and Use 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 requests a Minor Use Permit for voluntary modifications to an existing nonconforming structure per Ukiah City Code Section 9231.14(C)(3) to facilitate its reuse for 'Financial Services', as well as a Major Site Development Permit to utilize the existing drive-through facility in accordance with the Downtown Zoning Code (DZC). Proposed development consists of interior and exterior renovations to the existing building including installation of ATMs, minor façade and footprint modifications, roof replacement, pedestrian improvements and enhanced connectivity to adjacent commercial parcels, revised landscaping, accessibility enhancements, as well as the addition of bicycle parking. This approval also includes exceptions from the Downtown Zoning Code. 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

CITY OF UKIAH STANDARD CONDITIONS

1. 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.
2. 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.
3. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Department of Public Works 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.
4. Building permits shall be issued within two years after the effective date of the Planning Permit or same shall be null and void.
5. 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.
6. A Final Signage Plan shall be submitted prior to issuance of Building Permit. 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. Any signage shall be in substantial conformance with the design and development standards of the Downtown Zoning Code.
7. 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.

8. 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.
9. All fees associated with the project planning permits and approvals shall be paid in full prior to occupancy.
10. 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.
11. 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

12. A permit will be required for T.I. (Tenant Improvements) Please submit plans, building permit application, and hardship form see links below. Please submit four complete plan sets, two wet stamped and signed.
13. 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.
14. The building area with overhangs is approximately 5170 square feet. This will require the building to be retrofitted with an NFPA 13 automatic fire sprinkler system. Please provide location of FDC, OS&Y, and any existing hydrants at the time of permit submittal.
15. The applicant shall submit a recent appraisal from a licensed appraiser to the City's Building Official. The Building Official, in conjunction with the Planning Division, shall verify the appraiser's determination of the current market value and the approved scope of work. Voluntary modifications, alterations, reconstruction, or repairs otherwise required by law (e.g., City adopted building, electrical, plumbing codes) shall be allowed without being subject to UCC §9231.14(C)(3).

CITY OF UKIAH

NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

NOVEMBER 21, 1980

APPLICANT: SAVINGS BANK OF MENDOCINO COUNTY
MR. CHARLES B. MANNON, PRESIDENT
CAN M. TASER, A.I.A. ARCHITECT

PROJECT & LOCATION: BRANCH FACILITY FOR SAVINGS BANK OF MENDOCINO
NORTH SIDE OF EAST PERKINS STREET, SOUTH OF PEAR TREE CENTER
414 E. PERKINS STREET

In accordance with the California Environmental Quality Act, an analysis has been made of possible environmental impacts of the project by the City of Ukiah Planning Department Staff.

DESCRIPTION OF PROPOSAL:

The applicant proposes to construct a one story (4500 sq. ft.) branch office with four drive-thru units for the Savings Bank of Mendocino. The parcel is one of approximately 33,000 sq. ft. and zoned C-N, Neighborhood Commercial District. Solar panels are used on the building's south elevation.

PROJECT FEATURES HAVING POSSIBLE IMPACT:

1. Drainage. The addition of impermeable surfaces to this site will increase runoff. The project will be engineered to direct runoff to City drainage systems.
2. Traffic. Construction of the facility on this site will increase traffic and congestion on Perkins Street, a major east-west thoroughfare connecting downtown Ukiah with U.S. 101 and residential areas east of Ukiah. Though generally free-flowing traffic, it is sometimes obstructed by freight train movements approximately 6 times in a 24 hour period. Traffic study prepared by TJKM, transportation consultants, completed in May 1979 indicated that East Perkins Street is currently at capacity.

POSSIBLE MITIGATION MEASURES:

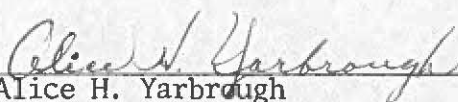
- A. Acquire access from the parking lot of the Pear Tree Shopping Center on the north side diverting traffic to Orchard Avenue.
- B. Existing striping on East Perkins Street between the railroad and Orchard Avenue, should be revised as recommended on page 21F of the TJKM Traffic Study, May 1979.
- C. Adequate collection area should be provided for the drive-thru units so that traffic will not become congested in the driveway.

NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
NOVEMBER 21, 1980
SAVINGS BANK OF MENDOCINO
PAGE 2

FACTORS SUPPORTING A NEGATIVE DECLARATION:

1. Project is compatible with surrounding land uses.
2. Project will not have a significant adverse effect on air and water quality.
3. Project will not have significant adverse impacts on wildlife, plantlife or fishlife.
4. Project will not cause marked increase in ambient noise levels in the area except during period of construction.
5. Project will not significantly degrade aesthetic quality of the area, as the exterior will be of colors, textures and finishes to be visually appealing.
6. Project will not pose a significant threat to human health and safety.
7. Project will not destroy or detract from important recreational areas.
8. Project will not have significant adverse impacts on local government services, utilities, transportation or solid waste management.
9. The project will not displace persons.

CITY OF UKIAH PLANNING DEPARTMENT
MICHAEL F. HARRIS, DIRECTOR OF PLANNING



Alice H. Yarbrough
Planning Assistant

AHY:ar

CITY OF UKIAH

PROJECT REVIEW COMMITTEE

TUESDAY, DECEMBER 9, 1980

Staff Present

Mike Harris
Vince Cole
Gene Hassler
Ted Goforth
Bill Beard
Ann Robinson

Others Present

Warren Lampson
Duane Hill
George Mills
Can M. Taser
Charles Mannon

SITE DEVELOPMENT PERMIT APPL. NO. 81-25
SAVINGS BANK OF MENDOCINO COUNTY

Michael Harris, Director of Planning, presented the application for site Development for a branch facility for the Savings Bank of Mendocino County, at 414 E. Perkins Street.

Staff has some questions as to the type of design and structure of the building not being compatible with the shopping center. Mr. Taser, Architect, spoke in favor of the project and explained that the design of the building is very functional, especially for the use of solar energy and he believes the design does complement the shopping center. He said he has a model of the building that gives a better conception of the building design. Mr. Harris asked that the model be brought to the Planning Commission meeting of January 14th.

The Committee made the following recommendations:

- 1) 10' wide right-of-way along Perkins Streets to be dedicated to the City.
- 2) All on-site paving to be 2" of asphaltic concrete over a 6" aggregate base.
- 3) All on-site drainage to be taken under the sidewalk to the approval of the Director of Public Works.
- 4) Driveway on Perkins Street be moved to the east five or six feet to separate existing driveway on the adjoining property and the new driveway.
- 5) Existing driveway on Perkins Street be removed and replaced with curb, gutter and sidewalk.
- 6) Building to be one-hour rated or interior fire sprinkler system to be provided.
- 7) New electrical services to be undergrounded at applicant's expense.
- 8) Rear driveway existing toward K-Mart be 24' in width.

SITE DEVELOPMENT PERMIT APPL. NO. 81-27
RURAL COMMUNITES HOUSING DEVELOPMENT CORP.

Michael Harris, Director of Planning, presented the application for site development permit to construction a two story, six-unit apartment house on the northwest corner of Dora & Holden Streets.

Duane Hill and George Mills spoke in favor of the project and were in agreement with the recommendations made by the committee. They did say that the only problem they could foresee was where to place the garbage receptacles for

MEMORANDUM

DATE: JANUARY 9, 1981

TO: PLANNING COMMISSION

FROM: DIRECTOR OF PLANNING

SUBJECT: SITE DEVELOPMENT PERMIT APPLICATION NO. 81-25
SAVINGS BANK OF MENDOCINO
414 E. PERKINS STREET
(NORTH SIDE OF E. PERKINS ST., SOUTH OF PEAR TREE SHOPPING CENTER)

RECOMMENDATION:

1. Approve Negative Declaration.
2. Approve Side Development Permit subject to conditioned noted in this staff report.

ENVIRONMENTAL IMPACT ASSESSMENT:

A Negative Declaration of Environmental Impact has been prepared and is attached for consideration of the Commission.

GENERAL PLAN DESIGNATION:

Commercial

ZONING:

C-1, Light Commercial.

PROPOSAL:

The applicant proposes to develop a 4500 sq. ft., single story branch facility for the Savings Bank of Mendocino.

ANALYSIS:

This innovative design for the future branch office of the Savings Bank proposes to utilize solar energy for water and space heating. The 4500 sq. ft. building will be of wood siding and metal rib roofing with solar panels located on the south elevation.

A ten foot wide dedication has been required on E. Perkins Street of all new development for future street widening and is requested by the City for this parcel.

With this in mind, Staff would recommend that the frontage landscaping be widened to 17½ feet so that at the time of street widening there will still be 7½ feet of landscaping, 2½ feet of which would be automobile overhang. This would assure a minimum of 5 feet of unobstructed landscaping across the parcel frontage. It is also felt that the proposed number of parking spaces is essential; since, the bank will be employing 12-16 persons at that location.

Staff believes the design is very unique and quite a change for Ukiah. The building itself is attractive but staff questions the compatibility of theme with the existing structures in the area, particularly the shopping center. The architect has stated it will complement the area. The applicant will present a model at the meeting to illustrate the structure and site in greater detail.

Staff would recommend approval of the Site Development Permit subject to the following special conditions:

1. Standard Conditions 1-9.
2. A 10 ft. wide right of way along the Perkins Street frontage be deicated to the City.
3. All on-site paving to be 2" of asphaltic concrete over a 6" aggregate base.
4. All on-site drainage to be taken under the sidewalk to the approval of the Director of Public Works.
5. Proposed driveway on Perkins Street be moved easterly 5-6 feet to separate existing driveway on the adjoining property and the new driveway.
6. Existing driveway on Perkins Street be removed and replaced with curb, gutter and sidewalk.
7. Building to be one-hourrated or interior fire sprinkler system to be provided.
8. New electric services to be undergrounded at applicant's expense.
9. Rear driveway exiting toward K-Mart be 24 ft. in width.
10. Trash collection facilities be aesthetically screened from view.
11. Landscaping along parcel frontage be widened to a minimum of 17½ feet.
12. Landscaping be maintained in a neat weed free manner and irrigated by automatic irrigation system.
13. Landscaping plan to be approved by the Director of Planning prior to placement.
14. All signing to conform to City of Ukiah Sign Ordinance.

Respectfully submitted,


Michael F. Harris
Director of Planning

MFH:ar

slightly below last year.

Commissioner Velardi stated that the existing sign is visible at the north-bound exit but not in a location to make a decision in advance to exit from the freeway as there is not sufficient reaction time. The object of signage on freeways is for the moterist to avail himself of whatever services are located at a particular location. In that regard, he did not feel the Burger King signage was adequate. He asked applicant if Burger King had to revise their revenue projections when they became aware that the sign would be at ground level? Mr. Kroeger stated that more conservative estimates were made. He further added that if higher signage is allowed, business would increase by 10% to 15%.

In response to the Commission's question, Planning Director Harris stated that the present sign ordinance states that economic hardship is not a basis for a variance.

Commissioner Velardi felt that CalTrans logo sign program was not realistic and felt this could not be relied upon in making a decision in this case. He also felt there were obvious physical difficulties to viewing the sign southbound. He suggested that perhaps the applicant could enter into an agreement whereby he would be allowed to raise the sign but if Cal Trans logo system is employed in Ukiah, the sign would be lowered. Mr. Kroeger stated he would be agreeable to these conditions.

Commissioner Metzler asked if entering into this type of contract would bring in other freeway businesses asking for the same type of variance and contract? Commissioner Velardi felt this was a possibility but Perko's, for instance, was not brought in under the transition phase of a sign ordinance.

On a MOTION by Commissioner Thomas, seconded by Commissioner Gorny, it was carried by the following roll call vote to deny Variance No. 81-32, Burger King, to permit a 45 foot sign on parcel located at 711 E. Perkins Street:

AYES: Commissioner Gorny, Kelley, Thomas, Chairman Fenter
NOES: Commissioner Metzler, Velardi
ABSENT: None

SITE DEVELOPMENT PERMITS

SITE DEVELOPMENT PERMIT APPLICATION NO. 81-25, SAVINGS
BANK OF MENDOCINO COUNTY TO CONSTRUCT NEW BUILDING AT
400 BLOCK OF EAST PERKINS STREET

Planning Director Harris stated that applicant proposes to develop a 4500 sq. ft. single story branch facility for the Savings Bank of Mendocino County immediately south of K-Mart on Perkins Street. The design for the branch office proposes to utilize solar energy for water and space heating. The building will be of wood siding and metal-rib roofing with solar panels located on the south elevation. Staff is recommending

that frontage landscaping be widened to 17½ feet to accommodate future street widening and that the rear exit be widened to 24'.

Tan Taser, architect, reviewed the design concept and solar features for the Commission and answered questions.

On a MOTION by Commissioner Thomas, seconded by Commissioner Metzler, it was carried by the following roll call vote to approve the Negative Declaration:

AYES: Commissioner Gorny, Kelley, Metzler, Thomas, Velardi,
Chairman Fenter

NOES: None

ABSENT: None

Chairman Fenter asked if applicant would agree to the 17½ foot frontage landscaping requested by staff? Mr. Taser stated that would be agreeable.

Commissioner Velardi asked for an explanation on the car window stacking area and north exit lanes. Mr. Taser felt traffic entry at the north-side could be handled by signage. Traffic for the drive through banking would enter from Perkins Street only and the back entrance will not be used to enter the driveup facilities. Staff questioned this circulation pattern and it was determined that two way traffic could be accommodated at the north access drive.

On a MOTION by Commissioner Metzler, seconded by Commissioner Gorny, it was carried by the following roll call vote to approve Site Development Permit Application No. 81-25, Savings Bank of Mendocino County, 414 E. Perkins Street subject to the following conditions:

1. Standard Conditions 1-9
2. A 10 ft. wide right of way along the Perkins Street frontage be dedicated to the City.
3. All on site paving to be 2" of asphaltic concrete over a 6" aggregate base.
4. All on site drainage to be taken under the sidewalk to the approval of the Director of Public Works.
5. Proposed driveway on Perkins Street be moved easterly 5-6 feet to separate existing driveway on the adjoining property and the new driveway.
6. Existing driveway on Perkins Street be removed and replaced with curb and sidewalk.
7. Building to be one hour rated or interior fire sprinkler system to be provided.
8. New electric services to be undergrounded at applicant's expense.
9. Rear driveway existing toward K-Mart be 24 feet in width.
10. Trash collection facilities be aesthetically screened from view.
11. Landscaping along parcel frontage be widened to a minimum of 17½ feet.
12. Landscaping be maintained in a neat weed free manner and irrigated by automatic irrigation system.

13. Landscaping plan to be approved by the Director of Planning prior to placement.

14. All signing to conform to City of Ukiah Sign Ordinance.

AYES: Commissioner Gorny, Kelley, Metzler, Thomas, Velardi,
Chairman Fenter

NOES: None

ABSENT: None

SITE DEVELOPMENT PERMIT APPLICATION NO. 81-28, RURAL COMMUNITIES
HOUSING DEVELOPMENT CORPORATION TO CONSTRUCT A TWO STORY, 6 UNIT
APARTMENT ON THE NORTHWEST CORNER OF DORA & HOLDEN STREETS

Planning Assistant Yarbrough stated the project consists of construction of a two story six unit apartment building on a lot of approximately 9300 sq. ft. Access to the parking area will be from Holden Street. Access to the second floor units will be by stairways located at the north and south end and in the center of the building. Access to the lower units from the parking area is by a door at the rear of one of the carports which has been revised. Staff suggested consideration of an alternative variance for one carport space to allow for an appropriate passageway from the parking lot to the access door for the first floor. Staff is recommending approval of the Negative Declaration and of Site Development Permit application.

Duane Hill, Executive Director, Rural Communities Housing Development Corporation, stated that after the first site plan was submitted, it was found that the property description was incorrect. He stated that the new site plan shows the laundry facilities moved with a notch out of the building in order to preserve the oak tree.

Commissioner Gorny asked for a report on the funding sources and who will benefit from the project. Mr. Hill stated that it is funded by HUD and the project would be for handicapped citizens.

Bob Gnew, County Mental Health Director, stated that this project would enable citizens ready to return to the community who are currently housed in substandard housing in Ukiah to be given standardized housing.

On a MOTION by Commissioner Metzler, seconded by Commissioner Thomas, it was carried by the following roll call vote to approve the Negative Declaration for Site Development Permit application No. 81-28:

AYES: Commissioner Gorny, Kelley, Metzler, Thomas, Velardi,
Chairman Fenter

NOES: None

ABSENT: None

Mr. Hill requested that the condition requiring automated irrigation system since they have a person who will be responsible for the landscaping, and the removal of curb, gutter and sidewalk because of the substantial expense involved, be deleted from the staff recommended conditions.

CITY OF Ukiah

PROJECT REVIEW COMMITTEE

TUESDAY, FEBRUARY 10, 1981

Mike
FILE
WITH CASES

Staff Present

Bill Beard
Clif Shepard
Maurice Roper
Alice Yarbrough
Mike Harris
Ann Robinson

Others Present

Dink Farmer
Henry Mercer
Marilyn Ogle

SITE DEVELOPMENT APPL. NO. 81-38
FARMER BROTHERS, BRUSH STREET

Alice Yarbrough, Planning Assistant, presented the application for a Site Development Permit on Brush Street.

Dink Farmer, applicant, spoke in favor of the project and said that the proposed building will have office and showroom space in the front and an auto repair shop in the rear of the building. The only problem staff had with the project is the proposed parking area. Mr. Farmer said that as they deal only with small foreign cars the parking area is ample. Staff noted the area is short one parking space according to regulations but thought alternate plans could be worked out so Mr. Farmer can proceed with his plans for construction.

The Committee made the following recommendations:

1. A 2 hour firewall to be constructed on the west wall.
2. A 1 hour firewall separation be provided between the office area and auto repair shop.
3. All on-site drainage to be taken to the existing system on the east side.
4. Driving area to be paved with 2" of asphaltic concrete over a 6" aggregate base.
5. Arrange for payment of fees and installation of sewer and water laterals.

SAVINGS BANK OF MENDOCINO COUNTY

Henry Mercer appeared before the Project Review Committee for staff's input regarding a tentative proposal for either remodeling the existing Savings Bank Building or constructing a new building adjacent to the present building and then demolishing the old building. The main problem with utilizing the present site is the lack of adequate customer parking. Mr. Mercer said it would be preferable to utilize the downtown area rather than moving the banking facilities to another area but there is no land available large enough to accommodate the size building proposed with ample customer parking available in the downtown area.

Staff had some suggestions for Mer Mercer, such as adding another floor on to the present building, changing driveways into parking areas to the middle

of the block instead of close to the intersections and changing position of drive-up windows to allow for more stack-up area.

Mr. Mercer will report back to the representatives of the Savings Bank with staff's suggestions and report back to the Planning Staff when the plans are revised and he has more information.

the handicapped. Mr. Schutz said he would discuss this with the McDonald Corporation and thought they would be willing to go along with this request.

ARCH. REVIEW NO. 81-87
SAVINGS BANK OF MENDOCINO COUNTY
420 E. PERKINS STREET

Planning Assistant, Alice Yarbrough, presented the proposal by the Savings Bank for construction of a building at 420 E. Perkins Street. This project has been revised from the previous plan submitted to this Committee previously.

Mr. Axt, representing the Savings Bank of Mendocino County, said that this is a whole new concept from the one submitted earlier this year. The new plan will cut a quarter of a million dollars off the original price. He said the building is planned so it will use little or no heat by utilizing the winter sun. The roof will be of concrete tile which will be compatible to the shopping center. There will be wood facia over the drive-up windows and the balance of the building will have a natural wood look. Aesthetically he thought the building would be very acceptable.

Staff was concerned with the possible widening of Perkins Street in the future which would eliminate some of the landscaping in the front of the parcel. Mr. Axt suggested that tree wells could be constructed at that time. Staff suggested reducing 3' of the planting area in the rear, moving the building back, and thereby gaining more planting area in the front.

Mr. Axt said there will be landscaping to obscure the paving in the rear of the lot and he has also planned extensive landscaping in the overall area.

The Committee made the following recommendations:

1. Existing sewer laterals to be used.
2. Water service to be taken from main to the Shopping Center.
3. 10' wide right-of-way along Perkins Street to be dedicated to the City.
4. All on-site paving to be 2" of asphaltic concrete over a 6" aggregate base to the approval of the Director of Public Works.
5. All on-site drainage to be taken under the sidewalk to Perkins Street to the approval of the Director of Public Works.
6. Existing driveway on Perkins Street to be removed and replaced with curb, gutter and sidewalk to the approval of the Director of Public Works.
7. New electric service to be undergrounded at applicant's expense.
8. Double 4" line conduit in and out of the project.
9. Reduce 3' of planting area in the rear and add to the front of the property.

USE PERMIT APPL. NO. 81-89
RICHARD GOURNO, 635 SO. STATE ST.

Planning Assistant, Alice Yarbrough, presented the application for a use permit to establish an automotive repair shop at 635 So. State Street.

Mr. Gournno would like to lease the Sandelin parcel next to Safeway. This building has previously been a gas station, radiator repair shop, Dairy Store and a game room.

TO: PLANNING COMMISSION
FROM: DIRECTOR OF PLANNING
DATE: JUNE 5, 1981
SUBJECT: SAVINGS BANK OF MENDOCINO COUNTY
E. PERKINS STREET
SITE DEVELOPMENT PERMIT APPL. NO. 81-25

RECOMMENDATION: Approve Site Development Appl. No. 81-25
subject to Conditions outlined in this report.

ENVIRONMENTAL ASSESSMENT: A Negative Declaration of Environmental
Impact was approved for an earlier application, processing a
similar project. No further study is required.

GENERAL PLAN DESIGNATION: Commercial

ZONING: C-1, Light Commercial District

PROPOSAL: To construct a 4500+ sq. ft., one-story branch
facility for the Savings Bank of Mendocino County.

ANALYSIS: The Savings Bank has submitted a redesign of its
proposed bank. The layout of the development is essentially
the same. The concerns expressed during the last review have
been addressed on this site plan relative to location of the
driveway and driveway widths.

The new design is a wooden building with a tile roof which should
complement the shopping center while retaining a separate identity.
There will be a wooden fascia over the drive-up windows. The
structure is oriented on the parcel to utilize passive solar
design.

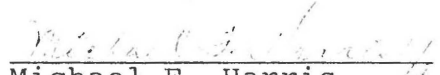
One concern which staff has is the 10 ft. dedication along the
Perkins Street frontage for future street widening which would
at that time eliminate the frontage landscaping. Staff is
recommending that the building be moved three feet northerly
narrowing the rear landscaping so that a 5-foot planting area
be retained across the frontage after dedication.

Staff believes the design is very well done and much more
appropriate than the first proposal. We, therefore, recommend
approval subject to the following:

1. Standard Conditions 1-9.
2. A 10 ft. wide right-of-way along the Perkins Street
frontage be dedicated to the City.
3. All on-site paving to be 2" of asphaltic concrete
over a 6" aggregate base.
4. All on-site drainage be taken under the sidewalk
to the approval of the Director of Public Works.

5. Existing driveway on Perkins Street be removed and replaced with curb, gutter and sidewalk.
6. Building to be one-hour fire rated or interior fire sprinkler system to be provided.
7. New electric services to be undergrounded at applicant's expense.
8. Trash collection facilities be aesthetically screened from public view.
9. Landscaping along parcel frontage be widened to a minimum of 15 feet.
10. Landscaping be maintained in a neat weed-free manner and irrigated by an automatic irrigation system.
11. Landscaping plan to be approved by the Director of Planning prior to placement.
12. Signing to conform to City of Ukiah Sign Ordinance.

Respectfully submitted,


Michael F. Harris
Director of Planning

AHY/kz

- 6) * Signing be in conformance with the City of Ukiah Sign Ordinance.
- 7) New utilities be underground to the approval of the various agencies.
- 8) A minimum of seven (7) parking spaces be appropriately striped.

AYES: Commissioner Ivey, Kelley, Metzler, Vandermeij, Chairman Fenter
NOES: None
ABSENT: Commissioner Velardi
ABSTAIN None

SITE DEVELOPMENT PERMITS:

REVISION OF SITE DEVELOPMENT PERMIT NO. 81-87,
SAVINGS BANK OF MENDOCINO COUNTY, 420 E. PERKINS ST.

Acting Planning Director Yarbrough presented this revised application. A Negative Declaration of Environmental Impact was approved for the earlier application processing. The General Plan Designation is Commercial and the zoning is C-1. The proposal is to construct a one-story structure (approximately 4500 sq. ft.) for the Savings Bank of Mendocino County. The exterior of the building will be natural wood, wood fascia over the drive-thru window areas with a tile roof. The proposed parking as shown meets the City Code. The concerns with the original design have been addressed on the current site plan, namely the widths of the driveways, the location of the driveway ingress and egress on Perkins Street, driveway to Pear Tree Center and building design.

Staff recommends that the building be moved three feet northerly to accommodate a greater landscaping area in the front because of a 10' dedication along the Perkins Street frontage. With a landscaping area of 12', at such time as the street is widened, it would have narrowed the landscaping to two feet. Thus, the recommendation of the moving of the building by three feet would allow for a five foot landscaping area after widening.

Ms. Yarbrough reported that the applicant requests a two foot move to allow wider landscaping along the rear property line. A 40' access easement north of the parcel to accommodate truck traffic from K-Mart as well as allow a pedestrian walkway from the shopping center is planned. Existing landscaping on the east side as well as the south side of the parcel will remain.

Commissioner Thomas stated that he would abstain from discussion due to possible conflict of interest.

Bob Axt, architect for the project, presented pertinent information regarding the building and site plan. The building is at a 30 degree angle to Perkins Street, with the unattractive part of the drive-up banking facility well screened from the street. He pointed out that the building rises to 28 feet with a trombe wall for internal air circulation and glass will be oriented for passive solar heating.

Mr. Axt noted the bank would like to keep at least 3 feet rear landscaping to provide appropriate landscaping.

On a MOTION by Commissioner Metzler, seconded by Commissioner Kelley, it was carried by the following roll call vote to approve Site Development Permit No. 81-87 subject to the following conditions:

- 1) Standard Conditions 1-9.
- 2) A 10 ft. wide right-of-way along the Perkins Street frontage be dedicated to the City.

- 3) All on-site paving to be 2" of asphaltic concrete over a 6" aggregate base.
- 4) All on-site drainage be taken under the sidewalk to the approval of the Director of Public Works.
- 5) Existing driveway on Perkins Street be removed and replaced with curb, gutter and sidewalk.
- 6) New electric services to be undergrounded at applicant's expense.
- 7) Trash collection facilities be aesthetically screened from public view.
- 8) Landscaping along parcel frontage be widened to a minimum of 14 feet.
- 9) Landscaping be maintained in a neat weed-free manner and irrigated by an automatic irrigation system.
- 10) Landscaping plan to be approved by the Director of Planning prior to placement.
- 11) Signing to conform to City of Ukiah Sign Ordinance.

AYES: Commissioner Ivey, Kelley, Metzler, Vandermeijer and Chairman Fenter

NOES: None

ABSENT: Commissioner Velardi

ABSTAIN: None

SITE DEVELOPMENT PERMIT APPLICATION NO. 81-81
MCDONALD'S, FOR DRIVE-THROUGH SERVICE ADDITION
TO EXISTING RESTAURANT AT 115 NO. ORCHARD AVENUE

Commissioner Thomas stated that he would abstain from this discussion.

Acting Planning Director Yarbrough presented the application to alter the existing building to provide for a drive-through service addition. The code requires a stacking space for at least five cars for a drive-up window. The proposed 31 off-street parking spaces meet the code. There was concern expressed by Project Review Committee that during peak hours, traffic may back up at the intersection of Orchard and Perkins. A second drive-up lane was recommended for the peak hours.

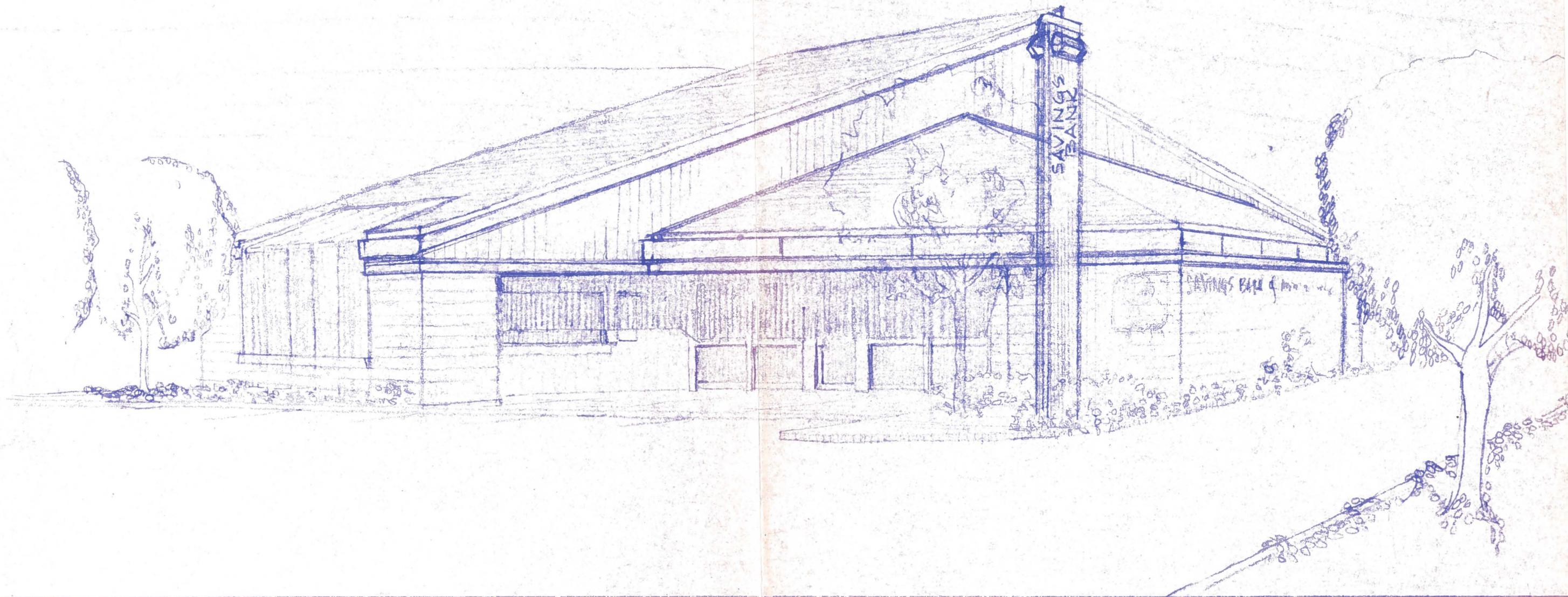
Another concern is the sidewalk at the northeast corner of the intersection, which is too narrow for wheelchairs due to the location of the traffic controller. It is recommended that the applicant widen the sidewalk by approximately 3 ft. to facilitate pedestrian and handicap access.

It was further noted that it is in conflict with the Sign Ordinance to place "drive-thru" on the existing non-conforming free-standing sign. A directional drive-thru sign at the access off of Orchard Avenue will be allowed.

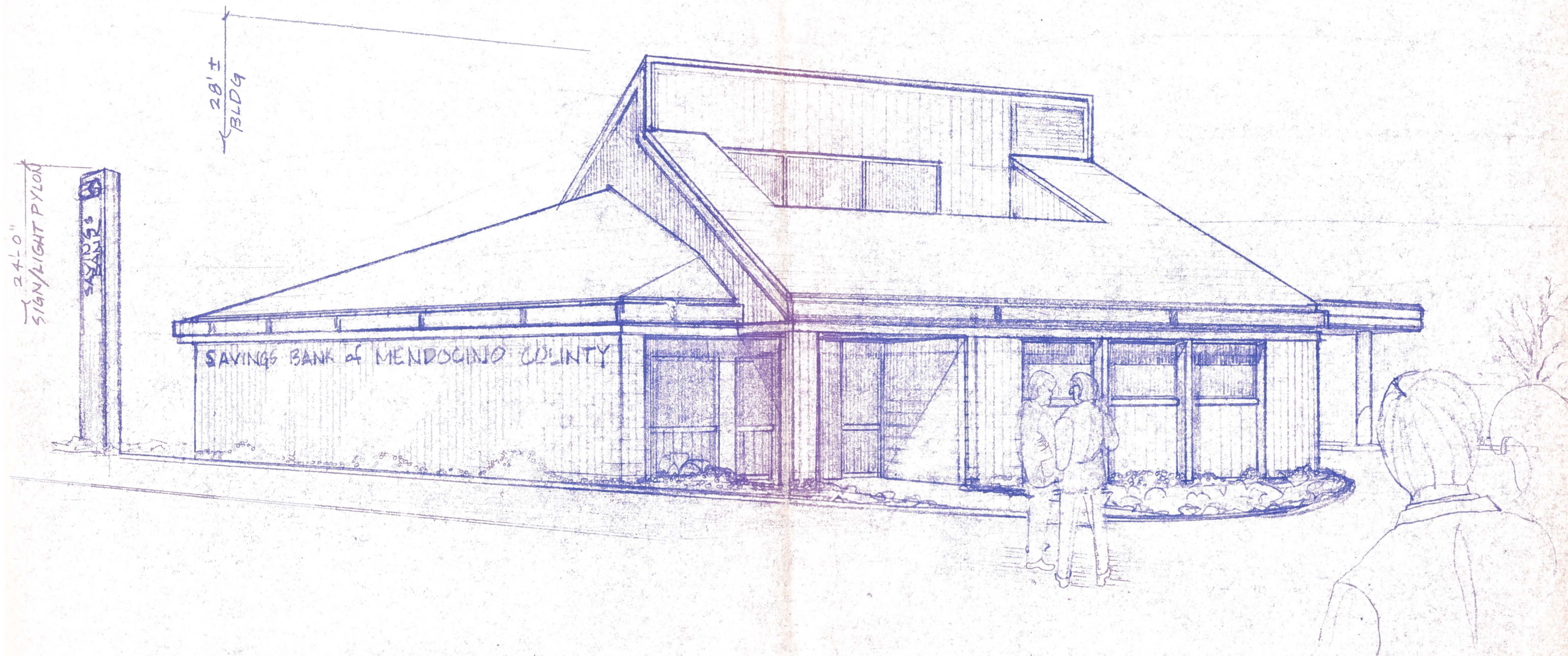
Ms. Yarbrough pointed out that it has been the custom at McDonald's for one of their personnel to direct traffic during the peak hours.

It is also recommended that the areas marked "painted areas" on the plan be changed to "an extension of landscaping".

Nick Schutz, 271 Mendocino Place, stated that the reason why there are "painted areas" indicated on the plan is for easier turning. He also requested that the word "dedicated" in condition no. 2 be changed to read "provided" as the property belongs to the McDonald's Corporation. He commented that he would personally pay for the sidewalk work done.



SAVINGS BANK of MENDOCINO COUNTY
PERKINS STREET BRANCH
VIEWED FROM SOUTH-EAST (PERKINS STREET)



SAVINGS BANK of MENDOCINO COUNTY
PERKINS STREET BRANCH
VIEWED FROM NORTH-EAST (SHOPPING CENTER)



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

Planning Permit Application

PROJECT NAME: Redwood Credit Union - 414 E. Perkins St. Remodel																							
PROJECT ADDRESS/CROSS STREETS: 414 E. Perkins St.				AP NUMBER(S): 002-200-035																			
APPLICANT/AUTHORIZED AGENT: AXIA Architects, Doug Hilberman		PHONE NO: 707.542.4652		FAX NO: E-MAIL ADDRESS: dhilberman@axiaarchitects.com																			
APPLICANT/AUTHORIZED AGENT ADDRESS: 540 Mendocino Avenue			CITY: Santa Rosa		STATE/ZIP: CA, 95401																		
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Lam T. Mai, Trustee		PHONE NO: 707.514.6061		FAX NO: E-MAIL ADDRESS: emgirl312000@yahoo.com																			
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT 2001 Vichy Springs Road			CITY: Ukiah		STATE/ZIP: CA 95482																		
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? ☐ YES ☒ NO																							
☐ AIRPORT LAND USE COMM. DETERMINATION REFERRAL 100.0800.611.003	\$	☐ REZONING – PLANNED DISTRICT 100.0800.611.001	\$	☐ USE PERMIT – AMENDMENT 100.0400.449.001	\$																		
☐ ANNEXATION 100.0800.611.001	\$	☐ SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	\$	☐ USE PERMIT – MAJOR 100.0400.449.001	\$																		
☐ APPEAL 100.0400.449.001	\$	☒ SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	\$	☒ USE PERMIT – MINOR 100.0400.449.001	\$																		
☐ GENERAL PLAN AMENDMENT 100.0800.611.001	\$	☐ SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	\$	☐ VARIANCE – MAJOR 100.0400.449.001	\$																		
☐ MURAL PERMIT 100.0400.449.001	\$	☐ SPECIFIC/MASTER PLAN 100.0800.611.003	\$	☐ VARIANCE – MINOR 100.0400.449.001	\$																		
☐ PRE-DEVELOPMENT MEETING 100.0800.611.003	\$	☐ MINOR SUBDIVISION/TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$	☐ ZONING AMENDMENT MAP OR TEXT 100.0800.611.001	\$																		
☐ STAFF RESEARCH (MORE THAN 1 HOUR) 10023100.41153	\$	☐ MAJOR SUBDIVISION/TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$	☐ REZONING 100.0800.611.001	\$																		
☐ LOT LINE ADJUSTMENT OR MERGER 100.0800.610.001	\$	☐ OTHER	\$	☐ OTHER	\$																		
<table border="1"> <tr> <td>COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.</td> <td>\$ 50</td> <td>MAJOR PERMIT DEPOSIT:</td> <td>\$ 3000</td> <td>FILING DATE:</td> <td>10/08/2024</td> </tr> <tr> <td>COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.</td> <td>\$ -</td> <td>MINOR PERMIT FEE:</td> <td>\$ -</td> <td>TOTAL AMOUNT PAID:</td> <td>\$ 3000</td> </tr> <tr> <td>COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.</td> <td>\$ -</td> <td>TOTAL FEE:</td> <td>\$ -</td> <td>RECEIPT NUMBER:</td> <td>-</td> </tr> </table>						COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	\$ 50	MAJOR PERMIT DEPOSIT:	\$ 3000	FILING DATE:	10/08/2024	COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$ -	MINOR PERMIT FEE:	\$ -	TOTAL AMOUNT PAID:	\$ 3000	COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$ -	TOTAL FEE:	\$ -	RECEIPT NUMBER:	-
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COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$ -	TOTAL FEE:	\$ -	RECEIPT NUMBER:	-																		
APPLICATION NUMBER(S): PA24-000015																							

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

Project Description

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

Environmental Review and Reports

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

Use Information

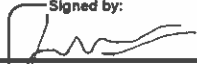
Please provide the following information related to the use of the site and building:

Description of Building & Site			
Parcel Size:	Building Size:	Number of Floors:	
Use of Building (check all that apply)	Description	Square Footage	Number of Units/Suites
☒ Office (business/professional)	Financial Branch	4,700 sq ft	+/- 15 Rooms
☐ Office (medical/dental)			
☐ Retail			
☐ Light Industrial			
☐ Residential			
☐ Other:			
Operating Characteristics			
Days and Hours of Operation: M-F: 9am - 5pm; Sat: 9am - 2pm			
Number of Shifts:	Days and Hours of Shifts:		
Number of Employees/Shift:			
Loading Facilities: ☐ Yes ☐ No		Type/Vehicle Size:	
Deliveries: ☐ Yes ☐ No	Type:	Number (day/week/month):	Time(s) of Day:
Outdoor areas associated with use? (check all that apply) ☐ Yes ☐ No	Sales area: ☐ Yes ☐ No Square Footage:	Unloading of deliveries: ☐ Yes ☐ No Square Footage:	Storage: ☐ Yes ☐ No Square Footage:
Noise Generating Use? ☐ Yes ☐ No		Description:	

To Be Completed by Staff

General Plan Designation: DZC	Zoning District: UC	Airport Land Use Designation: Zone 6
City's Architectural & Historic Inventory: ☐ YES ☒ NO	Age of Building: ±42 Years	Demolition Policy:
Hillside: ☐ YES ☒ NO	Flood Designation FIRM Map: 0.2 Pct Annual	Flood Designation Floodway Map: SFHA
Tree Policies		
General Plan Open Space Conservation ☐ NO ☐ YES GOAL/POLICY #:		Community Forest Management Plan ☐ NO ☐ YES GOAL/POLICY #:
Landscaping and Streetscape Design Guidelines ☐ NO ☐ YES GUIDELINE #:		Commercial Development Design Guidelines ☐ NO ☐ YES GUIDELINE #:
Tree Protection and Enhancement Policy ☐ NO ☐ YES NOTES:		Tree Planting and Maintenance Policy ☐ NO ☐ YES NOTES:
UCC: Street Tree Policy, Purpose and Intent ☐ NO ☐ YES NOTES:		Other:
Notes		

I, Lam T. Mai, Trustee, owner authorize AXIA Architects, Doug Hilberman to act on my behalf for this project and I have read and agree with all of the above. (Application must be signed by owner).

Signed by:  10/2/2024 | 4:14 PM PDT
PROPERTY OWNER SIGNATURE **DATE**

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

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

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

Signed by:  10/2/2024 | 4:14 PM PDT
☒ **OWNER** ☐ **AUTHORIZED AGENT** **DATE**

INDEMNIFICATION AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, and hold harmless the City of Ukiah, its agents, officers, council members, employees, boards, commissions or Council from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or annul any approval of the application or related decision, or the adoption or certification of any environmental documents or negative declaration which relates to its approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of it or in connection with the approval of the application or related decision, whether or not there is concurrent, passive, or active negligence on the part of the City, its agents, officers, council members, employees, boards, commissions of Council. If for any reason, any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

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

I have read and agree to all of the above.

Lam T. Mai, Trustee Signed by:  10/2/2024 | 4:14 PM PDT
☒ **PROPERTY OWNER** ☐ **AUTHORIZED AGENT**
 (PLEASE PRINT NAME)

☐ **PROPERTY OWNER** / ☐ **AUTHORIZED AGENT** **DATE**
 (SIGNATURE)

Revised 08/19/2019

PROJECT SUMMARY

10.02.24, AXIA Architects

Through this Major Site Development submission, we offer to the City of Ukiah an opportunity to refresh a longstanding vacant building at 414 East Perkins Street. From a sustainability standpoint, reuse of the existing building is more environmentally friendly than demolition and reconstruction. Thus, we would like to propose reusing the existing building while incorporating elements that move it closer to the Downtown Zoning Code. The project proposes refurbishing the existing building to include the following:

- Construction of new pedestrian walkways that both connect to the project and the Pear Tree Center to the north.
- Preparation for future solar panels
- Energy efficient mechanical systems
- Enhanced energy efficient insulation
- Use of many materials with high recycled content
- Increased landscaping and shading

Within Section 9220.1-PURPOSE of the Downtown Zoning Code, the city acknowledges the desire to “support local businesses and create a vibrant downtown” and “promote and encourage a sustainable community through the reuse and improvement of existing buildings”. We believe that the improvements to the existing building and enhanced pedestrian connections will benefit both the adjacent businesses in the Pear Tree Center and the community.

PROJECT INFORMATION

Project Name	Redwood Credit Union 414 E. Perkins St Remodel
Location	414 East Perkins Street
APN	002-200-35
Current Zoning	UC Urban Center, Downtown Zoning Code
General Plan Designation	DC Downtown Core
Estimated Lot Size	0.72 Acres (31,269 SF)
Airport Compatibility	Source: Ukiah Zone 6: Traffic Pattern Zone
Proposed Use:	Financial Services Including Re-use of Drive-up ATMs Financial Services < 5,000SF are permitted in UC Zone. Drive up ATM are allowed as an accessory to primary use.
Owner's Estimated Occupancy	Approx. 60 people at peak times (including ATM drive up queue)

Ingress, Egress, Circulation:

The current site has existing ingress/egress connections to East Perkins Street and to the north commercial center. We believe an additional ingress/egress connection to the primary entry drive aisle of the adjacent Pear Tree Center would be logical and in the spirit of the DZC's desire for site access from a secondary street. Pedestrian circulation will be enhanced with a new sidewalk connecting East Perkins Street to the building entry and also the Pear Tree Center. The pedestrian circulation from the primary parking (over 12 stalls) is positioned in front of the north facing stalls and ties into the bike parking. Street trees have been added to the property as well. The layout of the parking and site circulation also stays fairly true to the existing layout of the site with improvements as noted. The parking lot has raised curbs in order for vehicle overhang to not encroach more than 2 feet into landscape areas.

Photometric and Site Lighting Notes:

- a. Photometric plans have been provided to show lighting levels on site and at adjacent properties. All blue values are zero.
- b. The photometric plans show the fixture locations, color-coded red, blue and green according to the fixture schedule provided on the first sheet.
- c. All fixtures are full cutoff as required for Dark Sky requirements.
- d. Fixtures' backlight, uplight and glare (BUG) ratings do not exceed the maximum values noted in CalGreen Table 5.106.8. The BUG ratings are noted in the lighting fixture cut sheets (attached) where the fixtures have greater than 6,200 lumen output; fixtures below that output are exempt from the BUG ratings per CalGreen 5.106.8.

Exceptions and Notations from the Downtown Zoning Code:

1. One Story Building: Most all of the buildings in the immediate vicinity are 1-story. The complexity of the existing angled roof lines and structure of the existing building make a second story impractical without demolition of the building, which would be less environmentally friendly than reuse.
2. Table 6 – PRINCIPAL BUILDING STANDARDS acknowledges minor additions to existing buildings "may continue the setbacks of the existing building". The existing building and minor additions are considered an Edge Yard Building and do not meet the setbacks of new construction identified in the DZC. The additions are cumulatively under 1,000 SF. Thus, we believe Table 6 Existing Buildings section allows the existing setbacks and building placement without exceptions needed.
3. Openings: Requesting minor exception to add a connection to drive aisle of adjacent shopping center parking lot. We believe this will enhance access from a logical secondary "street", thus reducing the load on the Perkins Street access.
4. Materials location: Minor exception requested for no base material on the building facade. We believe the angular forms of the existing architecture are busy enough without trying to add horizontal base banding.

Landscaping:

The landscaping is designed to provide shading and interest at a pedestrian level. The species selected will be drought tolerant and mostly native to the area. The project increasing landscaping around the current parking areas, including additional trees for shading.

Site Development Permits: Narrative for Section 9231.3 Required Findings:

Consistency with the Ukiah General Plan, Ukiah City Code, and Downtown Zoning Code:

The project strives to breath new life into an existing vacant building. The requested exceptions are necessary to the reuse of the building. The proposed project moves the existing property closer to conformance with the DZC. The proposed development provides community-oriented commercial services with walkable and multi-modal access. The project proposes to enhance its overall connectivity to its neighbors and the remainder of the city.

The Design:

The existing building has thoughtful architectural features including the massing, the scale of the entry, the use of natural light, the quality of materials, and the shielding of the drive-up ATM's. The proposed project intends to refurbish and enhance these. We believe adaptive reuse of the building is more sustainable than new construction. The project also proposes site enhancements described above to incorporate additional elements of the Downtown Zoning Code.

Siting:

The siting of the existing building is probably best described as "Edge Yard". While the Downtown Zoning Code expresses alternate preferences, reuse of the existing location is the most environmentally friendly solution. Most of the existing buildings in the general vicinity on both sides of the street near this project would also be considered "Edge Yard" buildings.

Ingress/Egress, Circulation, Parking: See Subsection above.

Landscaping/Trees: See Subsection above.

Resource Protection:

The project is proposed on a property with an existing building that would be remodeled. Reuse of the building, instead of demolition and new construction, saves substantial waste and impact on landfills. Currently most of the remaining site is covered in asphalt. The project proposes converting some of this to additional landscaping and pedestrian walkways. The project will also prepare for future photovoltaics. The client will be studying the different cost/benefit options and delivery models for various photovoltaic installations available.

Health, Safety, and Welfare:

The project proposes enhancements to clearly delineate between pedestrian circulation and vehicular circulation. The addition of a new pedestrian route linked to the Pear Tree Center enhances safety as well. The proposed site improvements are respectful of the adjacent neighbors in scale, circulation, connectivity, and form. Bicycle parking has been added near the building entry.



