

## ORDINANCE NO. \_\_\_\_\_

**AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL AMENDING THE OFFICIAL  
ZONING MAP AND GENERAL PLAN LAND USE MAP BY ESTABLISHING THE  
COMMUNITY COMMERCIAL (C1) ZONING DISTRICT AND COMMUNITY COMMERCIAL  
(CC) LAND USE DESIGNATION AT 195 LOW GAP ROAD (APN 002-080-39)**

The City Council of the City of Ukiah does hereby ordain as follows:

**SECTION ONE - FINDINGS AND DECLARATIONS**

The City Council finds and declares as follows:

1. The Planning Commission held a public hearing to provide direction on the location of the proposed Zoning Map Amendment and General Plan Amendment on August 14, 2024. The Planning Commission voted in favor of recommending that the City Council approve a proposed Zoning Map Amendment and General Plan Amendment, rezoning the subject parcel from Low Density Residential (R-1) to Community Commercial (C-1), and changing the land use designation from Low Density Residential (LDR) to Commercial (CC) ("Amendments").
2. The 0.41-acre Project site is located on the corner of North Oak Street and Low Gap Road at 195 Low Gap Road (APN 002-080-39). The Project proposes to rezone the existing parcel, currently zoned as from Low Density Residential (R-1) to Community Commercial (C-1). The Project also requires a general plan amendment to change the land use designation from Low Density Residential (LDR) to Commercial (CC). This project is requested because the Applicant desires to undertake tenant improvements to the existing structure and lease it for use as a 'Professional Office', which is not allowed under the present R-1 designation. As defined in Ukiah City Code a 'Professional Office' is considered the provision of professional or technical services including accounting, counseling, architecture, design, medical/dental, engineering, law, management, and similar professions.
3. The Zoning Map Amendment is consistent with the findings required for adoption of an ordinance to approve a Zoning Map Amendment and General Plan Amendment as required by Ukiah City Code Section 9265.
4. The Project site is surrounded by a mixture of commercial, public facility and residential uses. Other C1 zoned parcels (with corresponding Community Commercial General Plan designations) currently exist immediately east of the site. No development is proposed. However, future development of the site would require adherence to all C1 zoning regulations. The Project supports General Plan goals and policies related to land use and economic development, as it would provide an opportunity for commercial reuse of an underutilized structure. As such, the proposed Amendments would be consistent with the City's General Plan and City's zoning code.
5. The proposed use of this existing structure as a 'Professional Office' is anticipated to result in a less intensive use of the building and property. 'Religious Assembly', the previous use of the structure, typically experiences high peak usage during worship services, which are

often held multiple times throughout the week, or for holidays or specific events such as memorials, weddings or other ceremonies. Given this orientation, use of structures for religious assembly can attract large congregations, leading to increased traffic congestion and parking demand. In contrast, a 'Professional Office' operates on a more regular, daily schedule with appointments spread throughout the day, and typically features limited weekend hours. This results in a more consistent, moderate flow of traffic rather than the high peaks associated with church services.

6. Notice of the proposed Project and Amendments was provided in the following manner: provided to property owners within 300 feet of the project parcels, as well as agencies and departments with jurisdiction or interest over the project on August 23, 2024; posted on the City's webpage on August 23, 2024; published in the Ukiah Daily Journal on August 25, 2024; posted on the Project site on August 23, 2024; available to the public at the Community Development Counter on August 23, 2024, and posted at the Civic Center (glass case) 72 hours prior to the public hearing.
7. The City Council has considered the Amendments, attached hereto as Exhibit A, together with the recommendation of the Planning Commission to approve this Ordinance.

## **SECTION TWO – ADOPTION OF ORDINANCE**

1. The Official Zoning Map for the City of Ukiah is amended to change the Zoning designation of 195 Low Gap Road (APN 002-080-39) from Low-Density Residential (R-1) to Community Commercial (C-1).
2. The Official General Plan land use map is amended to change the land use designation of 195 Low Gap Road (APN 002-080-39) from Low-Density Residential (LDR) to Community Commercial (CC).
3. This Ordinance incorporates the Amendments depicted in the figures attached hereto as Exhibit A and Exhibit B.

## **SECTION THREE**

This Ordinance shall be published as required by law in a newspaper of general circulation.

