

**Minutes  
Zoning Administrator Meeting  
January 8, 2015**

**Staff Present**

Charley Stump, Zoning Administrator  
Michelle Johnson, Assistant Planner  
Cathy Elawadly, Recording Secretary

**Others Present**

Judy Howard  
Jason Howard

**1. CALL TO ORDER**

Zoning Administrator Stump called the meeting to order at 11:01 a.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

**2. SITE VISIT VERIFICATION**

Zoning Administrator Stump confirmed the site visit.

**3. APPROVAL OF MINUTES:** The minutes from the December 18, 2014 meeting will be available for review and approval at the next Zoning Administrator meeting.

**4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**

**5. APPEAL PROCESS**

Zoning Administrator Stump read the appeal process. For matters heard at this meeting the last day to appeal is January 20, 2015.

**6. VERIFICATION OF NOTICE**

Assistant Planner Johnson verified the proposed Shag Salon Site Development Permit, (File No. 620) was properly noticed in accordance with the provisions of the UMC.

**7. PUBLIC HEARINGS**

**7A. Shag Salon Site Development Permit, 633 South Main Street (File No.: 620):** Review and recommendation to the Zoning Administrator on a Site Development Permit for modifications to the building facade located at 633 South Main Street, APN 002-302-25.

Zoning Administrator Stump dispensed with a staff report presentation.

**PUBLIC HEARING OPENED: 11:03 a.m.**

**Zoning Administrator Stump:**

- Asked if the applicant had any questions/comments concerning the Project.
- Asked if staff received any public comments.

**Jason Howard, Applicant:**

- Is fine with the proposed Project Findings and Conditions of Approval.

Assistant Planner Johnson confirmed Planning staff received no public comments regarding the Project.

**PUBLIC HEARING CLOSED: 11:06 a.m.**

Zoning Administrator Stump thanked the applicants for proposing/bringing forth an excellent project incorporating high quality design standards.

Zoning Administrator Stump made the following recommendations/changes to the Project staff report:

- 1       ▪ Strike Finding 5 and replace with language that reads:
- 2       The applicant/project proposes 4 parking spaces rather than the 5 that are required by
- 3       code. The Zoning Administrator can reduce the required parking if unique circumstances
- 4       and constraints are present on the site. In this case, Zoning Administrator concludes that
- 5       the 4 spaces are acceptable based on the following:
- 6       1. The existing parking lot is small and irregular in shape as compared to other parking
- 7       lots in the area, which makes it impossible to add an additional parking space without
- 8       removing landscaping and other on-site amenities.
- 9       2. The existing parking lot is legal non-conforming in terms of landscaping coverage and
- 10      to add an additional parking space would mean taking out landscaping, which would
- 11      increase the non-conformity.
- 12      3. The code requirements for the size and configuration for ADA parking spaces
- 13      demands a significant amount of space, which further precludes the applicants from
- 14      adding an additional regular space to the parking lot.
- 15      4. There is adequate on-street parking in the vicinity to supplement any parking needs
- 16      of the business.
- 17      ▪ Add Finding #9 to read, 'On December 22, 2014, the City Design Review Board reviewed
- 18      the project and voted 5-0 to recommend Zoning Administrator approval.'
- 19      ▪ Add Finding #10 to read, 'The proposed project is consistent with the requirements of the
- 20      Ukiah Airport Master Plan as described in Table 2 of the staff report.'
- 21      ▪ Amend Finding #2 to read, 'The proposed project, as conditioned, is consistent with the
- 22      development standards for the C-1 zoning district as described in Table 3 of the staff
- 23      report.'
- 24      ▪ Add Finding #11 to read, 'The project is consistent with the City of Ukiah Commercial
- 25      Development Design Guidelines because it will significantly renovate an existing older
- 26      shop front in the downtown and the project has been reviewed and found acceptable by
- 27      the Downtown Design Review Board.'
- 28      ▪ Add new Condition of Approval to read, 'The Strawberry tree proposed to be planted on
- 29      the site shall be replaced with a variety of a Maple tree that will eventually provide
- 30      shade on the west elevation of the building.'
- 31      ▪ Add Finding #12 to support new Condition of Approval regarding replacement of the
- 32      Strawberry tree to read, 'The Design Review Board found the proposed Strawberry tree
- 33      to be unacceptable because it would not provide adequate shade on the western
- 34      elevation of the building and it drops debris and is messy.'
- 35