(FRONT ENTRY; SOUTH SIDE)



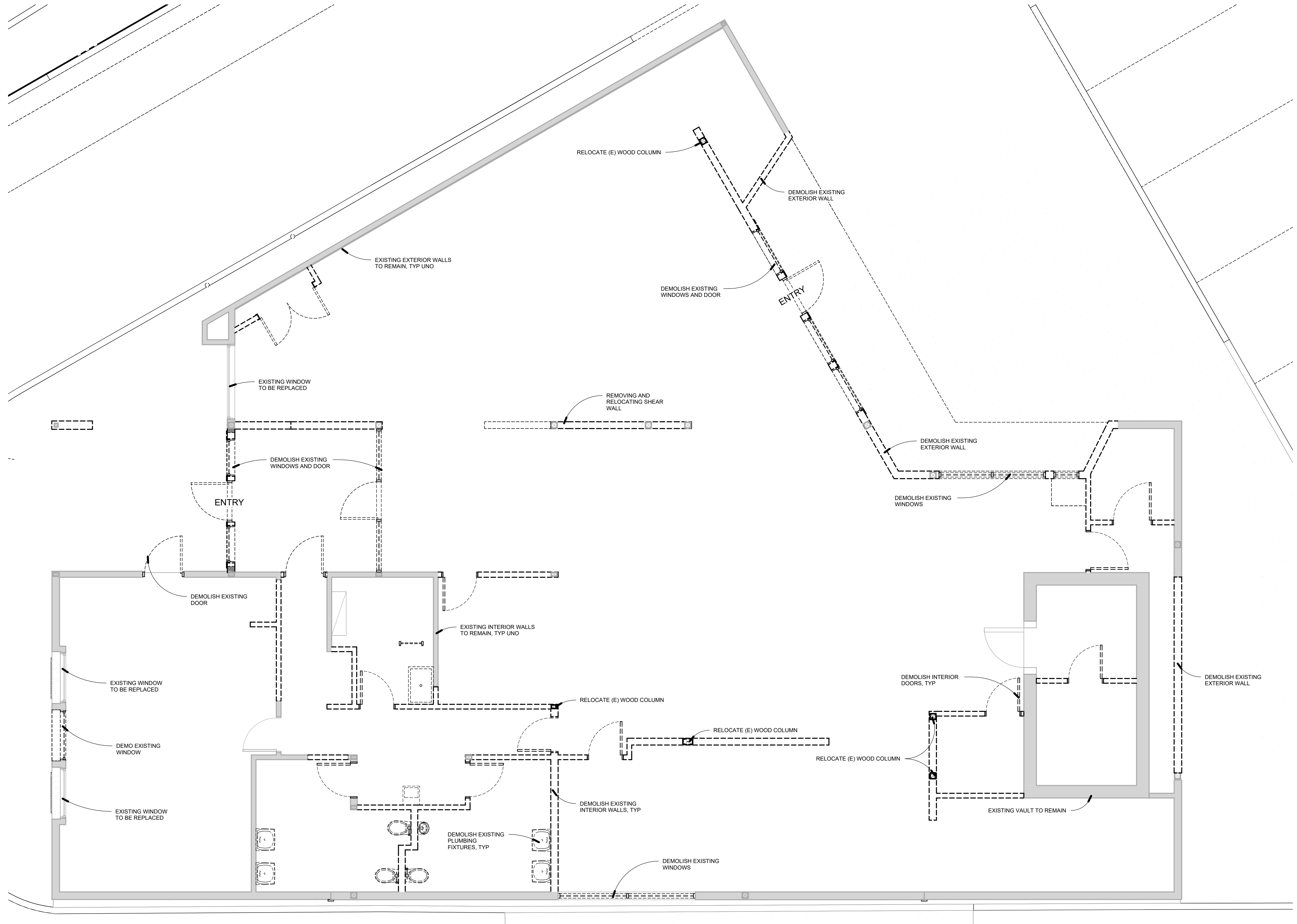
(FRONT WALL; SOUTH SIDE)

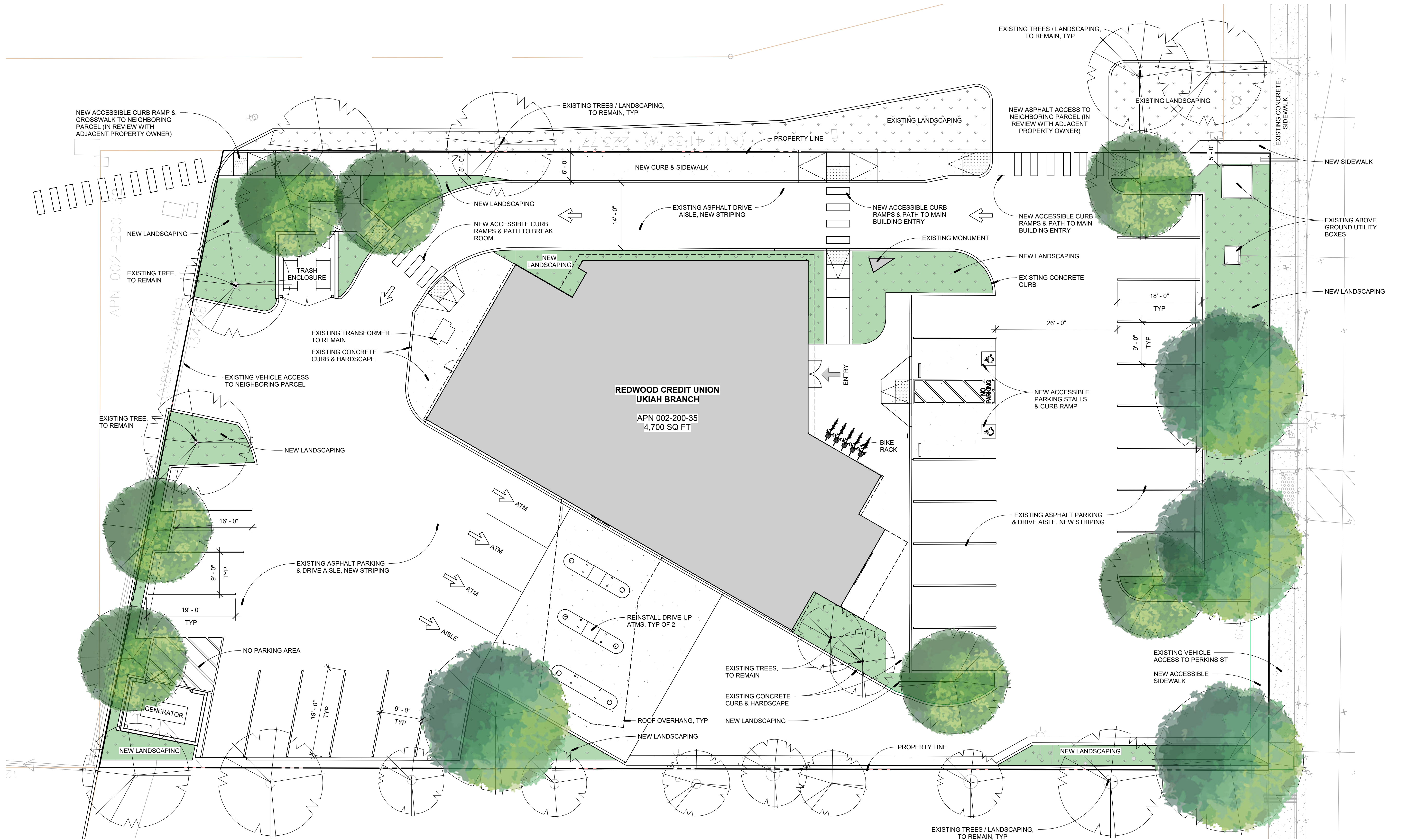


(BACK WALL; NORTH SIDE)



(BACK ENTRY; NORTH SIDE)

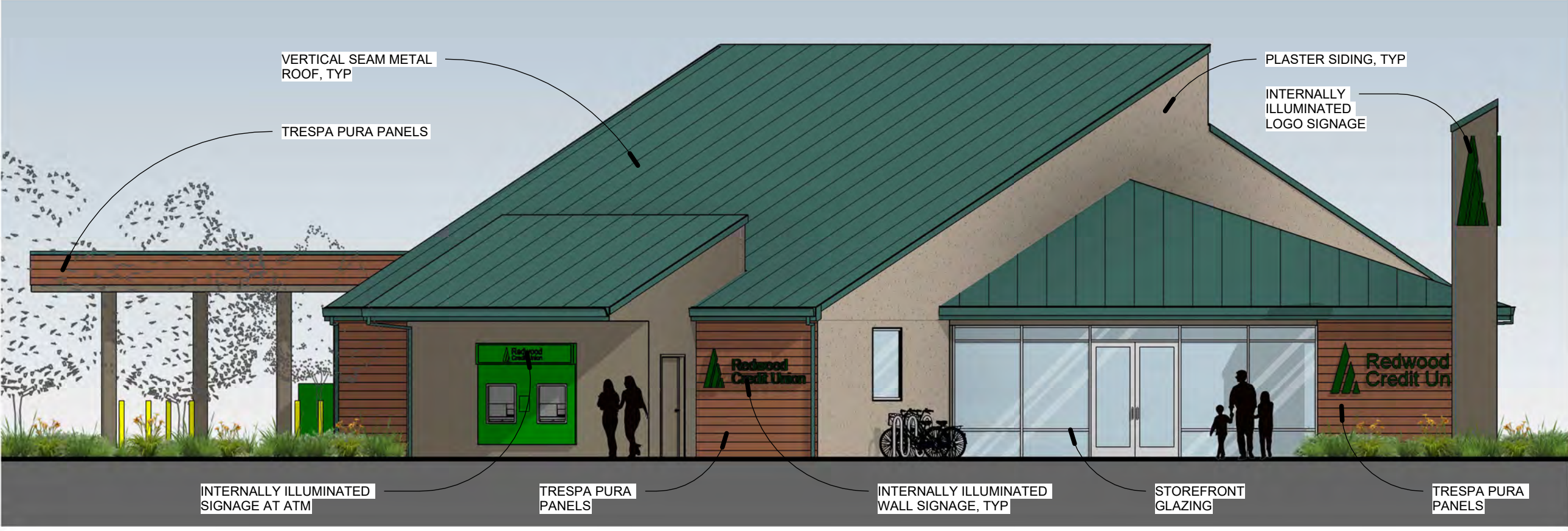






CONCEPTUAL SOUTH ELEVATION

SIGNAGE NOTE: 132' PARCEL FRONTAGE X 1.5 = 198 SQ FT ALLOWED
FACING EAST PERKINS ST: LOGO & LETTERS TOTAL SIZE = 40 SQ FT



CONCEPTUAL SOUTHEAST ELEVATION



CONCEPTUAL EAST ELEVATION

SIGNAGE NOTE: 132' PARCEL FRONTAGE X 1.5 = 198 SQ FT ALLOWED
FACING EASTWARD: LOGO & LETTERS TOTAL SIZE = 46 SQ FT

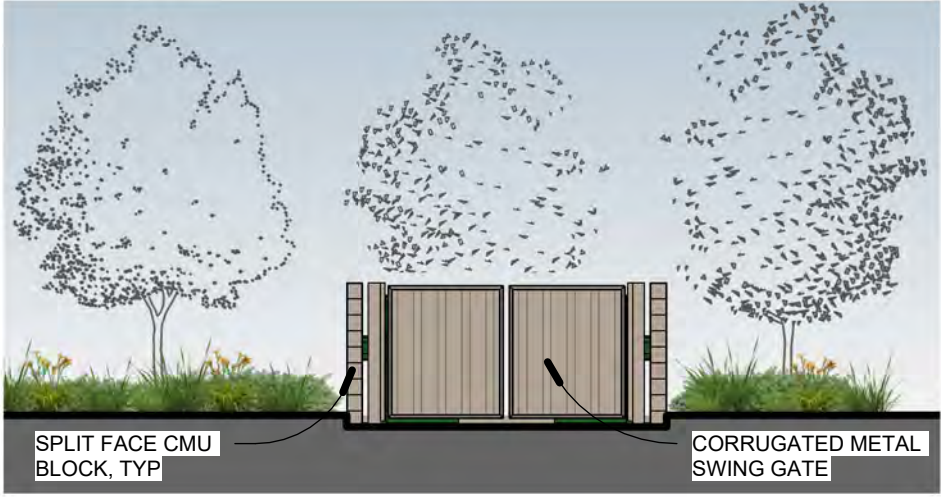


CONCEPTUAL NORTH ELEVATION



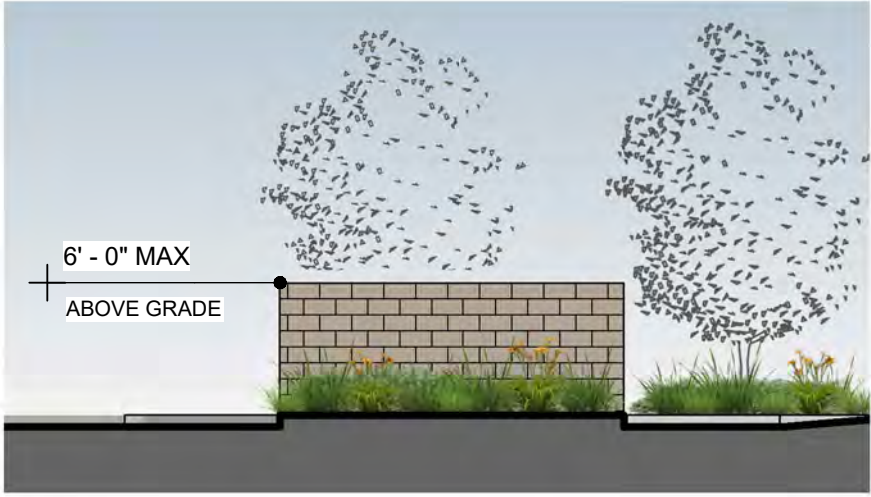
CONCEPTUAL WEST ELEVATION

SIGNAGE NOTE: 132' PARCEL FRONTAGE X 1.5 = 198 SQ FT ALLOWED
FACING WESTWARD: LOGO & LETTERS TOTAL SIZE = 2.2 SQ FT

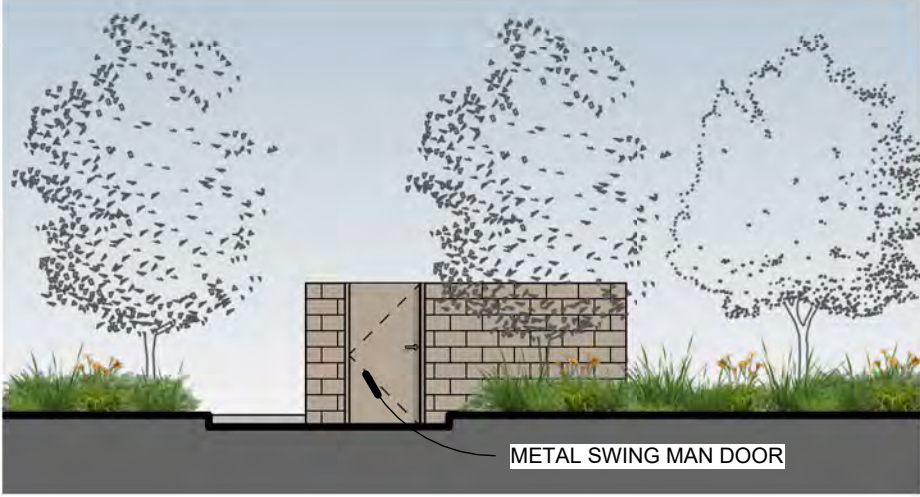


FRONT ELEVATION

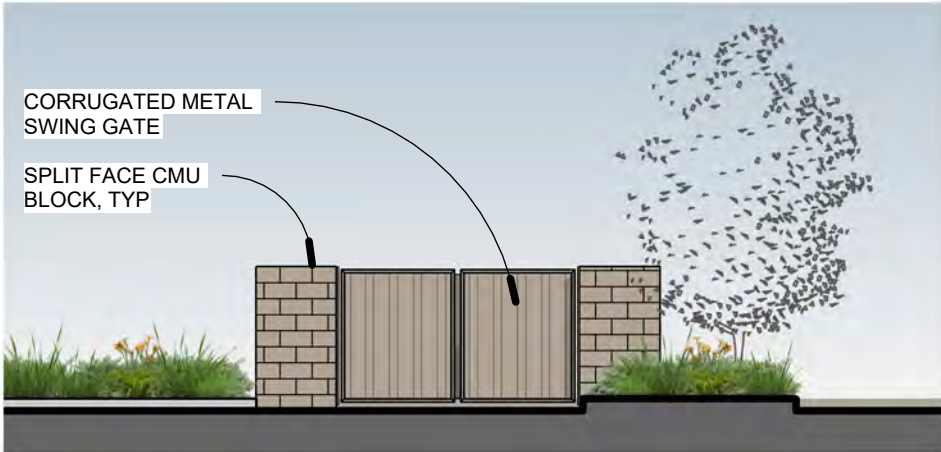
TRASH ENCLOSURE



SIDE, TYP



REAR

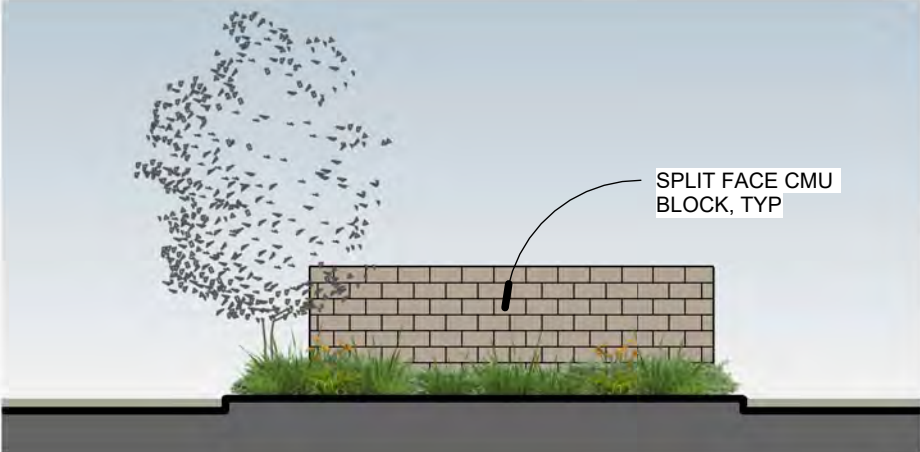


FRONT ELEVATION

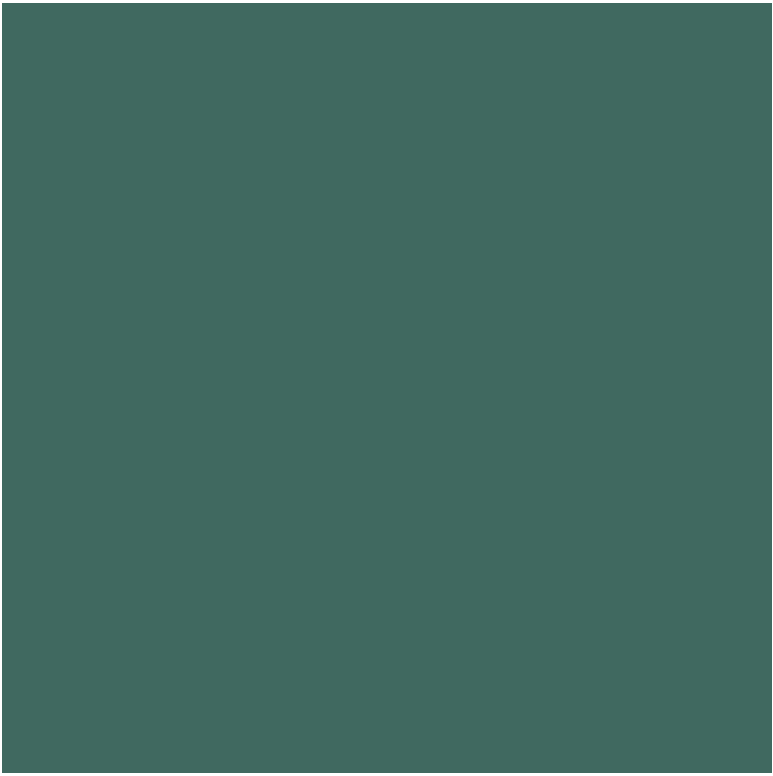
GENERATOR ENCLOSURE



SIDE, TYP



REAR



COLOR A
METAL SALES - CLASSIC GREEN



PLASTER SIDING
PAINTED



TRESPA PURA PANELS
TRESPA - ROMANTIC WALNUT



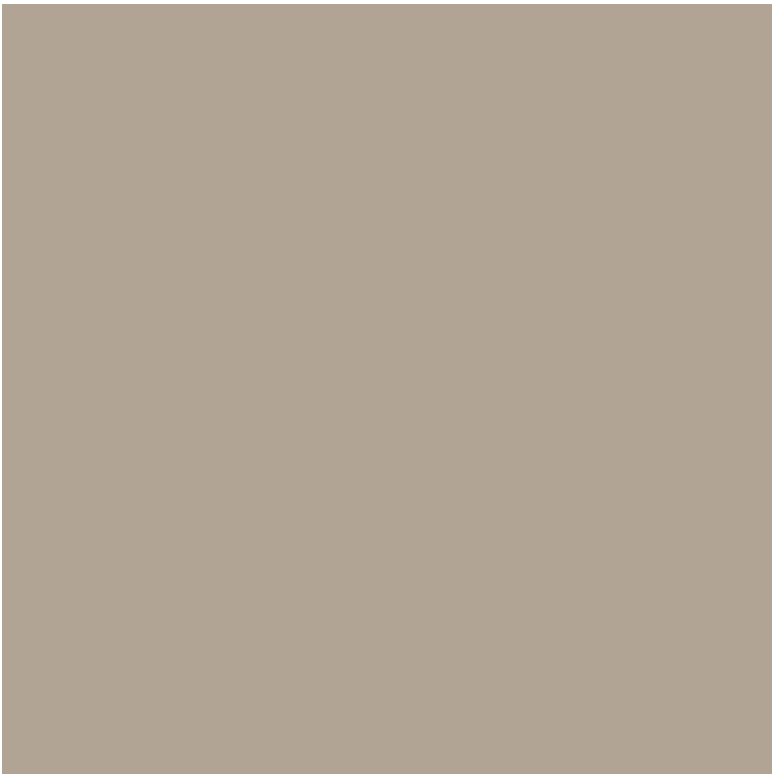
VERTICAL SEAM METAL ROOF
METAL SALES - CLASSIC GREEN



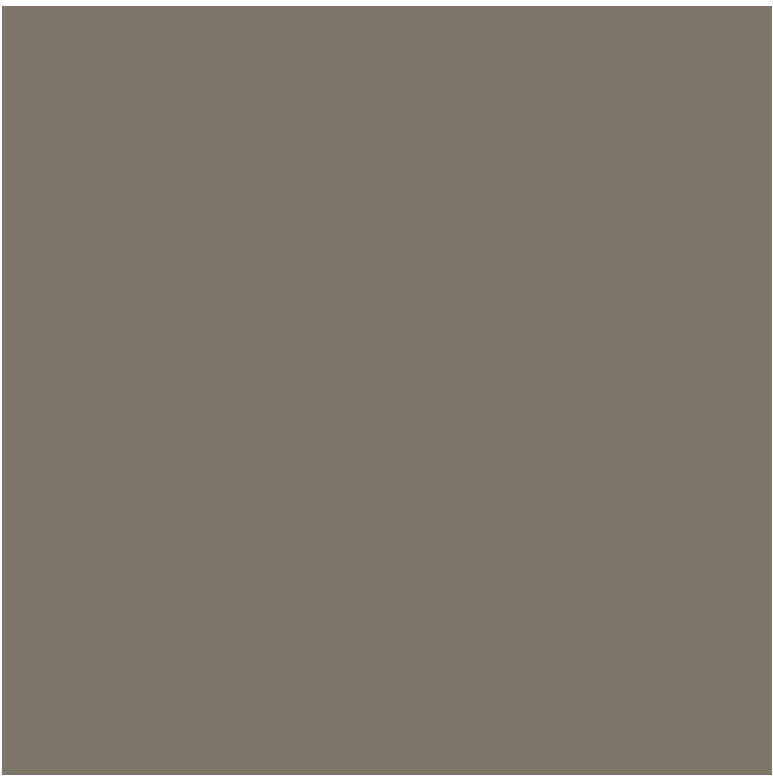
STOREFRONT GLAZING
ANODIZED ALUMINUM



SPLIT FACE CMU BLOCK
PAINTED (SITE SCREENING ONLY)



COLOR B
KELLY MOORE - TRANQUIL TAUPE

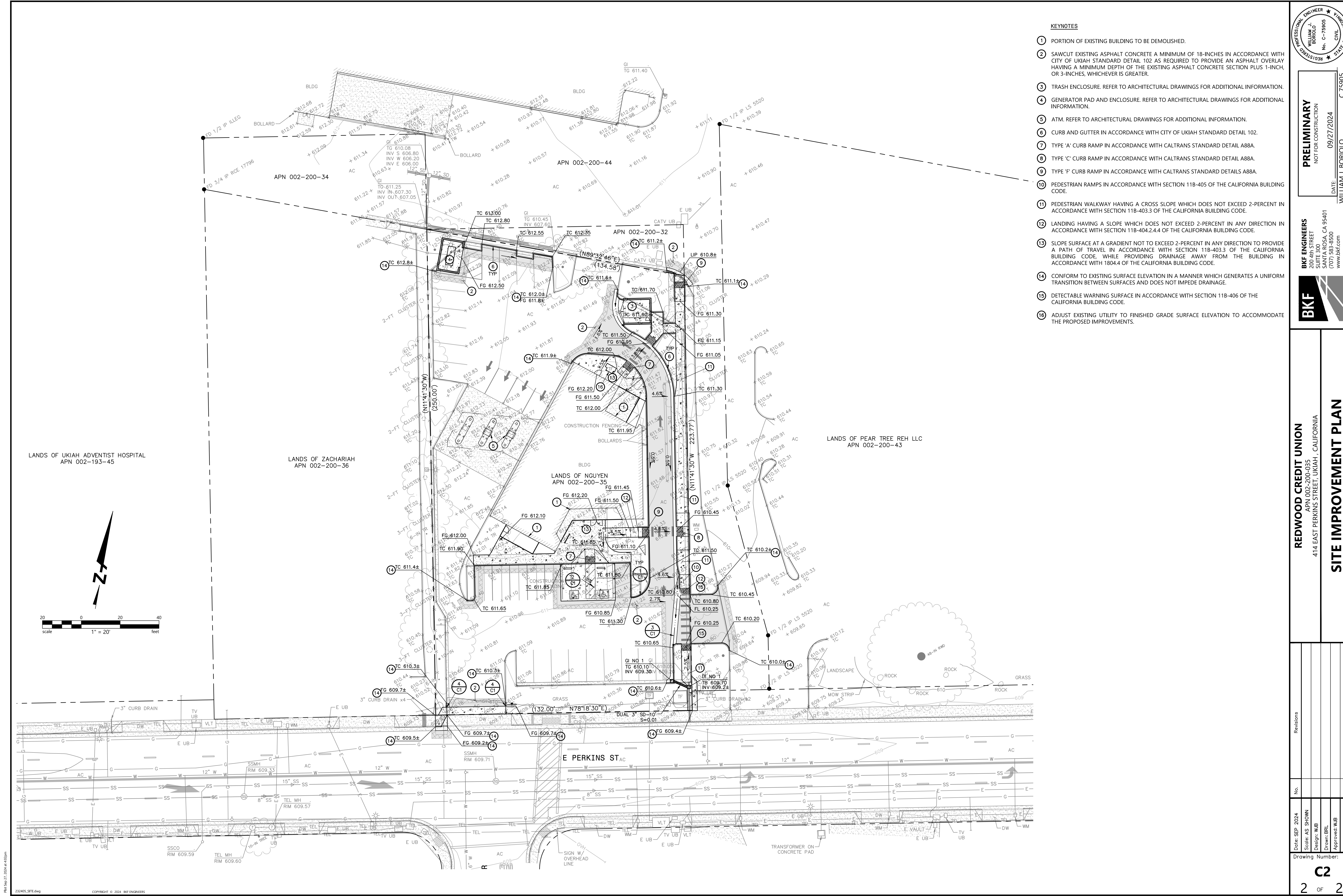


COLOR C
KELLY MOORE - BAT WING



CONCEPTUAL PERSPECTIVE - MAIN ENTRY





- KEYNOTES**
- 1 PORTION OF EXISTING BUILDING TO BE DEMOLISHED.
 - 2 SAWCUT EXISTING ASPHALT CONCRETE A MINIMUM OF 18-INCHES IN ACCORDANCE WITH CITY OF UKIAH STANDARD DETAIL 102 AS REQUIRED TO PROVIDE AN ASPHALT OVERLAY HAVING A MINIMUM DEPTH OF THE EXISTING ASPHALT CONCRETE SECTION PLUS 1-INCH, OR 3-INCHES, WHICHEVER IS GREATER.
 - 3 TRASH ENCLOSURE. REFER TO ARCHITECTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
 - 4 GENERATOR PAD AND ENCLOSURE. REFER TO ARCHITECTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
 - 5 ATM. REFER TO ARCHITECTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
 - 6 CURB AND GUTTER IN ACCORDANCE WITH CITY OF UKIAH STANDARD DETAIL 102.
 - 7 TYPE 'A' CURB RAMP IN ACCORDANCE WITH CALTRANS STANDARD DETAIL A88A.
 - 8 TYPE 'C' CURB RAMP IN ACCORDANCE WITH CALTRANS STANDARD DETAIL A88A.
 - 9 TYPE 'F' CURB RAMP IN ACCORDANCE WITH CALTRANS STANDARD DETAILS A88A.
 - 10 PEDESTRIAN RAMPS IN ACCORDANCE WITH SECTION 11B-405 OF THE CALIFORNIA BUILDING CODE.
 - 11 PEDESTRIAN WALKWAY HAVING A CROSS SLOPE WHICH DOES NOT EXCEED 2-PERCENT IN ACCORDANCE WITH SECTION 11B-403.3 OF THE CALIFORNIA BUILDING CODE.
 - 12 LANDING HAVING A SLOPE WHICH DOES NOT EXCEED 2-PERCENT IN ANY DIRECTION IN ACCORDANCE WITH SECTION 11B-404.2.4.4 OF THE CALIFORNIA BUILDING CODE.
 - 13 SLOPE SURFACE AT A GRADIENT NOT TO EXCEED 2-PERCENT IN ANY DIRECTION TO PROVIDE A PATH OF TRAVEL IN ACCORDANCE WITH SECTION 11B-403.3 OF THE CALIFORNIA BUILDING CODE, WHILE PROVIDING DRAINAGE AWAY FROM THE BUILDING IN ACCORDANCE WITH 1804.4 OF THE CALIFORNIA BUILDING CODE.
 - 14 CONFORM TO EXISTING SURFACE ELEVATION IN A MANNER WHICH GENERATES A UNIFORM TRANSITION BETWEEN SURFACES AND DOES NOT IMPEDE DRAINAGE.
 - 15 DETECTABLE WARNING SURFACE IN ACCORDANCE WITH SECTION 11B-406 OF THE CALIFORNIA BUILDING CODE.
 - 16 ADJUST EXISTING UTILITY TO FINISHED GRADE SURFACE ELEVATION TO ACCOMMODATE THE PROPOSED IMPROVEMENTS.

PROFESSIONAL ENGINEER
WILLIAM J. BORIOLO
No. C-75905
REGISTERED
CIVIL
STATE OF CALIF.

PRELIMINARY

NOT FOR CONSTRUCTION

DATE: 09/27/2024

WILLIAM J. BORIOLO

C 75905

BKF ENGINEERS

200 4th STREET
SUITE 300
SANTA ROSA, CA 95401
(707) 583-8500
www.bkf.com

BKF

REDWOOD CREDIT UNION

APN 002-200-035
414 EAST PERKINS STREET, UKIAH, CALIFORNIA

SITE IMPROVEMENT PLAN

Revisions	No.	Date
	1	SEP 27, 2024

Date: SEP 27, 2024

Scale: AS SHOWN

Design: W.B.

Drawn: B.R.

Approved: W.B.

Job No: 20232405

Drawing Number:

C2

2 OF 2

232405 SITE.dwg
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INTEGRA
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ARCHITECTURE

SITE AND PLANTING PLAN
CONCEPTUAL LANDSCAPE PLAN
FINANCIAL INSTITUTION
414 EAST PERKINS STREET, UKIAH, CALIFORNIA 95482



GINKGO BILOBA (MALE)
MAIDENHAIR TREE



ULMUS 'DYNASTY'
CHINESE ELM



QUERCUS KELLOGGII
BLACK OAK

PLANTING LEGEND

ABBREV.	BOTANICAL NAME	COMMON NAME	WUCOLS	SIZE	QTY	REMARKS/SPACING
TREES						
GIN BIL	GINKGO BILOBA 'AUTUMN GOLD'	MAIDENHAIR TREE	M	15 GAL.	6	SINGLE TRUNK
ULM DYN	ULMUS 'DYNASTY'	CHINESE ELM	M	15 GAL.	1	SINGLE TRUNK
QUE KEL	QUERCUS KELLOGGII	BLACK OAK	L	15 GAL.	3	SINGLE TRUNK

ABBREV.	BOTANICAL NAME	COMMON NAME	WUCOLS	SIZE	QTY	REMARKS/SPACING
SHRUBS						
ACH MLI	ACHILLEA MILLEFOLIUM	YARROW	L	5 GAL.	-	18" O.C. SPACING
ARC BIG	ARCTOSTAPHYLOS 'SENTINEL'	MANZANITA	L	5 GAL.	-	4' O.C. SPACING
CIS SUN	CISTUS X P. 'SUNSET'	SUNSET ROCKROSE	L	5 GAL.	-	4' O.C. SPACING
LAV OTT	LAVANDULA S. 'OTTO QUAST'	SPANISH LAVENDER	L	5 GAL.	-	3' O.C. SPACING
MYR COM	MYRTUS C. 'COMPACTA'	DWARF MYRTLE	L	5 GAL.	-	4' O.C. SPACING
SAL GRE	SALVIA GREGGII 'MESA AZURE'	AUTUMN SAGE	L	5 GAL.	-	2' O.C. SPACING
TEU FRU	TEUCRIUM FRUTICANS	BUSH GERMANDER	L	5 GAL.	-	3' O.C. SPACING

GRASSES	BOUTELLOUA GRACILIS	BLUE GRAMA	L	1 GAL.	-	2' O.C. SPACING
BOU GRA	CAREX TUMULICOLA	FOOTHILL SEDGE	L	1 GAL.	-	2' O.C. SPACING
CAR TUM	DESCHAMPSIA CESPITOSA	TUFTED HAIRGRASS	L	1 GAL.	-	2' O.C. SPACING
DES CAE	JUNCUS PATENS	CAL. GRAY RUSH	L	1 GAL.	-	2' O.C. SPACING
JUN PAT	LOMANDRA L. 'BREEZE'	DWARF MAT GRASS	L	1 GAL.	-	3' O.C. SPACING
LOM BZE	MUHLENBERGIA RIGENS	DEER GRASS	L	1 GAL.	-	4' O.C. SPACING
MUH RIG						

GROUND COVER	ARCTOSTAPHYLOS	MANZANITA	L	1 GAL.	-	4' O.C. SPACING
ARC EME	'EMERALD CARPET'					
CEA CEN	CEANOTHUS 'CENTENNIAL'	CEANOTHUS	L	1 GAL.	-	5' O.C. SPACING
EPI CAN	EPILOBIUM CANUM	CAL. FUSCHIA	L	1 GAL.	-	3' O.C. SPACING
FES ELI	FESTUCA 'ELIJAH BLUE'	BLUE FESCUE	L	1 GAL.	-	12' O.C. SPACING
MYO PIN	MYOPORUM P. 'PINK'	PINK MYOPORUM	L	1 GAL.	-	6' O.C. SPACING

MWEO STATEMENT

"I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE PLANTING PLAN"

Michael A. Cook

MICHAEL A. COOK
REGISTERED LANDSCAPE ARCHITECT #5123

10/04/2024
DATE

SHADE CALCULATIONS

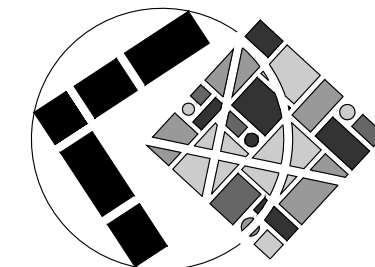
PARKING LOT AREA: 22,251 SQ. FEET
TREE CANOPY SHADE AREA: 13,128 SQ. FEET
PERCENTAGE COVERAGE: 58.9 %

PLANTING NOTES

- CONTRACTOR SHALL BID AND INSTALL PLANTING MATERIALS PER THESE PLANS AND SPECIFICATIONS, UNLESS GIVEN FURTHER WRITTEN INSTRUCTIONS, OR WRITTEN INSTRUCTION BY LANDSCAPE ARCHITECT. WORK INCLUDES, BUT IS NOT LIMITED TO ALL LABOR, GENERAL LIABILITY INSURANCE, WORKMAN'S COMPENSATION, EQUIPMENT, AND MATERIALS NECESSARY TO FURNISH, INSTALL AND GUARANTEE PLANTING, AS SHOWN ON THE DRAWINGS AND SPECIFIED HEREIN.
- COORDINATE FIELD OBSERVATIONS WITH LANDSCAPE ARCHITECT (MINIMUM 2 VISITS). CALL TO PROVIDE 48 HOUR NOTICE.
A. REVIEW FINISHED GRADE W/ LANDSCAPE ARCHITECT PRIOR TO PLANT PLACEMENT. ALL PLANTS SHALL BE INSPECTED BY ARBORIST/ LANDSCAPE ARCHITECT FOR HEALTH, PESTS AND SIZE PRIOR TO LAYOUT.
B. LAYOUT PLANTINGS FOR APPROVAL IN FULL QUANTITIES, PRIOR TO DIGGING HOLES. ADJUST LAYOUT AS DIRECTED BY LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL PROVIDE SUBMITTALS/SAMPLES TO LANDSCAPE ARCHITECT OF ALL SPECIMEN TREES (PHOTOGRAPHS WITH HUMAN SCALE), SOIL, MULCH, STAKES, TIES, AGRIFORM TABLETS, GRASS PAVE MATERIALS, STEEL EDGING, AND OTHER MATERIALS.
- ALL WORK SHALL CONFORM TO THE LATEST APPLICABLE CITY OF UKIAH WATER AGENCY ORDINANCES RELATING TO PLANTING AND IRRIGATION. ALL PLANT MATERIALS TO BE INSTALLED PER CITY OF UKIAH STANDARDS AND PLANTING DETAILS. THE PLANT MATERIALS SHALL CONFORM TO THE PLANT LEGEND SPECIFICATION FOR SIZE & LATEST EDITION OF THE AMERICAN NURSERYMAN STANDARDS.
- PRIOR TO REMOVING ANY PLANTS, CONTRACTOR SHALL OBTAIN APPROVAL OF OWNER AND LANDSCAPE ARCHITECT TO DETERMINE SPECIMENS TO REMAIN OR BE TRANSLANTED. ALL PLANTING AREAS ARE TO BE FREE OF DELETERIOUS MATERIALS AND WEEDS PRIOR TO PLANTING.
- A SOIL FERTILITY TEST SHALL BE REQUIRED FOR REVIEW BY THE LANDSCAPE ARCHITECT AFTER GRADING IS COMPLETE AND BEFORE ANY PLANT WORK. A SOIL TEST SHALL BE PERFORMED TO DETERMINE THE FINAL AMENDMENT AND FERTILIZER FORMULA. THE SOILS REPORT CONDUCTED BY WAYPOINT ANALYTICAL, (408) 727-0330, UNLESS OTHERWISE APPROVED) MUST CONTAIN THE FOLLOWING INFORMATION:
A. SOIL PERMEABILITY RATE IN INCHES PER HOUR
B. SOIL TEXTURE TEST
C. CATION EXCHANGE CAPACITY
D. SOIL FERTILITY INCLUDING TESTS FOR NITROGEN, POTASSIUM, PHOSPHOROUS, PH, ORGANIC MATTER
E. TOTAL SOLUBLE SALTS AND SODIUM CONTENT
F. CONTRACTOR TO REQUEST A "BAY-FRIENDLY" RECOMMENDATION FOR AMENDMENTS TO THE PLANTING AREA SOIL
- A MINIMUM OF 8" OF NON-MECHANICALLY COMPACTED SOIL SHALL BE AVAILABLE FOR WATER ABSORPTION AND ROOT GROWTH IN PLANTED AREAS. WITHIN THE LIMITS OF NEW PLANTING AREAS, THE TOP 12" OF EXISTING SOIL OR TO THE EXTENT OF EXISTING TOPSOIL, WHICH EVER IS LESS, SHALL BE STRIPPED AND STOCKPILED ON THE SITE FOR RE-USE. ALL PLANTING AREAS TO BE TILLED SO THAT SOIL IS LOOSE AND NOT COMPACTED. ALL PLANTING BEDS TO RECEIVE A MINIMUM OF 12" OF APPROVED TOPSOIL. TO PREPARE PLANTING BEDS AND LAWN AREAS, CULTIVATE INTO TOP 12" OF SOIL 6 CUBIC YARDS OF ORGANIC COMPOST PER 1,000 SQUARE FEET. COMPOST IS TO HAVE THE US COMPOSTING COUNCIL'S SEAL OF TESTING ASSURANCE (STA) AND THE ORGANIC MATERIALS REVIEW INSTITUTE (OMRI) LISTING. INCORPORATE COMPOST OR NATURAL FERTILIZER INTO THE SOIL TO A MINIMUM DEPTH OF 8" AT A MINIMUM RATE OF 6 CUBIC YARDS PER 1,000 SQUARE FEET OR PER SPECIFIC AMENDMENT RECOMMENDATIONS FROM A SOILS LABORATORY REPORT. ANY ADDITIONAL AMENDMENTS SHALL BE CERTIFIED ORGANIC BY OMRI.
- ALL PLANT LOCATIONS TO BE CONFIRMED IN THE FIELD BY THE LANDSCAPE ARCHITECT. CONTRACTOR IS TO COORDINATE ALL PLANTING WITH UTILITY LOCATIONS NOT SHOWN ON THIS PLAN. ANY CONFLICTS BETWEEN LOCATIONS OF PROPOSED PLANTING AND SITE UTILITIES OR LIGHTING TO BE CALLED TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.
- LAYOUT OF PLANTINGS IS DIAGRAMMATIC AND MAY NEED FIELD ADJUSTMENT FOR EXISTING SITE CONDITIONS NOT SHOWN ON PLANS, OR AS DIRECTED BY THE LANDSCAPE ARCHITECT. ADJUSTMENTS WILL BE MADE FOR VIEWS, ACCESS, ETC. ALL PLANTINGS SHALL BE FIELD ADJUSTED TO MEET THE MINIMUM STATE REGULATIONS FOR PLANTING AND MAINTAINING A FIRE DEFENSIBLE SPACE, DEPT. OF FORESTRY. PLANT QUANTITIES ARE FOR INFORMATIONAL USE ONLY. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PLANTS AS SHOWN ON THE DRAWINGS.
- PLANTS SHALL BE SUFFICIENTLY ROOTED TO THE EDGE OF THE CONTAINER AND TO AN EXTENT SUFFICIENT TO HOLD THE ROOTBALL INTACT WHEN REMOVED FROM THE CONTAINER. NO PLANTS SHALL BE ACCEPTABLE THAT SHOW SIGNS OF CIRCLING OR GIRDLING OF ROOTS, OR ANY OTHER ROOT-BOUND CONDITION. PLANTS SHALL BE FREE FROM ALL PESTS AND DISEASES.
- ALL PLANTS SHALL BE PLACED IN A TRIANGULAR SPACED PATTERN, UNLESS OTHERWISE SPECIFIED.
- EXCAVATE PLANTING PITS 1' LESS THAN THE DEPTH OF THE PLANT CONTAINER AND TWO TIMES THE WIDTH OF THE PLANT CONTAINER. PREPARE HOLE BACKFILL MATERIAL BY USING 1 PART EXISTING SOIL TO 1 PART ORGANIC COMPOST. THOROUGHLY MIX THIS COMBINATION BEFORE BACKFILLING. SET PLANT PLUMB IN PLANTING PIT AND BRACE RIGIDLY IN POSITION. TAMPING BACKFILL MIX SOLIDLY AROUND THE BALL AND ROOTS. PLACE TOP OF ROOT BALL 1" ABOVE SURROUNDING GRADE. (SEE PLANTING DETAILS FOR TREES, SHRUBS AND GROUND COVERS ON THIS SHEET). DO NOT OVER COMPACT SOIL.
- ALL TREES ARE TO BE STAKED AND TREES AND SHRUBS ARE TO HAVE WATERING BASINS. ALL TREES CLOSER THAN 10'-0" TO BUILDINGS, WALKS, PAVING, CURBS OR FOOTINGS SHALL BE INSTALLED WITH A DEEP ROOT BARRIER. USE DEEP ROOT BARRIER, TYPE-UB 24-2 PER MANUFACTURER'S RECOMMENDATIONS.
- AFTER PLANTING, WATER NEW PLANTINGS DEEPLY AND THOROUGHLY.
- A MINIMUM 3" LAYER OF MULCH SHALL BE APPLIED ON ALL EXPOSED SOIL SURFACES OF PLANTING AREAS EXCEPT IN TURF AREAS, CREEPING OR ROOTING GROUND COVERS OR DIRECT SEEDING APPLICATIONS. MULCH SHALL BE "MINI FIR BARK" FROM DENBESTE PRODUCTS (707-465-6232). NATURAL COLOR.
- THE CONTRACTOR SHALL MAINTAIN THE PLANTING AND IRRIGATION INSTALLATIONS FOR 60 DAYS FROM THE DATE OF FINAL ACCEPTANCE. ALL PLANT MATERIALS SHALL BE GUARANTEED FOR A MINIMUM PERIOD OF 6 MONTHS FROM DATE OF FINAL ACCEPTANCE.

GENERAL NOTES

- REFER TO SHEET L-2 FOR PLANTING AND IRRIGATION DETAILS.
- REFER TO SHEET L-2 FOR MWEO CALCULATIONS.



