

**Minutes
Zoning Administrator Meeting
October 24, 2016**

Staff Present

Tim Eriksen, Deputy Zoning Administrator
Kevin Thompson, Interim Planning Director
Cathy Elawadly, Recording Secretary

Others Present

Ansley Coale

1. CALL TO ORDER

Deputy Zoning Administrator Eriksen called the meeting to order at 3:02 p.m. in Conference Room No. 3, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

2. SITE VISIT VERIFICATION

Deputy Zoning Administrator Eriksen confirmed the site visit.

3. APPROVAL OF MINUTES – The minutes from the September 29, 2016 meeting are included for review and approval.

Deputy Zoning Administrator Eriksen approved the September 29, 2016 minutes, as submitted.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

5. APPEAL PROCESS

Deputy Zoning Administrator Eriksen read the appeal process. For matters heard at this meeting the last day to appeal with the City Clerk is November 3, 2016 at 5:00 p.m.

6. VERIFICATION OF NOTICE – Confirmed by Staff.

7. PUBLIC HEARINGS

7A. Caddell & Williams request for a Minor Use Permit to Extend Hours of Operation at 108 W. Clay Street. APN 002-265-07, (File No.: 2149-UP-ZA): An application has been received from Caddell & Williams for Zoning Administrator approval of a Minor Use Permit to allow extended hours of operation at a proposed specialty tasting room at 108 W. Clay Street.

Interim Planning Director Thompson:

- Gave a staff report and noted the proposed Project involves a request by applicant to extend the hours of operation for a specialty beverage and tasting facility. The current operating standards as provided for the DZC Section 9224.15 are 10:00 a.m. to 10 p.m. The applicant has requested an earlier opening time of 8:00 a.m. and a closing time of 5:00 p.m.
- Staff recommends approval of the minor use permit based on the Findings in attachment 1 of the staff report and subject to the Conditions of Approval in attachment 2 of the staff report.

PUBLIC HEARING OPENED: 3:07 p.m.

Ansley Coal, Applicant:

- Has reviewed the staff report.
- Is fine with the project Findings and Conditions of Approval, as written.

PUBLIC HEARING CLOSED: 3:08 p.m.

1 **Deputy Zoning Administrator Eriksen:**

- 2 • Has visited the site.
3 • Agrees with staff's analysis of the project.
4 • Accepts the Findings in attachment 1 of the staff report and Conditions of Approval in
5 attachment 2 of the staff report.
6

7 **Deputy Zoning Administrator Eriksen** approved Minor Use Permit to expand hours of operation
8 at 108 W. Clay, File No.: Munis 2149-UP-ZA based on the Findings in attachment 1 of the staff
9 report and subject to the Conditions of Approval in attachment 2 of the staff report.

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11 **8. ADJOURNMENT**

12 There being no further business, the meeting was adjourned at 3:09 p.m.

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16 Cathy Elawadly, Recording Secretary
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19 **WITHIN THE URBAN CENTER (U-C) ZONING DISTRICT**
20 **108 W. CLARY STREET, APN 002-265-07**
21 **FILE NO. 2149-MUP ZA**
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24 The following findings are supported by and based on information contained in this staff report,
25 the application materials and documentation, and the public record.

- 26
27 1. The proposed project, as conditioned, is consistent with the goals and policies of the
28 General Plan as described in the staff report.
29
30 2. The proposed project, as conditioned, is consistent with the Downtown Zoning Ordinance
31 as described in Table 1 of the staff report
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33 3. The proposed project, as conditioned, is consistent with the purpose and applicable
34 requirements of the UC zoning district based on the following:
35
36 A. With an approved use permit the proposed project can extend the hours of operation
37 within the Urban Core (UC) zoning district.
38
39 B. The project is within the Downtown Parking District, and not subject to on-street
40 parking requirements.
41
42 4. The proposed project, as conditioned, is consistent with requirements of the applicable
43 Airport Compatibility zones based on the following:
44
45 Normally Acceptable Uses: Intensive retail is a normally acceptable use in the C
46 zone and the tasting room is consistent with this use.
47
48 5. The proposed project, as conditioned, is compatible with surrounding land uses and shall
49 not be detrimental to the public's health, safety and general welfare based on the
50 following:
51
52 A. Surrounding uses to the project site include a variety of office and public uses which
53 would be compatible with the proposed hours of operation.
54

- B. The project has been reviewed by the Fire Marshal, Police Department, Building Official, and Public Works and no comments were received.
 - C. The project is required to comply with all federal, state and local laws.
 - D. The proposed hours of operation are compatible with the existing surrounding uses.
 - E. In the project description submitted by the application the hours of operation would be Monday through Sunday 8:00 a.m. to 5:00 p.m.
 - F. The project promotes the public health, safety, and welfare by providing a new local business so that residents do not have to travel out of town for these items or services.
6. The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 Class 3 (c), New Construction and Conversion of Small Structures, which allows structures up to 10,000 square feet to be converted from one use to another in urbanized areas when the use does not involve significant amounts of hazardous materials, where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive based on the following:
 - A. The business does not use hazardous materials.
 - B. The site is developed with existing buildings, public utilities and services already are available at the site and no expansion of the existing buildings are proposed as part of the project.
 - C. The location is not environmentally sensitive and no drainage courses or bodies of water (such as creeks or streams).
 7. Notice of the proposed project was provided in the following manner as required by the Zoning Ordinance:
 - A. Posted in three places on the project site on October 5, 2016;
 - B. Mailed to property owners within 300 feet of the project site on October 5, 2016;
 - And
 - C. Published in the Ukiah Daily Journal on October 9, 2016.
 8. Based on the scope of the project and the fact that there are not any additional opportunities for landscaping on the site, installation of new landscaping is not required.

**WITHIN THE URBAN CENTER (U-C) ZONING DISTRICT
108 W. CLARY STREET, APN 002-265-07
FILE NO. 2149-MUP ZA**

Final Use Permit Conditions of Approval

The Police Department recommends that the Minor Use Permit issued for this project be conditioned on the following:

1. That the applicant obtain and maintain any required Alcohol Licenses and any other regulatory licenses required to operate exactly as described by the applicant as

1 submitted with the Minor Use Permit application. Copies of any licenses obtained be
2 supplied to the City for inclusion in the use permit file with the City.

3
4 2. That the off-sale of alcohol allowed by a Type 21 ABC License issued by the State of
5 California be ancillary to on-site tasting, allowed by an appropriate ABC License issued
6 by the State of California, and that the tasting and ancillary sale of alcohol be in
7 contiguous separate portions of the define premises only.
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9 Planning Department Conditions:

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11 3. Hours of operation shall be 8:00 a.m. to 5:00 p.m.
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