36      **Zoning Administrator Stump** approved Shag Salon Minor Site Development Permit (File No.:  
 37      620 with Findings in attachment 1 and Conditions of Approval in attachment 2 and with the  
 38      additional Findings and Conditions of Approval made above.

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 40      **8.        ADJOURNMENT**

41      There being no further business, the meeting was adjourned at 11:08 a.m.

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 Charley Stump, Zoning Administrator

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 Cathy Elawadly, Recording Secretary

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**FINDINGS – SITE DEVELOPMENT PERMIT FINDINGS**

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 51      **SITE DEVELOPMENT PERMIT FINDINGS TO ALLOW CHANGES TO THE FRONT FAÇADE**  
 52      **OF AN EXISTING COMMERCIAL BUILDING LOCATED AT**  
 53      **633 SOUTH MAIN STREET, APN 002-302-25**  
 54      **CITY FILE NO. 620**

1 The following findings are supported by and based on information contained in this staff report,  
2 the application materials and documentation, and the public record.

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- 4 1. The proposed project, as conditioned, is consistent with the goals and policies of the  
5 General Plan as described in the staff report.
- 6
- 7 2. The proposed project, as conditioned, is consistent with the development standards for  
8 the C-1 zoning district as described in Table 3 of the Staff Report.
- 9
- 10 3. The location, size and intensity of the proposed project will not create a hazardous or  
11 inconvenient vehicular or pedestrian traffic pattern based on the following:  
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  - 13 A. The project site is currently developed with a commercial building located in the  
14 City's Downtown. The proposed changes to the building exterior will not change  
15 the vehicular or pedestrian traffic patterns. Therefore the project will not create a  
16 hazardous or inconvenient vehicular or pedestrian traffic pattern.
- 17
- 18 4. The project site is located within the City's downtown and within the parking district. The  
19 accessibility of the existing off-street parking and driveway will not change as a result of  
20 the proposed project therefore no hazardous or inconvenient conditions will be created  
21 on adjacent streets.
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- 23 5. The applicant/project proposes 4 parking spaces rather than the 5 that are required by  
24 code. The Zoning Administrator can reduce the required parking if unique circumstances  
25 and constraints are present on the site. In this case, Zoning Administrator concludes that  
26 the 4 spaces are acceptable based on the following:  
27
  - 28 1. The existing parking lot is small and irregular in shape as compared to other parking lots  
29 in the area, which makes it impossible to add an additional parking space without  
30 removing landscaping and other on-site amenities.
  - 31
  - 32 2. The existing parking lot is legal non-conforming in terms of landscaping coverage and to  
33 add an additional parking space would mean taking out landscaping, which would  
34 increase the non-conformity.
  - 35
  - 36 3. The code requirements for the size and configuration for ADA parking spaces demands a  
37 significant amount of space, which further precludes the applicants from adding an  
38 additional regular space to the parking lot.
  - 39
  - 40 4. There is adequate on-street parking in the vicinity to supplement any parking needs of  
41 the business.
  - 42
  - 43 6. The proposed project would not enlarge the existing footprint of the building or change  
44 the existing height and therefore the proposed project will not restrict or cut out light and  
45 air on the property or on the property in the neighborhood. The project would not hinder  
46 the development or use of the buildings in the neighborhood in fact the proposed project  
47 may generate value in the neighborhood.
  - 48
  - 49 7. The project site is not located adjacent to residential zoning districts therefore the  
50 improvement of any commercial or industrial structure will not have a substantial  
51 detrimental impact on the character or value of an adjacent residential zoning district