GRAPHIC SCALE

0 10 20
(IN FEET)
1 INCH = 10 FT

DATE: 10/04/2024

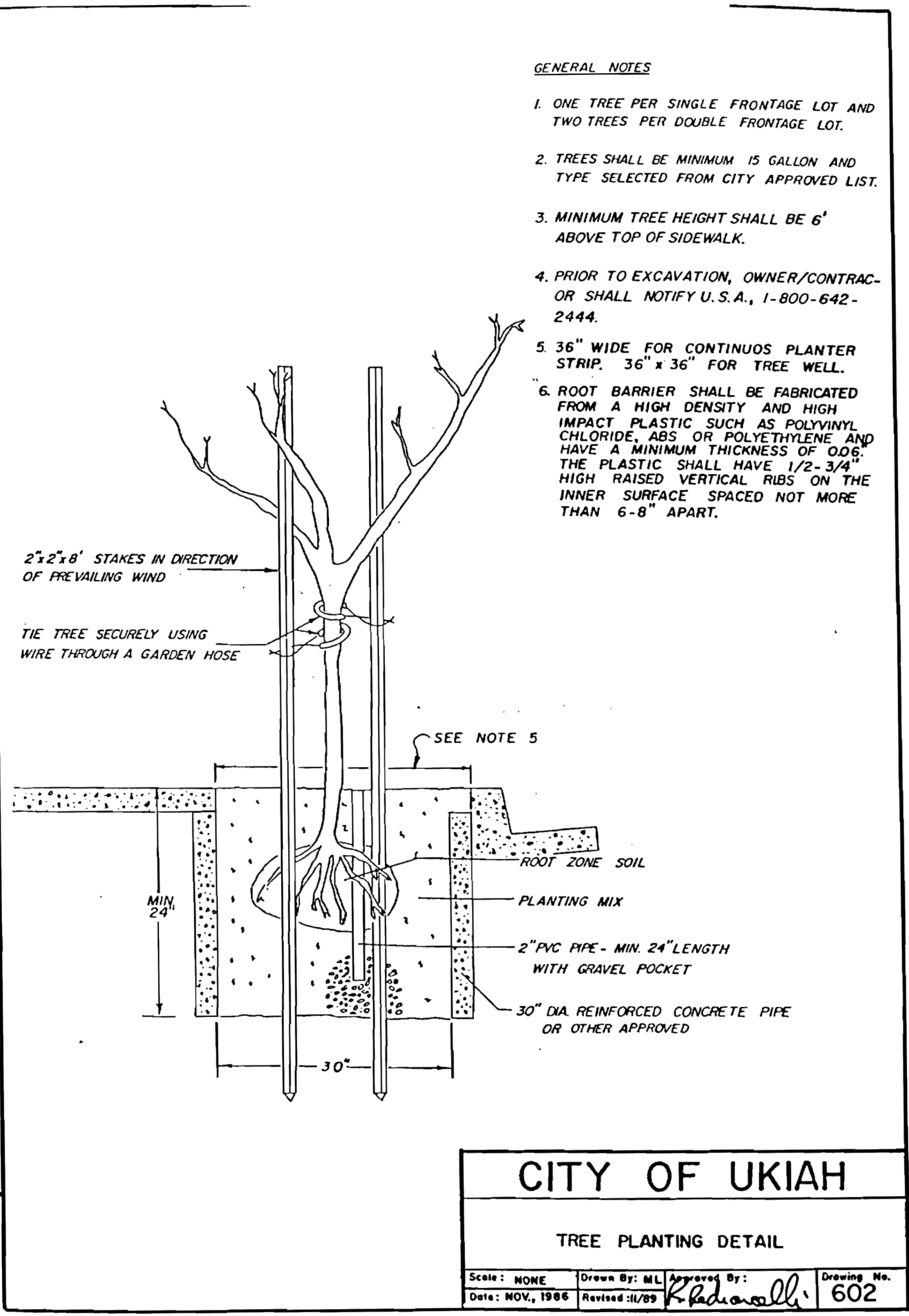
SHEET NUMBER: L-1 OF 2

PROJECT NUMBER: 24-057.01



INTEGRA
PLANNING +
LANDSCAPE
ARCHITECTURE

IRRIGATION + MWELO CALCULATIONS
CONCEPTUAL LANDSCAPE PLAN
FINANCIAL INSTITUTION
414 EAST PERKINS STREET, UKIAH, CALIFORNIA 95482



IRRIGATION NOTES

- LANDSCAPE CONTRACTOR (C-27 LICENSE) SHALL BID AND INSTALL IRRIGATION PER THESE PLANS AND SPECIFICATIONS, UNLESS GIVEN FURTHER WRITTEN INSTRUCTIONS, OR REVISED PLANS PER OWNER OR LANDSCAPE ARCHITECT. WORK INCLUDES, BUT IS NOT LIMITED TO ALL LABOR, COVERED LIABILITY INSURANCE, WORKMAN'S COMPENSATIONS, EQUIPMENT AND MATERIALS. NECESSARY TO FURNISH, INSTALL AND TEST IRRIGATION SYSTEM, AS SHOWN ON THE DRAWINGS AND SPECIFIED HEREIN.
 - COORDINATE A MINIMUM OF (2) FIELD OBSERVATIONS WITH LANDSCAPE ARCHITECT AND CALL TO PROVIDE 48 HOUR NOTICE:
 - VERIFY FLAGGED HEAD AND CHALKED MAINLINE LAYOUT PRIOR TO TRENCHING OPERATIONS. ADJUST LAYOUT AS DIRECTED BY LANDSCAPE ARCHITECT.
 - OBSERVE COMPLETE PLUMBING SYSTEM AND PRESSURE TEST ALL MAINLINE & LATERALS PRIOR TO ANY BACKFILLING OPERATIONS.
 - CONTRACTOR SHALL PROVIDE SUBMITTALS/CUT SHEETS TO LANDSCAPE ARCHITECT OF ALL IRRIGATION MATERIALS INCLUDING, BUT NOT LIMITED TO CONTROLLER, CONTROL WIRE, MAIN LINE PVC, VALVES, PRESSURE REDUCER, ETC. CONTRACTOR SHALL FURNISH TO OWNER KEYS TO CONTROLLER, QUICK COUPLER AND ANY SPECIAL TOOLS REQUIRED FOR MAINTENANCE OF ALL IRRIGATION COMPONENTS.
 - MANUFACTURERS DIRECTIONS AND DETAILED DRAWINGS SHALL BE FOLLOWED IN ALL CASES WHERE THE MANUFACTURERS OF COMPONENTS, USED IN THIS CONTRACT, COVER POINTS NOT SHOWN ON DRAWINGS AND SPECIFICATIONS.
 - CONTRACTOR SHALL KEEP DETAILED REDLINE PLAN RECORDING INSTALLATION OF IRRIGATION SYSTEM AS IT PROGRESSES. RECORD PLAN SHALL BE DRAFTED ONTO DRAWINGS PROVIDED BY LANDSCAPE ARCHITECT, INTO AS-BUILT DRAWINGS SHOWING LOCATIONS OF POINT OF CONNECTION, LATERALS, MAIN LINES, QUICK COUPLERS, VALVES, HEADS, WIRING, ETC., FOR APPROVAL BY LANDSCAPE ARCHITECT. FOLLOWING APPROVAL, AS-BUILTS SHALL BE REDUCED TO 1/4" SIZE, COLOR CODED BY STATION, AND LAMINATED IN 6 MIL. PLASTIC. 3 REQUIRED FOR EACH CONTROLLER.
 - THREE LAMINATED DETAILED IRRIGATION SCHEDULES SHOWING STATION PROGRAMMING AND RUN TIMES SHALL BE PROVIDED FOR EACH CONTROLLER AND APPROVED BY LANDSCAPE ARCHITECT. ONE WARM SEASON, ONE COOL SEASON AND ONE FOR ESTABLISHMENT PERIOD. EACH SCHEDULE SHALL BE ACCOMPANIED BY REDUCED "AS-BUILT" PLAN PERMANENTLY MOUNTED IN OR NEAR CONTROLLER. THESE SHALL BE SUBMITTED PRIOR TO ACCEPTANCE TO WORK AND AS A CONDITION OF COMMENCEMENT OF MAINTENANCE PERIOD.
 - ALL IRRIGATION EQUIPMENT TO BE INSTALLED PER CITY, COUNTY AND STATE STANDARDS. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ANY AND ALL PERMITS AND INSPECTIONS AS REQUIRED. THE MATERIAL AND WORK SHALL CONFORM TO ALL APPLICABLE PROVISIONS OF THE LATEST ADDITIONS OF THE UNIFORM PLUMBING CODE AND THE NATIONAL ELECTRIC CODE. CONTRACTOR SHALL FAMILIARIZE HIMSELF/HERSELF WITH ALL STATE AND LOCAL LAWS, CODES, ORDINANCES, RESTRICTIONS BEFORE BEGINNING INSTALLATION.
 - CONTRACTOR SHALL VERIFY GALLONS PER MINUTE (G.P.M.) AT POINT OF CONNECTION DOWNSTREAM OF BACKFLOW DEVICE TO BE A MINIMUM OF 60 G.P.M. AND 30 P.S.I. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES PRIOR TO COMMENCING WORK. FAILURE TO DO SO WILL MAKE THE CONTRACTOR LIABLE FOR ALL NECESSARY CHANGES.
 - TEST ALL PRESSURE LINES PRIOR TO BACK FILLING. UNDER STATIC PRESSURE OF 150 PSI FOR A PERIOD OF 2 HOURS. IF LEAKS DEVELOP, REPAIR SYSTEM AND REPEAT TEST UNTIL PRESSURE IS HELD.
 - ALL 120V. ELECTRIC POWER SUPPLY FOR IRRIGATION CONTROLLER SHALL BE PROVIDED AND CONNECTED TO CONTROLLER BY A LICENSED ELECTRICIAN. LANDSCAPE CONTRACTOR SHALL MAKE HARDWIRE CONNECTION FOR ALL CONTROL WIRES. CONTRACTOR SHALL INSTALL CONTROL WIRES THAT:
 - CONNECTIONS BETWEEN THE CONTROLLER AND THE REMOTE CONTROL VALVES SHALL BE MADE CONTINUOUS (NO SPLICES) WITH DIRECT BURIAL COPPER WIRE 14 GA. AWG U.P. 600 VOLT. TAPE WIRES TO THE MAINLINE AT 10 FOOT INTERVALS, EXCEPT WHERE INDEPENDENTLY SLEEVED UNDER PAVING.
 - PROVIDE THREE CONTINUOUS LOOP WIRES FROM THE CONTROLLER TO EACH VALVE WITH 9' LOOP. LABEL IN VALVE BOX. PROVIDE SEPARATE COLOR WIRES FOR CONTROL, COMMON AND EXTRA LOOP WIRES. CONTROL SHALL BE RED, COMMON SHALL BE WHITE AND EXTRAS SHALL BE BLACK/YELLOW.
 - AN EXPANSION CURL SHALL BE PROVIDED WITHIN (3) FEET OF EACH WIRE CONNECTION IN VALVE BOX. EXPANSION CURLS SHALL BE 18 INCHES IN LENGTH AT EACH SPLICE CONNECTION AND AT EACH CONTROL VALVE, SO THAT IN CASE OF REPAIR THE VALVE BONNET CAN BE BROUGHT TO THE SURFACE WITHOUT DISCONNECTION OF THE CONTROL WIRES. ALL SPLICES SHALL BE MADE WATERPROOF WITH RAINBIRD SNAP-TIE WIRE CONNECTIONS OR APPROVED EQUAL.
 - THESE DRAWINGS INCLUDE A DIAGRAMMATIC DISPLAY THAT SHOWS:
 - BEFORE PROCEEDING WITH ANY WORK, CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND QUANTITIES; CONTACT AND INFORM THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES BETWEEN DRAWINGS AND ACTUAL CONDITION IMMEDIATELY.
 - LAYOUT OF PIPING, VALVES, AND HEADS IS DIAGRAMMATIC. THERE MAY BE FIELD ADJUSTED FOR EASE OF INSTALLATION, COMMON TRENCHING, AND OPTIMUM COVERAGE. OBTAIN WRITTEN APPROVAL FOR CHANGES PRIOR TO CONSTRUCTION.
 - DRIP SYMBOL IS SCHEMATIC, VERIFY PLANT QUALITIES FOR EXACT NUMBER OF EMITTERS AND LENGTH OF PIPE. ALL OFFSET, FITTINGS, SLEEVES, ETC. ARE NOT INDICATED DUE TO SCALE OF DRAWINGS, AND ARE TO BE FURNISHED AS REQUIRED.
 - CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR WORK INSTALLED IN AREA WHERE WORK HAS BEEN MODIFIED WITHOUT WRITTEN APPROVAL.
 - PIPE SIZES ON PLANS ARE MINIMUM ALLOWABLE.
 - FINAL LOCATION OF BACKFLOW PREVENTION DEVICE SHALL BE APPROVED BY LANDSCAPE ARCHITECT.
 - THE DRIP PORTION OF THE SYSTEM SHALL BE AUTOMATICALLY OPERATED AND CAPABLE OF OPERATING THE SYSTEM FROM 1/2 HOUR TO SEVERAL HOURS PER DAY AND PER SETTING, AND HAVE AN AUTOMATIC RAIN SHUTOFF UNIT. THE SYSTEM SHALL MEET THE FOLLOWING BASIC PARAMETERS:
 - FROM THE VALVE ASSEMBLY, A 3/4" SCH 40 PVC PIPE SHALL BE BROUGHT TO A 3/4" INCH PVC TEE. ALL STATIONS SHOULD BE CENTER-LOADED WHEREVER POSSIBLE, AND AT NO TIME SHALL THE WATER FLOW IN ANY PIPE EXCEED A SPEED OF 5 FEET PER SECOND.
 - A 5/8" A/R PVC HOSE SHALL EXTEND FROM EACH SIDE OF THE PVC TEE. THE FLOW IN EACH OF THESE 5/8" LINES SHALL NOT EXCEED 180 GALLONS PER HOUR. A TORO NGE PC EMITTER (OR APPROVED EQUAL) SHALL BE INSTALLED INTO THIS HOSE PER THESE QUANTITIES: TWO 1/2 GALLON PER HOUR SINGLE OUTLET EMITTERS SHALL BE PLACED AT THE BASE OF EACH 1 GALLON CONTAINER, TWO 1 GALLON PER HOUR EMITTERS SHALL BE PLACED AT THE BASE OF EACH 5 GALLON CONTAINER. CAP ALL LINE ENDS WITH A BALL VALVE SO THEY MAY BE FLUSHED. USE A KB INLINE CHECK VALVE WHERE REQUIRED FOR LOW-HEAD DRAINAGE WHERE ELEVATION DIFFERENTIAL BETWEEN HEADS MAY CAUSE RUN OFF.
 - THE SYSTEM SHALL BE DESIGNED ACCORDING TO TORO RECOMMENDATIONS AND FOR A WORKING PRESSURE OF 25 PSI.
 - AVOID CUTTING EXISTING ROOTS GREATER THAN 1" DIAMETER. TUNNEL UNDER ROOT WITHOUT DAMAGING CAMBIUM LAYER OF BARK. ALL TRENCHING WITHIN THE DRIPLINE OF EXISTING TREES SHALL BE DONE BY HAND, VERIFY PIPE ROUTE WITH LANDSCAPE ARCHITECT PRIOR TO TRENCHING.
 - USE SCH 40 PVC AT DRIVEWAY/ROAD CROSSING WITH 24" OF COVER. ALL SLEEVES TO BE TWICE DIAMETER OF REQUIRED PIPE AND EXTEND 12" BEYOND PAVING EDGE. SLEEVE EACH PIPE SEPARATELY AND PROVIDE SEPARATE SLEEVE FOR CONTROL WIRES.
- THE TRENCHES SHALL NOT BE BACKFILLED UNTIL ALL REQUIRED TESTS ARE PERFORMED. BACKFILL SHALL BE WATER SETTLED OR MECHANICALLY COMPACTED IN LANDSCAPED AREAS TO A DRY DENSITY EQUAL TO ADJACENT UNDISTURBED AREAS. CONTRACTOR WILL INSTALL 3" WIDE DETECTABLE TAPE (#3 DTP, AS MANUFACTURED BY T. CHRISTY). TAPE SHALL BE INSTALLED 6" ABOVE THE IRRIGATION MAINLINE AND BE LABELED "CAUTION WATER LINE BURIED BELOW". INSTALL ABOVE ALL WATER MAIN LINES. BACKFILLING SHALL CONFORM TO ADJACENT GRADES WITHOUT DIPS, SUNKEN AREAS, HUMPS OR OTHER SURFACES IRREGULARITIES. IF SETTLEMENT OCCURS AND SUBSEQUENT ADJUSTMENTS ARE NECESSARY, THE CONTRACTOR SHALL MAKE ALL REQUIRED ADJUSTMENTS WITHOUT COST TO THE OWNER.
 - THE CONTRACTOR SHALL GUARANTEE THE IRRIGATION SYSTEM FOR A PERIOD OF 12 MONTHS. THE SYSTEM SHALL BE FREE FROM DEFECTS IN MATERIALS AND WORKMANSHIP AND THE CONTRACTOR SHALL REPAIR OR REPLACE ANY DEFECTS AND REPAIR ANY DAMAGE CAUSED BY DEFECTS FOR THE ABOVE MENTIONED TIME PERIOD AT NO COST TO THE OWNER. SUCH REPAIRS OR REPLACEMENTS SHALL BE COMPLETED WITHIN A 48 HOUR PERIOD AND IMMEDIATELY IF IT IS A SAFETY ISSUE.
 - CLEANUP SHALL BE MADE AS EACH PORTION OF WORK PROGRESSES. ALL PAVING AND WALKS SHALL BE BROOMED OR WASHED DOWN AND ANY DAMAGE SUSTAINED TO THE WORK OF OTHERS SHALL BE REPAIRED TO ORIGINAL CONDITIONS ACCEPTABLE TO THE OWNER.

Estimated Total Water Use						
Equation: ETWU = ET _a x 0.62 x [((PF x HA)/IE) + SLA]; Considering precipitation ETWA = (ET _o -Eppt) x 0.62 x [((PF x HA)/IE) + SLA]						
Enter values in Pale Blue Cells						
Tan Cells Show Results						
Messages and Warnings						
Irrigation Efficiency Default Value for overhead 0.75 and drip 0.81.						
Plant Water Use Type		Plant Factor				
Very Low				0 - 0.1		
Low				0.2 - 0.3		
Medium				0.4 - 0.6		
High				0.7 - 1.0		
SLA				1.0		
Hydrozone	Select System From the Dropdown List click on cell below	Plant Water Use Type (s) (low, medium, high)	Plant Factor (PF)	Hydrozone Area (HA) (ft ²) Without SLA	Irrigation Efficiency (IE)	(PF x HA (ft ²))/IE
Zone 1	Drip	Low	0.30	3,743	0.81	1,386
Zone 2	Drip	Low	0.30	75	0.81	28
Zone 3	Drip	Medium	0.60	175	0.81	130
						1,544
		SLA		0		0
		Sum		3,993		
Results						
MAWA = 34,140		ETWU = 29,330 Gallons		ETWU complies with MAWA		
		3,921 Cubic Feet				
		39.21 HCF				
		0.09 Acre-feet				
		0.03 Millions of Gallons				

MWELO STATEMENT

"I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE IRRIGATION PLAN"

[Signature]

MICHAEL A. COOK
REGISTERED LANDSCAPE ARCHITECT #5123

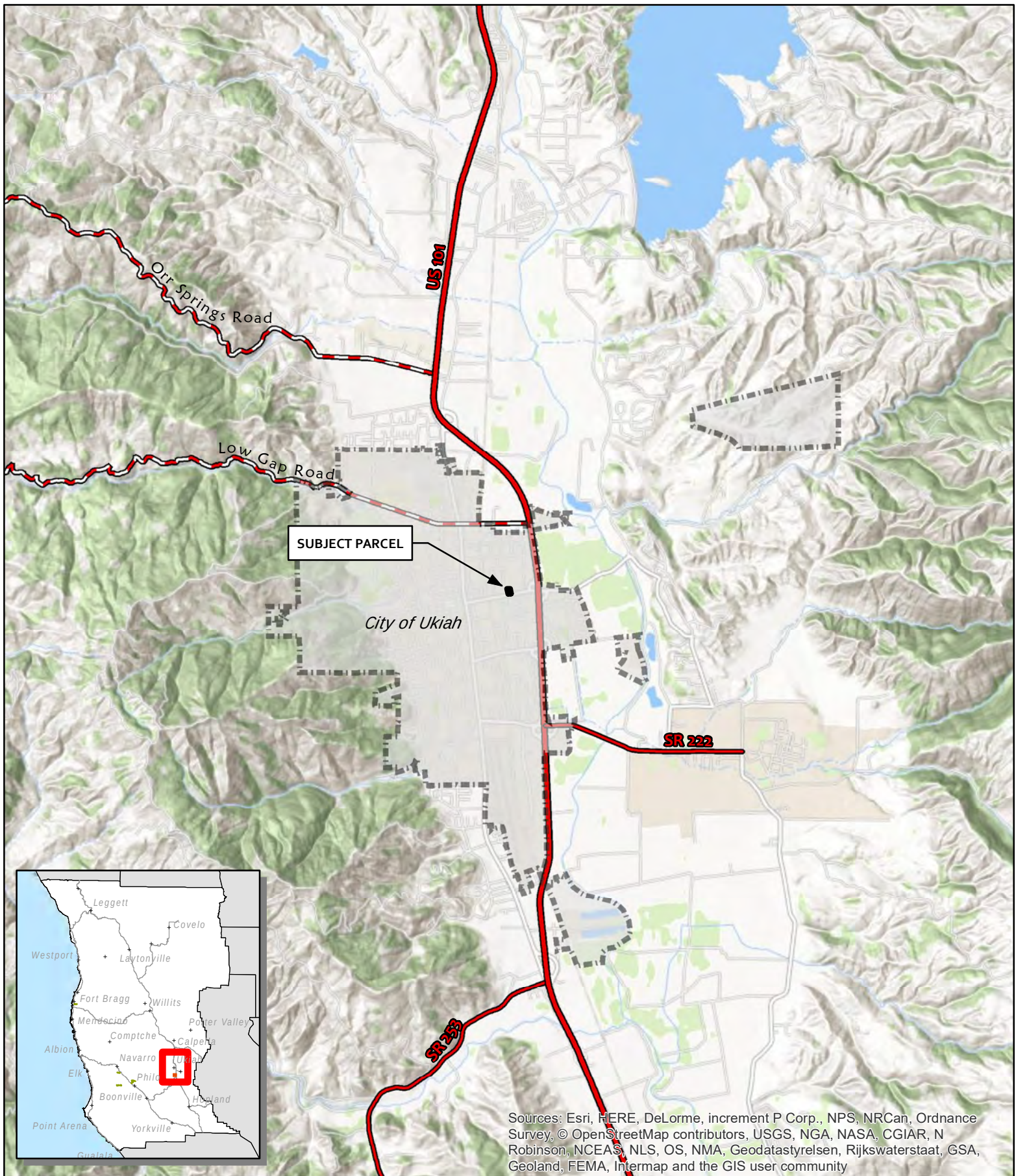
10/04/2024
DATE



Statistics							
Description	Symbol	Avg	Max	Min	Max / Min	Avg / Min	
DOWNLIGHTS UNDER CANOPY AT ATM	+	26.6	29.6	23.6	1.3 x 1	1.1 x 1	
DOWNLIGHTS UNDER NARROW CANOPY	+	20.0	32.1	1.1	32.0 x 1	20.0 x 1	
DRIVE UP CANOPY	+	8.2	13.7	2.4	5.7 x 1	3.4 x 1	
ENTRY K/A	+	3.6	6.5	2.0	3.1 x 1	2.0 x 1	
GENERATOR	+	6.1	11.1	3.1	3.7 x 1	2.0 x 1	
PARKING LOT	+	2.7	28.5	0.2	142.5 x 1	13.5 x 1	
TRASH ENCLOSURE	+	6.6	11.1	2.1	5.5 x 1	3.0 x 1	
Calc Zone #1 (BEYOND PROPERTY LINE)	+	0.0	0.2	0.0	N/A	N/A	



Luminaire illuminance values provided in this report, whether for normal, critical, or emergency applications, are for product application assistance only. These values were developed in collaboration with, and are subject to approval by, the design professional of record (architect/engineer/LC), and are NOT intended for construction. Because these values are approximate and based on limited application information provided to 16500, Inc. at the time of calculation, 16500, Inc. does not warrant the installed performance of the luminaire(s) will match that shown in this report. Please verify all data and conditions to assure the accuracy of the report. 16500 shall neither be responsible nor liable for design, approval, or results of emergency lighting under any circumstances.



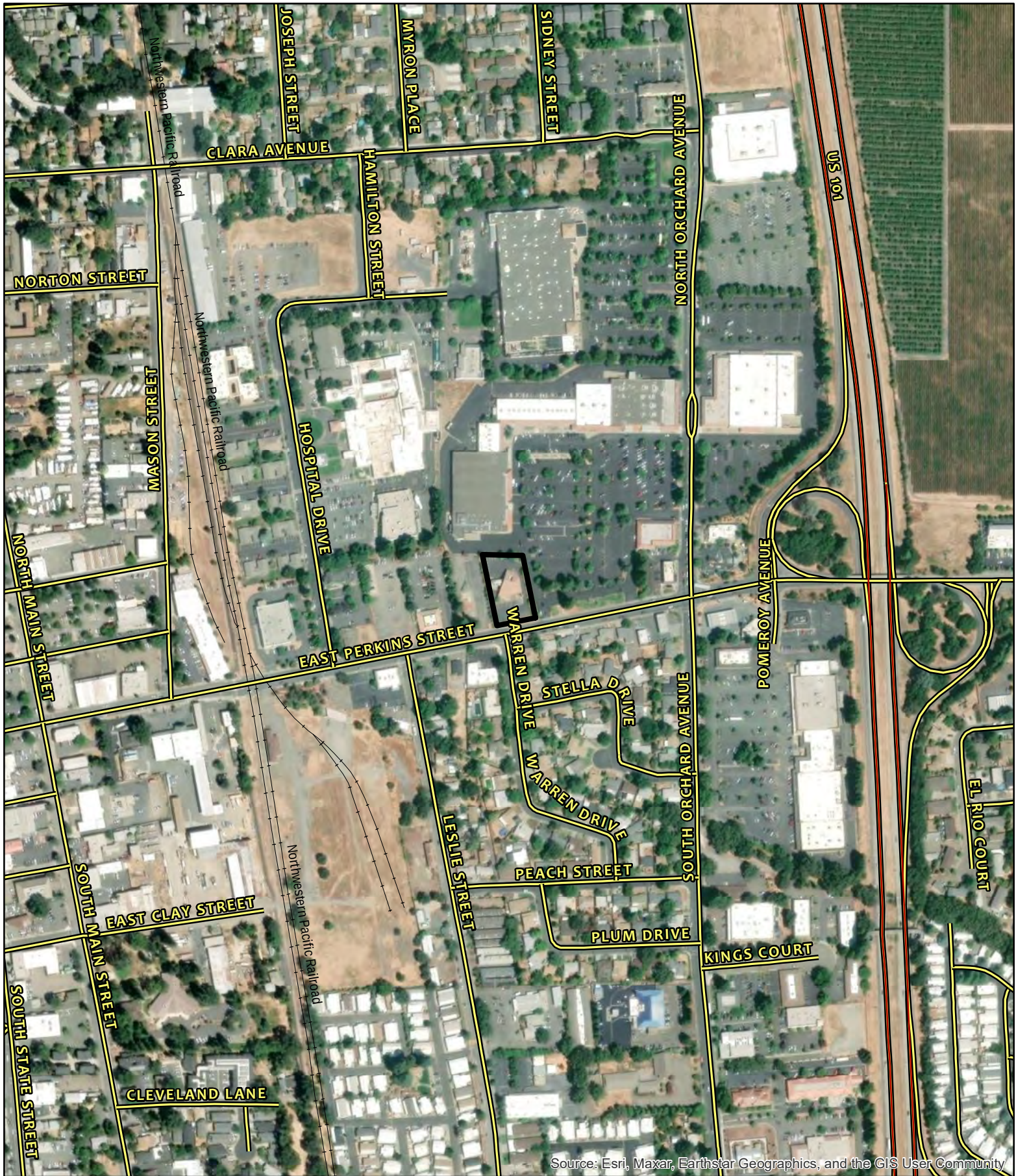
CASE: PA_24-000015
OWNER: Kevin Nguyen
APN: 002-200-35
APLCT: Redwood Credit Union
AGENT: Doug Hilberman (Axia Architects)
ADDRESS: 414 Perkins St., Ukiah, CA

City Limits
 Highways
 Major Roads

0 2,800 5,600 Feet
0 0.5 1 Miles
1:63,360

LOCATION

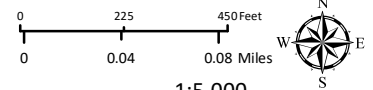
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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

CASE: PA_24-000015
OWNER: Kevin Nguyen
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ADDRESS: 414 Perkins St., Ukiah, CA

— Highways (2017)
 — Public Roads
 — Railroads



1:5,000

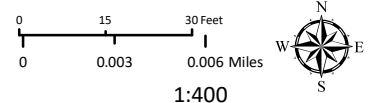
AERIAL IMAGERY

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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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AERIAL IMAGERY

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002-193-23
UKIAH ADVENTIST HOSPITAL
2.62 A±

002-200-29
PEAR TREE REH LLC
12.25 A±

002-200-34
PEAR TREE REH LLC
0 A±

002-200-32
PEAR TREE REH LLC
0.4+

002-193-45
UKIAH ADVENTIST HOSPITAL
0 A±

002-200-36
ZACHARIAH JERUSHA
0 A+

002-200-35
NGUYEN KEVIN TTEE /
0 A±

002-193-14
UKIAH ADVENTIST HOSPITAL
0 A±

180-030-RW

0 A+

002-242-06
WESTERN SEQUOIA HOLDINGS L
0 A+

002-242-07
WESTERN SEQUOIA HOLDINGS L
0 A+

002-242-03
MORONEY TTEE STA
0 A±

002-242-04
AWEI TEE SABRINA YUXI
0.4+

002-242-05
WESTERN SEQUOIA HOLDINGS L

002-242-02
WHITMIRE FRED H TTEE
0 A±

002-243-05
BREMER CLINT A
0 A+

002-241-01	WILSON CINDY L	002-241-02	WILSON CINDY L
0 A±			

002-241-02
WILSON CINDY L
0 A±

002-232-06
REDWOOD EMPIRE BANCORP
0 A±

002-241-03
WAIDELICH NOBLE AND NANCY
0 A±

002-241-07
WHITMIRE FRED H TTEE
0 A+

002-243-02	002-243-03
SLOTTE SHAWN AND MARGARET	LOONEY TTEE J
0 A±	0 A±

002-243-04
JIM GUTIERREZ MARIA
0 A±

002-232-07	002-241-05
COOK NANETTE SANCHEZ- SUCC	NIDEROST VANESSA MARCELLA
0 A+	0 A+

002-241-04
NIDEROST VANESSA MARCELLA
0 A+

002-241-08
WHITMIRE FRED H TTEE
0 A±

002-243-07
CHRISTENSEN LYNDA R TTEE
0 A+

002-232-09
CITY OF UTAH

002-241-06
VASQUEZ JUVENAL AND NORMA
0 A±

002-244-01 LABOWITZ KEEVAN 1/2
PITTMAN LILIA YOLANDA 1/2
0 A±

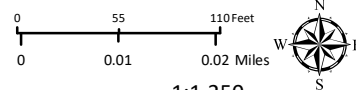
002-244-07
RATHBUN TERRI
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002-244-02
KEATH KELLY J
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002-244-08
MANOS TEE CHRISTINA JOY
0 4+

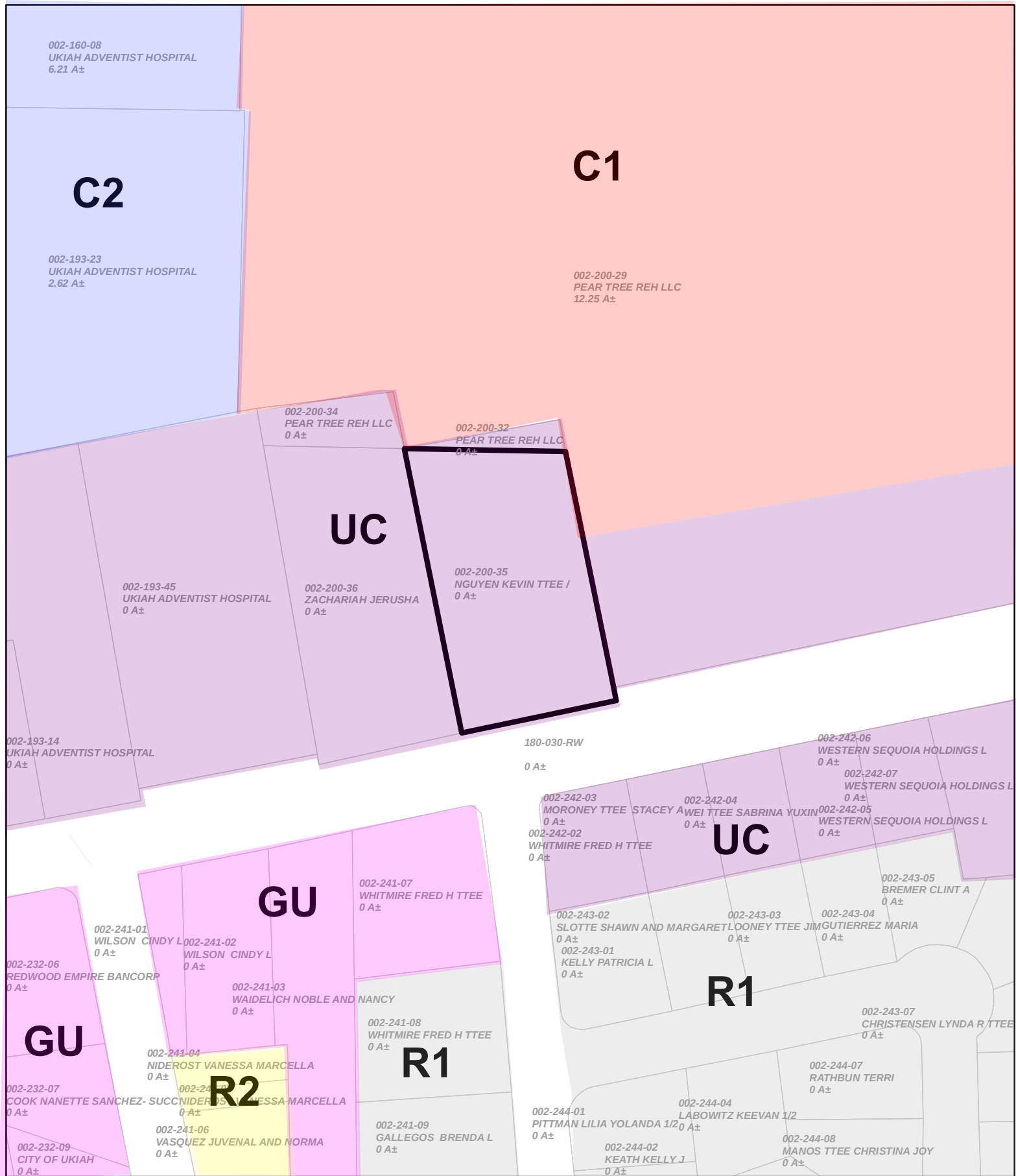
ADDRESS: 414 Perkins St., Ukiah, CA

Assessors Parcels

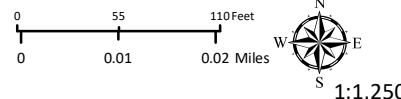


ADJACENT PARCELS

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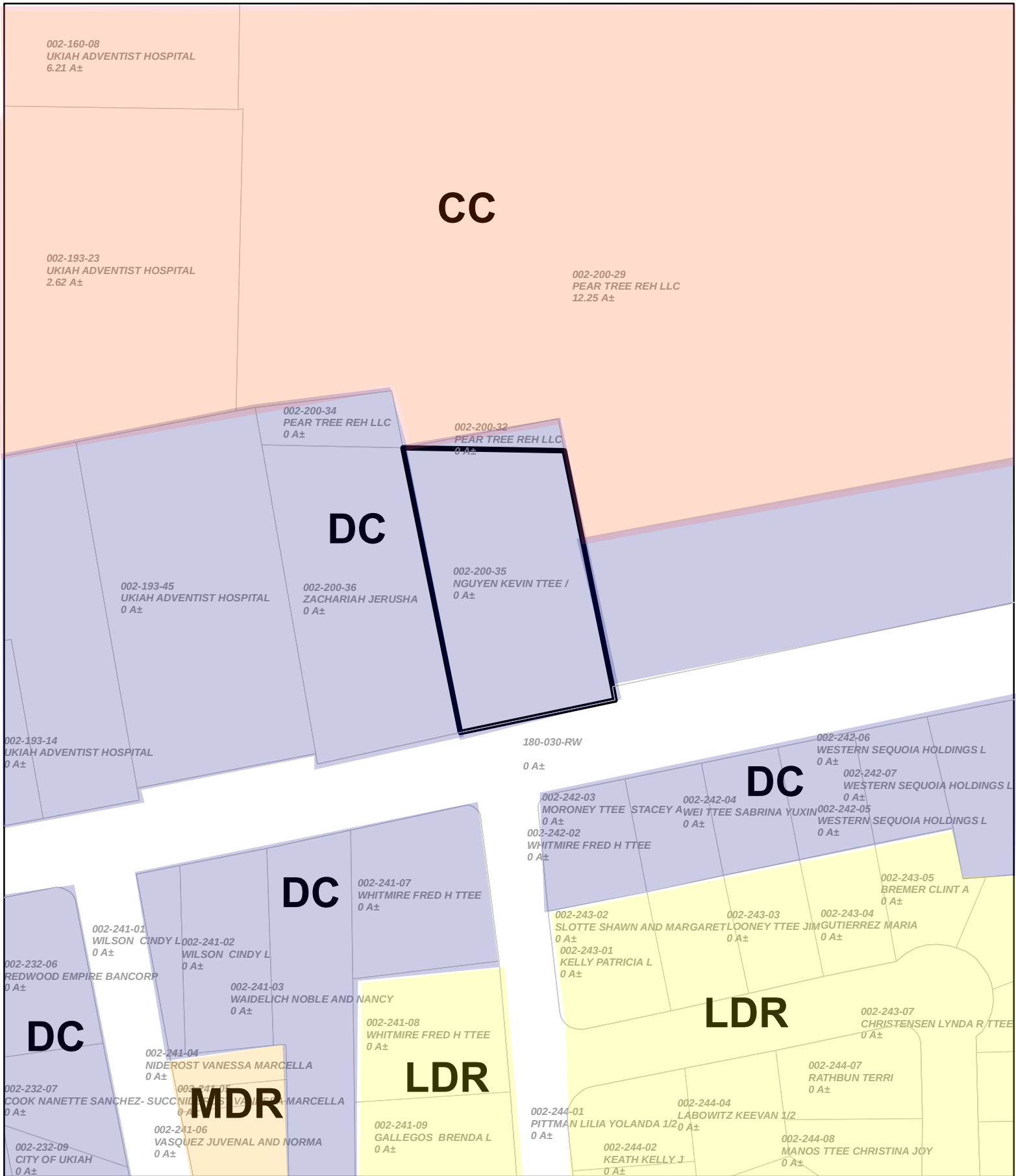


CASE: PA_24-000015
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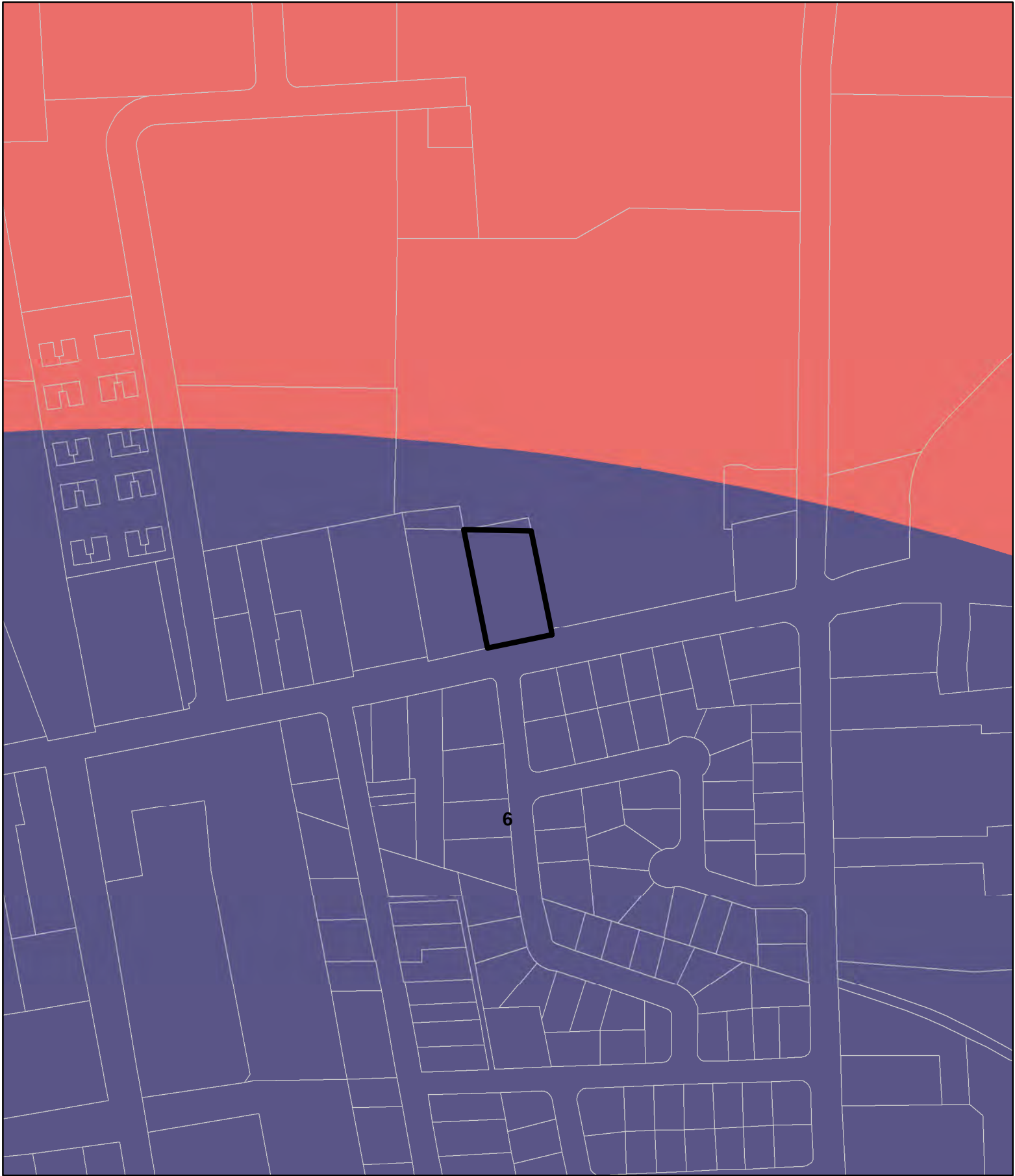
ZONING

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CASE: **PA_24-000015**
OWNER: **Kevin Nguyen**
APN: **002-200-35**
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AGENT: **Doug Hilberman (Axia Architects)**
ADDRESS: **414 Perkins St., Ukiah, CA**

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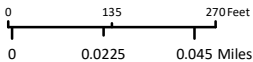
Assessors Parcels

Ukiah Airport Zones 052021

ZONE



6



1:3,000



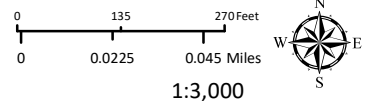
UKIAH AIRPORT ZONES

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OWNER: Kevin Nguyen
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ADDRESS: 414 Perkins St., Ukiah, CA

— Cross-Sections
 ~ Base Flood Elevations
 General Structures



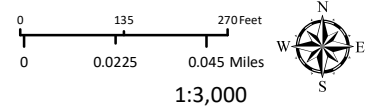
1:3,000
FLOOD ZONES

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OWNER: Kevin Nguyen
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APLCT: Redwood Credit Union
AGENT: Doug Hilberman (Axia Architects)
ADDRESS: 414 Perkins St., Ukiah, CA

	Assessors Parcels		20% - 30%
	0 - 10%		30% - 40%
	10% - 20%		40% - 50%



ESTIMATED SLOPE

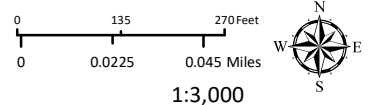
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ADDRESS: 414 Perkins St., Ukiah, CA



Assessors Parcels



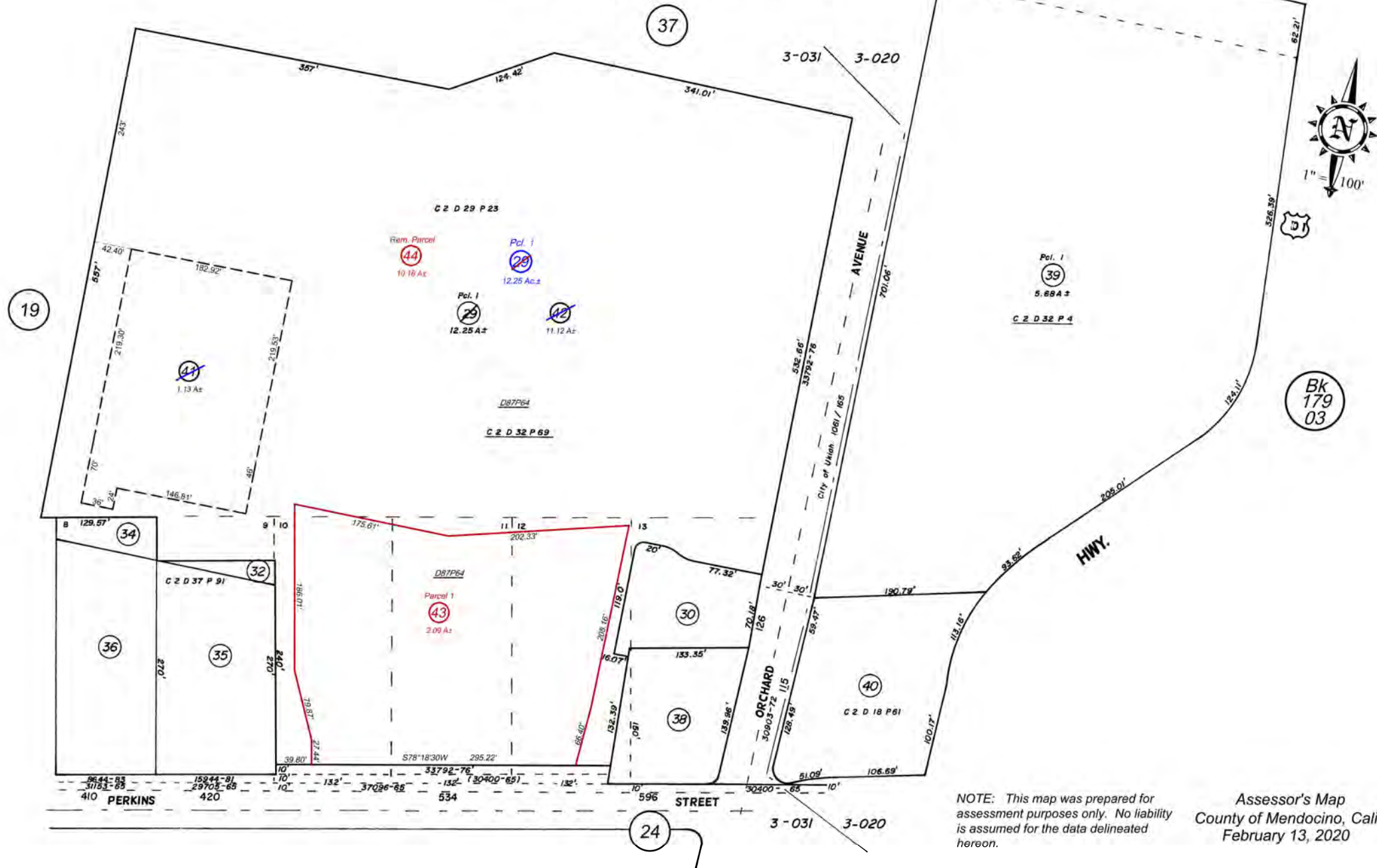
WILDLAND-URBAN INTERFACE

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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

Ukiah City
 Por. Lot 23 of Yokayo Rancho
 Lots 7-13 Perkins Addition

3-020
 3-031

2-20







January 28th, 2023

Department of Community Development
City of Ukiah
300 Seminary Avenue
Ukiah, California 95482

Re: 414 East Perkins Street Entitlement Submission

Dear Planner,

The current status of 414 East Perkins Street is in disrepair. The photos in **Exhibit A** were taken recently and convey a general sense of the existing conditions. Any prospective new owner will need address these issues prior to occupancy.

According to interpretation provided by the Ukiah's Community Development Director, Craig Schlatter, Section C of Non-conforming Structures in the DZC is for "minor repair or major repair due to other damage that is not a natural disaster or accident". Neither the Downtown Zoning Code, nor the Ukiah Zoning Code specifically define "damage". Thus, according to the Ukiah Zoning Code, the word "shall be defined as set forth in current dictionaries." The Oxford Dictionary defines damage as follows; "Physical harm that impairs the value, usefulness, or normal function of something."

In our opinion, the current building at 414 East Perkins has been damaged, as the floors, trim, casework, ATM's, and other significant features have been physically harmed in a manner that impairs their value, usefulness, and/or normal function. We have provided a series of photos in **Exhibit A** to document some of the current conditions. The damage does not appear to have been from an accident or natural disaster, thus we believe it would be reviewed under Section C of the Non-conforming Structures. **Exhibit B** shows the building finishes and conditions in its useful functional state during the previous occupancy of the building.

It is reasonable that the future occupant should request a similar functional state as the previous occupant. The current state of deterioration must be repaired to achieve this. Unfortunately, the Building Code and Fire Code view repair differently than the Zoning Code. The extent of repairs triggers certain required code upgrades such as CFC fire sprinklers and CBC Chapter 11B Accessibility. The parking, entries, break room, and restrooms are currently not ADA compliant. We believe these code upgrades should be allowed under Section 9231.16 Exemptions, Part A.

The proposed exterior scope of work is a combination of damage repair and maintenance. The roof is nearing the end of its life and has leaked in some locations. The HVAC has been inspected and been deemed to need replacement. Some rot and deterioration has been

spotted on facias, trim, and siding. The former ATM's were damaged (removed) and need replacement.

Attached in **Exhibit C** is a cost estimate for the prospective owner's scope of work. The scope has been broken down at the bottom of the page by the following categories as identified in Sections C of 9231.14 and Exemptions in Section 9231.16: Repairs, Maintenance, Voluntary Modifications, and Code Upgrades. **Exhibit D** provides a breakdown of the construction elements by category. The Voluntary Modifications are comprised of the additional walls and interior relites for offices and the seismic brace relocation. The purpose of the additional relites and movement of the seismic brace out of the middle of the room is for better visual sightlines for the safety purposes.

Exhibit E is the professional appraisal for the building.

Sincerely,



Douglas Hilberman
President
AXIA Architects

Encl: Exhibit A: Photos of Existing Conditions
Exhibit B: Photos of Prior Occupant
Exhibit C: Western Builders Construction Estimate
Exhibit D: Categorization Approach to Cost Estimate
Exhibit E: Appraisal

EXHIBIT A:



Damaged concrete floor.

Damaged walls

Casework missing.
Needs repaired

Casework missing.
Needs repaired.

Uneven floors, a code violation.

Damaged base trim.

EXHIBIT A:



Ceiling tiles broken in many locations

Floors damaged and finishes gone.

Base trim damaged.

Door requiring repair.

Electrical requiring repair.

EXHIBIT A:



Cabinets needing repair

Non-code compliant range top.

Non-compliant sink

Non-code compliant cabinet

Damaged base trim

Damaged concrete floor.



EXHIBIT B: PRIOR OCCUPANCY

EXHIBIT B: PRIOR OCCUPANCY



EXHIBIT B: PRIOR OCCUPANCY



EXHIBIT B: PRIOR OCCUPANCY





EXHIBIT B: PRIOR OCCUPANCY

EXHIBIT B: PRIOR OCCUPANCY



EXHIBIT C - Excluded

EXHIBIT D:

EXHIBIT D: 414 EAST PERKINS STREET COST ESTIMATE BREAKDOWN CATEGORIES 11.28.23 s

TYPE OF WORK	REPAIR	MAINTENANCE	CODE UPGRADE	VOLUNTARY MODIFICATIONS
SITE:				
Accessible parking stalls and path of travel			X	
ATM's	X			
BUILDING EXTERIOR:				
HVAC replacement		X		
Roof Replacement	X			
Painting		X		
Dry Rot Repair	X			
Storefront Replacement	X			
Relocated Seismic Brace				X
BUILDING INTERIOR				
Seal Concrete Flooring		X		
Frame new offices				X
New casework to replace removed casework	X			
New trim to replace removed trim	X			
New doors and hardware	X - Doors		X- Hardware	
New interior glazing				X
New carpet to replace removed flooring	X			
New tile to replace removed flooring	X			
New wall finishes	X			
Paint	X			
Ceiling repairs	X			
New ceilings	X			
Restroom reconfiguration				X
Restroom accessories			X	
Plumbing fixture replacement		X		
Rerouting plumbing lines				X
Mechanical duct rerouting				X
Electrical power rerouting				X
Low voltage				X
Sprinkler installation			X	
New light fixtures			X	

EXHIBIT E - Excluded

December 2007



April 2012



May, 2015



May, 2018



April, 2019



April, 2021



September, 2022



July, 2024





PROJECT REVIEW REFERRAL

Please provide comments by: November 8, 2024

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

TO:			
☒	City of Ukiah, Community Development Director	☒	Mendocino County Air Quality Management District
☒	City of Ukiah, Building Inspection Division	☒	Ukiah Police Department
☒	City of Ukiah, Fire Prevention Division	☒	City of Ukiah, Code Enforcement Division
☒	City of Ukiah, Electrical Utility, Department	☒	Ukiah Valley Fire Authority
☒	City of Ukiah, Public Works Department	☒	City of Ukiah, City Manager's Office

PROJECT INFORMATION:	
Project Name & Permit #:	Redwood Credit Union – Major Site Development Permit #PA24-000015
Site Address & APN:	414 East Perkins Street, Ukiah, CA; APN (002-200-35)
General Plan:	"DC" Downtown Core
Zoning:	"UC" Urban Center
Airport Compatibility Zone:	"Zone 6"
Date Filed:	10.06.2024
Resubmittal:	N/A
Date Referred:	10.24.2024
Prev. Projects on Site (include file #)	SDP 81-87 (SBMC Drive-Thru Bank)
Applicant/Agent Name:	Doug Hilberman (AXIA Architects)
Phone:	707-514-6061
Email:	dhilberman@axiaarchitects.com
Project Summary: The existing commercial structure was finalized in 1982, as conditioned by Site Development Permit No. 81-87. From 1982 - 2016, the structure and parcel were utilized by a branch of a local 'Financial Services' company. Since closure of the branch in 2016, the property has remained vacant. Per the Downtown Zoning Code, the subject structure is now considered "Legal Nonconforming." Presently, the Applicant (Redwood Credit Union), seeks to renovate and reuse this 'Nonconforming Structure' and requests a Minor Use Permit for voluntary modifications and improvements to the "Nonconforming Structure" per Ukiah City Code Section 9231.14(C)(3), and a Major Site Development Permit to utilize the existing drive-through facility in accordance with Tables 3, 9, and 27 of the Downtown Zoning Code. As detailed in the application materials, the proposed improvements include interior and exterior renovations, minor modifications to the façade and footprint, roof replacement, pedestrian enhancements and improved connectivity to adjacent commercial parcels, expanded landscaping, accessibility and pedestrian circulation improvements, as well as the addition of bicycle parking to both entrances of the structure.	

Please indicate whether you have comments on the second page of this referral packet. Be sure to sign and date below. Return this Project Referral Form by the date noted above to the Project Planner.

Name and Affiliation/Department (Please Print): Scott Bozzoli - City of Ukiah Electric

☐

No Comment

☒

Comments / Conditions of Approval Attached

Signature: Scott Bozzoli

Date: 10/28/2024



This property located at 414 E Perkins is currently served from Underground facilities located at the front of the property.

Does the new business require updated power? If so please provide plans to Scott Bozzoli sbozzoli@cityofukiah.com, or call me at 707-489-3973.

- * We will require a site plan.
- * The City Electric Department will require a copy of your new electrical equipment (Switchgear, Panel, Pull section) Prior to the purchase of any equipment.
- * The City Electric Department will require that all primary easements are in place and recorded.
- * We will require total connected load calculations from an electrician or engineer.

From: [Matthew Keizer](#)
To: [Jesse Davis](#)
Subject: RE: Redwood Credit Union – 414 East Perkins Street, Ukiah, CA (APN 002-200-35) - File No. PA_24-000015 - Agency Referral
Date: Thursday, November 7, 2024 10:06:10 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[File No. PA_24-000015 - RCU 5170.pdf](#)

BUILDING:

1. A permit will be required for T.I. (Tenant Improvements) Please submit plans, building permit application, and hardship form see links below. Please submit four complete plan sets, two wet stamped and signed.

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/Building-Permit-Application-03192020-fillable.pdf>

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2021/11/Disability-Access-Requirements-and-Resources.pdf>

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2021/11/Tenant-Improvement-Handout.pdf>

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2021/11/Checklist-Commerical-Permit-Applicaition.pdf>

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2021/11/Unreasonable-Hardship-Accessibility-Form.pdf>

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2021/11/Commercial-Building-Permit-Submittal-Requirements.pdf>

2. 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, City of Ukiah, and Ukiah Valley Fire Authority Ordinances and Amendments.

UVFA FIRE:

1. The building area with overhangs is apx 5170. This will require the building to be retrofitted with an NFPA 13 automatic fire sprinkler system. Please provide location of FDC, OS&Y, and any existing hydrants at the time of permit submittal.

Regards,



Matt Keizer, CBO, MCP, CFM
Chief Building Official
Chief Code Enforcement Officer
UVFA Fire Code Official

Email: mkeizer@cityofukiah.com

300 Seminary Ave

Ukiah, CA 95482

Office 707-467-5786

Desk 707-467-5718

Fax 707-463-6204

Inspection 707-463-6739

<http://www.cityofukiah.com/community-development/>

<http://www.cityofukiah.com/uvfa/>

From: Jesse Davis <jdavis@cityofukiah.com>

Sent: Thursday, November 7, 2024 9:20 AM

Subject: FW: Redwood Credit Union – 414 East Perkins Street, Ukiah, CA (APN 002-200-35) - File No. PA_24-000015 - Agency Referral

Good Morning City of Ukiah Colleagues,

Please review and respond to the attached project referral request from the City of Ukiah – Planning Division for:

Redwood Credit Union – Major Site Development Permit
414 East Perkins Street, Ukiah, CA (APN 002-200-35)
File No. PA_24-000015

Background: The existing commercial structure was finalized in 1982, as conditioned by Site Development Permit No. 81-87. From 1982 - 2016, the structure and parcel were utilized by a branch of a local 'Financial Services' company. Since closure of the branch in 2016, the property has remained vacant. Per the Downtown Zoning Code, the subject structure is now considered "Legal Nonconforming."

Proposed Project: On October 6, 2024, the Applicant (Redwood Credit Union) submitted an application to renovate and reuse the 'Nonconforming Structure' at 414 East Perkins Street, and requests a Minor Use Permit for voluntary modifications and improvements to the "Nonconforming

Structure" per Ukiah City Code Section 9231.14(C)(3), and a Major Site Development Permit to utilize the existing drive-through facility in accordance with Tables 3, 9, and 27 of the Downtown Zoning Code. As detailed in the application materials, the proposed improvements include interior and exterior renovations, minor modifications to the façade and footprint, roof replacement, pedestrian improvements and enhanced connectivity to adjacent commercial parcels, expanded landscaping, accessibility and pedestrian circulation advances, as well as the addition of bicycle parking to both entrances of the structure.

Response Deadline – 3pm, Friday 11/8/24: Please respond directly to me by providing written comments on the referral request packet (attached). Separate written correspondence is also acceptable. If you will require additional time to review past the deadline, please let me know. The project will need to undergo review by the City of Ukiah Design Review Board, as well as the City of Ukiah Planning Commission. Your review and responses to this initial project referral are appreciated.

Next Steps – The project will receive evaluation, and a recommendation provided from the City of Ukiah Design Review Board at a Special Hearing on November 21, 2024. Staff projects that the request will be scheduled for review by the Planning Commission on 12/11/2024.

Should you have any questions or require further information, please do not hesitate to reach out. Thank you for your attention to this matter, and your response to this request.

Best Regards,
Jesse Davis



Jesse Davis, AICP
Chief Planning Manager
Department of Community Development
300 Seminary Avenue, Ukiah, CA 95482
P: 707.463.6207
www.cityofukiah.com/community-development

From: Jesse Davis
Sent: Thursday, October 24, 2024 5:01 PM
Subject: Redwood Credit Union – 414 East Perkins Street, Ukiah, CA (APN 002-200-35) - File No. PA_24-000015 - Agency Referral

Good Afternoon,

Please review and respond to the attached project referral request from the City of Ukiah for:

Redwood Credit Union – Major Site Development Permit
414 East Perkins Street, Ukiah, CA (APN 002-200-35)
File No. PA_24-000015

Background: The existing commercial structure was finalized in 1982, as conditioned by Site Development Permit No. 81-87. From 1982 - 2016, the structure and parcel were utilized by a branch of a local 'Financial Services' company. Since closure of the branch in 2016, the property has remained vacant. Per the Downtown Zoning Code, the subject structure is now considered "Legal Nonconforming."

Proposed Project: On October 6, 2024, the Applicant (Redwood Credit Union) submitted an application to renovate and reuse the 'Nonconforming Structure' at 414 East Perkins Street, and requests a Minor Use Permit for voluntary modifications and improvements to the "Nonconforming Structure" per Ukiah City Code Section 9231.14(C)(3), and a Major Site Development Permit to utilize the existing drive-through facility in accordance with Tables 3, 9, and 27 of the Downtown Zoning Code. As detailed in the application materials, the proposed improvements include interior and exterior renovations, minor modifications to the façade and footprint, roof replacement, pedestrian improvements and enhanced connectivity to adjacent commercial parcels, expanded landscaping, accessibility and pedestrian circulation advances, as well as the addition of bicycle parking to both entrances of the structure.

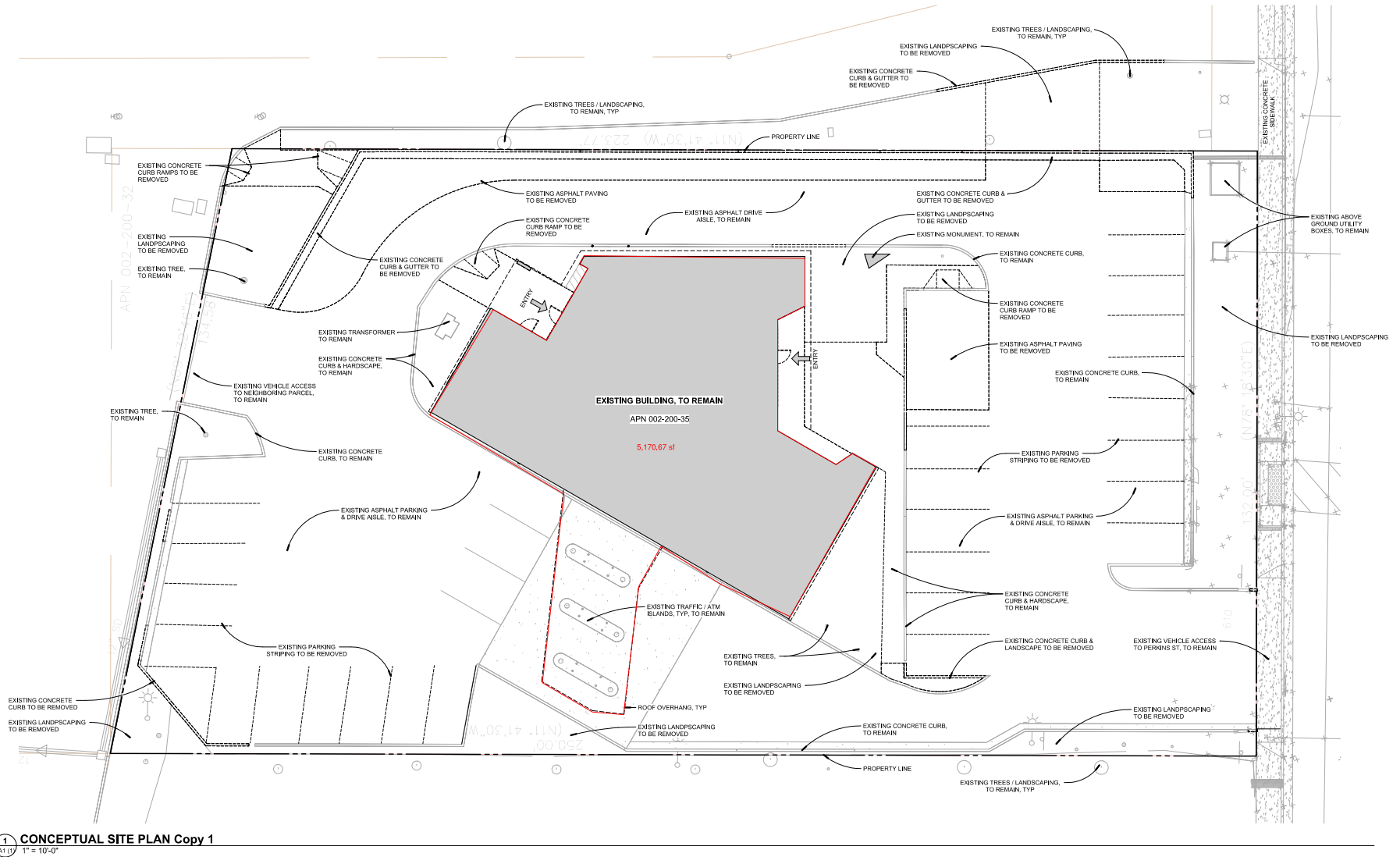
Response Deadline – 3pm, Friday 11/8/24: Please respond directly to me by providing written comments on the referral request packet (attached). Separate written correspondence is also acceptable. If you will require additional time to review past the deadline, please let me know. The project will need to undergo review by the City of Ukiah Design Review Board, as well as the City of Ukiah Planning Commission. Your review and responses to this initial project referral are appreciated.

Should you have any questions or require further information, please do not hesitate to reach out. Thank you for your attention to this matter.

Best Regards,
Jesse Davis



Jesse Davis, AICP
Chief Planning Manager
Department of Community Development
300 Seminary Avenue, Ukiah, CA 95482
P: 707.463.6207
www.cityofukiah.com/community-development





PROJECT REVIEW REFERRAL

Please provide comments by: November 8, 2024

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

TO:			
☒	City of Ukiah, Community Development Director	☒	Mendocino County Air Quality Management District
☒	City of Ukiah, Building Inspection Division	☒	Ukiah Police Department
☒	City of Ukiah, Fire Prevention Division	☒	City of Ukiah, Code Enforcement Division
☒	City of Ukiah, Electrical Utility, Department	☒	Ukiah Valley Fire Authority
☒	City of Ukiah, Public Works Department	☒	City of Ukiah, City Manager's Office

PROJECT INFORMATION:	
Project Name & Permit #:	Redwood Credit Union – Major Site Development Permit #PA24-000015
Site Address & APN:	414 East Perkins Street, Ukiah, CA; APN (002-200-35)
General Plan:	"DC" Downtown Core
Zoning:	"UC" Urban Center
Airport Compatibility Zone:	"Zone 6"
Date Filed:	10.06.2024
Resubmittal:	N/A
Date Referred:	10.24.2024
Prev. Projects on Site (include file #)	SDP 81-87 (SBMC Drive-Thru Bank)
Applicant/Agent Name:	Doug Hilberman (AXIA Architects)
Phone:	707-514-6061
Email:	dhilberman@axiaarchitects.com
Project Summary: The existing commercial structure was finalized in 1982, as conditioned by Site Development Permit No. 81-87. From 1982 - 2016, the structure and parcel were utilized by a branch of a local 'Financial Services' company. Since closure of the branch in 2016, the property has remained vacant. Per the Downtown Zoning Code, the subject structure is now considered "Legal Nonconforming." Presently, the Applicant (Redwood Credit Union), seeks to renovate and reuse this 'Nonconforming Structure' and requests a Minor Use Permit for voluntary modifications and improvements to the "Nonconforming Structure" per Ukiah City Code Section 9231.14(C)(3), and a Major Site Development Permit to utilize the existing drive-through facility in accordance with Tables 3, 9, and 27 of the Downtown Zoning Code. As detailed in the application materials, the proposed improvements include interior and exterior renovations, minor modifications to the façade and footprint, roof replacement, pedestrian enhancements and improved connectivity to adjacent commercial parcels, expanded landscaping, accessibility and pedestrian circulation improvements, as well as the addition of bicycle parking to both entrances of the structure.	

Please indicate whether you have comments on the second page of this referral packet. Be sure to sign and date below. Return this Project Referral Form by the date noted above to the Project Planner.

Name and Affiliation/Department (Please Print): MAX BRAZILL / UKIAH POLICE DEPT



No Comment



Comments / Conditions of Approval Attached

Signature:

Max Brazill

Date:

11/4/24





414 E Perkins Dispatch Log
11/07/2023 to 11/07/2024

Complaint	Date Received	Call Number	Incident Location
SECURITY CHECK	08/31/2024 3:28:06 AM	240803151	414 E PERKINS ST
BURGLARY	08/29/2024 10:19:03 AM	240802922	414 E PERKINS ST
SUSPICIOUS VEHICLE	07/30/2024 11:25:35 AM	240703288	414 E PERKINS ST
DISTURBANCE	07/22/2024 9:57:31 AM	240702461	414 E PERKINS ST
TRESPASS	05/06/2024 8:41:10 AM	240500479	414 E PERKINS ST
SUSPICIOUS PERSON	03/14/2024 11:48:05 PM	240301342	414 E PERKINS ST
TRESPASS	02/22/2024 9:40:09 AM	240202150	414 E PERKINS ST
DRUNK IN PUBLIC	01/23/2024 4:32:33 PM	240102241	414 E PERKINS ST
INFORMATION	01/09/2024 12:33:50 PM	240100860	414 E PERKINS ST
SUSPICIOUS PERSON	01/09/2024 10:31:44 AM	240100846	414 E PERKINS ST
TRAFFIC STOP	12/28/2023 6:21:02 PM	231202562	414 E PERKINS ST
CITY CODE VIOLATION	12/06/2023 4:49:34 PM	231200510	414 E PERKINS ST
FOUND PROPERTY	11/10/2023 10:33:10 AM	231101078	414 E PERKINS ST

**CITY OF UKIAH
DESIGN REVIEW BOARD SPECIAL MEETING MINUTES
Held in person and via Zoom teleconference November 21, 2024
3:00 p.m.**

1. CALL TO ORDER

The meeting was held in person and virtually via Zoom teleconference. Chair Tom Liden called the Design Review Board meeting to order at approximately 3:03 p.m.

Chair Tom Liden presiding.

2. ROLL CALL

Design Review Board Members: Hawkes, Meaux, Gordon, Liden and Akin (Delayed Arrival)

Staff: Katherine Schaefer (Virtual), Planning Manager; Jesse Davis, Chief Planning Manager

Applicant: Doug Hilberman (Axia Architects); Tony Hildesheim (Redwood Credit Union)

Public: Dennis Crean; Virtual Participants

3. CORRESPONDENCE

Two (2) Items of Correspondence Received pertaining to Item 6a.

4. APPROVAL OF MINUTES

Motion/Second: Hawkes/Gordon made a motion to approve the minutes of the May 23, 2024, DRB minutes.

Motion carried by the following roll call votes: AYES: Hawkes, Meaux, Gordon, Liden and Akin
NOES: None

5. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No public comments on non-agenda items.

6. NEW BUSINESS

- a. *Request for review and recommendation to the Planning Commission to renovate and reutilize a nonconforming structure at 414 East Perkins Street by, requesting a Minor Use Permit for voluntary modifications per Ukiah City Code Section 9231.14(C)(3), and a Major Site Development Permit to utilize the existing drive-through facility in accordance with Tables 3, 9, and 27 of the Downtown Zoning Code (DZC). Proposed improvements include interior and exterior renovations including installation of ATMs, minor façade and footprint modifications, roof replacement, pedestrian improvements and enhanced connectivity to adjacent commercial parcels, revised landscaping, accessibility enhancements, as well as the addition of bicycle parking.*

Chief Planning Manager J. Davis presented the item.

Project Agent, Doug Hilberman provided a follow-up presentation.

Staff and the Project Agent addressed multiple questions and provided clarifications for the Design Review Board.

Public comment period was opened, and comments and suggestions were provided by a member of the public, Dennis Crean, that cited submitted correspondence to the Design Review Board.

Following discussion, on a Motion from Member Gordon and a Second from Member Hawkes, the DRB unanimously voted to recommend the approval of the proposed project to the Planning Commission, with the following considerations for the Applicant and Planning Commission [Edited for Readability]:

- 1) *Recommendation to further study and detail for the installation of a rooftop photovoltaic system, including location and structural considerations;*
- 2) *Recommendation to further evaluate additional pedestrian access that aligns proportionally with the scope of the facility's renovation. This evaluation should consider feedback provided in the submitted correspondence and discussions during the Design Review Board meeting, with the goal of enhancing accessibility, promoting walkability, and fostering stronger connections to adjacent properties and existing public crosswalks;*
- 3) *To enhance the visual appeal and architectural cohesiveness of the building, a suggestion to review and consider softer material transitions and corner treatments for a more visually harmonious appearance.*

Motion carried by the following roll call votes: AYES: Hawkes, Meaux, Gordon, Liden and Akin NOES: None

7. MATTERS FROM THE BOARD

None

8. MATTERS FROM STAFF

Staff provided an overview of construction updates for various developments within the City of Ukiah, including the proposed multifamily residential project at 191 Cleveland Lane.

9. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 4:15 p.m



PO BOX 1000
SANTA ROSA, CA 95402

540 MENDOCINO AVE
SANTA ROSA, CA 95401

December 02, 2024

Jesse Davis
Chief Planning Manager
Community Development Department
300 Seminary Avenue
Ukiah, CA 95482

Re: 414 East Perkins Street

Dear Mr. Davis,

Thank you for forwarding the minutes from our 11/21/24 Design Review Board meeting. We have reviewed the feedback in depth with our team. The following summarizes our review of each of the three items noted for consideration and references, when applicable, the revisions made:

1. Further Study for installation of rooftop photovoltaic system:

We are currently performing a review of the structural systems to determine if the additional weight load of the photovoltaic system could be accommodated without increasing the weight load of the roof structure more than 10%, which triggers seismic reevaluation of the building. The current plan is to install the conduits and infrastructure needed for a future photovoltaic system.

2. Pedestrian access to the building

The primary focus of this project is to remodel the existing building to a level that provides a functional financial branch for Redwood Credit Union members along with replacing the deteriorating roof and siding for a fresh enhanced exterior façade benefitting members and the community. The project has a modest budget based on reutilizing much of the exterior site layout. Some of the suggested modifications at the Design Review Board meeting added significant extra expense and greatly reduced the primary parking for the members. The project currently proposes enhancing pedestrian access to both the Redwood Credit Union branch as well as the Pear Tree Center. The current strategy to accommodate the financial cost of the lengthy pathway to the Pear Tree Center is based on the first part of the pathway serving the dual purpose of access to the RCU branch.

3. Enhance Visual Appeal through Softer Material Transitions and corner treatments.

The comment by Design Review Board member Akin we believe was focused on the outside corner transitions between the Trespa siding and the plaster. We have worked on the details for these corners to provide a little more depth to the siding through an additional wood trim board at the outside corners before transitioning to plaster. In addition, we are proposing continuing the Trespa across the east façade to provide a more robust siding wrap of that portion of the building. See attached revised elevation concepts and the attached conceptual corner detail.

Sincerely,



Douglas Hilberman
President
AXIA Architects

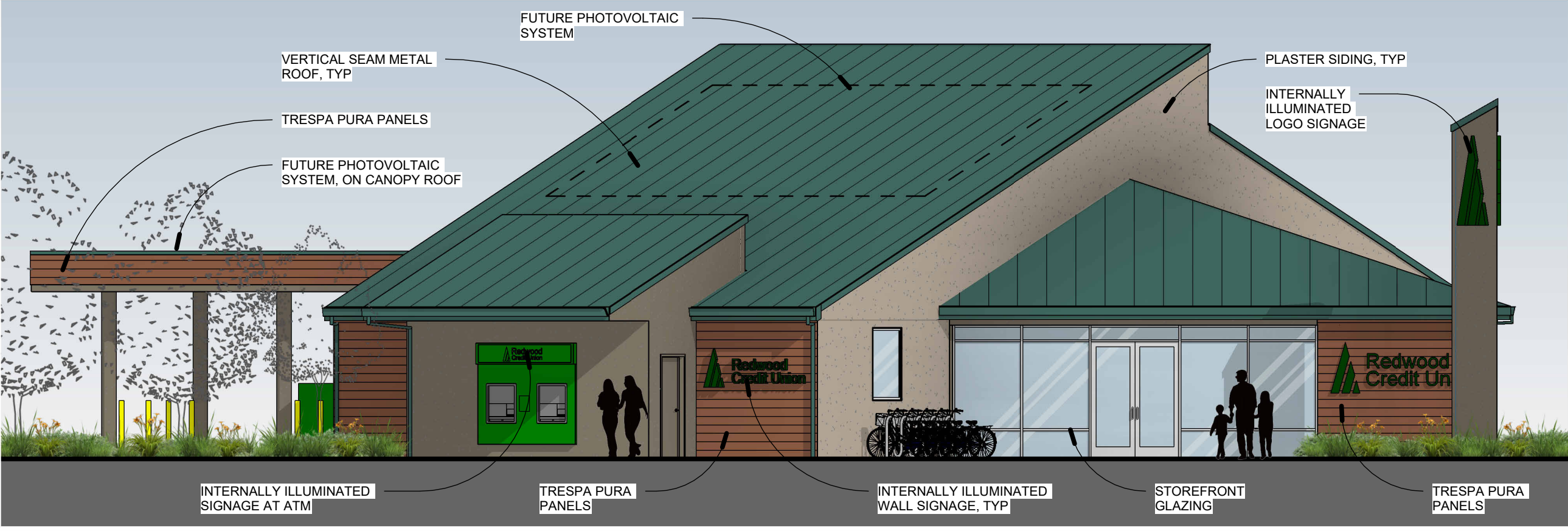
Encl: 12/02/24 Revised Conceptual Elevations
12/02/24 Conceptual Corner Detail

Cc: Tony Hildesheim / RCU



CONCEPTUAL SOUTH ELEVATION

SIGNAGE NOTE: 132' PARCEL FRONTAGE X 1.5 = 198 SQ FT ALLOWED
FACING EAST PERKINS ST: LOGO & LETTERS TOTAL SIZE = 40 SQ FT



CONCEPTUAL SOUTHEAST ELEVATION

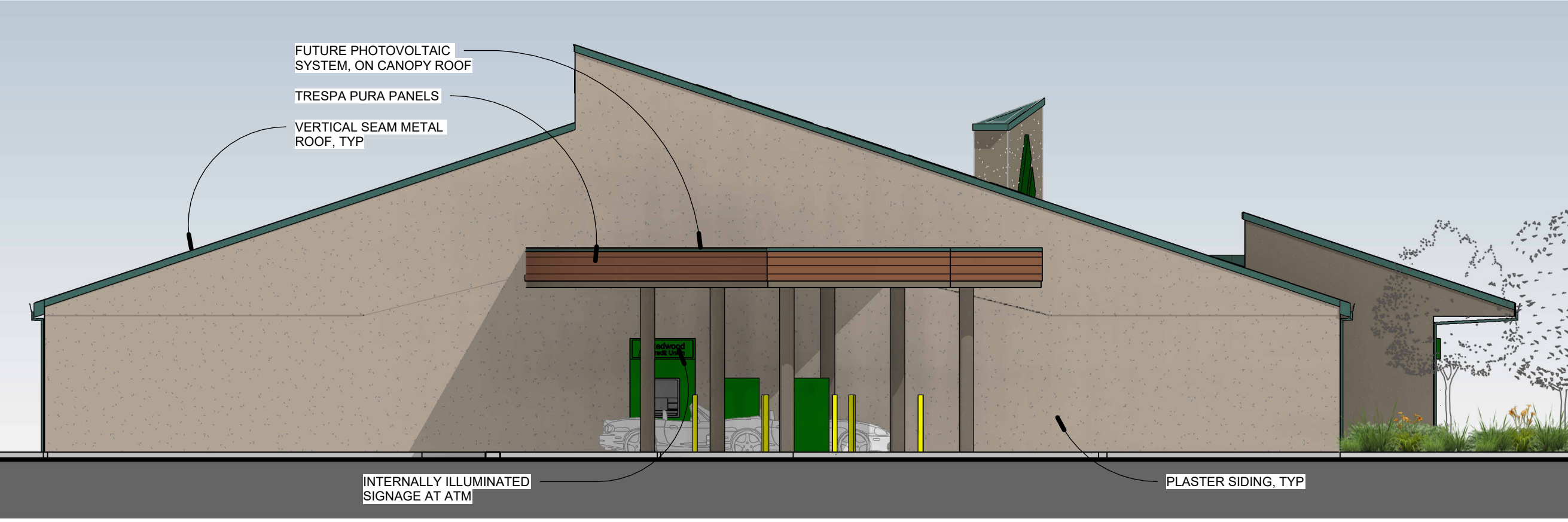


CONCEPTUAL EAST ELEVATION

SIGNAGE NOTE: 132' PARCEL FRONTAGE X 1.5 = 198 SQ FT ALLOWED
FACING EASTWARD: LOGO & LETTERS TOTAL SIZE = 46 SQ FT

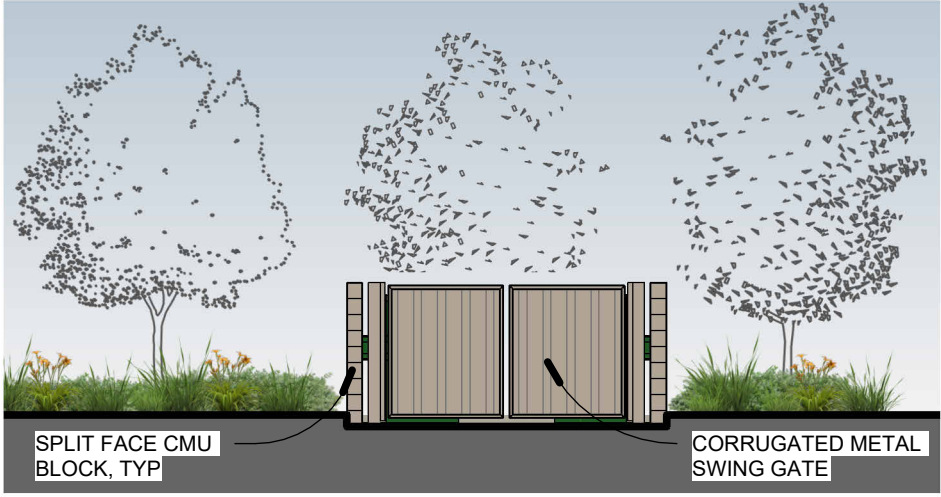


CONCEPTUAL NORTH ELEVATION



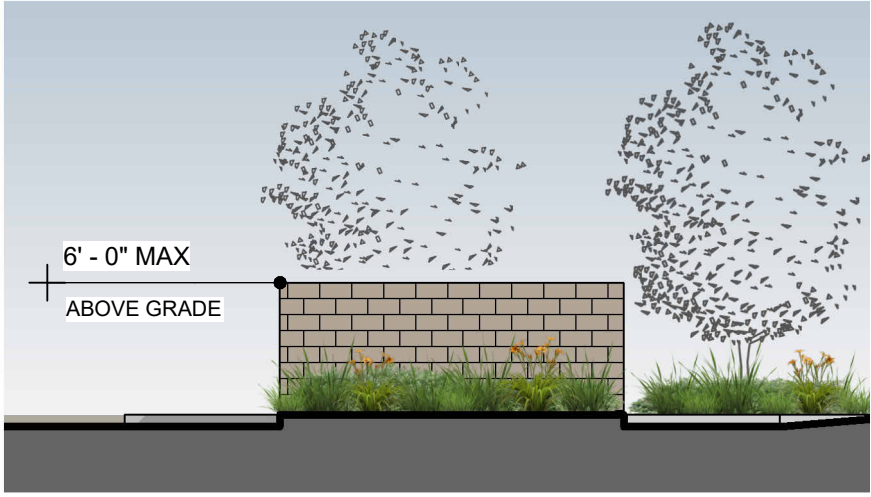
CONCEPTUAL WEST ELEVATION

SIGNAGE NOTE: 132' PARCEL FRONTAGE X 1.5 = 198 SQ FT ALLOWED
FACING WESTWARD: LOGO & LETTERS TOTAL SIZE = 2.2 SQ FT

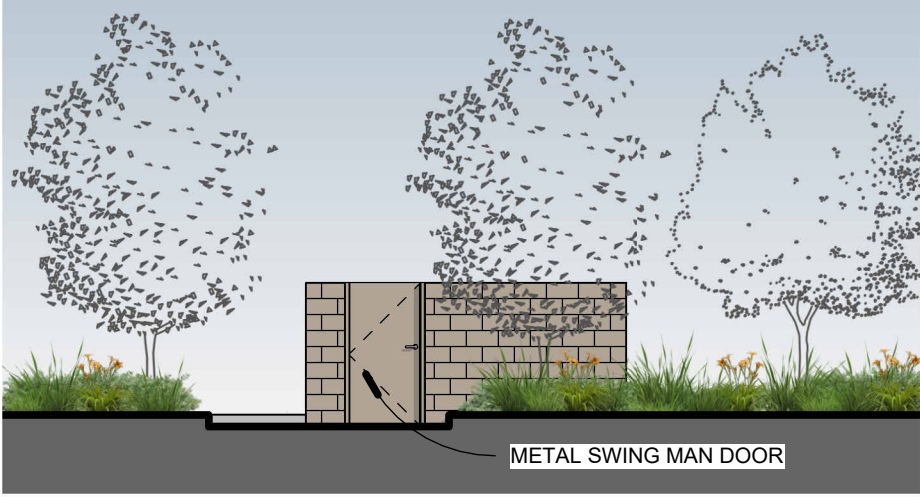


FRONT ELEVATION

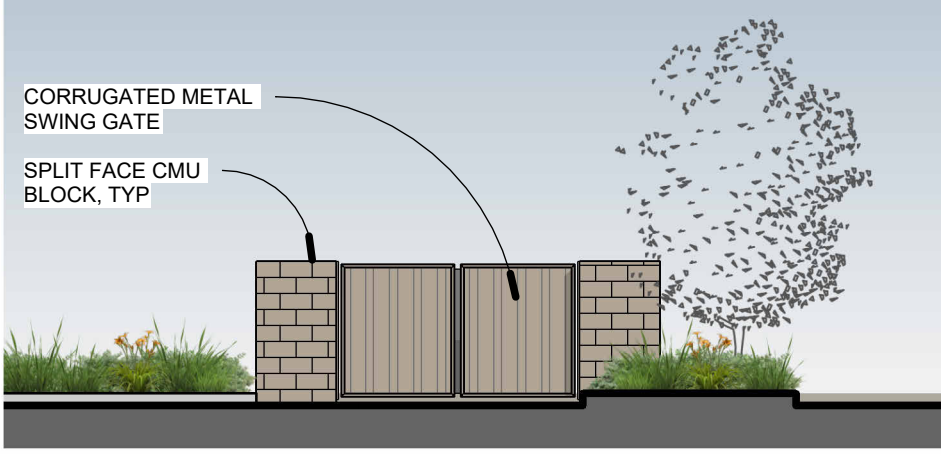
TRASH ENCLOSURE



SIDE, TYP



REAR

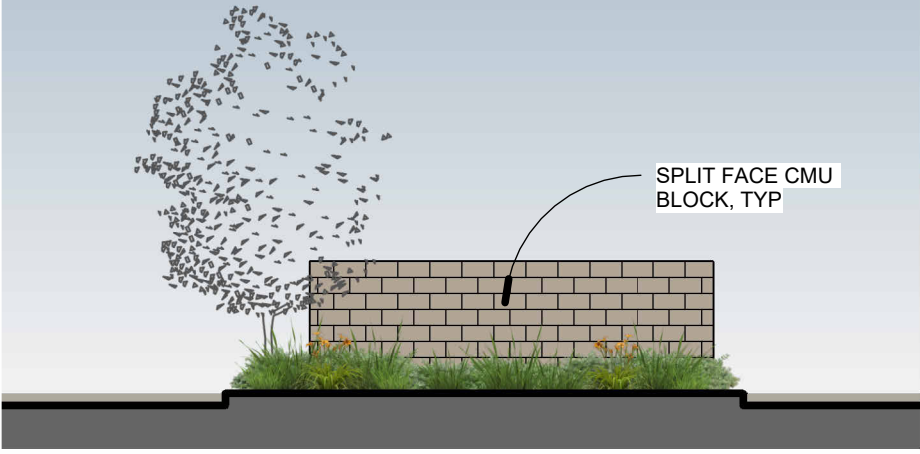


FRONT ELEVATION

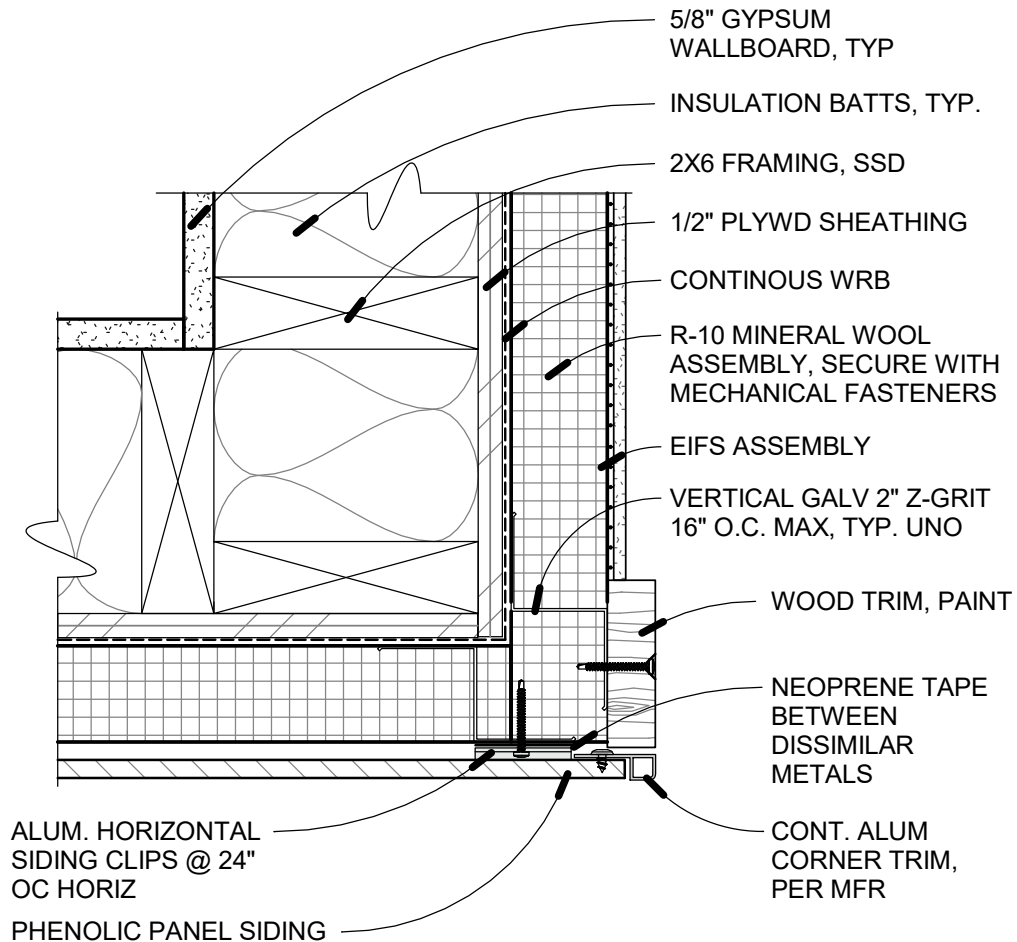
GENERATOR ENCLOSURE



SIDE, TYP



REAR



CONCEPTUAL CORNER DETAIL

3" = 1'-0"

AXIA
ARCHITECTS

SANTA ROSA, CA 707 542-4652
axiaarchitects.com

REDWOOD CREDIT UNION
- UKIAH BRANCH

414 EAST PERKINS STREET
REDWOOD CREDIT UNION

CONCEPTUAL CORNER
DETAIL AT MATERIAL
TRANSITION

PROJ. NO.:
1183.10
DATE
12/02/24
SHEET
A1

12-11-24

Planning Commissioners,

Discretionary review hearings are important opportunities for public expression. I value your representation.

I am pleased that the negotiations between the executives of Redwood Credit Union and the Savings Bank of Mendocino have resulted in a positive outcome for the community. 414 East Perkins Street is the right home for RCU. It makes more sense to repurpose an existing building. The site works much better for the credit union members and employees. This site is a vast improvement of RCU's current location,

The Planning Department did a very good job in laying out the history, applicable regulations, needed improvements including circulation and design. I am pleased that there will be an actual physical connection between RCU and the Pear Tree Shopping Center.

Please also consider the Design Review Board's recommendation as noted on Number 2 on Page 10 in the planning departments staff report,

"Pedestrian Access Enhancements: Additional pedestrian access improvements should be evaluated, considering feedback from public correspondence and discussions with an aim to enhance connectivity with adjacent properties, improve walkability, and align with existing public crosswalks."

I concur.

I ask you to seriously consider the pedestrian egress to RCU's front door (from the Perkins Street sidewalk located at the existing crosswalk from Warren Street). Off-site customers walking from other places like the hospital or from the nearby neighborhood and in the future courthouse employees will all appreciate an unobstructed and clearly designated path to RCU's entrance. Easing the way for pedestrians to travel to and from the credit union will be a welcomed addition and will likely reduce RCU's liability from potential vehicle/pedestrian accidents. Such unpleasant encounters can be avoided. For example, picture the Ukiah Post Office at lunchtime, fraught with cars backing up at the same time and pedestrian distracted while walking through the busy parking lot. Please commissioners reduce these types of accidents by requiring a designated walkway.

I counted 27 parking stalls when I walked around the building yesterday. Yes, this designated walkway will eliminate two parking stalls. It is a reasonable safety precaution and circulation enhancement and there is an easy, inexpensive fix by just applying paint. Planning Commissions for decades have required applicants to have parking lots designated with safe travel corridors for their customers.

On Page 10 and 11 of the staff report it states,

"Mobility Element

- 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.

Enhanced pedestrian connectivity, including new walkways, curbs, and a crosswalk connecting to the Pear Tree Center, aligns with this policy's focus on improving safe, direct access to nearby amenities and destinations. Presently, no such access consideration for pedestrians exists. The proposed mobility improvements, including new pedestrian walkways... These upgrades align with the

project's objective to modernize the site while incrementally improving accessibility and circulation. Staff find these mobility enhancements to be appropriate, as they contribute to the overall functionality of the site without exceeding the scope of the requested modifications.”

Yes, the above Mobility Element policy is indeed a sound argument for adding a new front-entrance walkway.

Sincerely,

Linda Sanders
Ukiah resident

From: [Brandon Smith](#)
To: [Jesse Davis](#)
Subject: Regarding Redwood Credit Union
Date: Wednesday, December 4, 2024 11:00:23 AM

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

Dear City of Ukiah,

Please allow Redwood Credit Union (RCU) to remodel the Mendocino County Savings Bank building on Perkins Street. RCU is one of the largest organizations supporting our community, and they have consistently proven their dedication to helping local residents. It's disappointing to see roadblocks being placed in their path, especially when other projects, like the expansion of New Life Clinic, are approved despite not genuinely benefiting the community and appearing to prioritize profits over people.

It's time to cut through the bureaucracy and support an organization like Redwood Credit Union, which truly makes a positive impact. Let's move forward and allow them to establish their second location on Perkins Street.

Sincerely,
Brandon smith



SUMMARY

DATE: December 11, 2024

REQUEST: Ordinance Amendment to Ukiah City Code to preserve and strengthen agricultural uses in and around Ukiah that impact the regional economy consistent with the Ukiah 2040 General Plan

LOCATION: Within the Agricultural Exclusive (A-E) and Combining Agricultural (-A) Zoning Districts of the City of Ukiah

ENVIRONMENTAL DETERMINATION: Statutory Exemption pursuant to Section 15183

RECOMMENDATION: Adopt a resolution making the Planning Commission's report and recommendation to the City Council on a proposed amendment to Ukiah City Code.

STAFF: Jesse Davis, Chief Planning Manager
Katherine Schaefer, Planning Manager

INTRODUCTION

Community Development staff present a request to amend existing provisions of Ukiah City Code to preserve and strengthen agricultural uses in and around Ukiah that impact the regional economy consistent with the Ukiah 2040 General Plan. The Agricultural Consistency Ordinance (hereafter referred to as the "Ordinance") represents a planned alignment within the Ukiah 2040 General Plan and EIR, of the City of Ukiah's zoning regulations with regional agricultural standards, particularly those established by Mendocino County. By revising the Agricultural Exclusive (A-E) and Combining Agricultural (-A) zoning districts, the Ordinance reflects the adaptation of agricultural practices and land-use policies to support the long-term sustainability of the region's cultural and ecological landscape.

Reflective of the goals and policies of the Ukiah 2040 General Plan, the Ordinance responds to a need to protect agricultural lands from fragmentation and encroachment. Policies such as **LU-7.5** highlight the importance of preserving agricultural viability by discouraging incompatible development, while **AG-1.2** reinforces the commitment to safeguarding these lands within the City's Sphere of Influence through zoning practices that maintain minimum lot sizes and encourage compatibility with surrounding uses. These principles maintain the integrity of agricultural spaces in an increasingly urbanized landscape.

Overall, the Ordinance seeks to provide a clear regulatory framework for agricultural and ancillary uses by codifying Mendocino County regulations such as minimum lot sizes, setbacks, and performance standards. It also anticipates evolving land-use needs by incorporating select Mendocino County outdoor cannabis cultivation provisions, while maintaining alignment with City of Ukiah goals and discretionary processes to ensure minimal environmental and social disruption.