- 1 8. The site is located in a commercial area developed with an existing commercial building.  
2 No water courses, wildlife, wildlife habitat, floodway or flood plain or other  
3 environmentally sensitive areas will be disturbed as a result of this project.  
4
- 5 9. On December 22, 2014, the City Design Review Board reviewed the project and voted 5-  
6 0 to recommend Zoning Administrator approval.  
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- 8 10. The proposed project is consistent with the requirements of the Ukiah Airport Master Plan  
9 as described in Table 2 of the staff report.  
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- 11 11. The project is consistent with the City of Ukiah Commercial Development Design  
12 Guidelines because it will significantly renovate an existing older shop front in the  
13 downtown and the project has been reviewed and found acceptable by the Downtown  
14 Design Review Board.  
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- 16 12. The Design Review Board found the proposed Strawberry tree to be unacceptable  
17 because it would not provide adequate shade on the western elevation of the building  
18 and it drops debris and is messy.  
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**CONDITIONS OF APPROVAL – SITE DEVELOPMENT PERMIT**

**SITE DEVELOPMENT PERMIT CONDITIONS OF APPROVAL TO ALLOW CHANGES TO THE  
FRONT FAÇADE OF AN EXISTING COMMERCIAL BUILDING LOCATED AT 633 SOUTH  
MAIN STREET, APN 002-302-25  
CITY FILE NO. 620**

- 30 1. Site Development Permit approval is granted to allow the exterior modifications as shown  
31 on the plans and as described in the project description submitted to the Planning and  
32 Community Development Department and date stamped December 2, 2014, as except  
33 as modified by the following conditions of approval.  
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- 35 2. On plans submitted for building permit, these conditions of approval shall be included as  
36 notes on the first sheet.  
37
- 38 3. Construction hours are limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through  
39 Saturday. Construction is prohibited on Sundays and holidays recognized by the City of  
40 Ukiah.  
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- 42 4. The Strawberry tree proposed to be planted on the site shall be replaced with a variety of  
43 a Maple tree that will eventually provide shade on the west elevation of the building.  
44

From the Building Official (David Willoughby)

- 47 5. A permit is required for the proposed work.  
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Standard City Conditions of Approval

- 51 6. This approval is not effective until the 10 day appeal period applicable to this Site  
52 Development Permit has expired without the filing of a timely appeal. If a timely appeal is  
53 filed, the project is subject to the outcome of the appeal and shall be revised as  
54 necessary to comply with any modifications, conditions, or requirements that were  
55 imposed as part of the appeal.

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- 7. The property owner shall obtain and maintain any permit or approval required by law, regulation, specification or ordinance of the City of Ukiah and other Local, State, or Federal agencies as applicable. All construction shall comply with all fire, building, electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
- 8. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.
- 9. Building, Grading or other required Permits shall be issued within two years after the effective date of the Site Development Permit, or the discretionary actions granted by the permit shall expire. In the event the required Permits cannot be issued within the stipulated period from the project approval date, a one year extension may be granted by the Director of Planning if no new circumstances affect the project which otherwise would render the original approval inappropriate or illegal. It is the applicant's responsibility in such cases to propose the one-year extension to the Planning Department prior to the two-year expiration date.
- 10. Except as otherwise specifically noted, the Site Development Permit shall be granted only for the specific purposes stated in the action approving the Site Development Permit and shall not be construed as eliminating or modifying any building, use, or zone requirements except to such specific purposes.
- 11. The approved Site Development Permit may be revoked through the City's revocation process if the approved project related to the Site Development Permit is not being conducted in compliance with the stipulations and conditions of approval; or if the project is not established within two years of the effective date of approval; or if the established land use for which the permit was granted has ceased or has been suspended for twenty four (24) consecutive months.
- 12. No permit or entitlement shall be deemed effective unless and until all fees and charges applicable to this application and these conditions of approval have been paid in full.
- 13. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions 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 the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. 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.