PROPOSED ORDINANCE AMENDMENTS

The Ordinance proposes amendments to Division 9, Chapter 2, Article 10 (Combining Agricultural Districts) and Article 13 (Agricultural Exclusive (A-E) Zoning Districts) to align Ukiah's agricultural standards, allowances and land-use terminology with those adopted by Mendocino County, particularly Chapter 20.032 (Agriculture Use Types), Chapter 20.052 (Agricultural District), and Chapter 20.060 (Rangeland District) of the County Code, as conveyed by the 2040 Ukiah General Plan Agriculture Element, Implementation Program C (Align Agricultural Standards). Additionally, the ordinance includes amendments to Article 15.7 of Chapter 2, Division 9 of the Ukiah City Code to establish regulations related to outdoor commercial cannabis cultivation in the A-E district and parcels with an (-A) district overlay. Lastly, the ordinance would amend Ukiah City Code by updating definitions in Division 9, Chapter 2, Article 21 (Definitions).

GENERAL PLAN CONSISTENCY

The Ordinance aligns directly with the Ukiah 2040 General Plan policies and goals, including the following:

Goal LU-7 To ensure the orderly and timely growth and expansion of the City.

Policy LU 7.7 Development Pattern The City shall ensure an orderly, contiguous development pattern that prioritizes infill development, phases new development, encourages compactness and efficiency, preserves surrounding open space and agricultural resources, and avoids land use incompatibilities.

Policy LU 7.5 Agriculture and Annexation The City shall discourage urban development of unincorporated land in the City's Sphere of influence until such lands are annexed by the City. The City shall support County land use regulations that require minimum lot sizes to protect the viability of local agriculture and to prevent the development of incompatible or undesirable land use patterns prior to eventual annexation and urbanization.

Goal LU-10 To assure coordination and consistency with special planning areas.

Policy 10.3 Ukiah Valley Area Plan The City shall coordinate with Mendocino County to assure consistency with the Ukiah Valley Area Plan goals and policies

Goal AG-1 To preserve and strengthen agricultural uses in and around Ukiah that influence the regional economy.

Policy AG-1.1 Reduce Agricultural/Urban Conflict The City shall reduce conflict between incompatible uses and agriculture within and adjacent to the City.

Policy AG-1.2 Preserve Agricultural Lands With the exception of presently proposed or approved subdivisions, the City shall discourage urban development on unincorporated land within its Sphere of Influence until annexed by the City. The City shall support County land use designations that protect the viability of local agriculture in the Ukiah Valley.

Policy AG 1.3 Plan Together The City shall identify and involve stakeholders, as well as advisors with knowledge and expertise, to create and implement a comprehensive

planning framework that preserves and strengthens agricultural uses in and around Ukiah that inform and influence the regional economy.

Agriculture Element Implementation Program C: Align Agricultural Standards The City shall revise agricultural standards and use terminology to be consistent with adjacent jurisdictions within the Ukiah Valley for the support of future annexations efforts.

The Agricultural Element of the Ukiah 2040 General Plan emphasizes the importance of regional consistency to foster collaboration between the City and Mendocino County. The proposed Ordinance directly implements these goals and policies by updating Ukiah's zoning code to align with County regulations. This alignment ensures that agricultural lands within Ukiah's planning area are protected from incompatible uses and that zoning standards support sustainable and economically viable agricultural practices.

Moreover, the General Plan recognizes that consistency between City and County standards reduces administrative complexity for property owners and operators, creating a streamlined regulatory framework. By adopting the Agricultural Consistency Ordinance, the City of Ukiah demonstrates its commitment to the preservation and enhancement of agricultural lands as a key regional resource. (City of Ukiah 2022)

ENVIRONMENTAL ANALYSIS

Section 15378 of the California Environmental Quality Act (CEQA) defines a "Project" as an activity that (1) is a discretionary action by a governmental agency; and (2) will either have a direct or reasonably foreseeable indirect impact on the environment. (Pub. Res. Cod, § 21065). "Project" means the whole of the action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following [including]...enactment and amendment of zoning ordinances... pursuant to Government Code Sections 65100-65700.

Although defined as a "Project" due to its discretionary adoption before the City Council, the Agricultural Consistency Ordinance qualifies for an exemption from further environmental review under the Act pursuant to Section 15183 of the CEQA Guidelines as the following findings can be made:

- 1) The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.
- 2) There are no project-specific effects which are peculiar to the project or its site, and which the Ukiah 2040 EIR failed to analyze as significant effects.
- 3) There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects.
- 4) There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate.

- 5) There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR.

The full staff analysis and consistency findings in accordance with this statutory exemption may be found within Attachment 6, *CEQA Guidelines Section 15183 Findings of Consistency*.

RECOMMENDATION

Provide input and recommendation to the City Council on a proposed amendment to the City's Municipal Code.

ATTACHMENTS

1. Draft Resolution
2. Ordinance Amendments – (Redline) – Ukiah City Code Division 7, Chapter 1, Article 10, Marijuana Cultivation Enforcement; Division 9, Chapter 2, Article 10 Combining Agricultural (-A) Districts, Article 13 Agricultural Exclusive (A-E) District, Article 15.7 Standards for Specific Land Uses that are Subject to Discretionary Review, Article 19 Special Situations, Article 20 Administration and Procedures, and Article 21 Definitions
3. Ordinance Amendments – (Clean)
4. Ukiah Valley – Agriculture Maps
5. Mendocino County Zoning Regulations – Chapter 20.020 Civic Use Types, Chapter 20.024 Commercial Use Types, Chapter 20.032 Agricultural Use Types, Chapter 20.052 (A-G) Agricultural District, Chapter 20.056 U-R (U-R) Upland Residential District, and Chapter 20.060 (R-L) Rangeland District
6. CEQA Guidelines Section 15183 Findings of Consistency
7. City of Ukiah – Agricultural Element

Resolution Number

City Of Ukiah

December 11, 2024

“AGRICULTURAL CONSISTENCY ORDINANCE”

RESOLUTION OF THE PLANNING COMMISSION, CITY OF
UKIAH, STATE OF CALIFORNIA, PROVIDING A REPORT AND
RECOMMENDATION TO THE UKIAH CITY COUNCIL
REGARDING THE PROPOSED ADOPTION OF AMENDMENTS
TO DIVISION 7 AND DIVISION 9 OF UKIAH CITY CODE

WHEREAS, on December 7, 2022, the Ukiah City Council adopted Resolution No. 2022-79 certifying the Environmental Impact Report for the City of Ukiah 2040 General Plan (State Clearinghouse No. 2022050556) (the “General Plan EIR”), which analyzed the environmental impacts of the adoption of the City’s General Plan, and adopted a Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations; and

WHEREAS, the City may adopt ordinances that regulate the use of land pursuant to Government Code Section 65850; and

WHEREAS, in 2023 and 2024, the City of Ukiah Community Development Department (the “Department”) initiated a process to revise and update -A and A-E zoning districts of the of Ukiah City Code, apprising the City of Ukiah Planning Commission and City Council during budget planning updates; and

WHEREAS, the Department is proposing a comprehensive update of its -A and A-E zoning districts to align Ukiah’s agricultural standards, allowances and land-use terminology with those adopted by Mendocino County as conveyed by the 2040 Ukiah General Plan Agriculture Element, Implementation Program C (Align Agricultural Standards); and

WHEREAS, the Department is proposing adoption of select aspects of Mendocino County’s A-E zoning regulations for cannabis-related regulations, in addition to the implementation of a more restrictive cannabis cultivation framework within the -A and A-E zoning districts, aligning with state-level environmental and public health policies, and aligning with General Plan goals in the preservation of agricultural resources and promotion of long-term compatibility with adjacent land uses; and

WHEREAS, Cannabis cultivation will be reviewed by discretionary permit, allowing the City to evaluate each site individually, considering unique environmental conditions such as proximity to sensitive habitats, water resources, and existing land uses. This approach enables the City to identify potential environmental impacts on a project-by-project basis, consistent with CEQA requirements, and impose targeted mitigation measures to address identified impacts, such as stormwater management practices, noise attenuation, or additional site security considerations; and

WHEREAS, the Articles of the Ukiah Code proposed for amendment or inclusion are attached to this resolution as Exhibit A and incorporated herein by this reference (the “Agricultural Consistency Ordinance”), which show the changes to the various chapters in redline and strikethrough, or indicate that articles are new or being edited; and

WHEREAS, the City of Ukiah's Land Use and Agricultural Elements include goals, policies, and an implementation program to foster regional consistency between the City of Ukiah and Mendocino County. This alignment ensures that agricultural lands within Ukiah's planning area are protected from incompatible uses and that zoning standards support sustainable and economically viable agricultural practices; and

WHEREAS, encouraging consistency between City and County standards reduces administrative complexity for property owners and operators, creating a streamlined regulatory framework; and

WHEREAS, the adoption of the Agricultural Consistency Ordinance aligns with the City's commitment to the preservation and enhancement of agricultural lands as a key regional resource; and

WHEREAS, the statutory exemption set forth in Section 15183 of the California Environmental Quality Act Guidelines (Title 14, Cal. Code Regs., section 15000 *et seq*; "CEQA Guidelines") applies to this action because, for the reasons set forth in the Staff Report accompanying this Resolution, the Agricultural Consistency Ordinance does not have the potential to cause a significant effect on the environment and is therefore not subject to CEQA, as the project is consistent with the City of Ukiah 2040 General Plan; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on December 11, 2024, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Agricultural Consistency Ordinance and all interested persons were given an opportunity to hear and be heard regarding the Agricultural Consistency Ordinance; and

WHEREAS, the Planning Commission considered all of the information presented to it including the Staff Report, and public testimony presented in writing and at the public hearings; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Agricultural Consistency Ordinance.

NOW, THEREFORE BE IT RESOLVED that the City of Ukiah Planning Commission, based upon evidence in the record and oral and written testimony presented at public hearings, and all information contained in the record of proceedings related to the Agricultural Consistency Ordinance, makes the following findings and recommendations:

1. The above recitals are true and correct, and incorporated herein by this reference.
2. The proposed changes of the Agricultural Consistency Ordinance are consistent with the City of Ukiah 2040 General Plan. Pursuant to Government Code Section 65860, a zoning ordinance is consistent with a general plan if the City has adopted a plan and the various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses and programs specified in the plan. None of the zoning district articles being modified affect the conformity with the 2040 General Plan.
3. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). As the proposed Agricultural Consistency

Ordinance is consistent with the Ukiah 2040 General Plan, the project relies upon the General Plan EIR and qualifies for a statutory exemption under CEQA Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

4. That the City Council adopt an ordinance making the changes shown in the Agricultural Consistency Ordinance, as shown in the attached Exhibit A.

BE IT FURTHER RESOLVED that the Planning Commission designates the City Clerk as the custodian of the document and other materials that constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the City of Ukiah Department of Community Development, 300 Seminary Avenue, Ukiah, CA 95482.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST:

Stephanie Abba Commission Services
Planning Commission Clerk

Craig Schlatter Community Development
Director

Rick Johnson, Chair
City of Ukiah Planning Commission

Exhibit A: Enclosed

ORDINANCE NO. 2024 - ____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING VARIOUS SECTIONS OF DIVISIONS 7 AND 9 OF THE CITY CODE TO REGULATE AGRICULTURAL USES AND CERTAIN CANNABIS BUSINESS STANDARDS.

The City Council of the City of Ukiah hereby ordains as follows:

SECTION ONE. FINDINGS

1. It is the policy of the City of Ukiah to implement shared approaches to local agriculture and strengthen existing City policies regarding preservation and enhancement of regional working lands; and
2. Agricultural production has been an important part of the regional economy for generations and will continue to be a foundational component for decades to come. In addition to the economic benefits, agricultural lands provide a pastoral quality that helps define the character of the Ukiah Valley. If undertaken appropriately by addressing issues related to health and, potential nuisances (e.g., noise, odor, aesthetics), urban agriculture can improve access to healthy food, promote community development, and create jobs.
3. It is a goal of the City of Ukiah to preserve and strengthen agricultural uses in and around Ukiah that influence the regional economy (AG-1), and as a policy of its Agriculture Element of the 2040 General Plan, the City shall reduce conflict between incompatible uses and agriculture within and adjacent to the City (AG – 1.1).
4. To implement this policy the City shall revise agricultural standards and use terminology to be consistent with adjacent jurisdictions within the Ukiah Valley for the support of future annexation efforts (Agriculture Implementation Program C).

SECTION 2

Section 6093 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

\$6093 MARIJUANA-CANNABIS CULTIVATION PROHIBITED

A. Except as set forth in Sections 9174.4 and 9254 of this Code regarding commercial cannabis cultivation, outdoor~~Outdoor~~ cultivation of marijuana~~cannabis~~, or indoor cultivation in excess of six (6) mature plants or twelve (12) immature plants per private residence, as defined in Health and Safety Code section 11362.2(b)(5) or as may be amended, for personal use, within the City limits of the City of Ukiah in violation of section 9254 of this code is prohibited and constitutes a violation of this article.

* * *

\$6094 SEIZURE AND DESTRUCTION OF MARIJUANA-CANNABIS

Except as otherwise expressly stated in this section, all marijuana~~cannabis~~ seized by the city police in the enforcement of this article shall be seized, retained and destroyed in the same manner and subject to the same procedures as are provided in California Health and Safety Code sections 11472-11479, for marijuana~~cannabis~~ possessed in violation of division 10 of the Health and Safety Code. The requirements in subsection (b) of Health and Safety Code section 11479, prescribing the conditions that must be satisfied before

seized ~~marijuana-cannabis~~ may be destroyed without a court order, as applied by this section, are revised as follows:

* * *

SECTION THREE.

Article 10 in Division 9, Chapter 2 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§ 9125 COMBINING AGRICULTURAL OR -A DISTRICTS

A Combining Agricultural (-A) District may be combined with any district or portion of a district defined in this Chapter. The regulations contained in this Article, and the regulations governing any district which is combined with a Combining Agricultural (-A) District shall apply in all combining Agricultural (-A) Districts.

§ 9126 USES ALLOWED

The following uses are allowed uses in Combining Agricultural (-A) Districts in addition to the uses allowed or permitted in any district with which an (-A) District is combined and providing the property is a minimum of five (5) acres in size:

~~Farming, fish, fowl, small animal and livestock raising, excepting hogs and turkeys.~~

A. Animal Raising – Personal.

B. Forest Production and Processing – Limited.

C. Horticulture.

D. Packing and Processing – Limited.

B. Row and Field Crops.

C. Tree Crops.

D. Farm Stand.

§ 9127 USES PERMITTED

The following uses may be permitted in a Combining Agricultural (-A) District subject to first securing a minor use permit, as provided in this chapter, in each case, in addition to the uses allowed or permitted in any district with which a (-A) district is combined and provided the property is a minimum of one acre:

A. ~~Farming, fish, fowl, small animal and livestock raising.~~ Animal Raising – General Agriculture.

B. ~~Hog, turkey and mink raising.~~Animal Sales and Services - Kennels

C. ~~Animal Sales and Services—Horse Stables. Kennels, veterinarian, riding academies, labor camps and retail sales of products grown or raised on the premises.~~

D. Animal Sales and Services—Veterinary (Large Animals).

E. Employee Housing.

F. Outdoor or Mixed-Light Commercial Cannabis Cultivation of all license types set forth in California Code of Regulations, title 4, section 16201 and section 16201.1, as may be amended from time to time.

SECTION FOUR.

Article 13 in Division 9, Chapter 2 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§9160 AGRICULTURAL EXCLUSIVE OR A-E DISTRICT

A. This district is intended to be an exclusive district for agriculture and those uses which are necessary and an integral part of the agricultural operation. This district has been created to protect and preserve the limited amount of agricultural soils from encroachments of nonrelated agricultural uses which, by their nature, would be injurious to the physical and economical well-being of the aAgricultural operationsDistrict.

B. The following specific regulations and general regulations set forth in Article 16 shall apply in all A-E Districts:

C. Uses Allowed:

1. ~~The raising, harvesting and curing of tree, vine, field forage, fiber and other plant life crops of all kinds, including plant nursery stock.~~Residential & Accessory Uses

Accessory dwelling units (ADU), as regulated by Chapter 2, Article 5.3 of this Division.

Employee Housing.

Home occupations.

Junior accessory dwelling units (JADUs), as regulated by Chapter 2, Article 5.4 of this Division.

Single-family residential dwellings, including manufactured/modular homes.

Small and large family daycare homes.

2. ~~Production of agricultural commodities for commercial purposes~~Agricultural Uses.

Animal raising—general agriculture.

Animal raising—personal.

Horticulture.

3. ~~Grazing of livestock on irrigated pasture.~~

4. ~~Dairies and the production of dairy products from milk produced on the premises.~~

Packing and processing—limited.

Packing and processing—winery.

5. ~~Boarding horses and other farm animals.~~

6. ~~Sale of food products produced on the premises.~~

7. ~~Apiaries and honey extraction plants.~~

8. ~~Holding of nonproducing land for future agricultural use, maintenance of land in its natural state for the purpose of preserving open space for recreation or the creation of plant or animal preserves.~~

9. ~~One family dwelling, trailers and accessory buildings, and farm buildings of all kinds, including labor camps when located upon farms and occupied or used by the owner, farm tenant or other persons employed thereon or the nonpaying guests thereof.~~

10. ~~Home occupations, including any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which use does not change the character thereof.~~

11. ~~___~~ Production of fish life or fish products for commercial purposes (hatcheries, ponds, etc.)

___ Row and Field Crops.

___ Tree Crops.

3. Civic Uses

Day care facilities/small schools.

Safety Services.

Utility Service Minor.

4. Commercial Uses

Farm Stands.

D. Uses Requiring Minor Use Permits: The following compatible uses and those which, in the opinion of the Planning Commission/Community Development Director, may be substantially similar in nature thereto shall be permitted, but only upon the securing of a use permit pursuant to this Chapter:

- ~~1. Development of natural resources, including barrow pits and quarries with necessary buildings, apparatus or appurtenances thereto, except where used as a part of the bonafide agricultural operation.~~Residential Uses

Dwelling Group.

Supportive housing, subject to the same density limitation and to the same regulations applicable to other residential dwelling of the same type.

Transitional housing, subject to the same density limitation and to the same regulations applicable to other residential dwelling of the same type.

- ~~2. The processing, packaging, packing, shipping and selling of agricultural products produced upon the premises or where such activity is carried on in conjunction with or as a part of an agricultural use.~~Agricultural Uses

Forest production and processing—limited.

Packing and processing general.

- ~~3. The maintaining, breeding and raising of poultry and livestock of all kinds, including agricultural specialties, such as furbearing animals.~~Commercial Uses

Agricultural sales and services.

Animal sales and services—auctioning.

Animal sales and services—horse stables.;

Animal sales and services—kennels.

Animal sales and services—stockyards.

Animal sales and services—veterinary (large animals).

Outdoor or Mixed-Light Commercial Cannabis Cultivation of all license types set forth in California Code of Regulations, title 4, section 16201 and section 16201.1, as may be amended from time to time.

4. _____ Sale of food products produced off the premises, provided that the sale of such products is incidental and secondary to the sale of agricultural products produced upon the premises.

~~5. The following uses when carried on as a clearly secondary occupation in conjunction with a bonafide agricultural operation, when no more than ten percent (10%) of the total land is used and where no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises: the manufacturing of agricultural machinery, implements and equipment of all kinds; the manufacture, storage or sale of farm supplies of all kinds, including, but not limited to, fertilizers, agricultural minerals and insecticides; the transportation of agricultural products, supplies or equipment, together with the maintenance, storage, repair and servicing of the necessary trucks and equipment thereof.~~

6. _____ Recreational use, meaning the use of land by the public, with or without charge, for any of the following recreational uses: walking, hiking, picnicking, camping, swimming, boating, fishing, hunting or other outdoor games for which no structures or buildings not permitted by the use permit are provided.

~~7. Commercial radio, television or microwave antennas and transmitters.~~

~~8. Veterinary services.~~

~~9. Buildings, structures and other facilities constructed and utilized only as incidental to a recreational use or to an otherwise permitted agricultural use.~~

~~10. Public utility and public services, structures, uses and buildings.~~

~~11. Locations of underground utility installations and of above-ground utility installations for local service; including substations, generating plants, gas holders and transmission lines.~~

E. _____ Uses Requiring Major Use Permits: The following compatible uses and those which, in the opinion of the Planning Commission, may be substantially similar in nature thereto shall be permitted, but only upon the securing of a major use permit pursuant to this Chapter:

_____ 1. Agricultural Uses

_____ Animal waste processing.

Forest production and processing—commercial woodlots.

Forest production and processing—portable sawmills.

2. Commercial Uses

Transient habitation—campground.

Transient habitation—lodging (limited).

Transient habitation—resort and recreational facilities.

3. Civic Uses

Educational Facilities.

Major impact facilities.

Major impact services and utilities.

~~EE.~~ Minimum lot area. Forty (40) acres.

~~F.~~ ~~Maximum main building coverage. Five percent (5%).~~

G. Minimum front yard. Twenty five feet (25').

H. Minimum side yard. Twenty five feet (25').

I. Minimum rear yard. Twenty five feet (25').

J. Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet.~~Minimum vehicle parking. Two (2) parking spaces for each dwelling unit, and spaces for all vehicle parking, loading and unloading.~~

K. Maximum building height. ~~Two and one-half (2 1/2) stories, but not~~Not to exceed thirty-five feet (35') for residential buildings, all other buildings fifty feet (50').

L. Maximum Dwelling Density. One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as a Dwelling Group and shall be consistent with the following density standard: One (1) unit per forty (40) acres.

SECTION FIVE.

Article 15.7 of Chapter 2 in Division 9 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§9174 PURPOSE

[Section 9174.2 in t](#) This article provides site planning, development, and/or operational standards for certain land uses that are allowed in certain zoning districts and are subject to discretionary review through the use permit process but that may have unique adverse impacts. The standards for each use are intended to mitigate any potentially adverse impacts associated with the specific use.

§9174.1 APPLICABILITY

The land uses and activities included in this article shall comply with the provisions of the section applicable to the specific land use, in addition to all other applicable provisions of this article and the Ukiah City Code.

A. Where Allowed: The uses that are subject to the standards in sections 9174.2 through 9174.9 of this code shall only be located in the zoning districts indicted in Chapter 2, Articles 3 through 15, or as otherwise indicated in this chapter.

B. Development Standards: The standards for specific land uses included in this article are required and supplement those included in the Ukiah City Code. In the event of any conflict between the requirements of this article and those included elsewhere in the City code, the requirements of this article shall control.

§9174.2 CANNABIS-RELATED BUSINESSES

A. Cannabis-Related Business Use Permit Application Requirements:

1. Submission: A complete use permit application submittal packet shall be submitted in accordance with section 9262 of this code, including a detailed written statement as to how the proposed cannabis-related business complies with this section, and any other information or submissions required by this code. All applications for use permits for cannabis-related businesses shall be filed with the Planning Department, using forms provided by the City, and accompanied by the applicable filing fee and any other applicable fees or charges. It is the responsibility of the applicant to provide information required for approval of the permit. The application shall be made under penalty of perjury.

2. Effect Of Other Permits Or Licenses: The fact that an applicant possesses other types of State or City permits or licenses does not exempt the applicant from the requirement of obtaining a use permit.

3. Submittal Requirements: Any application for a use permit for a cannabis-related business shall include the following information:

a. Applicant(s) Name: The full name (including any current or prior aliases, or other legal names the applicant is or has been known by, including maiden names), present address, and telephone number of the applicant;

- b. Applicant(s) Mailing Address: The address to which notice of action on the application is to be mailed;
- c. Verification Of Age: Written proof that the applicant is at least twenty-one (21) years of age;
- d. Physical Description: Applicant's height, weight, color of eyes and hair;
- e. Photographs: Passport quality photographs for identification purposes;
- f. Tax History: The cannabis-related business tax history of the applicant, including whether such person, in previously operating in this or another city, county or state under license, has had a business license revoked or suspended, the reason therefor, and the business or activity or occupation in which the applicant engaged subsequent to such action of suspension or revocation;
- g. Management Information: The name or names and addresses of the person or persons having the management or supervision of applicant's business;
- h. Criminal Background: A completed background investigation verifying whether the person or person having the management or supervision of applicant's business has been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received therefor;
- i. Employee Information: Number of employees, volunteers, and other persons who will work at the cannabis-related business;
- j. Plan Of Operations: A plan of operations describing how the cannabis-related business will operate consistent with the intent of State law, including obtaining all applicable State licenses, and the provisions of this section, including but not limited to ensuring that the cannabis-related business will not engage in cannabis-related commercial activities that violate California law or this chapter;
- k. Written Response To Cannabis-Related Business Standards: The applicant shall provide a comprehensive written response identifying how the cannabis-related business plan complies with each of the standards for review in this chapter, specifically the limitation on location and operating requirements in this article;
- l. Security Plan: A detailed security plan and diagram outlining the proposed security arrangements for ensuring the safety of persons and to protect the premises from theft. The plan shall include installation of security cameras, a premises and panic alarm system monitored by a licensed operator, and a security assessment of the site conducted by a qualified professional;

m. Floor Plan: A sketch or diagram showing the interior configuration of the premises, including a statement of the total floor area occupied by the cannabis-related business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches (6");

n. Site Plan: A sketch or diagram showing exterior configuration of the premises, including the outline of all existing and proposed structures, parking and landscape areas, and property boundaries. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions to an accuracy of plus or minus six inches (6");

o. Accessibility Evaluation: A written evaluation of accessibility to and within the building, and identification of any planned accessibility improvements;

p. Neighborhood Context Map: An accurate straight-line drawing depicting the building and the portion thereof to be occupied by the cannabis-related business, and: (1) the property lines of any school within six hundred feet (600') of the property line of the business for which a permit is requested, (2) the property lines of any cannabis-related business within two hundred fifty feet (250') of the primary entrance of the business for which a permit is requested, and (3) the property lines of any youth-oriented facility or residential zone or use within two hundred fifty feet (250') of the primary entrance of the business;

q. Lighting Plan: A lighting plan showing existing and proposed exterior premises and interior lighting levels that would be the minimum necessary to provide adequate security lighting for the use and comply with all City standards regarding lighting design and installation. All lighting shall be fully hooded and downcast, and shall not shine towards the night sky, adjacent property or any street;

r. City Authorization: Written authorization for the City, its agents and employees to seek verification of the information contained within the application;

s. Statement of Owner's Consent: A statement in writing by the owner that he or she certifies under penalty of perjury that the applicant has the consent of the owner and landlord to operate a cannabis-related business at the location;

t. Applicant's Certification: A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct;

u. Other Information: Such other information as deemed necessary by the Planning Department to demonstrate compliance with this section including

all City and State codes, including operating requirements established in this section.

4. Effect Of Incomplete Filing: Upon notification that an application submittal is incomplete, the applicant shall submit any additional documents or information required to complete the application within thirty (30) days of the date the applicant is notified in writing by the Planning Department that the application is incomplete. If the applicant fails to complete the application within said thirty (30) days, the application shall be deemed withdrawn and a new application submittal that complies with this section shall be required in order to proceed with the application.

B. Operating Requirements For Cannabis-Related Businesses: Cannabis-related business operations shall be established and managed only in compliance with the following standards:

1. Criminal History: Any applicant, his or her agent or employees, volunteer workers, or any person exercising managerial authority of a cannabis-related business on behalf of the applicant shall not have been convicted of any of the felony offenses enumerated in Business and Professions Code section 26057(b)(4), or of a felony or misdemeanor involving moral turpitude, or on probation for a drug offense, or engaged in misconduct related to the qualifications, functions or duties of a permittee. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any manager has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted. In addition, notwithstanding the above, a prior conviction, where the sentence, including any term of probation, incarceration, or supervised release, is completed, for possession of, possession for sale, sale, manufacture, transportation, or cultivation of cannabis or cannabinoid preparations, is not considered related to the qualifications, functions, or duties of a permittee, and shall not be the sole ground for denial of an application.

2. Minors:

a. It is unlawful for any permittee, operator, or other person in charge of any cannabis-related business to employ any person who is not at least twenty-one (21) years of age.

b. The burden of proof is on the cannabis-related business personnel to establish compliance with this subsection B2 of this section by clear and convincing evidence.

3. Inventory And Tracking: Cannabis-related businesses shall at all times operate in a manner to prevent diversion of cannabis and shall promptly comply with any track and trace program established by the State.

4. Multiple Permits Per Site: Multiple cannabis-related businesses proposed on any one site or parcel shall be granted permit approval only if all of the proposed

cannabis businesses and their co-location are authorized by both City and State law. Operators of cannabis-related businesses issued use permits for multiple business types or State license types at the same physical address shall maintain clear separation between license types unless otherwise authorized by this code and State law.

5. Operating Plans: An operating plan for a cannabis-related business must contain the following unless not applicable:

a. Storage: A cannabis-related business shall have suitable locked storage on premises, identified and approved as a part of the security plan, for after-hours storage of cannabis and cannabis products.

b. Odors Control: The cannabis-related business shall have an air treatment system that prevents odors generated from any storage and cultivation of cannabis on the business property from being detected by any reasonable person of normal sensitivity outside the cannabis-related business premises. To achieve this, both the storage and cultivation areas shall be, at minimum, mechanically ventilated with a carbon filter or superior method.

c. Security Plans: A cannabis-related business shall provide adequate security on the premises, as approved by the Chief of Police, including lighting and a premises and panic alarm system monitored by a licensed operator, to ensure the safety of persons and to protect the premises from theft.

d. Security Cameras: Security surveillance cameras shall be installed to monitor the main entrance and exterior of the premises to discourage loitering, crime, illegal or nuisance activities. The security surveillance system shall comply with current State standards for digital video surveillance systems to be installed on the premises of licensed cannabis businesses, currently codified in the California Code of Regulations, Title 16, Section 5044, and as may be amended.

e. Security Video Retention: Security video shall be maintained for ninety (90) days. In the event of a crime on site or anywhere within range of the cannabis-related business's security cameras, the cannabis-related business shall provide the Chief of Police or his or her designee with a useable digital copy of the security video upon request or at the earliest convenience.

f. Alarm System: Professionally monitored premises and panic alarm system shall be installed and maintained in good working condition.

g. Emergency Access: Security measures shall be designed to ensure emergency access in compliance the California Fire Code and Ukiah Valley Fire Authority standards.

h. Emergency Contact: A cannabis-related business shall provide the Chief of

Police with the name, email address, phone number and facsimile number of an on-site community relations staff person to whom one can provide notice if there are operating problems associated with the business. The business shall make every good faith effort to encourage neighborhood residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the City.

6. Employee Records: Each owner or operator of a cannabis-related business shall maintain a current register of the names of all volunteers and employees currently working at or employed by the cannabis-related business, and shall disclose such registration for inspection by any City officer or official for purposes of determining compliance with the requirements of this article.

7. Compliance With Other Requirements: The operator shall comply with all applicable provisions of local, State or Federal laws, regulations or orders, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders.

8. Confidentiality: The information provided for purposes of this section regarding the cannabis business security plans, security site plan, and employee background checks shall be maintained by the City as confidential information, and shall not be disclosed as public records unless pursuant to subpoena issued by a court of competent jurisdiction or otherwise compelled by court order or the California Public Records Act.

9. Display Of Permit: Every cannabis-related business shall display at all times during business hours the use permit issued pursuant to the provisions of this chapter for such business in a conspicuous place so that the same may be readily seen by all persons entering the business.

10. Inspections: During normal business hours, cannabis-related businesses permitted under this chapter shall provide access for administrative inspections by City officials or officers or consultants hired by the City to verify compliance with this article. Any cannabis-related business's refusal to comply with this section shall be deemed a violation of this article.

11. Notification Of Theft, Loss, And Criminal Activity: Cannabis-related businesses shall comply with the California Code of Regulations, Title 16, Section 5036, or as may be amended, by notifying the applicable State authorities and the Ukiah Police Department within twenty-four (24) hours of discovery of any of the following situations:

- a. A significant discrepancy in the business's inventory.
- b. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity pertaining to the operations of the business.
- c. The operator becomes aware of or has reason to suspect diversion, theft,

loss, or any other criminal activity by an agent or employee of the business pertaining to the operations of the business.

d. The operator becomes aware of or has reason to suspect the loss or unauthorized alteration of records related to cannabis goods, customers or clients, or the business's employees or agents.

e. The operator becomes aware of or has reason to suspect any other breach of security.

The notification shall be in writing and include the date and time of occurrence of the theft, loss, or criminal activity and a description of the incident including, where applicable, the item(s) that were taken or lost.

C. Review And Revocation: Use permits issued for cannabis-related businesses shall be subject to review after the first year of operation according to the procedures set forth in subsection D of this section, and shall be subject to revocation according to the procedures set forth in subsection E of this section.

D. Review Of Use Permits For Cannabis-Related Businesses:

1. Use permits for cannabis-related business will be subject to review after the first year of operation by the Zoning Administrator, including inspection of the business by the Zoning Administrator or his designee, to determine whether the business is being operated in accordance with any conditions of approval imposed on the use permit as issued by the Planning Commission or Zoning Administrator. The City Council may, from time to time by resolution in accordance with the procedures required by law, establish fees to be charged and collected for annual review pursuant to this subsection.

2. In the course of review and after inspection, the Zoning Administrator shall make findings of fact regarding the cannabis-related business operator's adherence to the conditions of approval for the use permit. In addition, the Zoning Administrator will consider the following nonexclusive criteria in making findings of fact which may be grounds for revocation of a use permit for a cannabis-related business:

a. Whether the cannabis-related business operated pursuant to the use permit has generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the cannabis-related business.

b. Whether there have been excessive secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, cannabis use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, odors, or lewd conduct.

c. Whether the cannabis-related business operating pursuant to a use permit

has a history of inadequate safeguards or procedures that show it is likely that it will not comply with any operating requirements and standards required in the conditions of approval.

d. Whether the cannabis-related business has failed to pay fees, penalties, or taxes required by the conditions of approval of the use permit or by this code or State law, or has failed to comply with any requirements for the production of records or other reporting requirements of this code.

e. Whether the operator of the cannabis-related business or one or more of its officers, employees, partners, managers or members with management responsibilities ("managers") has been convicted of a felony, or has engaged in misconduct that is substantially related to the qualifications, functions or duties of an operator of a cannabis-related businesses. A "conviction" within the meaning of this chapter means a plea or verdict of guilty, or a conviction following a plea of nolo contendere. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any manager has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted.

f. Whether the operator or managers of the cannabis-related business have previously or are currently engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

g. Whether the cannabis-related business has been operated in compliance with applicable State law and provisions of this code generally.

3. If the Zoning Administrator determines that the cannabis-related business is being operated in violation of any conditions of approval imposed on the use permit as issued by the Planning Commission or the Zoning Administrator, the use permit may be subject to revocation.

E. Revocation Of Use Permits For Cannabis-Related Businesses:

1. In addition to the reasons for revocation of an approved use permit set forth in subsection 9262H2 of this code and subsection D2 of this section, an approved use permit for a cannabis-related business may be revoked through the City's revocation process, as set forth in subsection 9262H2 of this code, except that all references therein to the Planning Commission shall be deemed to refer to the Zoning Administrator, if the cannabis-related business is operated in a manner that violates the conditions of approval imposed by the use permit or the provisions of this code, or conflicts with State law. At the public hearing to be conducted by the Zoning Administrator as set forth in subsection 9262H2 of this code, the Zoning Administrator shall make findings regarding the alleged specific violations of this code or State law.

2. An appeal of the Zoning Administrator's decision on revocation of a use permit for a cannabis-related business may be made to the Planning Commission for a final decision. Any such appeal must comply with the requirements of section 9266 of this code, except that all references therein to the City Council shall be deemed to refer to the Planning Commission.

3. When a final decision revoking a use permit for a cannabis-related business is made as provided in this section, the permittee shall become ineligible for a period of three (3) years thereafter to apply for a use permit for a cannabis-related business. The ineligibility shall include any corporation or other business entity, including, but not limited to, a partnership or limited liability company, in which the permittee has any direct or indirect beneficial, financial or ownership interest.

F. Limitations on Locations of Cannabis-Related Businesses:

1. All cannabis-related businesses, as defined in section 9278 of this code, operating subject to use permits under this chapter will operate indoors in a fully enclosed secure structure, as defined in section 9254 of this code, except as set forth in subsection 9174.3(c)(5) of this code regulating cannabis consumption areas, [and in Section 9174.4 of this Code regulating outdoor commercial cannabis cultivation in the A-E district and districts with -A overlay](#), and shall not be allowed in the following areas, [except as otherwise set forth in this Code](#):

a. Within six hundred feet (600') of a school, as defined in section 5702P of this code, with that distance measured as the horizontal distance in a straight line from the property line of the school to the closest property line of the lot on which the cannabis-related business is to be located without regard to intervening structures, pursuant to California Health and Safety Code section 11362.768; or

b. Within two hundred fifty feet (250') of a youth-oriented facility other than a school, as defined in section 5702R of this code, with that distance measured by street frontage from the property line of the youth-oriented facility to the closest property line of the lot on which the cannabis-related business is to be located, and not radial distance; or

c. Abutting, on any side of the parcel upon which the cannabis-related business is located, a parcel occupied by a youth-oriented facility or a school; or

d. Within any residential zoned parcel or primary land use, or any property with an underlying residential or mobile homes general plan land use designation; or

e. On a parcel having a residential unit, or on a parcel directly abutting a residentially zoned property, unless there are intervening nonresidential uses between the cannabis-related business and the residential unit or the residentially zoned property that the decision-making entity charged with

hearing and making the decision on the use permit application or the appeal of that decision determines sufficient to provide an appropriate separation.

2. A cannabis retailer, as defined in section 9278 of this code, shall not be allowed within two hundred fifty feet (250') of another cannabis retailer, with that distance measured by street frontage from the property line of the other cannabis retailer to the closest property line of the lot on which the cannabis retailer is to be located, and not radial distance.

3. A waiver of the provisions in subsections F1a through e and F2 of this section may be granted if the applicant demonstrates on plans and materials presented for review and the Planning Commission determines that a physical barrier or other condition exists which achieves the same purpose and intent as the distance separation requirements established herein, and that, as a result, the Zoning Administrator or the Planning Commission makes a finding of no adverse impact resulting from the proposed location of the cannabis-related business.

4. A Cannabis Cultivation Business located in the A-E district and in the P-F District with A- overlay will not be subject to the location limitations set forth in Subsections F.1.a through F.1.e of this Section.

§9174.3 CANNABIS RETAILERS

A. Applicability: The standards and requirements in this section apply specifically to cannabis retailers, as defined in section 9278 of this code, and other cannabis businesses with a retail component, and shall apply in addition to the requirements and standards for all cannabis businesses set forth in section 9174.2 of this code and elsewhere in this code. In the event of any conflict between the requirements of this section and those included elsewhere in the City Code, the requirements of this section shall control.

* * *

C. Operating Requirements:

* * *

5. Consumption Restrictions:

a. Except as set forth in subsections C5b and c of this section, cannabis shall not be consumed on the premises of the cannabis retailer. The term "premises" includes the actual building, as well as, nor within any accessory structures, parking areas, or other surroundings within two hundred feet (200') of the cannabis retailer's entrance.

b. Cannabis may be consumed in a designated cannabis consumption area on the premises of a cannabis retailer upon approval of a use permit or modification of an existing use permit. The smoking of cannabis may be permitted in a designated cannabis consumption area as may be allowable under state law and subject to the terms of the use permit. A cannabis retailer's operation and use of a cannabis

consumption area shall otherwise comply with the provisions of Division 5, Chapter 7 of this code, entitled "No Smoking." Cannabis consumption areas shall be secured and designed to prevent access by individuals who are not eligible adult use patrons. If an existing use permit is modified to reflect the creation of a cannabis consumption area, that use permit shall be subject to renewal one year after the cannabis consumption area has become operational.

c. A retailer with a cannabis consumption area that is not enclosed, such as on a patio or a deck, may allow smoking, vaping, and ingesting edible products, subject to all local and State laws. ~~A retailer with a cannabis consumption area that is indoors in a fully enclosed secure structure shall be limited to allowing consumption of edible cannabis product or orally consumed concentrate only.~~

* * *

§9174.4 RESERVED COMMERCIAL CANNABIS CULTIVATION

A. Applicability: The standards and requirements in this section apply specifically to commercial Cultivation of Cannabis as defined in section 9278 of this Code, and shall apply in addition to the applicable requirements and standards for all cannabis businesses set forth in section 9174.2 of this Code and elsewhere in this Code. In the event of any conflict between the requirements of this section and those included elsewhere in the City Code, the requirements of this section shall control.

B. Development Criteria:

1. Location of Commercial Cannabis Cultivation- All Commercial Cannabis Cultivation businesses shall comply with the limitations on location for Cannabis Related Businesses set forth in Subsection 9174.2.F of this Code, except that businesses located in the A-E district and in a district combined with A- Overlay shall be exempted from these location limitations.

2. Setbacks: Commercial Cannabis Cultivation areas shall be setback a minimum of 50-feet from all lot lines and shall comply with the setback requirements set forth the State Water Resources Control Board's comprehensive Cannabis Cultivation General Order.

C. Operating Requirements:

1. Cannabis Waste Discharge Requirements General Order. A Commercial Cannabis Cultivation business shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers, within the State.

2. Odor control. A structure for Indoor or Mixed-Light Cultivation must be equipped with a filtration and ventilation system to control odors, humidity, and mold, provided that

structures containing only packaged cannabis products may be excluded from this requirement.

3. Lighting. All lighting is to be fully shielded and downward casting so that it does not spill over onto neighboring properties. For operations cultivating within structures, all light is to be fully contained to minimize light trespass that is visible from neighboring parcels. A photometric and supplemental lighting plan shall be provided as a component of the application.

4. Accessory uses. Cannabis Cultivation may include accessory uses on the same parcel that directly support the onsite Cannabis Cultivation, such as: propagation, research and development, processing, drying, packaging and labeling, distribution, other similar support uses as determined by the Zoning Administrator.

5. Limitations on Cannabis harvesting activities. In order to minimize cannabis odors, the drying, curing, and/or trimming of harvested cannabis shall either (1) be located within an enclosed structure which utilizes best available control technology, or (2) include techniques and/or equipment (e.g., the use of freeze drying techniques/ equipment and immediate packaging of harvested cannabis in the field) that shall achieve an equivalent or greater level of odor control as could be achieved using an enclosed structure which utilizes best available control technology, or (3) be located at a sufficient distance from neighboring residential structures so as to avoid odor intrusion as a public nuisance as described in Subsection 9254.B.4 of this Code.

6. Generator Prohibition: Generators that are 50 hp or more are prohibited. Generators that are less than 50 hp are allowed for emergency use, as defined in CARB regulations. In addition, generators less than 50 hp must be built to one of the following standards:

a. Tier 3 fuel standards (set by CARB) with Level 3 diesel particulate filter requirements (CCR Title 13, §§2700-2711); or

b. Tier 4 fuel standards (set by the EPA) (CFR Title 40, Chapter I, Subchapter U, Part 1039, Subpart B, §1039.101), or current engine requirements if more stringent.

SECTION SIX.

Section 9254 in Article 19, Chapter 2, Division 9 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§9254 CANNABIS CULTIVATION

A. Definitions: As used herein the following definitions shall apply:

CULTIVATION: The planting, growing, harvesting, drying, or processing of marijuana-cannabis plants or any part thereof.

FULLY ENCLOSED AND SECURE STRUCTURE: A space within a building that complies with the California Building Code, as adopted in the City of Ukiah ("CBC"), or, if exempt from the permit requirements of the CBC, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. Walls and roofs must be constructed of solid materials that cannot be easily broken through, such as two-inch (2") by four-inch (4") or thicker studs overlaid with three-eighth-inch (3/8") or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement. If indoor grow lights or air filtration systems are used, they must comply with the California Building, Electrical, and Fire Codes as adopted in the City of Ukiah.

IMMATURE ~~MARIJUANA-CANNABIS~~ PLANT: A ~~marijuana-cannabis~~ plant, whether male or female, that has not yet flowered and which does not yet have buds that are readily observed by unaided visual examination, and which is less than twelve inches (12") in height and less than twelve inches (12") in width.

INDOORS: Within a fully enclosed and secure structure.

MATURE ~~MARIJUANA-CANNABIS~~ PLANT: A ~~marijuana-cannabis~~ plant, whether male or female, that has flowered and which has buds that are readily observed by unaided visual examination.

MIXED-LIGHT: Within a greenhouse, hoop-house, glasshouse, conservatory, hothouse, or other similar structure using a combination of natural and artificial light and meeting the definition of "mixed-light" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

OUTDOOR: Any location within the City of Ukiah that is not within a fully enclosed and secure structure.

PARCEL: Property assigned a separate parcel number by the Mendocino County Assessor.

B. Cultivation Of Cannabis:

1. Outdoor Cultivation: Except as set forth in Subsection B.4 of this Section and in Section 9174.4 of this Code, it is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City of Ukiah to cause or allow such premises to be used for the outdoor cultivation of marijuana plants.

* * *

4. Outdoor Commercial Cultivation Of Cannabis: A person owning, leasing, occupying, or having charge or possession of any parcel within the City of Ukiah may cause or allow such parcel to be used for the outdoor commercial cultivation of cannabis if the person is

operating that commercial cannabis cultivation business pursuant to a valid use permit within the A-E district or a district combined with -A overlay and in compliance with all requirements set forth in sections 9174.2, 9174.4, 9261, and 9262 of this Code and with all applicable State laws and regulations including licensing requirements.

54. Public Nuisance Prohibited: It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within the City of Ukiah to create a public nuisance in the course of cultivating marijuana-cannabis plants or any part thereof in any location, indoor or outdoor. A public nuisance may be deemed to exist, if such activity produces: (a) odors which are disturbing to people of normal sensitivity residing or present on adjacent or nearby property or areas open to the public, (b) repeated responses to the parcel from law enforcement officers, (c) a repeated disruption to the free passage of persons or vehicles in the neighborhood, (d) excessive noise which is disturbing to people of normal sensitivity on adjacent or nearby property or areas open to the public, or (e) any other impacts on the neighborhood which are disruptive of normal activity in the area.

C. Enforcement:

* * *

3. Summary Abatement Procedure:

* * *

d. A final order to abate the nuisance will subject the property owner or owners and any occupant or occupants of the property who are cultivating marijuana-cannabis in violation of this section to a civil penalty of five hundred dollars (\$500.00) for each day that the violation continues after the date specified in the notice under subsection C3a(3) of this section, when the violation must be abated. * * *

4. Violation: Cultivation of marijuana-cannabis on parcels within the City that does not comply with this section constitutes a violation of the zoning ordinance and is subject to the penalties and enforcement as provided in Chapter 2, Article 22 of this Division.

* * *

SECTION SEVEN.

Section 9261 of Article 20, Chapter 2, Division 9 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§9261 DISCRETIONARY PLANNING PERMITS

The City’s discretionary planning permits include use permits, site development permits, and variances.

* * *

D. Major And Minor Use Permits, Site Development Permits, And Variances: At the time of application submittal, the Planning Director or assigned designee shall determine if the proposed project constitutes a major or minor use permit, site development permit, or variance. The Planning Director or assigned designee shall be guided by the following criteria when determining whether a discretionary planning permit is major or minor:

* * *

5. a. In all zoning districts in which they are a permitted use, the following cannabis-related businesses shall be considered major uses:

~~Cannabis cultivation—Processor.~~

~~Cannabis cultivation—Specialty cottage.~~

~~Cannabis cultivation—Specialty indoor.~~

~~Cannabis cultivation—Specialty mixed light.~~

Cannabis microbusiness.

Cannabis nursery.

Cannabis retailer.

Major use permits issued for cannabis-related businesses shall be subject to review after the first year of operation, and shall be subject to review and revocation procedures set forth in subsections 9174.2D and E of this code.

b. In all zoning districts in which they are a permitted use, the following cannabis-related businesses shall be considered minor uses:

~~Cannabis Cultivation – All Types.~~

Cannabis distribution.

Cannabis manufacturer – Level 1.

Cannabis manufacturer – Packaging.

Cannabis Manufacturer – Shared use.

Minor use permits issued for cannabis-related businesses shall be subject to review after the first year of operation, and shall be subject to review and revocation procedures set forth in subsections 9174.2D and E of this code.

* * *

SECTION EIGHT.

Article 21 in Division 9, Chapter 2 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§ 9278 DEFINITIONS

A. Any words or phrases not defined within this article shall be defined as set forth in current dictionaries. If no dictionary defines a particular term, the City Planning Director shall have the authority to define the term or equate it to a defined term that is similar in nature.

B. For purposes of this article, the words and phrases set out herein shall have the following meanings:

* * *

AGRICULTURAL PROCESSING: The processing, treatment or remanufacture of agricultural products on a commercial basis. Typical uses include wineries, packing and canning plants, feedlots, and livestock auction yards.

* * *

ANIMAL PRODUCTION: Raising of animals or production of animal products such as meat, eggs or dairy products. Typical uses include grazing, ranching, dairy farming, and poultry farming.

ANIMAL RAISING—GENERAL AGRICULTURE means the raising of crops or livestock on parcels greater than forty thousand (40,000) square feet or zoned A-E and shall include:

1. Grazing of livestock and feeding and caring incidental thereof;
2. Animal husbandry including, without limitation, the breeding and raising of cattle, sheep, horses, goats, pigs, rabbits, and poultry, including egg production;
3. Sale of agricultural products grown, raised, or produced on the premises;
4. 4-H, FFA or similar projects shall be permitted in all zoning districts.

ANIMAL RAISING—PERSONAL means the raising of hen chickens or rabbits for personal use on parcels forty thousand (40,000) square feet or less in size in accordance with the following criteria:

1. No more than six (6) of any one (1) or combination of such animals on the lot
2. Maintained in coops or pens located at a distance of fifty (50) feet or more from buildings used for human habitation;
3. Coops or pens shall be located only on the rear one-third (1/3) of the lot;
4. Coops or pens shall be located no closer than five (5) feet from the side or rear property line.

ANIMAL SALES AND SERVICES: Establishments or places of business primarily engaged in animal related sales and services. The following are animal sales and services use types:

1. Animal Sales and Services—Auctioning. Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding seventy-two (72) hour periods. Typical uses include animal auctions or livestock auction yards.
2. Animal Sales and Services—Household Pets. Retail sales and grooming of dogs, cats, birds, fish and similar small animals customarily used as household pets. Typical uses include pet stores, dog bathing and clipping salons, or pet grooming shops.
3. Animal Sales and Services—Horse Stables. Boarding, breeding or raising of horses not owned by the occupants of the premises or riding of horses by other than the occupants of the premises or their nonpaying guests. Typical uses include boarding stables or public stables.
4. Animal Sales and Services—Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels or dog training centers.
5. Animal Sales and Services—Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
6. Animal Sales and Services—Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) and veterinary hospitals (large animals). Typical uses include clinics for the treatment of sheep, cattle, horses, goats and similar large animals.

ANIMAL WASTE PROCESSING: Processing of animal waste and byproducts, including but not limited to animal manure, animal bedding waste, and similar byproducts of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

* * *

CANNABIS CULTIVATION: Shall have the same definition as set forth for "cultivation" in Business and Professions Code section 26001(k), as may be amended from time to time.

CANNABIS CULTIVATION – INDOOR: Shall have the same definition as set forth for "indoor cultivation" in California Code of Regulations, title 4, section 15000(cc), as may be amended from time to time. For purposes of this code, indoor cultivation involves cultivation of cannabis within a fully enclosed secure structure, as defined in section 9254 of this code.

CANNABIS CULTIVATION – LARGE INDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "large indoor" set forth in California Code of Regulations, title 4, section 16201.1, as may be amended from time to time.~~Indoor cultivation using exclusively artificial lighting greater than twenty-two thousand (22,000) square feet, inclusive, of total canopy size on one premises.~~

CANNABIS CULTIVATION – LARGE MIXED LIGHT: A cannabis-related business

operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "large mixed light" set forth in California Code of Regulations, title 4, section 16201.1, as may be amended from time to time.~~Indoor cultivation using any combination of natural and supplemental artificial lighting, greater than twenty-two thousand (22,000) square feet, inclusive, of total canopy size on one premises.~~

CANNABIS CULTIVATION – LARGE OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "large outdoor" set forth in California Code of Regulations, title 4, section 16201.1, as may be amended from time to time.

CANNABIS CULTIVATION – MEDIUM INDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "medium indoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – MEDIUM MIXED LIGHT: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "medium mixed light tier 1 and 2" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – MEDIUM OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "medium outdoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – OUTDOOR: Shall have the same definition as set forth for "outdoor cultivation" in California Code of Regulations, title 4, section 15000(xx), as may be amended from time to time. For purposes of this Code, commercial outdoor cultivation involves cultivation of cannabis that is not within a fully enclosed secure structure, as defined in section 9254 of this Code.

CANNABIS CULTIVATION – PROCESSOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "processor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SMALL INDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "small indoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SMALL MIXED LIGHT: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "small mixed light tier 1 and 2" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SMALL OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "small outdoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY COTTAGE: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty cottage" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY COTTAGE OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty cottage outdoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY INDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty indoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY MIXED LIGHT: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty mixed light tier 1 and 2" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty outdoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

* * *

COMMERCIAL WOODLOTS: Open or closed storage of firewood for wholesale or retail sales, regardless of where the firewood products are produced.

* * *

COMMUNITY RECREATION: Recreational, social or multipurpose uses owned or operated by a public entity. Typical uses include public parks, sports facilities, senior citizen centers, nature centers, teen centers, playhouses, auditoriums and recreational centers.

* * *

CROP PRODUCTION: Growing and harvesting of tree, row or field crops, or horticultural specialties, including incidental packing and processing. Typical uses include orchards, vineyards, and wholesale plant nurseries.

* * *

DAY CARE FACILITY / SMALL SCHOOL: Care or education of seven (7) or more, but not to exceed twenty-five (25) persons regardless of age or handicap but excluding overnight care or uses classified as group care or other facilities exempted by the California Health and Safety Code, e.g. Day Care Homes -Small and Large, or major impact services and utilities. Typical uses include day nurseries for children, child day care facilities, or day care for elderly, and small schools.

* * *

EMPLOYEE HOUSING: Employee housing consistent with the Employee Housing Act as specified in California Health and Safety Code §§ 17000 through 17062.5.

* * *

FARM STAND: A small-scale structure or area for the seasonal or year-round sale of agricultural products grown or produced on the same premises or within the local area. The farm stand is generally temporary or semi-permanent in nature, does not exceed 200 square feet and obtains any needed building or encroachment permits, and may only sell agricultural goods or value-added products directly produced from on-site agricultural operations.

* * *

FOREST PRODUCTION AND PROCESSING: Refers to the growing, harvesting and production of forest products and forest byproducts including growing, milling and sales of forest products. The following are forest production and processing use types:

1. Forest Production and Processing: Limited. The growing, harvesting, air drying or kiln drying, milling, packaging, packing, shipping and selling of forest products, produced on the premises or experimental tree farms and tree nurseries.
2. Forest Production and Processing: General. The growing, harvesting, air drying or kiln drying, milling, packaging, packing, shipping and selling of forest products regardless of where they are grown and also forestry related research laboratories.
3. Forest Production and Processing: Commercial Woodlots. Open or closed storage of firewood for wholesale or retail sales, regardless of where the firewood products are produced.

* * *

HORTICULTURE: Premises devoted to horticultural and floracultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes. Typical uses include wholesale/retail nurseries limited to the sale of horticulture and horticulture specialties grown on site and in green houses. The art or science of growing flowers, shrubs, fruits, and vegetables.

* * *

MAJOR IMPACT FACILITIES: Services or facilities which may have a substantial impact. Typical uses include airports, hospitals, group care for more than twenty-five (25) persons,

detention and correction institutions, and corporation yards.

MAJOR IMPACT SERVICES AND UTILITIES: Services or utilities which may have a substantial impact. Such uses may be conditionally permitted when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are power generating facilities, Battery Energy Storage Systems, sewage disposal facilities, septage disposal facilities and sites, sanitary landfills and water treatment plants, and radio, telephone and other commercial communication transmission towers and antennas.

* * *

PACKING AND PROCESSING: Packing or processing of agricultural crops, animals and their byproducts which entails more than picking, cutting, sorting and boxing or crating, but does not include rendering, tanning, or reduction of meat. The following are packing and processing use types:

1. Packing and Processing—Limited. Packing or processing of crops grown on the premises;
2. Packing and Processing—Winery. Crushing of grapes and fermentation, storage, and bottling of wine from grapes grown on or off the premises. Said use type also includes tasting rooms in conjunction with a winery and breweries provided said tasting room occupies less than twenty-five percent (25%) of the floor space of the winery;
3. Packing and Processing—General. Packing or processing of crops, mineral water, animals or their byproducts regardless of where they were grown or found. Includes mineral water bottling plants;

* * *

ROW AND FIELD CROPS: Premises devoted to the cultivation for sale of agricultural products grown in regular or scattered patterns such as vines, field, forage and other plant crops intended to provide food or fibers.

* * *

TRANSIENT HABITATION: Establishments primarily engaged in the provision of lodging services on a less than monthly basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are transient habitation use types:

1. Transient Habitation—Campground. Campground services involving transient habitation areas for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks or campgrounds. Uses within this use type are subject to Chapter 20.176, Recreational Vehicle Parks and Campgrounds.
2. Transient Habitation—Lodging (Limited). Lodging services involving the provision of room and/or board. Typical uses include hotels, motels, inns, or transient boarding houses with three (3) to six (6) rooms.
3. Transient Habitation—Lodging. Lodging services involving the provision of room and/or board. Typical uses include hotels, motels, inns, or transient boarding houses with seven

(7) or more rooms.

4. Transient Habitation—Resort and Recreational Facilities. Resort services including the provision of extensive outdoor recreation and entertainment services especially for vacationers. Typical uses include resort and recreational facilities, health spas, resort hotels and motels, guest ranch, inns or organized camps.

* * *

TREE CROPS: Premises devoted to the cultivation for sale at wholesale of tree-grown agricultural products such as pears, apples, walnuts and Christmas trees but excluding other forestry products.

SECTION NINE.

1. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Ukiah hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

2. EFFECTIVE DATE.

This Ordinance shall be published as required by law in a newspaper of general circulation in the City of Ukiah, and shall become effective thirty (30) days after its adoption.

Introduced by title only on _____, 2024, by the following roll call vote:

AYES:
NOES: None
ABSENT: None
ABSTAIN: None

Adopted on _____, 2024, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Josefina Dueñas, Mayor

ATTEST:

DRAFT

ORDINANCE NO. 2024 - ____**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING VARIOUS SECTIONS OF DIVISIONS 7 AND 9 OF THE CITY CODE TO REGULATE AGRICULTURAL USES AND CERTAIN CANNABIS BUSINESS STANDARDS.**

The City Council of the City of Ukiah hereby ordains as follows:

SECTION ONE. FINDINGS

1. It is the policy of the City of Ukiah to implement shared approaches to local agriculture and strengthen existing City policies regarding preservation and enhancement of regional working lands; and
2. Agricultural production has been an important part of the regional economy for generations and will continue to be a foundational component for decades to come. In addition to the economic benefits, agricultural lands provide a pastoral quality that helps define the character of the Ukiah Valley. If undertaken appropriately by addressing issues related to health and, potential nuisances (e.g., noise, odor, aesthetics), urban agriculture can improve access to healthy food, promote community development, and create jobs.
3. It is a goal of the City of Ukiah to preserve and strengthen agricultural uses in and around Ukiah that influence the regional economy (AG-1), and as a policy of its Agriculture Element of the 2040 General Plan, the City shall reduce conflict between incompatible uses and agriculture within and adjacent to the City (AG – 1.1).
4. To implement this policy the City shall revise agricultural standards and use terminology to be consistent with adjacent jurisdictions within the Ukiah Valley for the support of future annexation efforts (Agriculture Implementation Program C).

SECTION 2

Section 6093 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *)”:

§6093 CANNABIS CULTIVATION PROHIBITED

A. Except as set forth in Sections 9174.4 and 9254 of this Code regarding commercial cannabis cultivation, outdoor cultivation of cannabis, or indoor cultivation in excess of six (6) mature plants or twelve (12) immature plants per private residence, as defined in Health and Safety Code section 11362.2(b)(5) or as may be amended, for personal use, within the City limits of the City of Ukiah in violation of section 9254 of this code is prohibited and constitutes a violation of this article.

* * *

§6094 SEIZURE AND DESTRUCTION OF CANNABIS

Except as otherwise expressly stated in this section, all cannabis seized by the city police in

the enforcement of this article shall be seized, retained and destroyed in the same manner and subject to the same procedures as are provided in California Health and Safety Code sections 11472-11479, for cannabis possessed in violation of division 10 of the Health and Safety Code. The requirements in subsection (b) of Health and Safety Code section 11479, prescribing the conditions that must be satisfied before seized cannabis may be destroyed without a court order, as applied by this section, are revised as follows:

* * *

SECTION THREE.

Article 10 in Division 9, Chapter 2 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *):

§ 9125 COMBINING AGRICULTURAL OR -A DISTRICTS

A Combining Agricultural (-A) District may be combined with any district or portion of a district defined in this Chapter. The regulations contained in this Article, and the regulations governing any district which is combined with a Combining Agricultural (-A) District shall apply in all combining Agricultural (-A) Districts.

§ 9126 USES ALLOWED

The following uses are allowed uses in Combining Agricultural (-A) Districts in addition to the uses allowed or permitted in any district with which an (-A) District is combined and providing the property is a minimum of five (5) acres in size:

- A. Animal Raising – Personal.
- B. Forest Production and Processing – Limited.
- C. Horticulture.
- D. Packing and Processing – Limited.
- B. Row and Field Crops.
- C. Tree Crops.
- D. Farm Stands.

§ 9127 USES PERMITTED

The following uses may be permitted in a Combining Agricultural (-A) District subject to first securing a minor use permit, as provided in this chapter, in each case, in addition to the uses allowed or permitted in any district with which a (-A) district is combined and provided the property is a minimum of one acre:

- A. Animal Raising – General Agriculture.
- B. Animal Sales and Services - Kennels
- C. Animal Sales and Services—Horse Stables.
- D. Animal Sales and Services—Veterinary (Large Animals).
- E. Employee Housing.
- F. Outdoor or Mixed-Light Commercial Cannabis Cultivation of all license types set forth in California Code of Regulations, title 4, section 16201 and section 16201.1, as may be amended from time to time.

SECTION FOUR.

Article 13 in Division 9, Chapter 2 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§9160 AGRICULTURAL EXCLUSIVE OR A-E DISTRICT

A. This district is intended to be an exclusive district for agriculture and those uses which are necessary and an integral part of the agricultural operation. This district has been created to protect and preserve the limited amount of agricultural soils from encroachments of nonrelated agricultural uses which, by their nature, would be injurious to the physical and economical well-being of the agricultural operations.

B. The following specific regulations and general regulations set forth in Article 16 shall apply in all A-E Districts:

C. Uses Allowed:

1. Residential & Accessory Uses

Accessory dwelling units (ADU), as regulated by Chapter 2, Article 5.3 of this Division.

Employee Housing.

Home occupations.

Junior accessory dwelling units (JADUs), as regulated by Chapter 2, Article 5.4 of this Division.

Single-family residential dwellings, including manufactured/modular homes.

Small and large family daycare homes.

2. Agricultural Uses.

Animal raising—general agriculture.

Animal raising—personal.

Dairies and the production of dairy products from milk produced on the premises.

Horticulture.

Packing and processing—limited.

Packing and processing—winery.

Production of fish life or fish products for commercial purposes (hatcheries, ponds, etc.)

Row and Field Crops.

Tree Crops.

3. Civic Uses

Day care facilities/small schools.

Safety Services.

Utility Service Minor.

4. Commercial Uses

Farm Stands.

D. Uses Requiring Minor Use Permits: The following compatible uses and those which, in the opinion of the Community Development Director, may be substantially similar in nature thereto shall be permitted, but only upon the securing of a use permit pursuant to this Chapter:

1. Residential Uses

Dwelling Group.

Supportive housing, subject to the same density limitation and to the same regulations applicable to other residential dwelling of the same type.

Transitional housing, subject to the same density limitation and to the same regulations applicable to other residential dwelling of the same type.

2. Agricultural Uses

Forest production and processing—limited.

Packing and processing general.

3. Commercial Uses

Agricultural sales and services.

Animal sales and services—auctioning.

Animal sales and services—horse stables.;

Animal sales and services—kennels.

Animal sales and services—stockyards.

Animal sales and services—veterinary (large animals).

Outdoor or Mixed-Light Commercial Cannabis Cultivation of all license types set forth in California Code of Regulations, title 4, section 16201 and section 16201.1, as may be amended from time to time.

Sale of food products produced off the premises, provided that the sale of such products is incidental and secondary to the sale of agricultural products produced upon the premises.

Recreational use, meaning the use of land by the public, with or without charge, for any of the following recreational uses: walking, hiking, picnicking, camping, swimming, boating, fishing, hunting or other outdoor games for which no structures or buildings not permitted by the use permit are provided.

E. Uses Requiring Major Use Permits: The following compatible uses and those which, in the opinion of the Planning Commission, may be substantially similar in nature thereto shall be permitted, but only upon the securing of a major use permit pursuant to this Chapter:

1. Agricultural Uses

Animal waste processing.

Forest production and processing—commercial woodlots.

Forest production and processing—portable sawmills.

2. Commercial Uses

Transient habitation—campground.

Transient habitation—lodging (limited).

Transient habitation—resort and recreational facilities.

3. Civic Uses

Educational Facilities.

Major impact facilities.

Major impact services and utilities.

F. Minimum lot area. Forty (40) acres.

G. Minimum front yard. Twenty five feet (25').

H. Minimum side yard. Twenty five feet (25').

I. Minimum rear yard. Twenty five feet (25').

J. Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet

K. Maximum building height. Not to exceed thirty-five feet (35') for residential buildings, all other buildings fifty feet (50').

L. Maximum Dwelling Density. One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as a Dwelling Group and shall be consistent with the following density standard: One (1) unit per forty (40) acres.

SECTION FIVE.

Article 15.7 of Chapter 2 in Division 9 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *):

§9174 PURPOSE

This article provides site planning, development, and/or operational standards for certain land uses that are allowed in certain zoning districts and are subject to discretionary review through the use permit process but that may have unique adverse impacts. The standards for each use are intended to mitigate any potentially adverse impacts associated with the specific use.

§9174.1 APPLICABILITY

The land uses and activities included in this article shall comply with the provisions of the section applicable to the specific land use, in addition to all other applicable provisions of this article and the Ukiah City Code.

A. Where Allowed: The uses that are subject to the standards in sections 9174.2 through 9174.9 of this code shall only be located in the zoning districts indicted in Chapter 2, Articles 3 through 15, or as otherwise indicated in this chapter.

B. Development Standards: The standards for specific land uses included in this article are required and supplement those included in the Ukiah City Code. In the event of any conflict between the requirements of this article and those included elsewhere in the City code, the requirements of this article shall control.

§9174.2 CANNABIS-RELATED BUSINESSES

A. Cannabis-Related Business Use Permit Application Requirements:

1. Submission: A complete use permit application submittal packet shall be submitted in accordance with section 9262 of this code, including a detailed written statement as to how the proposed cannabis-related business complies with this section, and any other information or submissions required by this code. All applications for use permits for cannabis-related businesses shall be filed with the Planning Department, using forms provided by the City, and accompanied by the applicable filing fee and any other applicable fees or charges. It is the responsibility of the applicant to provide information required for approval of the permit. The application shall be made under penalty of perjury.

2. Effect Of Other Permits Or Licenses: The fact that an applicant possesses other types of State or City permits or licenses does not exempt the applicant from the requirement of obtaining a use permit.

3. Submittal Requirements: Any application for a use permit for a cannabis-related business shall include the following information:

a. Applicant(s) Name: The full name (including any current or prior aliases, or other legal names the applicant is or has been known by, including maiden names), present address, and telephone number of the applicant;

b. Applicant(s) Mailing Address: The address to which notice of action on the application is to be mailed;

c. Verification Of Age: Written proof that the applicant is at least twenty-one (21) years of age;

d. Physical Description: Applicant's height, weight, color of eyes and hair;

e. Photographs: Passport quality photographs for identification purposes;

f. Tax History: The cannabis-related business tax history of the applicant, including whether such person, in previously operating in this or another city, county or state under license, has had a business license revoked or suspended, the reason therefor, and the business or activity or occupation in which the applicant engaged subsequent to such action of suspension or revocation;

g. Management Information: The name or names and addresses of the person or persons having the management or supervision of applicant's business;

h. Criminal Background: A completed background investigation verifying whether the person or person having the management or supervision of applicant's business has been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received therefor;

i. Employee Information: Number of employees, volunteers, and other persons who will work at the cannabis-related business;

j. Plan Of Operations: A plan of operations describing how the cannabis-related business will operate consistent with the intent of State law, including obtaining all applicable State licenses, and the provisions of this section, including but not limited to ensuring that the cannabis-related business will not engage in cannabis-related commercial activities that violate California law or this chapter;

k. Written Response To Cannabis-Related Business Standards: The applicant shall provide a comprehensive written response identifying how the cannabis-related business plan complies with each of the standards for review in this chapter, specifically the limitation on location and operating requirements in this article;

l. Security Plan: A detailed security plan and diagram outlining the proposed security arrangements for ensuring the safety of persons and to protect the premises from theft. The plan shall include installation of security cameras, a premises and panic alarm system monitored by a licensed operator, and a security assessment of the site conducted by a qualified professional;

m. Floor Plan: A sketch or diagram showing the interior configuration of the premises, including a statement of the total floor area occupied by the cannabis-related business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches (6");

n. Site Plan: A sketch or diagram showing exterior configuration of the premises, including the outline of all existing and proposed structures, parking and landscape areas, and property boundaries. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions to an accuracy of plus or minus six inches (6");

o. Accessibility Evaluation: A written evaluation of accessibility to and within the building, and identification of any planned accessibility improvements;

p. Neighborhood Context Map: An accurate straight-line drawing depicting the building and the portion thereof to be occupied by the cannabis-related business, and: (1) the property lines of any school within six hundred feet (600') of the property line of the business for which a permit is requested, (2) the property lines of any cannabis-related business within two hundred fifty feet (250') of the primary entrance of the business for which a permit is requested, and (3) the property lines of any youth-oriented facility or residential zone or use within two hundred fifty feet (250') of the primary entrance of the business;

q. Lighting Plan: A lighting plan showing existing and proposed exterior premises and interior lighting levels that would be the minimum necessary to provide adequate security lighting for the use and comply with all City standards regarding lighting design and installation. All lighting shall be fully hooded and downcast, and shall not shine towards the night sky, adjacent property or any street;

r. City Authorization: Written authorization for the City, its agents and employees to seek verification of the information contained within the application;

s. Statement of Owner's Consent: A statement in writing by the owner that he or she certifies under penalty of perjury that the applicant has the consent of the owner and landlord to operate a cannabis-related business at the location;

t. Applicant's Certification: A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct;

u. Other Information: Such other information as deemed necessary by the Planning Department to demonstrate compliance with this section including all City and State codes, including operating requirements established in this section.

4. Effect Of Incomplete Filing: Upon notification that an application submittal is incomplete, the applicant shall submit any additional documents or information required to complete the application within thirty (30) days of the date the applicant is notified in writing by the Planning Department that the application is incomplete. If the applicant fails to complete the application within said thirty (30) days, the application shall be deemed withdrawn and a new application submittal that complies with this section shall be required in order to proceed with the application.

B. Operating Requirements For Cannabis-Related Businesses: Cannabis-related business operations shall be established and managed only in compliance with the following standards:

1. Criminal History: Any applicant, his or her agent or employees, volunteer workers, or any person exercising managerial authority of a cannabis-related business on behalf of the applicant shall not have been convicted of any of the felony offenses enumerated in Business and Professions Code section 26057(b)(4), or of a felony or misdemeanor involving moral turpitude, or on probation for a drug offense, or engaged in misconduct

related to the qualifications, functions or duties of a permittee. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any manager has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted. In addition, notwithstanding the above, a prior conviction, where the sentence, including any term of probation, incarceration, or supervised release, is completed, for possession of, possession for sale, sale, manufacture, transportation, or cultivation of cannabis or cannabinoid preparations, is not considered related to the qualifications, functions, or duties of a permittee, and shall not be the sole ground for denial of an application.

2. Minors:

a. It is unlawful for any permittee, operator, or other person in charge of any cannabis-related business to employ any person who is not at least twenty-one (21) years of age.

b. The burden of proof is on the cannabis-related business personnel to establish compliance with this subsection B2 of this section by clear and convincing evidence.

3. Inventory And Tracking: Cannabis-related businesses shall at all times operate in a manner to prevent diversion of cannabis and shall promptly comply with any track and trace program established by the State.

4. Multiple Permits Per Site: Multiple cannabis-related businesses proposed on any one site or parcel shall be granted permit approval only if all of the proposed cannabis businesses and their co-location are authorized by both City and State law. Operators of cannabis-related businesses issued use permits for multiple business types or State license types at the same physical address shall maintain clear separation between license types unless otherwise authorized by this code and State law.

5. Operating Plans: An operating plan for a cannabis-related business must contain the following unless not applicable:

a. Storage: A cannabis-related business shall have suitable locked storage on premises, identified and approved as a part of the security plan, for after-hours storage of cannabis and cannabis products.

b. Odors Control: The cannabis-related business shall have an air treatment system that prevents odors generated from any storage and cultivation of cannabis on the business property from being detected by any reasonable person of normal sensitivity outside the cannabis-related business premises. To achieve this, both the storage and cultivation areas shall be, at minimum, mechanically ventilated with a carbon filter or superior method.

c. Security Plans: A cannabis-related business shall provide adequate security on the premises, as approved by the Chief of Police, including lighting and a premises

and panic alarm system monitored by a licensed operator, to ensure the safety of persons and to protect the premises from theft.

d. Security Cameras: Security surveillance cameras shall be installed to monitor the main entrance and exterior of the premises to discourage loitering, crime, illegal or nuisance activities. The security surveillance system shall comply with current State standards for digital video surveillance systems to be installed on the premises of licensed cannabis businesses, currently codified in the California Code of Regulations, Title 16, Section 5044, and as may be amended.

e. Security Video Retention: Security video shall be maintained for ninety (90) days. In the event of a crime on site or anywhere within range of the cannabis-related business's security cameras, the cannabis-related business shall provide the Chief of Police or his or her designee with a useable digital copy of the security video upon request or at the earliest convenience.

f. Alarm System: Professionally monitored premises and panic alarm system shall be installed and maintained in good working condition.

g. Emergency Access: Security measures shall be designed to ensure emergency access in compliance the California Fire Code and Ukiah Valley Fire Authority standards.

h. Emergency Contact: A cannabis-related business shall provide the Chief of Police with the name, email address, phone number and facsimile number of an on-site community relations staff person to whom one can provide notice if there are operating problems associated with the business. The business shall make every good faith effort to encourage neighborhood residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the City.

6. Employee Records: Each owner or operator of a cannabis-related business shall maintain a current register of the names of all volunteers and employees currently working at or employed by the cannabis-related business, and shall disclose such registration for inspection by any City officer or official for purposes of determining compliance with the requirements of this article.

7. Compliance With Other Requirements: The operator shall comply with all applicable provisions of local, State or Federal laws, regulations or orders, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders.

8. Confidentiality: The information provided for purposes of this section regarding the cannabis business security plans, security site plan, and employee background checks shall be maintained by the City as confidential information, and shall not be disclosed as public records unless pursuant to subpoena issued by a court of competent jurisdiction or otherwise compelled by court order or the California Public Records Act.

9. Display Of Permit: Every cannabis-related business shall display at all times during business hours the use permit issued pursuant to the provisions of this chapter for such

business in a conspicuous place so that the same may be readily seen by all persons entering the business.

10. Inspections: During normal business hours, cannabis-related businesses permitted under this chapter shall provide access for administrative inspections by City officials or officers or consultants hired by the City to verify compliance with this article. Any cannabis-related business's refusal to comply with this section shall be deemed a violation of this article.

11. Notification Of Theft, Loss, And Criminal Activity: Cannabis-related businesses shall comply with the California Code of Regulations, Title 16, Section 5036, or as may be amended, by notifying the applicable State authorities and the Ukiah Police Department within twenty-four (24) hours of discovery of any of the following situations:

- a. A significant discrepancy in the business's inventory.
- b. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity pertaining to the operations of the business.
- c. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity by an agent or employee of the business pertaining to the operations of the business.
- d. The operator becomes aware of or has reason to suspect the loss or unauthorized alteration of records related to cannabis goods, customers or clients, or the business's employees or agents.
- e. The operator becomes aware of or has reason to suspect any other breach of security.

The notification shall be in writing and include the date and time of occurrence of the theft, loss, or criminal activity and a description of the incident including, where applicable, the item(s) that were taken or lost.

C. Review And Revocation: Use permits issued for cannabis-related businesses shall be subject to review after the first year of operation according to the procedures set forth in subsection D of this section, and shall be subject to revocation according to the procedures set forth in subsection E of this section.

D. Review Of Use Permits For Cannabis-Related Businesses:

1. Use permits for cannabis-related business will be subject to review after the first year of operation by the Zoning Administrator, including inspection of the business by the Zoning Administrator or his designee, to determine whether the business is being operated in accordance with any conditions of approval imposed on the use permit as issued by the Planning Commission or Zoning Administrator. The City Council may, from time to time by resolution in accordance with the procedures required by law, establish fees to be charged and collected for annual review pursuant to this subsection.

2. In the course of review and after inspection, the Zoning Administrator shall make findings of fact regarding the cannabis-related business operator's adherence to the conditions of approval for the use permit. In addition, the Zoning Administrator will consider the following nonexclusive criteria in making findings of fact which may be grounds for revocation of a use permit for a cannabis-related business:

a. Whether the cannabis-related business operated pursuant to the use permit has generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the cannabis-related business.

b. Whether there have been excessive secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, cannabis use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, odors, or lewd conduct.

c. Whether the cannabis-related business operating pursuant to a use permit has a history of inadequate safeguards or procedures that show it is likely that it will not comply with any operating requirements and standards required in the conditions of approval.

d. Whether the cannabis-related business has failed to pay fees, penalties, or taxes required by the conditions of approval of the use permit or by this code or State law, or has failed to comply with any requirements for the production of records or other reporting requirements of this code.

e. Whether the operator of the cannabis-related business or one or more of its officers, employees, partners, managers or members with management responsibilities ("managers") has been convicted of a felony, or has engaged in misconduct that is substantially related to the qualifications, functions or duties of an operator of a cannabis-related businesses. A "conviction" within the meaning of this chapter means a plea or verdict of guilty, or a conviction following a plea of nolo contendere. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any manager has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted.

f. Whether the operator or managers of the cannabis-related business have previously or are currently engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

g. Whether the cannabis-related business has been operated in compliance with applicable State law and provisions of this code generally.

3. If the Zoning Administrator determines that the cannabis-related business is being operated in violation of any conditions of approval imposed on the use permit as issued by the Planning Commission or the Zoning Administrator, the use permit may be subject

to revocation.

E. Revocation Of Use Permits For Cannabis-Related Businesses:

1. In addition to the reasons for revocation of an approved use permit set forth in subsection 9262H2 of this code and subsection D2 of this section, an approved use permit for a cannabis-related business may be revoked through the City's revocation process, as set forth in subsection 9262H2 of this code, except that all references therein to the Planning Commission shall be deemed to refer to the Zoning Administrator, if the cannabis-related business is operated in a manner that violates the conditions of approval imposed by the use permit or the provisions of this code, or conflicts with State law. At the public hearing to be conducted by the Zoning Administrator as set forth in subsection 9262H2 of this code, the Zoning Administrator shall make findings regarding the alleged specific violations of this code or State law.

2. An appeal of the Zoning Administrator's decision on revocation of a use permit for a cannabis-related business may be made to the Planning Commission for a final decision. Any such appeal must comply with the requirements of section 9266 of this code, except that all references therein to the City Council shall be deemed to refer to the Planning Commission.

3. When a final decision revoking a use permit for a cannabis-related business is made as provided in this section, the permittee shall become ineligible for a period of three (3) years thereafter to apply for a use permit for a cannabis-related business. The ineligibility shall include any corporation or other business entity, including, but not limited to, a partnership or limited liability company, in which the permittee has any direct or indirect beneficial, financial or ownership interest.

F. Limitations on Locations of Cannabis-Related Businesses:

1. All cannabis-related businesses, as defined in section 9278 of this code, operating subject to use permits under this chapter will operate indoors in a fully enclosed secure structure, as defined in section 9254 of this code, except as set forth in subsection 9174.3(c)(5) of this code regulating cannabis consumption areas, and in Section 9174.4 of this Code regulating outdoor commercial cannabis cultivation in the A-E district and districts with -A overlay, and shall not be allowed in the following areas, except as otherwise set forth in this Code:

a. Within six hundred feet (600') of a school, as defined in section 5702P of this code, with that distance measured as the horizontal distance in a straight line from the property line of the school to the closest property line of the lot on which the cannabis-related business is to be located without regard to intervening structures, pursuant to California Health and Safety Code section 11362.768; or

b. Within two hundred fifty feet (250') of a youth-oriented facility other than a school, as defined in section 5702R of this code, with that distance measured by street frontage from the property line of the youth-oriented facility to the closest property line of the lot on which the cannabis-related business is to be located, and not radial

distance; or

c. Abutting, on any side of the parcel upon which the cannabis-related business is located, a parcel occupied by a youth-oriented facility or a school; or

d. Within any residential zoned parcel or primary land use, or any property with an underlying residential or mobile homes general plan land use designation; or

e. On a parcel having a residential unit, or on a parcel directly abutting a residentially zoned property, unless there are intervening nonresidential uses between the cannabis-related business and the residential unit or the residentially zoned property that the decision-making entity charged with hearing and making the decision on the use permit application or the appeal of that decision determines sufficient to provide an appropriate separation.

2. A cannabis retailer, as defined in section 9278 of this code, shall not be allowed within two hundred fifty feet (250') of another cannabis retailer, with that distance measured by street frontage from the property line of the other cannabis retailer to the closest property line of the lot on which the cannabis retailer is to be located, and not radial distance.

3. A waiver of the provisions in subsections F1a through e and F2 of this section may be granted if the applicant demonstrates on plans and materials presented for review and the Planning Commission determines that a physical barrier or other condition exists which achieves the same purpose and intent as the distance separation requirements established herein, and that, as a result, the Zoning Administrator or the Planning Commission makes a finding of no adverse impact resulting from the proposed location of the cannabis-related business.

4. A Cannabis Cultivation Business located in the A-E district and in the P-F District with A- overlay will not be subject to the location limitations set forth in Subsections F.1.a through F.1.e of this Section.

§9174.3 CANNABIS RETAILERS

A. Applicability: The standards and requirements in this section apply specifically to cannabis retailers, as defined in section 9278 of this code, and other cannabis businesses with a retail component, and shall apply in addition to the requirements and standards for all cannabis businesses set forth in section 9174.2 of this code and elsewhere in this code. In the event of any conflict between the requirements of this section and those included elsewhere in the City Code, the requirements of this section shall control.

* * *

C. Operating Requirements:

* * *

5. Consumption Restrictions:

a. Except as set forth in subsections C5b and c of this section, cannabis shall not be consumed on the premises of the cannabis retailer, nor within any accessory structures, parking areas, or other surroundings within two hundred feet (200') of the cannabis retailer's entrance.

b. Cannabis may be consumed in a designated cannabis consumption area on the premises of a cannabis retailer upon approval of a use permit or modification of an existing use permit. The smoking of cannabis may be permitted in a designated cannabis consumption area as may be allowable under state law and subject to the terms of the use permit. A cannabis retailer's operation and use of a cannabis consumption area shall otherwise comply with the provisions of Division 5, Chapter 7 of this code, entitled "No Smoking." Cannabis consumption areas shall be secured and designed to prevent access by individuals who are not eligible adult use patrons. If an existing use permit is modified to reflect the creation of a cannabis consumption area, that use permit shall be subject to renewal one year after the cannabis consumption area has become operational.

c. A retailer with a cannabis consumption area that is not enclosed, such as on a patio or a deck, may allow smoking, vaping, and ingesting edible products, subject to all local and State laws.

* * *

§9174.4 COMMERCIAL CANNABIS CULTIVATION

A. Applicability: The standards and requirements in this section apply specifically to commercial Cultivation of Cannabis as defined in section 9278 of this Code, and shall apply in addition to the applicable requirements and standards for all cannabis businesses set forth in section 9174.2 of this Code and elsewhere in this Code. In the event of any conflict between the requirements of this section and those included elsewhere in the City Code, the requirements of this section shall control.

B. Development Criteria:

1. Location of Commercial Cannabis Cultivation- All Commercial Cannabis Cultivation businesses shall comply with the limitations on location for Cannabis Related Businesses set forth in Subsection 9174.2.F of this Code, except that businesses located in the A-E district and in a district combined with A- Overlay shall be exempted from these location limitations.

2. Setbacks: Commercial Cannabis Cultivation areas shall be setback a minimum of 50-feet from all lot lines and shall comply with the setback requirements set forth the State Water Resources Control Board's comprehensive Cannabis Cultivation General Order.

C. Operating Requirements:

1. Cannabis Waste Discharge Requirements General Order. A Commercial Cannabis Cultivation business shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers, within the State.

2. Odor control. A structure for Indoor or Mixed-Light Cultivation must be equipped with a filtration and ventilation system to control odors, humidity, and mold, provided that structures containing only packaged cannabis products may be excluded from this requirement.

3. Lighting. All lighting is to be fully shielded and downward casting so that it does not spill over onto neighboring properties. For operations cultivating within structures, all light is to be fully contained to minimize light trespass that is visible from neighboring parcels. A photometric and supplemental lighting plan shall be provided as a component of the application.

4. Accessory uses. Cannabis Cultivation may include accessory uses on the same parcel that directly support the onsite Cannabis Cultivation, such as: propagation, research and development, processing, drying, packaging and labeling, distribution, other similar support uses as determined by the Zoning Administrator.

5. Limitations on Cannabis harvesting activities. In order to minimize cannabis odors, the drying, curing, and/or trimming of harvested cannabis shall either (1) be located within an enclosed structure which utilizes best available control technology, or (2) include techniques and/or equipment (e.g., the use of freeze drying techniques/equipment and immediate packaging of harvested cannabis in the field) that shall achieve an equivalent or greater level of odor control as could be achieved using an enclosed structure which utilizes best available control technology, or (3) be located at a sufficient distance from neighboring residential structures so as to avoid odor intrusion as a public nuisance as described in Subsection 9254.B.4 of this Code.

6. Generator Prohibition: Generators that are 50 hp or more are prohibited. Generators that are less than 50 hp are allowed for emergency use, as defined in CARB regulations. In addition, generators less than 50 hp must be built to one of the following standards:

a. Tier 3 fuel standards (set by CARB) with Level 3 diesel particulate filter requirements (CCR Title 13, §§2700-2711); or

b. Tier 4 fuel standards (set by the EPA) (CFR Title 40, Chapter I, Subchapter U, Part 1039, Subpart B, §1039.101), or current engine requirements if more stringent.

SECTION SIX.

Section 9254 in Article 19, Chapter 2, Division 9 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *):

§9254 CANNABIS CULTIVATION

A. Definitions: As used herein the following definitions shall apply:

CULTIVATION: The planting, growing, harvesting, drying, or processing of cannabis plants or any part thereof.

FULLY ENCLOSED AND SECURE STRUCTURE: A space within a building that complies with the California Building Code, as adopted in the City of Ukiah ("CBC"), or, if exempt from the permit requirements of the CBC, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. Walls and roofs must be constructed of solid materials that cannot be easily broken through, such as two-inch (2") by four-inch (4") or thicker studs overlaid with three-eighth-inch (3/8") or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement. If indoor grow lights or air filtration systems are used, they must comply with the California Building, Electrical, and Fire Codes as adopted in the City of Ukiah.

IMMATURE CANNABIS PLANT: A cannabis plant, whether male or female, that has not yet flowered and which does not yet have buds that are readily observed by unaided visual examination, and which is less than twelve inches (12") in height and less than twelve inches (12") in width.

INDOORS: Within a fully enclosed and secure structure.

MATURE CANNABIS PLANT: A cannabis plant, whether male or female, that has flowered and which has buds that are readily observed by unaided visual examination.

MIXED-LIGHT: Within a greenhouse, hoop-house, glasshouse, conservatory, hothouse, or other similar structure using a combination of natural and artificial light and meeting the definition of "mixed-light" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

OUTDOOR: Any location within the City of Ukiah that is not within a fully enclosed and secure structure.

PARCEL: Property assigned a separate parcel number by the Mendocino County Assessor.

B. Cultivation Of Cannabis:

1. **Outdoor Cultivation:** Except as set forth in Subsection B.4 of this Section and in Section 9174.4 of this Code, it is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City of Ukiah to cause or allow such premises to be used

for the outdoor cultivation of marijuana plants.

* * *

4. Outdoor Commercial Cultivation Of Cannabis: A person owning, leasing, occupying, or having charge or possession of any parcel within the City of Ukiah may cause or allow such parcel to be used for the outdoor commercial cultivation of cannabis if the person is operating that commercial cannabis cultivation business pursuant to a valid use permit within the A-E district or a district combined with -A overlay and in compliance with all requirements set forth in sections 9174.2, 9174.4, 9261, and 9262 of this Code and with all applicable State laws and regulations including licensing requirements.

5. Public Nuisance Prohibited: It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within the City of Ukiah to create a public nuisance in the course of cultivating cannabis plants or any part thereof in any location, indoor or outdoor. A public nuisance may be deemed to exist, if such activity produces: (a) odors which are disturbing to people of normal sensitivity residing or present on adjacent or nearby property or areas open to the public, (b) repeated responses to the parcel from law enforcement officers, (c) a repeated disruption to the free passage of persons or vehicles in the neighborhood, (d) excessive noise which is disturbing to people of normal sensitivity on adjacent or nearby property or areas open to the public, or (e) any other impacts on the neighborhood which are disruptive of normal activity in the area.

C. Enforcement:

* * *

3. Summary Abatement Procedure:

* * *

d. A final order to abate the nuisance will subject the property owner or owners and any occupant or occupants of the property who are cultivating cannabis in violation of this section to a civil penalty of five hundred dollars (\$500.00) for each day that the violation continues after the date specified in the notice under subsection C3a(3) of this section, when the violation must be abated.

* * *

4. Violation: Cultivation of cannabis on parcels within the City that does not comply with this section constitutes a violation of the zoning ordinance and is subject to the penalties and enforcement as provided in Chapter 2, Article 22 of this Division.

* * *

SECTION SEVEN.

Section 9261 of Article 20, Chapter 2, Division 9 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *):

§9261 DISCRETIONARY PLANNING PERMITS

The City's discretionary planning permits include use permits, site development permits, and variances.

* * *

D. Major And Minor Use Permits, Site Development Permits, And Variances: At the time of application submittal, the Planning Director or assigned designee shall determine if the proposed project constitutes a major or minor use permit, site development permit, or variance. The Planning Director or assigned designee shall be guided by the following criteria when determining whether a discretionary planning permit is major or minor:

* * *

5. a. In all zoning districts in which they are a permitted use, the following cannabis-related businesses shall be considered major uses:

Cannabis microbusiness.

Cannabis nursery.

Cannabis retailer.

Major use permits issued for cannabis-related businesses shall be subject to review after the first year of operation, and shall be subject to review and revocation procedures set forth in subsections 9174.2D and E of this code.

b. In all zoning districts in which they are a permitted use, the following cannabis-related businesses shall be considered minor uses:

Cannabis Cultivation – All Types.

Cannabis distribution.

Cannabis manufacturer – Level 1.

Cannabis manufacturer – Packaging.

Cannabis Manufacturer – Shared use.

Minor use permits issued for cannabis-related businesses shall be subject to review after the first year of operation, and shall be subject to review and revocation procedures set forth in subsections 9174.2D and E of this code.

* * *

SECTION EIGHT.

Article 21 in Division 9, Chapter 2 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§ 9278 DEFINITIONS

A. Any words or phrases not defined within this article shall be defined as set forth in current dictionaries. If no dictionary defines a particular term, the City Planning Director shall have the authority to define the term or equate it to a defined term that is similar in nature.

B. For purposes of this article, the words and phrases set out herein shall have the following meanings:

* * *

* * *

ANIMAL RAISING—GENERAL AGRICULTURE means the raising of crops or livestock on parcels greater than forty thousand (40,000) square feet or zoned A-E and shall include:

1. Grazing of livestock and feeding and caring incidental thereof;
2. Animal husbandry including, without limitation, the breeding and raising of cattle, sheep, horses, goats, pigs, rabbits, and poultry, including egg production;
3. Sale of agricultural products grown, raised, or produced on the premises;
4. 4-H, FFA or similar projects shall be permitted in all zoning districts.

ANIMAL RAISING—PERSONAL means the raising of hen chickens or rabbits for personal use on parcels forty thousand (40,000) square feet or less in size in accordance with the following criteria:

1. No more than six (6) of any one (1) or combination of such animals on the lot
2. Maintained in coops or pens located at a distance of fifty (50) feet or more from buildings used for human habitation;
3. Coops or pens shall be located only on the rear one-third ($\frac{1}{3}$) of the lot;
4. Coops or pens shall be located no closer than five (5) feet from the side or rear property line.

ANIMAL SALES AND SERVICES: Establishments or places of business primarily engaged in animal related sales and services. The following are animal sales and services use types:

1. **Animal Sales and Services—Auctioning.** Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding seventy-two (72) hour periods. Typical uses include animal auctions or livestock

auction yards.

2. Animal Sales and Services—Household Pets. Retail sales and grooming of dogs, cats, birds, fish and similar small animals customarily used as household pets. Typical uses include pet stores, dog bathing and clipping salons, or pet grooming shops.
3. Animal Sales and Services—Horse Stables. Boarding, breeding or raising of horses not owned by the occupants of the premises or riding of horses by other than the occupants of the premises or their nonpaying guests. Typical uses include boarding stables or public stables.
4. Animal Sales and Services—Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels or dog training centers.
5. Animal Sales and Services—Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
6. Animal Sales and Services—Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) and veterinary hospitals (large animals). Typical uses include clinics for the treatment of sheep, cattle, horses, goats and similar large animals.

ANIMAL WASTE PROCESSING: Processing of animal waste and byproducts, including but not limited to animal manure, animal bedding waste, and similar byproducts of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

* * *

CANNABIS CULTIVATION: Shall have the same definition as set forth for "cultivation" in Business and Professions Code section 26001(k), as may be amended from time to time.

CANNABIS CULTIVATION – INDOOR: Shall have the same definition as set forth for "indoor cultivation" in California Code of Regulations, title 4, section 15000(cc), as may be amended from time to time. For purposes of this code, indoor cultivation involves cultivation of cannabis within a fully enclosed secure structure, as defined in section 9254 of this code.

CANNABIS CULTIVATION – LARGE INDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "large indoor" set forth in California Code of Regulations, title 4, section 16201.1, as may be amended from time to time

CANNABIS CULTIVATION – LARGE MIXED LIGHT: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "large mixed light" set forth in California Code of Regulations, title 4, section 16201.1, as may be amended from time to time.

CANNABIS CULTIVATION – LARGE OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "large outdoor" set forth in California Code of Regulations, title 4, section 16201.1, as may be amended from time to time.

CANNABIS CULTIVATION – MEDIUM INDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "medium indoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – MEDIUM MIXED LIGHT: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "medium mixed light tier 1 and 2" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – MEDIUM OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "medium outdoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – OUTDOOR: Shall have the same definition as set forth for "outdoor cultivation" in California Code of Regulations, title 4, section 15000(xx), as may be amended from time to time. For purposes of this Code, commercial outdoor cultivation involves cultivation of cannabis that is not within a fully enclosed secure structure, as defined in section 9254 of this Code.

CANNABIS CULTIVATION – PROCESSOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "processor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SMALL INDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "small indoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SMALL MIXED LIGHT: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "small mixed light tier 1 and 2" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SMALL OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "small outdoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY COTTAGE: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty cottage" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY COTTAGE OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty cottage outdoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY INDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty indoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY MIXED LIGHT: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty mixed light tier 1 and 2" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

CANNABIS CULTIVATION – SPECIALTY OUTDOOR: A cannabis-related business operating under a State cultivator license, or a State cultivation license type subsequently established, and meeting the definition of "specialty outdoor" set forth in California Code of Regulations, title 4, section 16201, as may be amended from time to time.

* * *

COMMERCIAL WOODLOTS: Open or closed storage of firewood for wholesale or retail sales, regardless of where the firewood products are produced.

* * *

COMMUNITY RECREATION: Recreational, social or multipurpose uses owned or operated by a public entity. Typical uses include public parks, sports facilities, senior citizen centers, nature centers, teen centers, playhouses, auditoriums and recreational centers.

* * *

DAY CARE FACILITY / SMALL SCHOOL: Care or education of seven (7) or more, but not to exceed twenty-five (25) persons regardless of age or handicap but excluding overnight care or uses classified as group care or other facilities exempted by the California Health and Safety Code, e.g. Day Care Homes -Small and Large, or major impact services and utilities. Typical uses include day nurseries for children, child day care facilities, or day care for elderly, and small schools.

* * *

EMPLOYEE HOUSING: Employee housing consistent with the Employee Housing Act as specified in California Health and Safety Code §§ 17000 through 17062.5.

* * *

FARM STAND: A small-scale structure or area for the seasonal or year-round sale of agricultural products grown or produced on the same premises or within the local area. The farm stand is generally temporary or semi-permanent in nature, does not exceed 200 square feet and obtains any needed building or encroachment permits, and may only sell agricultural goods or value-added products directly produced from on-site agricultural operations.

* * *

FOREST PRODUCTION AND PROCESSING: Refers to the growing, harvesting and production of forest products and forest byproducts including growing, milling and sales of forest products. The following are forest production and processing use types:

1. Forest Production and Processing: Limited. The growing, harvesting, air drying or kiln drying, milling, packaging, packing, shipping and selling of forest products, produced on the premises or experimental tree farms and tree nurseries;
2. Forest Production and Processing: General. The growing, harvesting, air drying or kiln drying, milling, packaging, packing, shipping and selling of forest products regardless of where they are grown and also forestry related research laboratories;
3. Forest Production and Processing: Commercial Woodlots. Open or closed storage of firewood for wholesale or retail sales, regardless of where the firewood products are produced.

* * *

HORTICULTURE: Premises devoted to horticultural and floracultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes. Typical uses include wholesale/retail nurseries limited to the sale of horticulture and horticulture specialties grown on site and in green houses.

* * *

MAJOR IMPACT FACILITIES: Services or facilities which may have a substantial impact. Typical uses include airports, hospitals, group care for more than twenty-five (25) persons, detention and correction institutions, and corporation yards.

MAJOR IMPACT SERVICES AND UTILITIES: Services or utilities which may have a substantial impact. Such uses may be conditionally permitted when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are power generating facilities, Battery Energy Storage Systems, sewage disposal facilities, septage disposal facilities and sites, sanitary landfills and water treatment plants, and radio, telephone and other commercial communication transmission towers and antennas.

* * *

PACKING AND PROCESSING: Packing or processing of agricultural crops, animals and their byproducts which entails more than picking, cutting, sorting and boxing or crating, but does not include rendering, tanning, or reduction of meat. The following are packing and processing use types:

1. Packing and Processing—Limited. Packing or processing of crops grown on the premises;
2. Packing and Processing—Winery. Crushing of grapes and fermentation, storage, and bottling of wine from grapes grown on or off the premises. Said use type also includes tasting rooms in conjunction with a winery and breweries provided said tasting room occupies less than twenty-five percent (25%) of the floor space of the winery;
3. Packing and Processing—General. Packing or processing of crops, mineral water, animals or their byproducts regardless of where they were grown or found. Includes mineral water bottling plants.

* * *

ROW AND FIELD CROPS: Premises devoted to the cultivation for sale of agricultural products grown in regular or scattered patterns such as vines, field, forage and other plant crops intended to provide food or fibers.

* * *

TRANSIENT HABITATION: Establishments primarily engaged in the provision of lodging services on a less than monthly basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are transient habitation use types:

1. Transient Habitation—Campground. Campground services involving transient habitation areas for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks or campgrounds. Uses within this use type are subject to Chapter 20.176, Recreational Vehicle Parks and Campgrounds.
2. Transient Habitation—Lodging (Limited). Lodging services involving the provision of room and/or board. Typical uses include hotels, motels, inns, or transient boarding houses with three (3) to six (6) rooms.
3. Transient Habitation—Lodging. Lodging services involving the provision of room and/or board. Typical uses include hotels, motels, inns, or transient boarding houses with seven (7) or more rooms.
4. Transient Habitation—Resort and Recreational Facilities. Resort services including the provision of extensive outdoor recreation and entertainment services especially for vacationers. Typical uses include resort and recreational facilities, health spas, resort hotels and motels, guest ranch, inns or organized camps.

* * *

TREE CROPS: Premises devoted to the cultivation for sale at wholesale of tree-grown agricultural products such as pears, apples, walnuts and Christmas trees but excluding other forestry products.

SECTION NINE.

1. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Ukiah hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

2. EFFECTIVE DATE.

This Ordinance shall be published as required by law in a newspaper of general circulation in the City of Ukiah, and shall become effective thirty (30) days after its adoption.

Introduced by title only on _____, 2024, by the following roll call vote:

AYES:
NOES: None
ABSENT: None
ABSTAIN: None

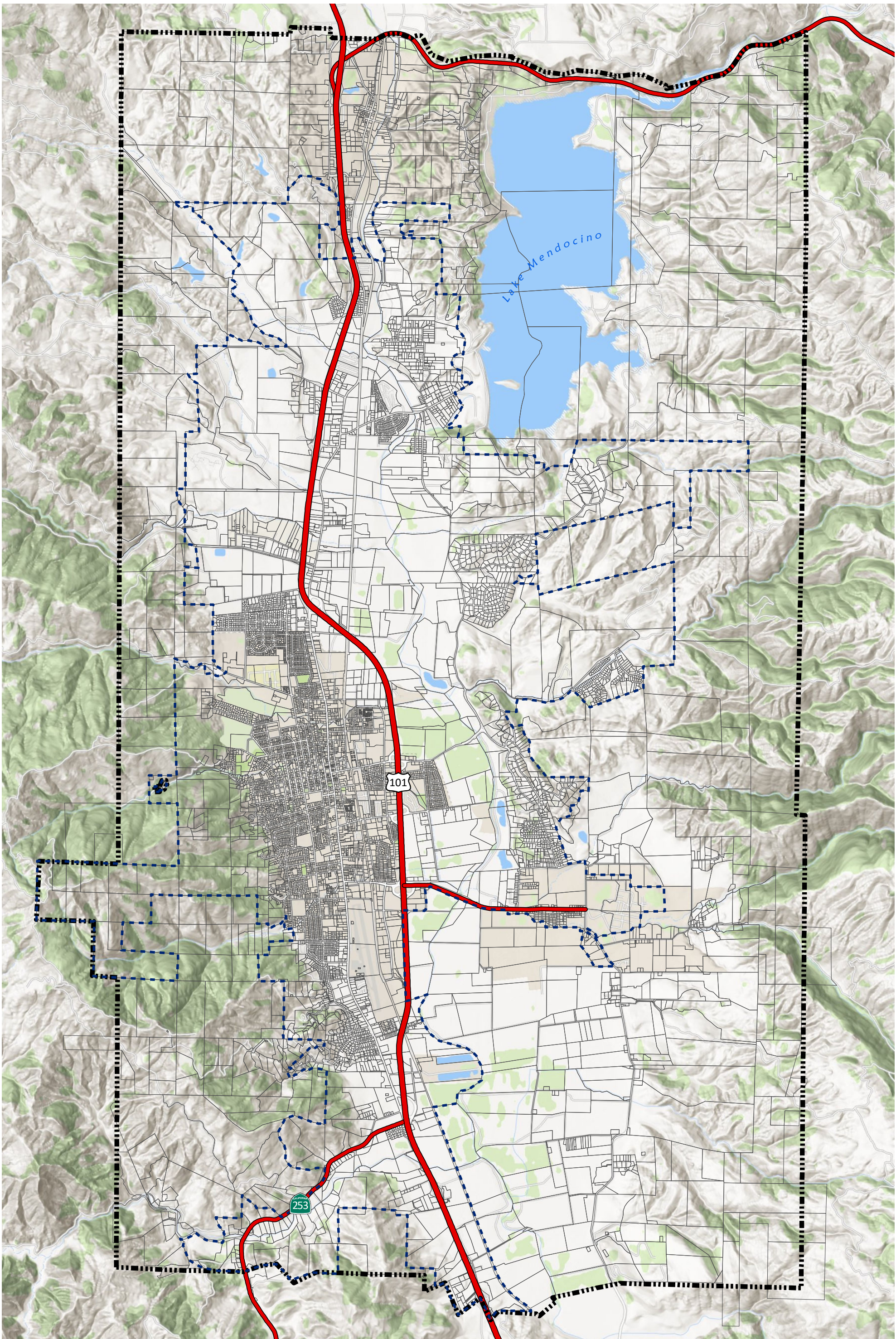
Adopted on _____, 2024, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Josefina Dueñas, Mayor

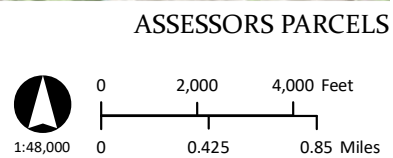
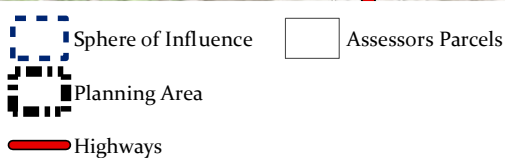
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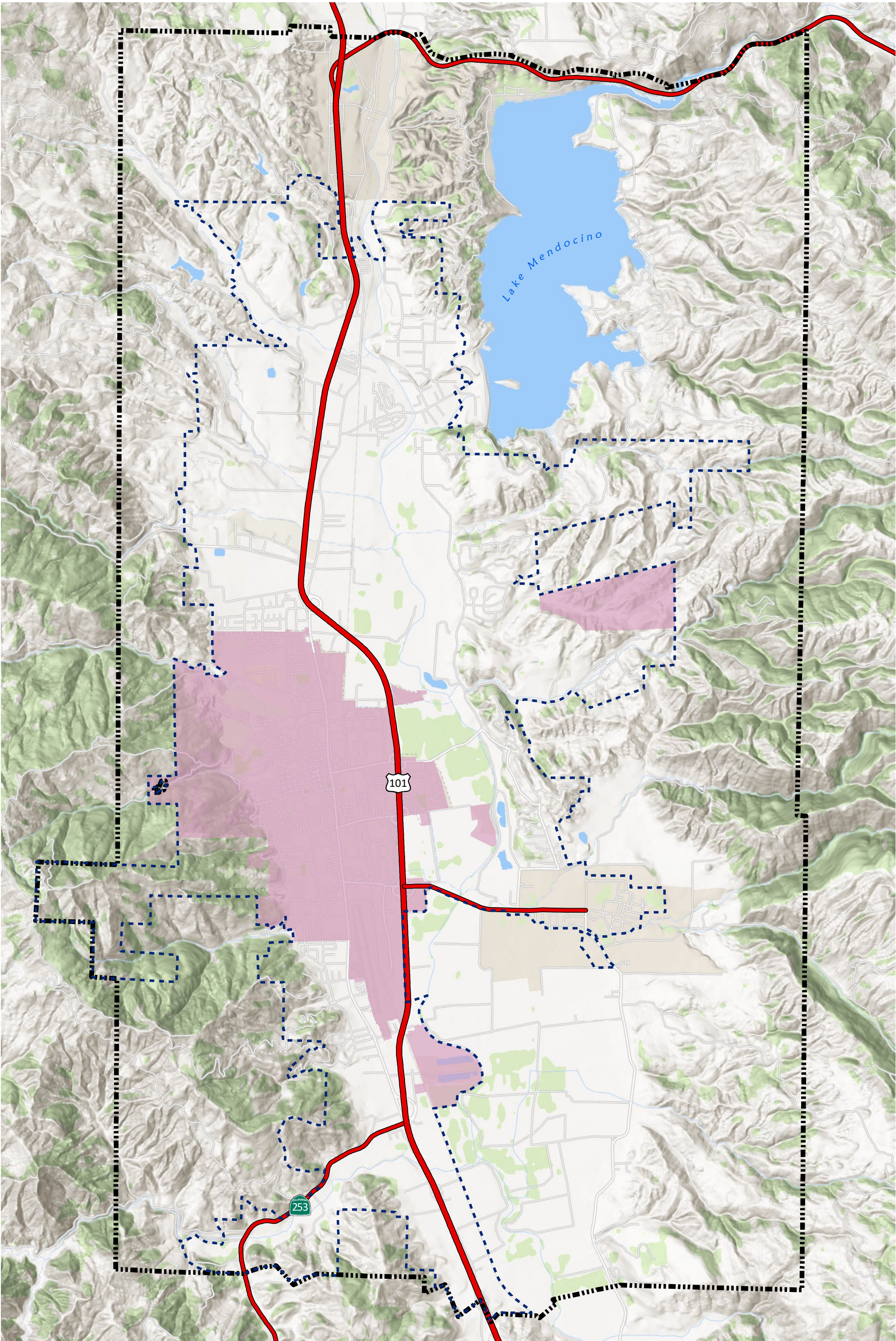
Kristine Lawler, CMC/City Clerk



CITY OF UKIAH

Sphere of Influence & Planning Areas





CITY OF UKIAH

Sphere of Influence &
Planning Areas

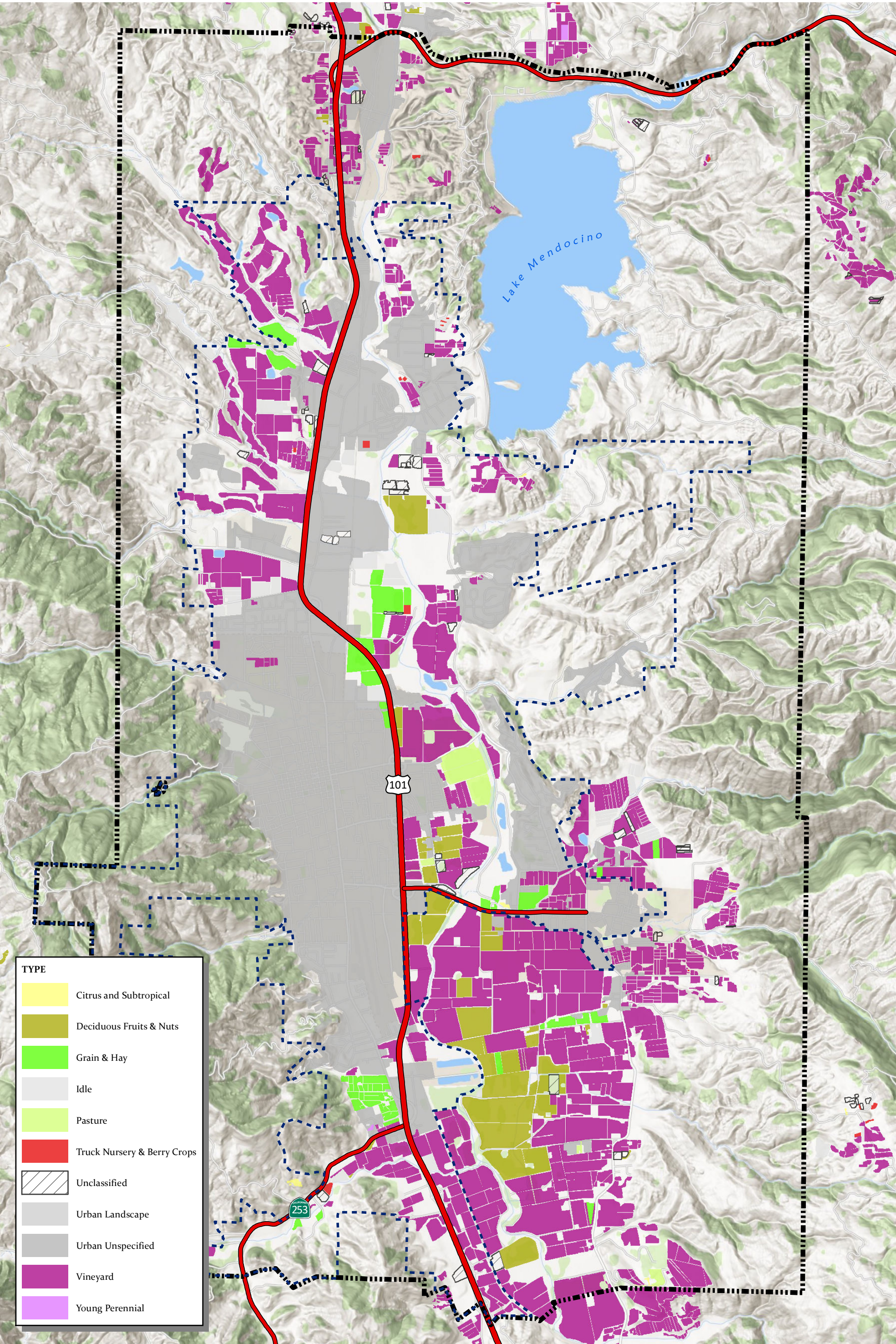
- Highways
- City Limits
- Sphere of Influence

Planning Area



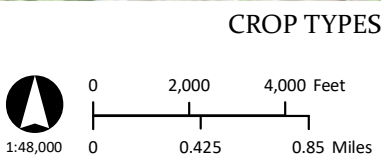
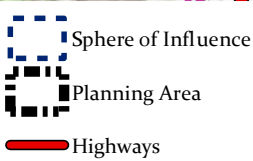
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CITY LIMITS

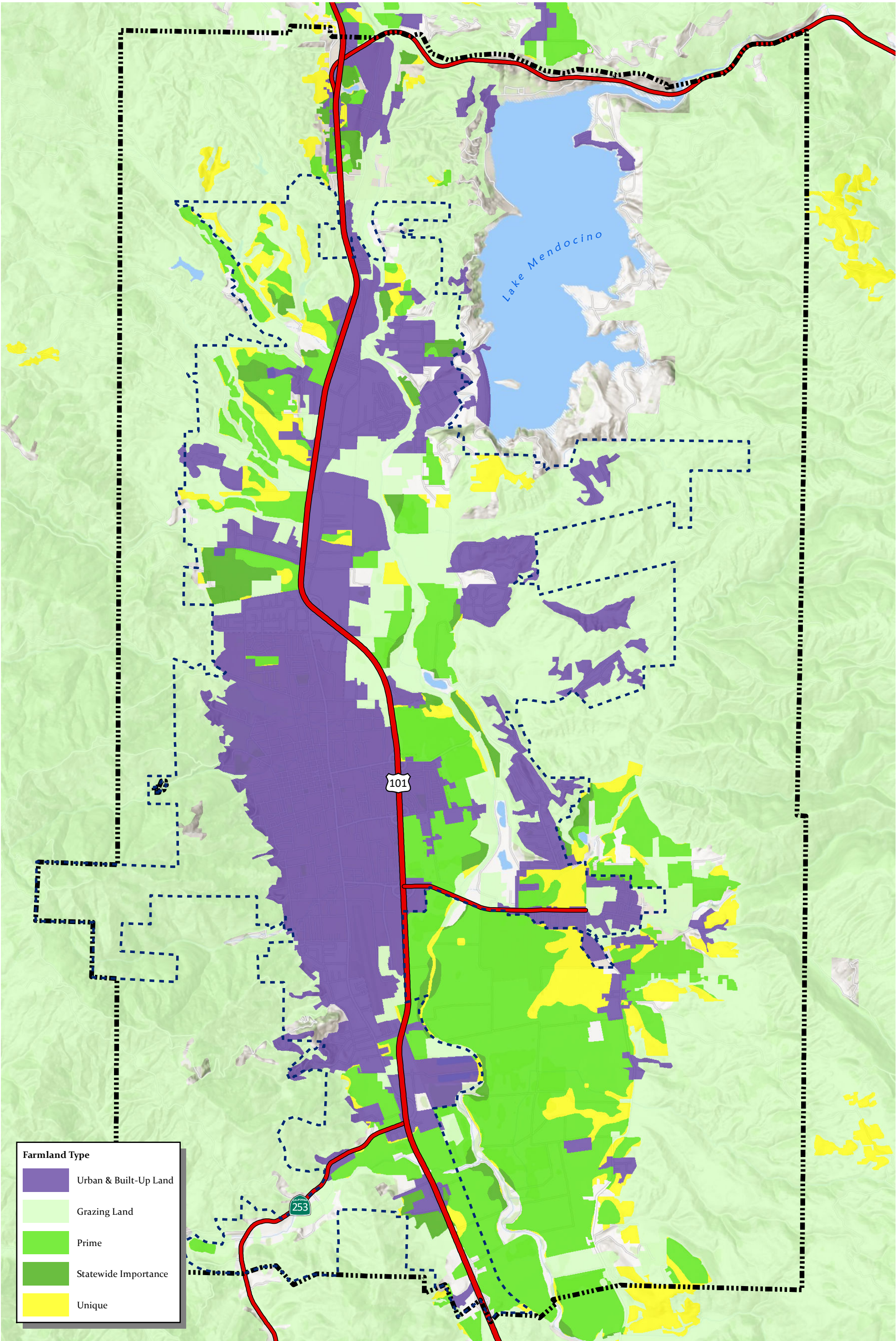


CITY OF UKIAH

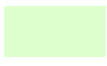
Sphere of Influence & Planning Areas



CROP TYPES



Farmland Type

	Urban & Built-Up Land
	Grazing Land
	Prime
	Statewide Importance
	Unique

CITY OF UKIAH

Sphere of Influence & Planning Areas

 Sphere of Influence

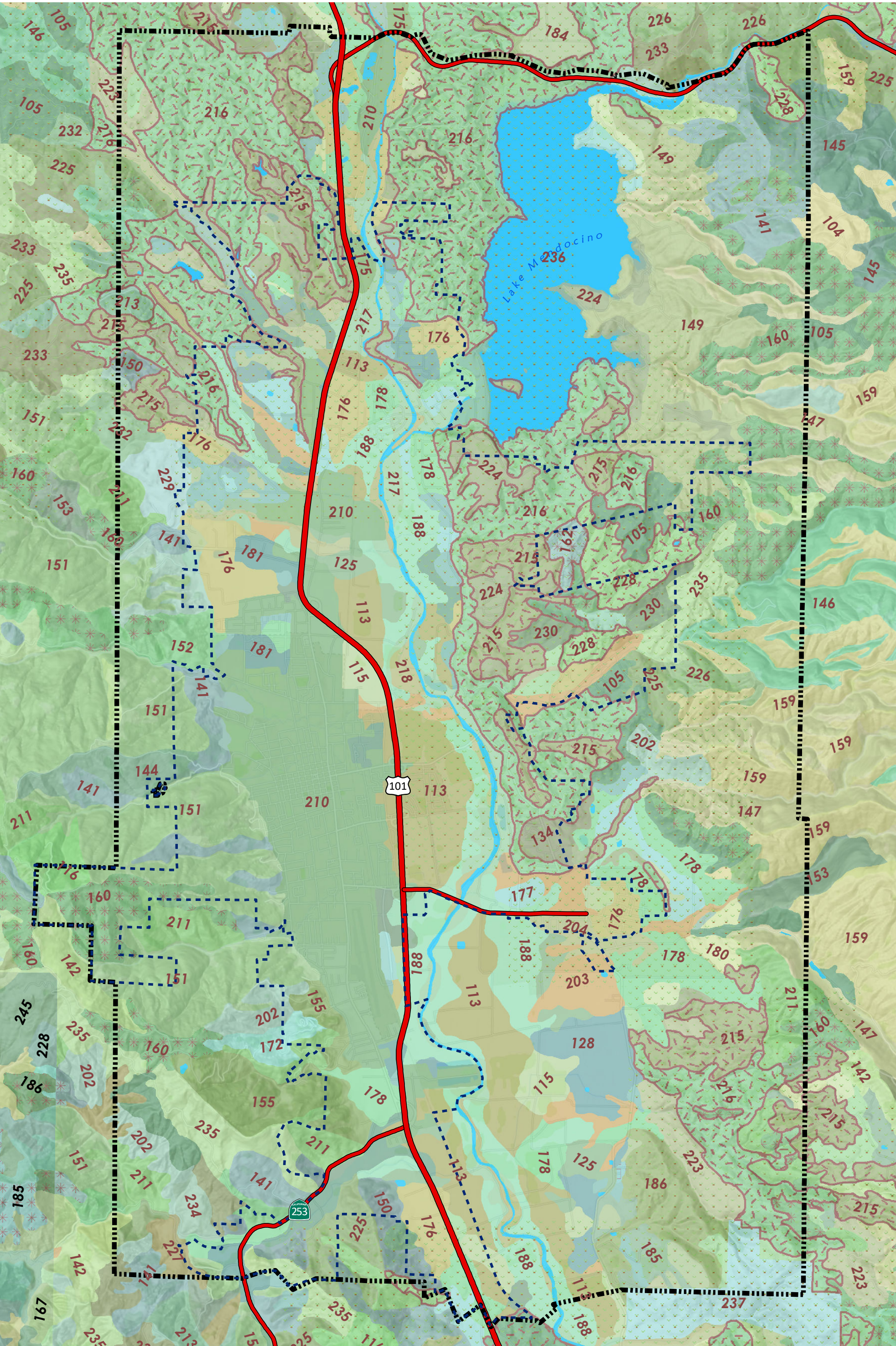
 Planning Area

 Highways

FARMLAND CLASSIFICATIONS

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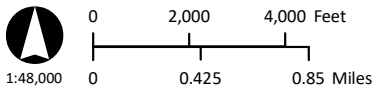


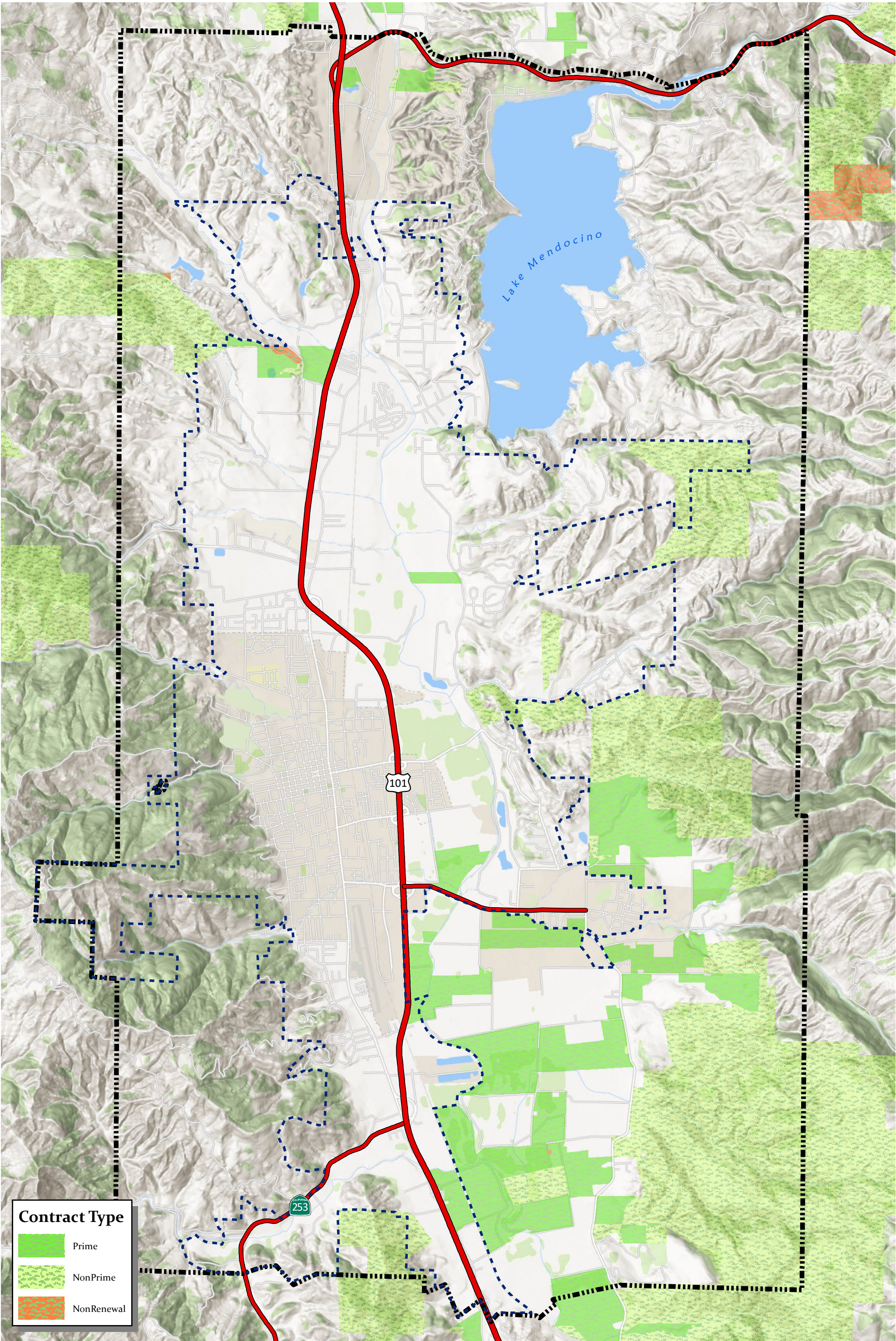
CITY OF UKIAH

Sphere of Influence &
Planning Areas

-  Sphere of Influence
-  Planning Area
-  Highways

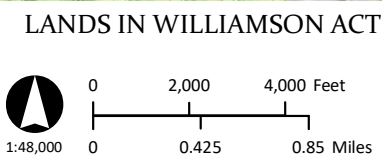
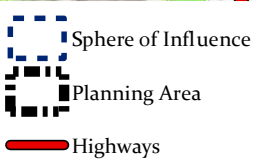
EASTERN SOIL CLASSES

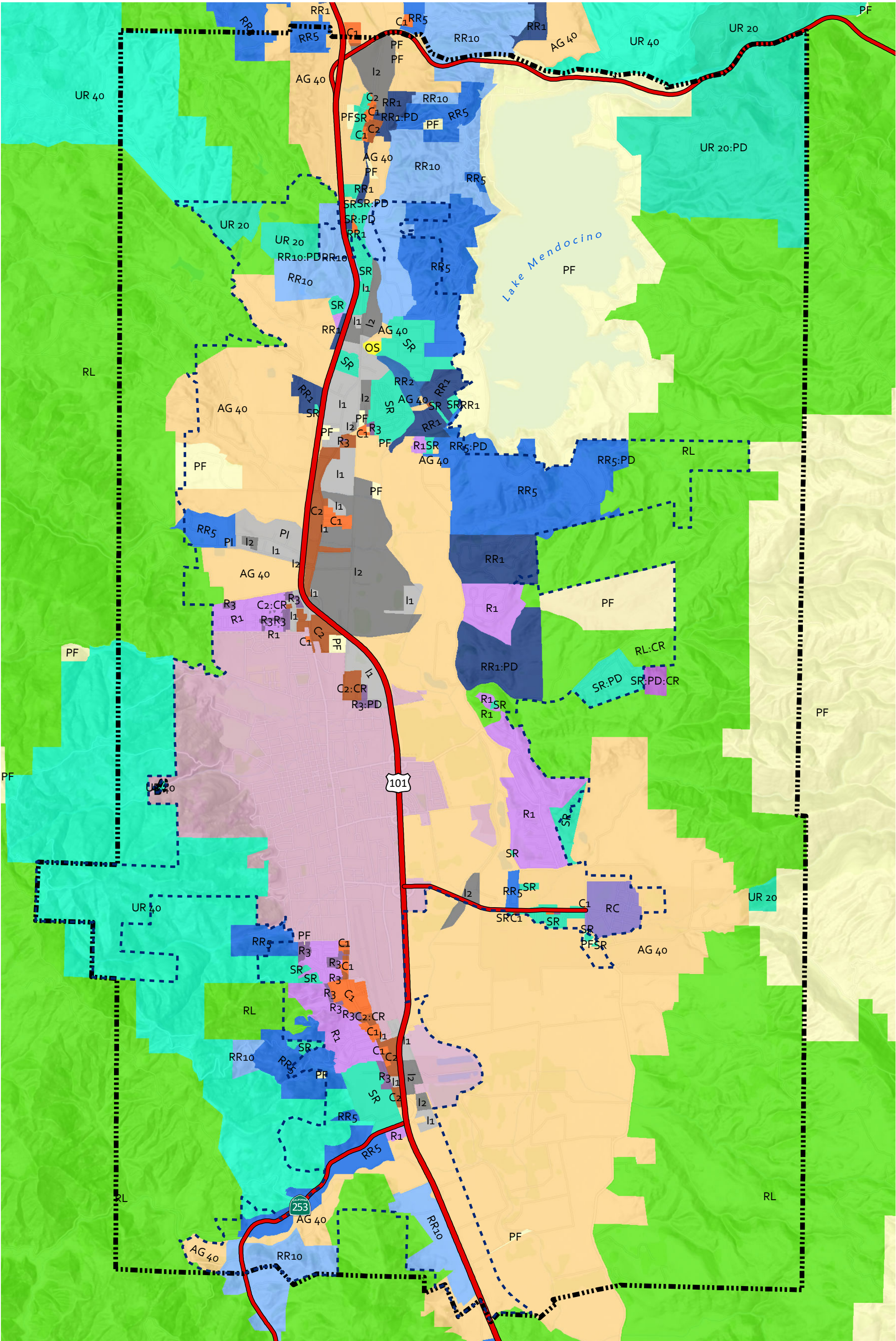




CITY OF UKIAH

Sphere of Influence & Planning Areas



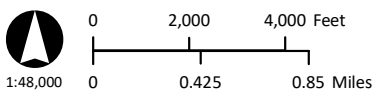


CITY OF UKIAH

Sphere of Influence & Planning Areas

- Sphere of Influence
- Planning Area
- Highways
- City Limits

ZONING DISTRICTS



CHAPTER 20.020 CIVIC USE TYPES

Sec. 20.020.005 General Description of Civic Use Types.

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other uses which are strongly vested with public or social importance. They also include certain uses accessory to the above, as specified in Chapter 20.164, Accessory Use Regulations.

Sec. 20.020.010 Administrative Services Government.

"Administrative services government" means consulting, recordkeeping, clerical or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include Federal, State, County, city or special district offices.

Sec. 20.020.015 Ambulance Services.

"Ambulance services" means transportation of ill or injured persons to and from treatment facilities together with incidental storage and maintenance of necessary vehicles.

Sec. 20.020.020 Cemetery.

"Cemetery" means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Sec. 20.020.025 Clinic Services.

"Clinic services" means providing nonprofit medical services to persons afflicted with bodily or mental disease or injury without provision for on-site residence or confinement.

Sec. 20.020.030 Community Recreation.

"Community recreation" means recreational, social or multipurpose uses owned or operated by a public entity. Typical uses include public parks, sports facilities, senior citizen centers, nature centers, teen centers, playhouses, auditoriums and recreational centers.

Sec. 20.020.035 Cultural Exhibits and Library Services.

"Cultural exhibits and library services" means nonprofit, museum-like preservation and exhibition of objects of permanent interest in one (1) or more of the arts and sciences, gallery exhibition of works of art or library collection of books, manuscripts, etc., for study and reading.

Sec. 20.020.040 Day Care Facilities/Small Schools.

"Day Care Facility/small schools" means care or education of seven (7) or more, but not to exceed twenty-five (25) persons regardless of age or handicap but excluding overnight care or uses classified as group care or other facilities exempted by the California Health and Safety Code, e.g. Day Care Homes - Small and Large, or major impact services and utilities. A Day Care Home - Large is subject to an Administrative Permit in all zoning districts that permit the Family Residential use types. Typical uses include day nurseries for children, child day care facilities, or day care for elderly, and small schools.

Sec. 20.020.045 Educational Facilities.

"Educational facilities" means public and private schools providing education for more than twenty-five (25) persons.

Sec. 20.020.050 Essential Services.

"Essential services" means services which are necessary to support principal development and involve only minor structures such as lines and poles which are necessary to support principal development.

Sec. 20.020.055 Fire and Police Protection Services.

"Fire and police protection services" means facilities for conduct of public safety services, including police and fire protection services.

Sec. 20.020.060 Group Care.

"Group care" means services provided in facilities authorized, certified or licensed by the State to provide board, room and personal care to seven (7) or more, but not to exceed twenty-five (25) elderly, or mentally impaired or otherwise handicapped persons or dependent and neglected children but excluding those uses classified under major impact services and utilities. Typical uses include emergency shelters, intermediate care facilities and rest homes.

Sec. 20.020.065 Lodge, Fraternal and Civic Assembly.

"Lodge, fraternal and civic assembly" means meetings and activities conducted primarily for their members by nonprofit organizations which are tax exempt pursuant to Section 501(c) of the Internal Revenue Code. Excluded from this use type are uses classified as group care, or transient habitation (all types). Typical uses include meeting places for civic clubs, grange halls, lodges, or fraternal or veterans organizations.

Sec. 20.020.070 Major Impact Facilities.

"Major impact facilities" means services or facilities which may have a substantial impact. Typical uses include airports, hospitals, group care for more than twenty-five (25) persons, detention and correction institutions, and corporation yards.

Sec. 20.020.075 Major Impact Services and Utilities.

"Major impact services and utilities" means services or utilities which may have a substantial impact. Such uses may be conditionally permitted when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are power generating facilities, Battery Energy Storage Systems, sewage disposal facilities, septage disposal facilities and sites, sanitary landfills and water treatment plants, and radio, telephone and other commercial communication transmission towers and antennas.

Sec. 20.020.080 Minor Impact Utilities.

"Minor impact utilities" means public utilities which have a local impact on surrounding properties and are necessary to provide essential services. Typical uses are electrical and gas distribution substations and transmission distribution lines. Radio, telephone and other commercial communication transmission towers and antennas are not included.

Sec. 20.020.085 Religious Assembly.

"Religious assembly" means religious services involving public assembly such as customarily occurs in synagogues, temples, and churches.

CHAPTER 20.024 COMMERCIAL USE TYPES

Sec. 20.024.005 General Description of Commercial Use Types.

Commercial use types include the distribution and sale or rental of goods; and the provision of services other than those classified as civic uses. They also include certain uses accessory to the above, as specified in Chapter 20.164, Accessory Use Regulations.

Sec. 20.024.010 Administrative and Business Offices.

"Administrative and business offices" means offices of private firms or organizations which are primarily used for the provision of professional, executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, travel, secretarial services, telephone answering, photocopy and reproduction, and other activities when the service rendered is that customarily associated with administrative office services. Excluded are banks.

Sec. 20.024.015 Agricultural Sales and Services.

"Agricultural sales and services" means establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, pesticides and similar goods or in the provision of agriculturally related services with incidental storage on lots other than where the services are rendered. Typical uses include nurseries, hay, feed and grain stores, crop dusting, or tree service firms.

Sec. 20.024.020 Animal Sales and Services.

"Animal sales and services" means establishments or places of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

- (A) Animal Sales and Services—Auctioning. Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding seventy-two (72) hour periods. Typical uses include animal auctions or livestock auction yards.
- (B) Animal Sales and Services—Household Pets. Retail sales and grooming of dogs, cats, birds, fish and similar small animals customarily used as household pets. Typical uses include pet stores, dog bathing and clipping salons, or pet grooming shops.
- (C) Animal Sales and Services—Horse Stables. Boarding, breeding or raising of horses not owned by the occupants of the premises or riding of horses by other than the occupants of the premises or their nonpaying guests. Typical uses include boarding stables or public stables.
- (D) Animal Sales and Services—Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels or dog training centers.
- (E) Animal Sales and Services—Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- (F) Animal Sales and Services—Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) and veterinary hospitals (large animals). Typical uses include clinics for the treatment of sheep, cattle, horses, goats and similar large animals.
- (G) Animal Sales and Services—Veterinary (Small Animals). Veterinary services for small animals provided that overnight care shall be within a fully enclosed building or structure. Typical uses include pet clinics, dog and cat hospitals or animal hospitals treating small animals.

Sec. 20.024.025 Automotive and Equipment.

"Automotive and equipment" means establishment or places of business primarily engaged in automotive related or heavy equipment sales or services. The following are automotive and equipment use types:

- (A) Automotive and Equipment—Cleaning. Washing and polishing of automobiles. Typical uses include auto laundries or car washes.
- (B) Automotive and Equipment—Fleet Storage. Storage or parking of one (1) or more vehicles used regularly in business operations. Excluded from this use type are automotive and equipment—sales/rentals, and the incidental parking of vehicles as an accessory use to a permitted use on the same premises. Typical uses include taxi fleets, mobile catering truck storage or delivery truck fleets.
- (C) Automotive and Equipment—Parking. Parking of motor vehicles on a temporary basis within a public or privately owned off-street parking area with or without a fee. Typical uses include commercial parking lots or commercial garages.
- (D) Automotive and Equipment—Gasoline Sales. Establishments or places of business primarily engaged in the retail sale, from the premises, of petroleum products with incidental sale of tires, batteries, and replacement items, lubricating services and minor repair services. Typical uses include automobile service stations, filling stations or truck stops.
- (E) Automotive and Equipment—Repairs, Light (Under Six Thousand (6,000) Pounds). Repairs of automobiles, pick-up trucks, recreational vehicles, farm equipment and boats (less than twenty-four (24) feet in length) and the sale, installation and servicing of automobile equipment and parts but excluding body repairs and painting. Typical uses include muffler shops, auto repair garages, auto glass shops or auto parts stores.
- (F) Automotive and Equipment—Repairs, Heavy (Six Thousand (6,000) Pounds and Over). Repair of motor vehicles such as aircraft, boats, (twenty-four (24) feet or longer) heavy construction equipment, trucks, or major truck terminals etc., as well as the sale, installation and servicing of automotive equipment and parts together with body repairs, painting and steam cleaning. Typical uses include truck transmission shops, body shops or motor freight maintenance groups.
- (G) Automotive and Equipment—Sales/Rentals. Sale, retail or wholesale and/or rental from the premises of auto, trucks, motorcycles, mobile homes, motor homes, trailers, construction equipment, farm equipment and aircraft together with incidental maintenance. Typical uses include auto dealers, car rental agencies, aircraft dealers, boat dealers, construction equipment dealers, or mobile home dealers.
- (H) Automotive and Equipment—Storage, Nonoperating Vehicles. Storage of nonoperating motor vehicles. Typical uses include storage of private parking towaways or impound yards.
- (I) Automotive and Equipment—Storage, Recreational Vehicles and Boats. Storage of recreational vehicles and boats. Typical uses include the collective storage of personal recreational vehicles or boats.

Sec. 20.024.030 Building Maintenance Services.

"Building maintenance services" means establishments primarily engaged in the provision of maintenance and custodial services to firms rather than individuals. Typical uses include janitorial, landscape maintenance, or window cleaning services.

Sec. 20.024.035 Business Equipment Sales and Services.

"Business equipment sales and services" means establishments or places of business primarily engaged in the sale, rental or repair of equipment and supplies used by office, professional and service establishments to the firms themselves rather than to individuals, but excludes automotive, construction

and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms.

Sec. 20.024.040 Commercial Recreation.

"Commercial recreation" means establishments or places primarily engaged in the provision of sports, entertainment, or recreation for participants or spectators. The following are commercial recreation use types:

- (A) **Indoor Sports and Recreation.** Uses conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller skating rinks, penny arcades.
- (B) **Outdoor Sports and Recreation.** Uses conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, swimming pools, water slides, tennis courts, racquetball courts. Shooting ranges and motorcycle parks shall require a use permit.
- (C) **Outdoor Sports and Recreation—Limited.** Recreational activities that are compatible with and not detrimental to the agricultural use of the property, specifically meaning the use of land by the public, with or without charge, for any of the following recreational uses: Walking, hiking, picnicking, swimming, boating, fishing, hunting, equestrian uses or other outdoor games such as golf driving ranges, tennis courts (grass only), par course (physical fitness) and athletic fields (football, soccer and batting practice range). This recreational use is limited as follows:
 - (1) A duration of two (2) years, subject to renewal.
 - (2) No permanent structures may be constructed to support this use.
 - (3) No soil shall be moved to support this use.
 - (4) Use must be in compliance with Williamson Act contract restrictions and with the use as specified in Mendocino County Code Section 22.08.071.
- (D) **Indoor Entertainment.** Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, meeting halls, dance halls and auditoriums.
- (E) **Outdoor Entertainment.** Predominantly spectator uses conducted in open facilities. Typical uses include sports arenas, racing facilities, amusement parks.

Sec. 20.024.045 Communications Services.

"Communications services" means establishments primarily engaged in the provisions of broadcasting and other information relay services accomplished through the use of electronic mechanisms but excludes those classified as major or minor impact services and utilities. Typical uses include television studios, telecommunication service centers or telegraph service offices.

Sec. 20.024.050 Construction Sales and Services.

"Construction sales and services" means establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures and hardware; but excludes those classified as one of the automotive and heavy equipment use types. Typical uses include building materials stores, tool and equipment rental or sales, retail lumber, contractors storage yard, furniture manufacturing or cabinet shops.

Sec. 20.024.055 Cottage Industries—Limited.

"Cottage industries—limited" means use types conducted in compliance with Chapter 20.160.

Sec. 20.024.060 Cottage Industries—General.

"Cottage industries—general" means use types conducted in compliance with Chapter 20.160.

Sec. 20.024.065 Eating and Drinking Establishments.

"Eating and drinking establishments" means establishments or places of business primarily engaged in the sale of prepared food and beverage for on-premises consumption. Typical uses include restaurants, short order eating places, bars, or tasting rooms when not associated with a Packaging and Processing—winery use type.

Sec. 20.024.070 Financial Services.

"Financial services" means establishments primarily engaged in the provision of financial services and banking. Typical uses include banks, savings and loan institutions, loan and lending activities, and similar services.

Sec. 20.024.075 Food and Beverage Retail Sales.

"Food and beverage retail sales" means establishments or places of business primarily engaged in the retail sale of food and beverage for home consumption. Typical uses include grocery stores, liquor stores, delicatessens or retail bakeries.

Sec. 20.024.080 Food and Beverage Preparation—Without Consumption.

"Food and beverage preparation—without consumption" means establishments or places of business primarily engaged in the preparation of food and beverage and which no consumption of the products occur on the premises. Typical uses include catering.

Sec. 20.024.085 Funeral and Interment Services.

"Funeral and interment services" means establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead. Typical uses include funeral homes or mortuaries.

Sec. 20.024.090 Laundry Services.

"Laundry services" means establishments primarily engaged in the provision of laundering, dry cleaning or dyeing services other than those classified as personal services. Typical uses include laundry agencies, diaper services or linen supply services.

Sec. 20.024.092 Mail Order Businesses.

"Mail order businesses" means the storage, sale and delivery of goods and merchandise produced on or off the premises to retail or wholesale consumers by way of the mails, delivery services, or in any other manner in which visitation to the premises by the wholesale or retail consumers is strictly incidental.

Sec. 20.024.095 Medical Services.

"Medical services" means establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provisions of medical testing and analysis services, but excludes those classified as any civic use type. Typical uses include medical offices, dental laboratories or health maintenance organizations.

Sec. 20.024.100 Personal Services.

"Personal services" means establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barber shops, seamstress, tailor, self-

service laundry, photography studios, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

Sec. 20.024.105 Recycling Centers.

"Recycling centers" means places of business or public facilities for the collection or processing of recyclable materials, including but not limited to metals, glass, plastic, paper, appliances or white metals. Appliances and white metals shall be limited to twenty-five (25) percent of the floor area devoted to the storage of recyclable materials but not more than four hundred (400) square feet. Recycling centers exclude automobile wrecking yards, junk yards, and the collection of refuse or hazardous materials except recyclable batteries, or paint, oil or antifreeze limited to one thousand (1,000) gallons of each fluid. Recycling centers may process recyclable materials for efficient shipping or to an end-user's specifications by baling, bunching, crushing, smashing, separation, shredding or similar action. The recycling of materials excluded from recycling centers may be permitted as an industrial use type. See Chapter 20.164 for exemptions classified as accessory recycling.

Sec. 20.024.107 Redemption Centers.

"Redemption centers" means small collection centers for the acceptance and temporary storage of redeemable recyclable materials from the public by donation, redemption or purchase. A redemption center may include reverse vending machine(s) or a mobile recycling unit. A redemption center shall not exceed three thousand (3,000) square feet, and if not contained within a permanent structure shall be contained behind a minimum six (6) foot high view-obstructing fence secure from unauthorized entry. Processing is limited to preparing the accumulated recyclable material for efficient shipping or to an end-user's specifications, including baling, compacting, crushing, mechanical sorting, or shredding, provided that the noise level does not exceed fifty (50) dBA Leq at the property line adjacent to a residential or similar noise sensitive use or sixty (60) dBA Leq at the property line adjacent to a commercial use. All processing shall be conducted between the hours of 9:00 a.m. and 6:00 p.m., Monday through Saturday. Recycling which exceeds the limits of a redemption center may be permitted under recycling centers. See also Chapter 20.164 for accessory recycling.

Sec. 20.024.110 Repair Services, Consumer.

"Repair services, consumer" means establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but excluding automotive and equipment use types. Typical uses include appliance repair shops, watch or jewelry repair, apparel repair firms or musical instrument repair firms.

Sec. 20.024.115 Research Services.

"Research services" means establishments primarily engaged in research of an industrial or scientific nature which is provided as a service or which is conducted by and for a private firm, but excludes medical testing and analysis and product testing. Typical uses include electronics research laboratories, space research and development firms or pharmaceutical research labs.

Sec. 20.024.120 Retail Sales, General.

"Retail sales, general" means sale or rental of commonly used goods, and merchandise for personal or household use, but excludes those classified more specifically in Sections 20.024.005 to 20.024.115 and Sections 20.024.125 to 20.024.140 (all other commercial use types) inclusive. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services: household cleaning and maintenance products; drugs, cards, and stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel, jewelry, fabrics, and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, carpeting and floor covering, interior decorating

services, office supplies; bicycles; automotive parts and accessories (excluding service and installation) or hardware stores (excluding lumber storage or sales).

Sec. 20.024.125 Scrap Operations.

"Scrap operations" means places of business primarily engaged in the storage, sale dismantling or other processing of used or waste materials which are not intended for reuse in their original form. Typical uses include automotive wrecking, and junk yards.

Sec. 20.024.130 Swap Meets.

"Swap meets" means display, exchange, barter or sale of new or used common household items or office equipment and furnishings, provided that such activity is carried on in a swap lot. Typical uses include flea markets where clothing, personal effects, household furnishings and household appliances are sold or otherwise exchanged.

Sec. 20.024.135 Transient Habitation.

"Transient habitation" means establishments primarily engaged in the provision of lodging services on a less than monthly basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are transient habitation use types:

- (A) Transient Habitation—Campground. Campground services involving transient habitation areas for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks or campgrounds. Uses within this use type are subject to Chapter 20.176, Recreational Vehicle Parks and Campgrounds.
- (B) Transient Habitation—Lodging (Limited). Lodging services involving the provision of room and/or board. Typical uses include hotels, motels, inns, or transient boarding houses with three (3) to six (6) rooms.
- (C) Transient Habitation—Lodging. Lodging services involving the provision of room and/or board. Typical uses include hotels, motels, inns, or transient boarding houses with seven (7) or more rooms.
- (D) Transient Habitation—Resort and Recreational Facilities. Resort services including the provision of extensive outdoor recreation and entertainment services especially for vacationers. Typical uses include resort and recreational facilities, health spas, resort hotels and motels, guest ranch, inns or organized camps.

Sec. 20.024.140 Wholesaling, Storage and Distribution.

"Wholesaling, storage and distribution" means establishment or places of business primarily engaged in wholesaling, storage, distribution and handling of materials and equipment other than live animals. The following are wholesaling, storage and distribution use types:

- (A) Wholesaling, Storage and Distribution—Mini-Warehouses.

Storage or warehousing service within a building(s) primarily for individuals to store personal effects and by businesses to store material for operation of an industrial or commercial enterprise located elsewhere. Incidental uses in a mini-warehouse facility function as an independent retail, wholesale, business or service use. Individual storage spaces within a mini-warehouse shall have a maximum gross floor area of four hundred (400) square feet and shall not be used for workshops, hobbyshops, manufacturing or similar uses and human occupancy of said spaces shall be limited to that required to transport, arrange, and maintain stored materials. Driveways between mini-warehouse buildings on the same site shall have a minimum width of twenty-four (24) feet to accommodate the temporary parking of vehicles during loading and unloading operations.

- (B) Wholesaling, Storage and Distribution—Light. Wholesaling, storage and warehousing services within enclosed structures. Typical uses include wholesale distributor, storage warehouses or moving and storage firms.
- (C) Wholesaling, Storage and Distribution—Heavy. Open-air storage, distribution and handling of materials and equipment. Typical uses include monument or stone yards, grain elevators, propane providers, or open storage yards.

CHAPTER 20.032 AGRICULTURAL USE TYPES

Sec. 20.032.005 General Description of Agricultural Use Types.

Agricultural use types include the on-site production of plant and animal products by agricultural methods. They also include certain uses accessory to the above specified in Chapter 20.164, Accessory Use Regulations.

Sec. 20.032.010 Horticulture.

"Horticulture" means premises devoted to horticultural and floracultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes. Typical uses include wholesale/retail nurseries limited to the sale of horticulture and horticulture specialties grown on site and in green houses.

Sec. 20.032.015 Row and Field Crops.

"Row and field crops" means premises devoted to the cultivation for sale of agricultural products grown in regular or scattered patterns such as vines, field, forage and other plant crops intended to provide food or fibers.

Sec. 20.032.020 Tree Crops.

"Tree crops" means premises devoted to the cultivation for sale at wholesale of tree-grown agricultural products such as pears, apples, walnuts and Christmas trees but excluding other forestry products.

Sec. 20.032.025 Animal Raising—General Agriculture.

"Animal raising—general agriculture" means the raising of crops or livestock on parcels greater than forty thousand (40,000) square feet or zoned A-G, R-L, U-R, F-L or TPZ and shall include:

- (A) Grazing of livestock and feeding and caring incidental thereof;
- (B) Animal husbandry including, without limitation, the breeding and raising of cattle, sheep, horses, goats, pigs, rabbits, and poultry, including egg production;
- (C) Sale of agricultural products grown, raised, or produced on the premises;
- (D) 4-H, FFA or similar projects shall be permitted in all zoning districts.

Sec. 20.032.030 Animal Raising—Personal.

"Animal raising—personal" means the raising of hen chickens or rabbits for personal use on parcels forty thousand (40,000) square feet or less in size in accordance with the following criteria:

- (A) No more than six (6) of any one (1) or combination of such animals on the lot;
- (B) Maintained in coops or pens located at a distance of fifty (50) feet or more from buildings used for human habitation;
- (C) Coops or pens shall be located only on the rear one-third ($\frac{1}{3}$) of the lot;
- (D) Coops or pens shall be located no closer than five (5) feet from the side or rear property line.

Sec. 20.032.035 Animal Waste Processing.

"Animal waste processing" means processing of animal waste and byproducts, including but not limited to animal manure, animal bedding waste, and similar byproducts of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

Sec. 20.032.040 Packing and Processing.

"Packing and processing" means packing or processing of agricultural crops, animals and their byproducts which entails more than picking, cutting, sorting and boxing or crating, but does not include rendering, tanning, or reduction of meat. The following are packing and processing use types:

- (A) **Packing and Processing—Limited.** Packing or processing of crops grown on the premises;
- (B) **Packing and Processing—Winery.** Crushing of grapes and fermentation, storage, and bottling of wine from grapes grown on or off the premises. Said use type also includes tasting rooms in conjunction with a winery and breweries provided said tasting room occupies less than twenty-five percent (25%) of the floor space of the winery;
- (C) **Packing and Processing—General.** Packing or processing of crops, mineral water, animals or their byproducts regardless of where they were grown or found. Includes mineral water bottling plants;
- (D) **Packing and Processing—Commercial Cooperage.** Manufacture of wood vessels, such as barrels for storing and maturing wine, beer or other beverages, regardless whether the agricultural products stored are grown on or off the premises if it is established in connection with a winery operation on the premises.

Sec. 20.032.045 Forest Production and Processing.

"Forest production and processing" refers to the production and byproduct process from growing to milling to sales of forest products. The following are forest production and processing use types:

- (A) **Forest Production and Processing—Limited.** Refers to the growing, harvesting, curing, milling, packaging, packing, shipping and selling of forest products, produced on the premises.
- (B) **Forest Production and Processing—General.** Refers to the growing, harvesting, curing, milling, packaging, packing, shipping, and selling of forest products regardless of where they are grown.
- (C) **Forest Production and Processing—Commercial Woodlots.** Refers to open or closed storage of firewood for wholesale or retail sales, regardless of where the firewood products are produced.
- (D) **Forest Production and Processing—Portable Sawmills.** Refers to the operation of small portable milling machines for production of rough-sawed lumber subject to the following limitations:
 - (1) Logs or other material to be sawed may come from timber produced on the premises or imported from off-site sources;
 - (2) Combined horsepower of all engines or motors used in the milling process shall not exceed seventy-five (75);
 - (3) Planing or other remanufacturing of lumber shall not be allowed.
 - (4) A maximum of three (3) workers/employees including the owner/operator;
 - (5) Production shall not exceed three thousand (3,000) board feet in any day or thirty thousand (30,000) board feet in any month;
 - (6) Milling machinery shall not be located closer than two hundred (200) feet from the nearest property line;
 - (7) Log/lumber storage and similar uses accessory to the milling operation shall not be located closer than fifty (50) feet from the nearest property line;
 - (8) All equipment and materials associated with the milling operation shall not be located closer than one hundred (100) feet from any Class I or Class II stream, and shall not be located within a one hundred-year (100-year) flood plain;

- (9) Minimum parcel size shall be ten (10) acres;
- (10) Maximum area encompassed by operation shall not exceed one (1) acre;
- (11) Maximum building area shall not exceed 5,000 square feet if the structure is pre-existing, and that any new building area shall be limited to 2,000 square feet as per cottage industries. Pre-existing (legal) facilities must pre-date July 1, 1999;
- (12) Noise created by the operation shall not exceed the levels specified in Appendix C.

CHAPTER 20.052 "A-G" AGRICULTURAL DISTRICT

Sec. 20.052.005 Intent.

This district is intended to create and preserve areas for the raising of crops and animals. Processing of products produced or raised on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically the A-G District would be applied to lands subject to Agricultural Preserve contracts, land having present or future potential for significant agricultural production, and contiguous or intermixed smaller parcels on which noncompatible uses could jeopardize the agricultural use of surrounding lands.

Sec. 20.052.010 Permitted Uses.

The following use types are permitted in the A-G District:

- (A) **Residential Use Types (See Chapter 20.016).**
 - Assisted Living Residential Care Facility;
 - Day Care Facility;
 - Employee Housing;
 - Family residential—single-family.
- (B) **Civic Use Type (See Chapter 20.020).**
 - Community recreation;
 - Essential services;
 - Fire and police protection services;
 - Minor impact utilities.
- (C) **Agricultural Use Types (See Chapter 20.032).**
 - Animal raising—general agriculture;
 - Animal raising—personal;
 - Forest production and processing—limited;
 - Horticulture;
 - Packing and processing—limited;
 - Packing and processing—winery; Row and field crops;
 - Tree crops.
- (D) **Accessory uses as provided in Chapter 20.164.**

Sec. 20.052.015 Uses Subject to an Administrative Permit.

The following use types are permitted in the A-G District upon issuance of an Administrative Permit:

- (A) **Residential Use Types (See Chapter 20.016).**
 - Family residential—dwelling group;
 - Low Barrier Navigation Center;
 - Supportive Housing;
 - Transitional Housing;
- (B) **Civic Use Types (See Chapter 20.020).**

Day care facilities/small schools.

(C) **Commercial Use Types (See Chapter 20.024).**

Agricultural sales and services;

Animal sales and services—auctioning;

Animal sales and services—horse stables;

Animal sales and services—kennels;

Animal sales and services—stockyards;

Animal sales and services—veterinary (large animals);

Cottage industries—general.

(D) **Agricultural Use Types (See Chapter 20.032).**

Packing and processing—general;

Forest production and processing—commercial woodlots;

Forest production and processing—portable sawmills.

Sec. 20.052.020 Uses Subject to a Use Permit.

The following use types are permitted in the A-G District upon issuance of a Use Permit:

(A) **Residential Use Types (See Chapter 20.016).**

Family residential—cluster development.

(B) **Civic Use Types (See Chapter 20.020).**

Educational facilities;

Major impact facilities;

Major impact services and utilities.

(C) **Commercial Use Type (See Chapter 20.024).**

Commercial recreation—outdoor sports and recreation (limited).

Transient habitation—lodging (limited).

(D) **Agricultural Use Types (See Chapter 20.032).**

Animal waste processing.

(E) **Extractive Use Type (See Chapter 20.036).**

Mining and processing.

Sec. 20.052.025 Minimum Lot Area.

Forty (40) acres.

Sec. 20.052.030 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the following density standard: One (1) unit per forty (40) acres.

Sec. 20.052.035 Minimum Front and Rear Yards.

Fifty (50) feet each. See setback exceptions in section 20.052.045.

Sec. 20.052.040 Minimum Side Yards.

Fifty (50) feet each. See setback exceptions in section 20.052.045.

Sec. 20.052.045 Setback Exceptions.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet. Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.

Sec. 20.052.050 Building Height Limit.

Fifty (50) feet. See height exceptions in section 20.152.025.

Sec. 20.052.055 Lot Splits in Agricultural Preserves for Farmworker Housing.

- (A) In compliance with Government Code 51230.2, a two (2)-way division of a parcel of land that is currently subject to a Williamson Act contract may be allowed, if all of the following apply:
- (B) The resulting parcel is to be sold or leased for agricultural employee ("farmworker") housing, and is not more than five (5) acres in size. For the purposes of this section, "agricultural employee" shall have the same meaning as defined by subdivision (b) of Section 1140.4 of the Labor Code.
- (C) The parcel shall be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency, for the sole purpose of the provision and operation of farmworker housing. A lessee that is a nonprofit organization shall not sublease that parcel without the written consent of the landowner, and shall notify the county of such sublease.
- (D) The parcel to be sold or leased shall be subject to a deed restriction that limits the use of the parcel to farmworker housing facilities for not less than thirty (30) years. The deed restriction shall also provide, through reversionary or similar provision, that the parcel shall automatically revert to and be merged with the parcel from which it was subdivided when the parcel ceases to be used for farmworker housing for a period of more than one (1) year. The deed restriction shall be in a form satisfactory to county counsel.
- (E) There is a written agreement between the parties to the sale or lease of the parcel and their successors to operate the parcel to be sold or leased under joint management of the parties, subject to the terms and conditions and for the duration of the Williamson Act contract.
- (F) The parcel to be sold or leased is contiguous to one (1) or more parcels that are located within a designated urban service area, and which are zoned for and developed with urban residential, commercial, or industrial land uses.
- (G) The farmworker housing project shall include provisions designed to minimize potential impacts on surrounding agricultural and rural residential land uses.

A subdivision of land pursuant to this section shall not affect any Williamson Act contract executed pursuant to Article 3 (commencing with Section 51240) of the Government Code, and the parcel to be sold or leased shall remain subject to that contract.

CHAPTER 20.056 U-R UPLAND RESIDENTIAL DISTRICT

Sec. 20.056.005 Intent.

This district is intended to create and enhance farming and low-density agricultural/residential uses. Typically the U-R District would be applied to nonprime production lands which have constraints to commercial agriculture, timber production or grazing but which are absent of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource lands.

Sec. 20.056.010 Permitted Uses.

The following use types are permitted in a U-R District:

- (A) **Residential Use Types (See Chapter 20.016).**
 - Assisted Living Residential Care Facility;
 - Day Care Facility;
 - Employee Housing;
 - Family residential—single-family.
- (B) **Civic Use Types (See Chapter 20.020).**
 - Cemetery;
 - Community recreation;
 - Essential services;
 - Fire and police protection services;
 - Minor impact utilities.
- (C) **Commercial Use Types (See Chapter 20.024).**
 - Animal sales and services—stables;
- (D) **Agricultural Use Types (See Chapter 20.032).**
 - Animal raising—general agriculture;
 - Forest production and processing—limited;
 - Horticulture;
 - Packing and processing—limited;
 - Row and field crops;
 - Tree crops.
- (E) **Accessory uses as provided in Chapter 20.164.**

Sec. 20.056.015 Uses Subject to an Administrative Permit.

The following use types are permitted in the U-R District upon issuance of an Administrative Permit:

- (A) **Residential Use Types (See Chapter 20.016).**
 - Family residential—dwelling group;
 - Low Barrier Navigation Centers;
 - Supportive Housing;
 - Transitional Housing.

- (B) **Civic Use Types (See Chapter 20.020).**
Day care facilities/small school;
Group care;
Lodge, fraternal and civic assembly;
Religious assembly.
- (C) **Commercial Use Types (See Chapter 20.024).**
Animal sales and services—auction;
Animal sales and services—kennel;
Animal sales and services—veterinary (large animals);
Cottage industries—general.
- (D) **Agricultural Use Types (See Chapter 20.032).**
Forest production and processing—portable sawmills.

Sec. 20.056.020 Uses Subject to a Use Permit.

The following use types are permitted in the U-R District upon issuance of a Use Permit:

- (A) **Residential Use Types (See Chapter 20.016).**
Family residential—cluster development.
- (B) **Civic Use Types (See Chapter 20.020).**
Educational facilities;
Major impact facilities;
Major impact services and utilities.
- (C) **Commercial Use Types (See Chapter 20.024).**
Transient habitation—campground;
Transient habitation—lodging (limited);
Transient habitation—resort and recreational facilities.
- (D) **Agricultural Use Types (See Chapter 20.032).**
Animal waste processing;
Packing and processing—winery.
- (E) **Extractive Use Type (See Chapter 20.036).**
Mining and processing.

Sec. 20.056.025 Minimum Lot Area.

- (A) U-R:L-20: twenty (20) acres.
- (B) U-R:L-40: forty (40) acres.

Sec. 20.056.030 Maximum Dwelling Density.

One (1) single-family per legally created parcel, except as provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the below density standards. The following density standards apply where there is adequate lot area to accommodate higher density:

(A) U-R:L-20: one (1) unit per twenty (20) acres.

(B) U-R:L-40: one (1) unit per forty (40) acres.

Sec. 20.056.035 Minimum Front and Rear Yards.

Fifty (50) feet each. See setback exceptions in section 20.056.045.

Sec. 20.056.040 Minimum Side Yards.

Fifty (50) feet each. See setback exceptions in section 20.056.045.

Sec. 20.056.045 Setback Exception.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet. Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.

Sec. 20.056.050 Building Height Limit.

Thirty-five (35) feet. See height exceptions in section 20.152.025.

CHAPTER 20.060 R-L RANGELAND DISTRICT

Sec. 20.060.005 Intent.

This district is intended to create and preserve areas for (A) the grazing of livestock, (B) the production and harvest of natural resources, and (C) the protection of such natural resources as watershed lands from fire, pollution, erosion, and other detrimental effects. Processing of products produced on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically the R-L District would be applied to lands for incorporation into Type H Agricultural Preserves, other lands generally in range use, and intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of rangelands.

Sec. 20.060.010 Permitted Uses.

The following use types are permitted in the R-L District:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;
Day Care Facility;
Employee Housing;
Family residential—single-family.

(B) Civic Use Types (See Chapter 20.020).

Cemetery;
Community recreation;
Essential services;
Fire and police protection services;
Minor impact utilities.

(C) Commercial Use Types (See Chapter 20.024).

Animal sales and services—horse stables;
Animal sales and services—kennels;
Animal sales and services—stockyards.

(D) Agricultural Use Types (See Chapter 20.032).

Animal raising—general agriculture;
Animal raising—personal;
Animal waste processing;
Forest production and processing—limited;
Forest production and processing—portable sawmills;
Horticulture;
Packing and processing—limited;
Packing and processing—winery;
Row and field crops;
Tree crops.

- (E) **Accessory uses as provided in Chapter 20.164.**

Sec. 20.060.015 Uses Subject to an Administrative Permit.

The following use types are permitted in the R-L District upon issuance of an Administrative Permit:

- (A) **Residential Use Type (See Chapter 20.016).**
Family residential—dwelling groups;
Low Barrier Navigation Center;
Supportive Housing;
Transitional Housing.
- (B) **Civic Use Types (See Chapter 20.020).**
Day care facilities/ small schools
- (C) **Commercial Use Types (See Chapter 20.024).**
Agricultural sales and services;
Animal sales and services—auctioning;
Animal sales and services—veterinary (large animals);
Cottage industries—general.
- (D) **Agricultural Use Types (See Chapter 20.032).**
Packing and processing—general.

Sec. 20.060.020 Uses Subject to a Use Permit.

The following use types are permitted in the R-L District upon issuance of a Use Permit:

- (A) **Residential Use Types (See Chapter 20.016).**
Family residential—cluster development.
- (B) **Civic Use Types (See Chapter 20.020).**
Educational facilities;
Lodge, fraternal and civic assembly;
Major impact services and utilities;
Religious assembly.
- (C) **Commercial Use Types (See Chapter 20.024).**
Commercial recreation—outdoor sports and recreation;
Commercial recreation—outdoor entertainment;
Transient habitation—campground;
Transient habitation—lodging (limited);
Transient habitation—resort and recreational facilities.
- (D) **Agricultural Use Types (See Chapter 20.032).**
Packing and processing—commercial cooperage.
- (E) **Extractive Use Types (See Chapter 20.036).**
Mining and processing.

Sec. 20.060.025 Minimum Lot Area.

One hundred sixty (160) acres.

Sec. 20.060.030 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the following density standard: One (1) unit per one hundred sixty (160) acres.

Sec. 20.060.035 Minimum Front and Rear Yards.

Fifty (50) feet each. See setback exceptions in section 20.060.045.

Sec. 20.060.040 Minimum Side Yards.

Fifty (50) feet each. See setback exceptions in section 20.060.045.

Sec. 20.060.045 Setback Exception.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet. Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.

Sec. 20.060.050 Building Height Limit.

Thirty-five (35) feet. See height exceptions in section 20.152.025.

Sec. 20.060.055 Lot Splits in Agricultural Preserves for Farmworker Housing.

In compliance with Government Code 51230.2, a two (2)-way division of a parcel of land that is currently subject to a Williamson Act contract may be allowed, if all of the following apply:

- (A) The resulting parcel is to be sold or leased for agricultural employee ("farmworker") housing, and is not more than five (5) acres in size. For the purposes of this section, "agricultural employee" shall have the same meaning as defined by subdivision (b) of Section 1140.4 of the Labor Code.
- (B) The parcel shall be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency, for the sole purpose of the provision and operation of farmworker housing. A lessee that is a nonprofit organization shall not sublease that parcel without the written consent of the landowner, and shall notify the county of such sublease.
- (C) The parcel to be sold or leased shall be subject to a deed restriction that limits the use of the parcel to farmworker housing facilities for not less than thirty (30) years. The deed restriction shall also provide, through reversionary or similar provision, that the parcel shall automatically revert to and be merged with the parcel from which it was subdivided when the parcel ceases to be used for farmworker housing for a period of more than one (1) year. The deed restriction shall be in a form satisfactory to county counsel.
- (D) There is a written agreement between the parties to the sale or lease of the parcel and their successors to operate the parcel to be sold or leased under joint management of the parties, subject to the terms and conditions and for the duration of the Williamson Act contract.
- (E) The parcel to be sold or leased is contiguous to one (1) or more parcels that are located within a designated urban service area, and which are zoned for and developed with urban residential, commercial, or industrial land uses.
- (F) The farmworker housing project shall include provisions designed to minimize potential impacts on surrounding agricultural and rural residential land uses.

A subdivision of land pursuant to this section shall not affect any Williamson Act contract executed pursuant to Article 3 (commencing with Section 51240) of the Government Code, and the parcel to be sold or leased shall remain subject to that contract.



**Draft Findings of Consistency:
Agricultural Consistency Ordinance
CEQA Section 15183 Statutory Exemption
November 22, 2024**

SCH No: XXXXXXXXXXXX

Prepared by:

**City of Ukiah
Community Development Department
Planning Division
300 Seminary Avenue, Ukiah, CA 95482
www.cityofukiah.com/community-development/planning-services/**

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I. PROJECT INFORMATION

Project Title: Agriculture Consistency Ordinance
Lead Agency Address and Phone Number: City of Ukiah Community Development Department 300 Seminary Avenue Ukiah, California 95482
CEQA Contact Person and Phone Number: Katherine Schaefer, Planning Manager City of Ukiah, Community Development Department (707) 463-6203 KSchaefer@cityofukiah.com
Applicant: City of Ukiah
Property Owner: City of Ukiah
Project Location: City-wide within the Agricultural Exclusive (A-E) and Combining Agricultural (-A) Districts
General Plan Designation: Those designations listed as compatible with the (A-E) or (-A) Zoning Districts, including: Industrial (I), Public (P), Recreational (REC), Open Space (OS), Agriculture (AG)
Zoning Designation: Agricultural Exclusive (A-E) and Combining Agricultural (-A)

II. INTRODUCTION

1. Purpose of the 15183 Findings of Consistency

California Public Resources Code section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 provide an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

Section 15183 specifies that examination of environmental effects shall be limited to those effects that:

- (1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,
- (2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
- (3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

2. Ukiah 2040 General Plan EIR

The Ukiah 2040 General Plan and its associated EIR (SCH# 2022050556) were certified in December 2022. The General Plan designates land uses defining the type and amount of development that can occur throughout the City and proposed annexation areas through the planning horizon year of 2040 (over approximately 18 years). The EIR comprehensively evaluated environmental impacts that would result from the General Plan's implementation, including information related to existing site conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts.

III. PROJECT DESCRIPTION

1. Project Purpose

The Agricultural Consistency Ordinance (hereafter referred to as the “Ordinance”) represents a planned alignment within the Ukiah 2040 General Plan and EIR, of the City of Ukiah’s zoning regulations with regional agricultural standards, particularly those established by Mendocino County. By revising the Agricultural Exclusive (A-E) and Combining Agricultural (-A) zoning districts, the Ordinance reflects the adaptation of agricultural practices and land-use policies to support the long-term sustainability of the region’s cultural and ecological landscape.

Reflective of the goals and policies of the Ukiah 2040 General Plan (See 3. Background below), the Ordinance responds to a need to protect agricultural lands from fragmentation and encroachment. Policies such as **LU-7.5** highlight the importance of preserving agricultural viability by discouraging incompatible development, while **AG-1.2** reinforces the commitment to safeguarding these lands within the City’s Sphere of Influence through zoning practices that maintain minimum lot sizes and encourage compatibility with surrounding uses. These principles maintain the integrity of agricultural spaces in an increasingly urbanized landscape.

Overall, the Ordinance seeks to provide a clear regulatory framework for agricultural and ancillary uses by codifying Mendocino County regulations such as minimum lot sizes, setbacks, and performance standards. It also anticipates evolving land-use needs by incorporating select Mendocino County outdoor cannabis cultivation provisions, while maintaining alignment with City of Ukiah goals and discretionary processes to ensure minimal environmental and social disruption.

2. Environmental Setting and Project Location

The City of Ukiah includes approximately 4.72 square miles. It serves as the County Seat of Mendocino County, as well as the county’s commercial hub. Predominant land uses in the City include single family residential, multi-family residential, and commercial uses ranging from local commercial to service commercial, as well manufacturing, industrial and public facilities. Further west is undeveloped open space, and steep, densely vegetated areas interspersed with rural residential lots within the Western Hills and Mendocino County’s jurisdiction. The Agricultural Exclusive and Agricultural Combining districts within the City of Ukiah’s planning area are characterized by agricultural operations, including vineyards, orchards, and pasturelands, supported by a mix of soil types and climatic conditions conducive to farming.

3. Background

Ukiah 2040 General Plan

The Ukiah 2040 General Plan outlines key goals and policies within the Land Use and Agricultural Elements that directly support the alignment of the City of Ukiah’s zoning regulations with Mendocino County standards. These include:

Goal LU-7 To ensure the orderly and timely growth and expansion of the City.

Policy LU 7.7 Development Pattern The City shall ensure an orderly, contiguous development pattern that prioritizes infill development, phases new development,

encourages compactness and efficiency, preserves surrounding open space and agricultural resources, and avoids land use incompatibilities.

Policy LU 7.5 Agriculture and Annexation The City shall discourage urban development of unincorporated land in the City's Sphere of influence until such lands are annexed by the City. The City shall support County land use regulations that require minimum lot sizes to protect the viability of local agriculture and to prevent the development of incompatible or undesirable land use patterns prior to eventual annexation and urbanization.

Goal LU-10 To assure coordination and consistency with special planning areas.

Policy 10.3 Ukiah Valley Area Plan The City shall coordinate with Mendocino County to assure consistency with the Ukiah Valley Area Plan goals and policies

Goal AG-1 To preserve and strengthen agricultural uses in and around Ukiah that influence the regional economy.

Policy AG-1.1 Reduce Agricultural/Urban Conflict The City shall reduce conflict between incompatible uses and agriculture within and adjacent to the City.

Policy AG-1.2 Preserve Agricultural Lands With the exception of presently proposed or approved subdivisions, the City shall discourage urban development on unincorporated land within its Sphere of Influence until annexed by the City. The City shall support County land use designations that protect the viability of local agriculture in the Ukiah Valley.

Policy AG 1.3 Plan Together The City shall identify and involve stakeholders, as well as advisors with knowledge and expertise, to create and implement a comprehensive planning framework that preserves and strengthens agricultural uses in and around Ukiah that inform and influence the regional economy.

Agriculture Element Implementation Program C: Align Agricultural Standards The City shall revise agricultural standards and use terminology to be consistent with adjacent jurisdictions within the Ukiah Valley for the support of future annexations efforts.

The Agricultural Element of the Ukiah 2040 General Plan emphasizes the importance of regional consistency to foster collaboration between the City and Mendocino County. The proposed Ordinance directly implements these goals and policies by updating Ukiah's zoning code to align with County regulations. This alignment ensures that agricultural lands within Ukiah's planning area are protected from incompatible uses and that zoning standards support sustainable and economically viable agricultural practices.

Moreover, the General Plan recognizes that consistency between City and County standards reduces administrative complexity for property owners and operators, creating a streamlined regulatory framework. By adopting the Agricultural Consistency Ordinance, the City of Ukiah demonstrates its commitment to the preservation and enhancement of agricultural lands as a key regional resource. (City of Ukiah 2022)

IV. EVALUATION OF ENVIRONMENTAL EFFECTS

The following findings are made in compliance with CEQA Section 15183 – Project consistent with a Community Plan or Zoning.

Section 15183 of the State CEQA Guidelines states that a project shall qualify for an exemption if the following findings can be made:

- 1) The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.
- 2) There are no project-specific effects which are peculiar to the project or its site, and which the Ukiah 2040 EIR failed to analyze as significant effects.
- 3) There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects.
- 4) There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate.
- 5) There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR.

A discussion of staff's finding of each potential environmental effect is provided below.

1. Density

The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.

Finding

The Ordinance is consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified.

Discussion

The current City of Ukiah Agricultural Combining (-A) zoning regulations establish limited agricultural uses, requiring a minimum lot size of five acres for certain activities. However, these regulations lack explicit density restrictions and a comprehensive framework to guide agricultural production. To address these gaps, the Ordinance clarifies and strengthens the standards for agricultural activities, introducing explicit provisions for uses such as animal raising (personal and general), tree crops, and farm stands.

Moreover, the Ordinance integrates Mendocino County's minimum 40-acre lot size standard for Agricultural Exclusive (A-E) zones. This approach ensures agricultural parcels remain sufficiently large to support economically viable farming operations, such as vineyards or orchards, while mitigating risks associated with land fragmentation. For example, smaller lots that might otherwise be converted to residential uses could introduce land-use conflicts, such as noise or odor complaints from residents unfamiliar with standard farming practices. The 40-acre standard protects agricultural operations by reducing such risks and preserving the agricultural character of the region.

Proposed A-E regulation changes also include the addition of density restrictions of one dwelling per 40 acres, mirroring Mendocino County's approach, in addition to limited processing and packing of agricultural products, horticulture, and farm stands which would be explicitly allowed,

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provided these uses remain secondary to the primary agricultural activity. For instance, wineries may produce grapes grown on-site, and farm stands can sell locally produced goods, enhancing economic sustainability for agricultural operations. These updates reflect the Ordinance's attention to preserving agricultural soils by restricting residential encroachment and supporting the economic viability of farming through accessory commercial uses such as small-scale processing and direct sales.

2. Effects

There are no project-specific effects which are peculiar to the project or its site, and which the Ukiah 2040 EIR failed to analyze as significant effects

Finding

All potential impacts from the Ordinance were evaluated with the Ukiah 2040 EIR. The proposed Ordinance has no unique features that were not evaluated within the General Plan EIR.

Discussion

The Ordinance does not introduce unique effects or conditions beyond those anticipated and analyzed in the Ukiah 2040 General Plan EIR. As emphasized under **Goal LU-7** of the General Plan, the Ordinance is consistent with the directive to “ensure an orderly, contiguous development pattern that prioritizes infill development, phases new development, encourages compactness and efficiency, preserves surrounding open space and agricultural resources, and avoids land use incompatibilities.” This alignment reinforces the Ordinance's focus on minimizing environmental disruption and promoting sustainable agricultural practices.

The Ordinance also directly supports **Policy LU-7.5** which states that the City shall “support County land use regulations that require minimum lot sizes to protect the viability of local agriculture and to prevent the development of incompatible or undesirable land use patterns.” By aligning with Mendocino County zoning standards, the Ordinance operationalizes this policy, ensuring agricultural lands are preserved for their intended uses and safeguarded from premature urbanization.

Furthermore, **Goal AG-1** of the General Plan commits to “preserve and strengthen agricultural uses in and around Ukiah that influence the regional economy,” while **Policy AG-1.1** emphasizes reducing conflicts between incompatible uses and agriculture. The Ordinance addresses these objectives by codifying zoning standards that create clear protections for agricultural lands. Additionally, **Policy AG-1.2** calls for the City to “discourage urban development on unincorporated land within its Sphere of Influence until such lands are annexed,” a directive mirrored by the Ordinance's adoption of minimum lot size requirements to prevent fragmentation of agricultural lands.

Implementation of these policies is supported by **Agriculture Element Implement Program C**, which directs the City to “revise agricultural standards and use terminology to be consistent with adjacent jurisdictions within the Ukiah Valley for the support of future annexation efforts.” The Ordinance fulfills this directive by aligning City agricultural zoning standards with Mendocino County's practices, ensuring compatibility and promoting long-term agricultural sustainability.

3. Impacts

There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects

Finding

There is no new information as a result of the proposed Ordinance that would result in more severe impacts. The Ordinance is consistent with the Ukiah 2040 General Plan density and land use designations. All potential impacts were evaluated with the General Plan EIR.

Discussion

No project-specific impacts were identified that would result in significant environmental effects. The alignment with Mendocino County standards ensures a uniform regulatory approach, reducing the potential for conflicts or adverse effects on neighboring properties. As emphasized in **Policy AG-1.1** “The City shall reduce conflict between incompatible uses and agriculture within and adjacent to the City.” By incorporating regional agricultural standards, the Ordinance actively mitigates potential land-use conflicts and promotes compatibility between agricultural and neighboring uses.

Additionally, the Ordinance includes provisions to maintain agricultural operations and protect critical resources. **Policy LU-7.5** emphasizes that “the City shall support County land use regulations that require minimum lot sizes to protect the viability of local agriculture and to prevent the development of incompatible or undesirable land use patterns.”

4. Cumulative Impacts

There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate

Finding

There are no potentially significant offsite and/or cumulative impacts as a result of the proposed Ordinance.

Discussion

The Ordinance aligns with regional agricultural policies and contributes to the cumulative preservation of agricultural lands. As outlined in **Policy AG-1.2** “The City shall discourage urban development on unincorporated land within its Sphere of Influence until annexed by the City” and “support County land use regulations that protect the viability of local agriculture in the Ukiah Valley.” These directives ensure the Ordinance prioritizes agricultural preservation while managing growth in a way that avoids incompatible or fragmented land-use patterns.

The Ukiah 2040 EIR considered the incremental impacts of maintaining agricultural density and protecting agricultural resources in alignment with the General Plan. **Policy LU-7.7** emphasizes the need for “an orderly, contiguous development pattern that...preserves surrounding open space and agricultural resources and avoids land use incompatibilities.” The Ordinance directly supports this policy by reinforcing minimum lot size standards and maintaining agricultural zoning consistency with Mendocino County, thus contributing to the long-term sustainability of agricultural lands.

5. New Information

There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR

Finding

There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR.

Discussion

No new substantial information has been identified that would result in more severe environmental impacts. The Ordinance aligns with agricultural preservation goals outlined in the Ukiah 2040 EIR and General Plan. Specifically, **Policy LU-7.5** supports maintaining agricultural land and preventing incompatible development, stating, “The City shall discourage urban development of unincorporated land in the City’s Sphere of Influence until such lands are annexed by the City. The City shall support County land use regulations that require minimum lot sizes to protect the viability of local agriculture and to prevent the development of incompatible or undesirable land use patterns.” The Ordinance also reflects **Policy LU-7.7**, which emphasizes preserving compatibility with surrounding land uses through effective zoning standards.

The introduction of outdoor cannabis cultivation under the proposed Ordinance represents a new regulatory framework. The City will incorporate selected aspects of Mendocino County’s A-E zoning regulations, such as setback requirements mandating a minimum of 50 feet from all property lines to ensure land use compatibility and reduce adverse impacts. Additionally, the City will implement a more restrictive regulatory regime. Cannabis cultivation will be reviewed by discretionary permit, allowing the City to evaluate each site individually, considering unique environmental conditions such as proximity to sensitive habitats, water resources, and existing land uses. This approach enables the City to identify potential environmental impacts on a project-by-project basis, consistent with CEQA requirements, and impose targeted mitigation measures to address identified impacts, such as stormwater management practices, noise attenuation, or additional site security considerations.

To address air quality concerns, the Ordinance requires all structures used for mixed-light and indoor cannabis cultivation to be equipped with advanced filtration and ventilation systems designed to control odors, humidity, and mold. This provision is critical for ensuring compatibility with neighboring uses and for reducing potential nuisance complaints from nearby residents or businesses. For example, the Ordinance mandates that harvesting activities, such as drying and curing, occur either within enclosed structures utilizing best available control technology or by implementing innovative techniques like freeze-drying, to achieve equivalent odor mitigation. These measures align with best practices outlined by the California Department of Cannabis Control (DCC), which emphasizes minimizing community impacts through effective operational controls.

Water conservation is another key component of the Ordinance, reflecting statewide efforts to sustainably manage natural resources. The Ordinance requires compliance with the State Water Resources Control Board’s Cannabis Cultivation Policy, which includes guidelines for water diversion, use, and discharge to protect California’s water quality and supply. By enforcing these standards, the Ordinance ensures that cannabis operations do not deplete local water resources or adversely affect the Ukiah Valley watershed.

By adopting provisions that align with the General Plan's goals, the Ordinance supports the preservation of agricultural resources and promotes long-term compatibility with adjacent land uses. These measures, including cannabis-related regulations, not only align with state-level environmental and public health policies but also uphold the goals set forth in the Ukiah 2040 General Plan. Specifically, **Policy LU-7.5** ensures the prevention of incompatible development patterns, while the adoption of these operating standards ensures that cannabis activities remain consistent with the City's broader land-use and environmental objectives.

V. DETERMINATION

Summary of Findings: Section 15378 of the California Environmental Quality Act (CEQA) defines a “Project” as an activity that (1) is a discretionary action by a governmental agency; and (2) will either have a direct or reasonably foreseeable indirect impact on the environment. (Pub. Res. Cod, § 21065). “Project” means the whole of the action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700.

In accordance with CEQA Guidelines Section 15183, the Agricultural Consistency Ordinance qualifies for an exemption because the following findings can be made:

- 1) **The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.**
- 2) **There are no project-specific effects which are peculiar to the project or its site, and which the Ukiah 2040 EIR failed to analyze as significant effects.**
- 3) **There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects.**
- 4) **There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate.**
- 5) **There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR.**

Signature

Date

Katherine Schaefer, Planning Manager
Community Development Department
City of Ukiah
kschaefer@cityofukiah.com



8

Agriculture Element





Agriculture Element

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8.3	Implementation Programs	8-6

8.1 Agriculture

Formalized agriculture within the Ukiah Valley began in the 1850s. Efforts included the raising of livestock and the growing of various grains, and hops. When the Northwestern Pacific Railroad was completed in 1889, prunes, potatoes, pears, and hops were sent from the Ukiah Valley to San Francisco and other regional markets. Hops, pears, prunes and grapes were the most widely planted crops in the 1950s, and today the Ukiah Valley is home to a number of productive agricultural activities, including organically produced crops and notable vineyards. The Valley's rich bottom-land, resourced by the Russian River, consists of prime, fertile soils and benchlands highly productive for grapes. Presently, agricultural land within the region is mostly comprised of vineyards and pear orchards but also includes row crops and pasturelands.

Agricultural production has been an important part of the regional economy for generations and will continue to be a foundational component for decades to come. In addition to the economic benefits, agricultural lands provide a pastoral quality that helps define the character of the Ukiah Valley. If undertaken appropriately by addressing issues related to health and, potential nuisances (e.g., noise, odor, aesthetics), urban agriculture can improve access to healthy food, promote community development, and create jobs.¹

While agricultural resources are addressed and protected by numerous State laws, this Agriculture Element is included here to implement new approaches to local agriculture and strengthen existing City policies regarding preservation and enhancement of regional working lands.

Goals and Policies

AG-1 *To preserve and strengthen agricultural uses in and around Ukiah that influence the regional economy.*

AG-1.1 Reduce Agricultural/Urban Conflict

The City shall reduce conflict between incompatible uses and agriculture within and adjacent to the City.

AG-1.2 Preserve Agricultural Lands

With the exception of presently proposed or approved subdivisions, the City shall discourage urban development on unincorporated land within its Sphere of Influence until annexed by the City. The City shall support County land use regulations that protect the viability of local agriculture in the Ukiah Valley.

AG-1.3 Plan Together

The City shall identify and involve stakeholders, as well as advisors with knowledge and expertise, to create and implement a comprehensive planning framework that preserves and strengthens agricultural uses in and around Ukiah that inform and influence the regional economy.

¹ Golden, S. (2013). *Urban Agriculture Impacts: Social, Health, and Economic: A Literature Review*. University of California Sustainable Agriculture Research and Education Program: Agricultural Sustainability Institute at UC Davis.

AG-2 *To create a healthy, equitable and resilient local-food system that further integrates agriculture into the City's identity.*

AG-2.4 Backyard Food

The City shall allow and encourage residents to undertake supplementary local agriculture, including backyard gardens, apiaries, poultry, and 'foodscaping'. Examples include community, school, backyard, and rooftop gardens with a purpose extending beyond home consumption and education.

AG-2.5 Buy Local, Enjoy Local

The City shall encourage additional farmer and community markets, food trucks, and farm stands to support production, distribution, and sale of locally grown foods and continue to support community-based food production and local, nutritious food by working with local landowners for the creation of additional community gardens.

AG-2.6 Support Gardeners

The City shall coordinate with the University of California Cooperative Extension (UCCE) Mendocino County Master Gardener Program, to connect city residents with backyard gardening knowledge.

AG-2.7 Farmer's Markets

In conjunction with the Mendocino County Farmers Market Association, the City shall research and identify additional ways to support the sale of local produce and goods at farmers markets within the City of Ukiah.

AG-3 *Help existing agricultural stakeholders move 'Beyond the Farm'.*

AG-3.1 Establish Infrastructure to Grow the Agricultural Economy

The City shall support existing agriculture operators by encouraging a diverse, vibrant, and innovative agriculture economy that creates new opportunities and products from regional producers for local consumption and export. In conjunction with stakeholders, the City shall encourage the creation of agricultural business incubators, shared kitchens, and workforce development programs that create locations to strengthen agricultural operators within the region.

AG-3.2 Agritourism

The City shall support expansion of the agricultural tourism industry by assessing utilization use of tourism facilities (e.g., hospitality, restaurants, etc.), as well as supporting efforts to plan and integrate the Great Redwood Trail into the agricultural economy.

AG-3.3 University Research

The City shall encourage research, particularly at the University of California Cooperative Extension, pertinent to the Ukiah Valley to identify new potential uses and enhancement for existing agricultural industries, especially pomology, 'forestry, livestock, 'and viticulture.

8.2 Ukiah Valley Agricultural Stakeholders

While the City recognizes the geographical limitations of its agricultural policies, the City also recognizes its sense of identity and quality of life are closely associated with the surrounding setting. To implement the goals and

policies associated with this Agriculture Element, involvement of the below mentioned stakeholders, plus potentially many more, will be critically important to successful implementation of this general plan element. If implemented successfully, the Agriculture Element would activate conversations between government agencies and key stakeholders in the region to undertake a more collaborative effort resulting in unified land use policies for the future.

LAND USE PLANNING AND POLICY

- Mendocino County Resources Conservation District (MCRCD)
- Mendocino County Department of Planning and Building Services (PBS)
- Sustainable Agriculture Lands Committee (SALC)
- Mendocino Land Trust (MLT)
- Mendocino Local Agency Formation Commission (LAFCo)

FARMING AND FOOD SECTOR

- Mendocino County Farm Bureau (MCFB)
- Mendocino County Farmers Market Association
- University of California's Cooperative Extension - Mendocino County
- Mendocino County Agricultural Commissioner
- Plowshares - Ukiah
- NCO Gardens Project
- Mendo Lake Food Hub

8.3 Implementation Programs

Programs	Implements Which Policy(ies)	Responsible	2022 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
A Agricultural Buffer The City shall work with Mendocino County to establish setback or buffers for new non-agricultural development adjacent to agricultural lands to reduce conflict between incompatible land uses.	AG – 1.2	Community Development	■				
B Right to Farm The City shall adopt a right-to-farm ordinance to ensure appropriate disclosure of agricultural activities both within and adjacent to the City of Ukiah.	AG – 1.2	Community Development	■				
C Align Agricultural Standards The City shall revise agricultural standards and use terminology to be consistent with adjacent jurisdictions within the Ukiah Valley for the support of future annexation efforts.	AG – 1.2 AG – 1.3	Community Development		■			
D Williamson Act In coordination with the County Assessor, the City shall establish a Williamson Act program that aligns with ongoing efforts to preserve agricultural lands across Mendocino County.	AG – 1.2	Community Development City Manager	■				
E Reduce Regulation – Local Agriculture The City shall revise the Zoning code to allow low-intensity agricultural activities on residential parcels, including but not limited to back yard beehives, chickens and gardens. The revision will include objective use, development, and environments standards, and minimal permit fee requirements.	AG – 2.4	Community Development City Attorney	■				

Programs	Implements Which Policy(ies)	Responsible	2022 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
F Foodscaping The City shall revise the City's objective development and design standards for multi-family housing projects to include the definition of and provisions for 'foodscaping'.	AG – 2.4	Community Development	■				
G "No Mow May" To encourage additional pollinators, the City shall prepare a pilot program for a "No Mow May" to encourage more ecologically beneficial lawns within the City of Ukiah.	AG – 2.4	Community Development City Manager		■			
H Urban Agricultural Definitions The City shall revise the City Zoning Code definitions, standards, and limitations for "Urban Agriculture", including rooftop gardens, aquaculture, hydroponics, etc.	AG – 2.4	Community Development		■			
I Support Community Gardens The City shall revise the Zoning code to streamline the regulatory permitting process to support the creation of additional community gardens within the City.	AG – 2.5 AG – 2.6	Community Development City Manager	■				
J Urban Agricultural Incentive Zone The City shall research and consider implementation of an Urban Agricultural Incentive Zone (AB 551). "The Urban Agriculture Incentive Zones Act authorizes a city... and a landowner to enter into a contract to restrict the use of vacant, unimproved, or otherwise blighted lands for small-scale production of agricultural crops and animal husbandry.	AG – 2.4	Community Development City Manager		■			
K Local Food: Food Trucks & Farm Stands The City shall revise the Zoning Code to support the distribution and sale of locally-grown food via Food Trucks, Farm Stands, and farmer/community markets.	AG – 2.5	Community Development Public Works	■				

Programs	Implements Which Policy(ies)	Responsible	2022 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
L Farmers Markets In conjunction with the Mendocino County Farmers Market Association, the City shall research and identify additional ways to support the sale of local produce and goods at farmers markets within the City of Ukiah.	AG – 2.7	Community Development Public Works					■
M Local Purchasing The City shall research and prepare a local preference purchasing policy for future adoption to promote and support local preference purchasing policies for the City of Ukiah, local school districts and other institutions as a means to foster awareness and build relationships across the regional economy.	AG – 3.1	Community Development City Manager		■			