## **SECTION FOUR**

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 September 4, 2024, by the following roll call vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

Adopted on \_\_\_\_\_, 2024, by the following roll call vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Josefina Dueñas, Mayor

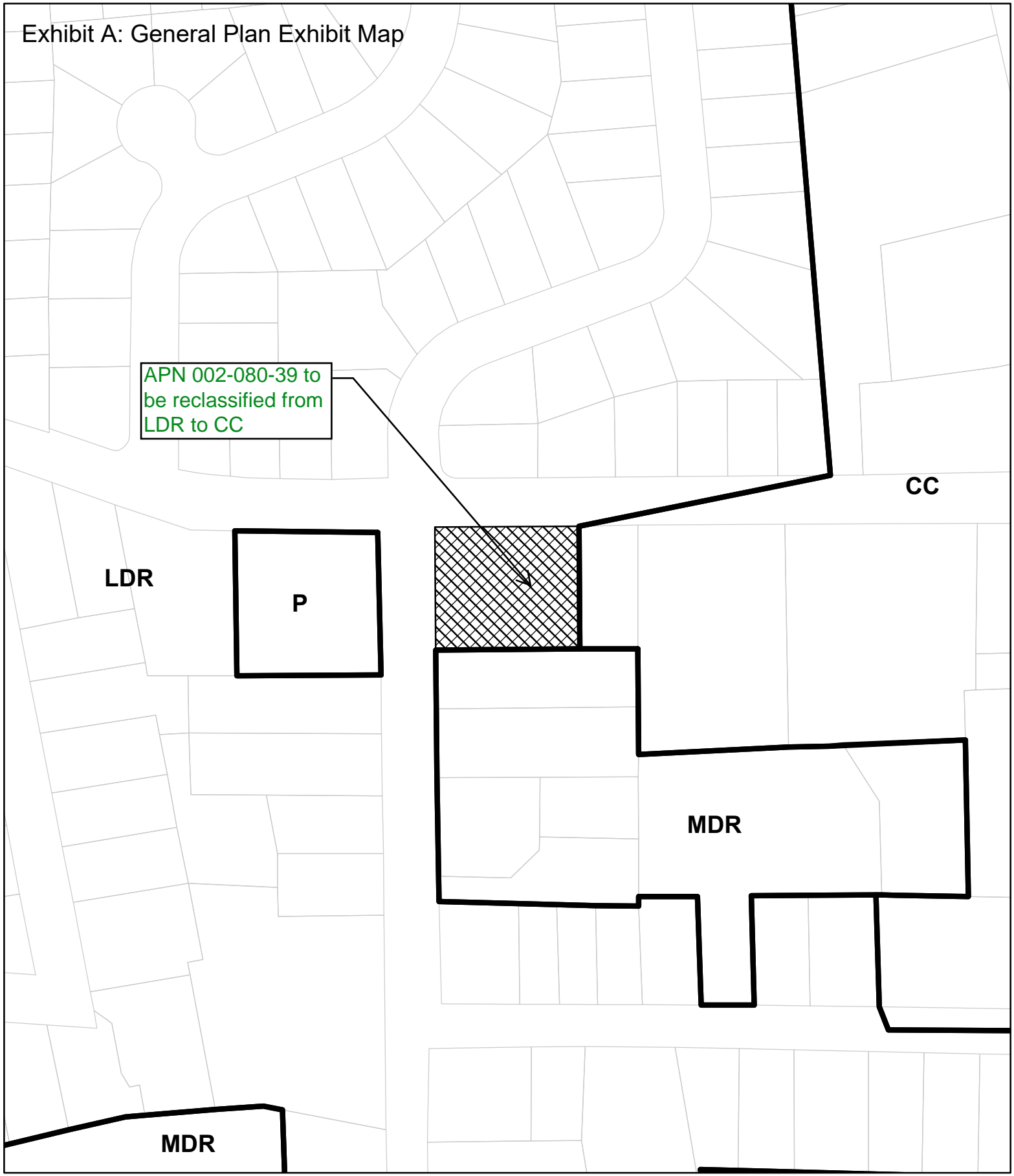
ATTEST:

\_\_\_\_\_  
Kristine Lawler, City Clerk

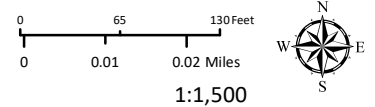
EXHIBIT A: GENERAL PLAN EXHIBIT MAP, APN 002-080-39  
EXHIBIT B: REZONE EXHIBIT MAP, APN 002-080-39

# Exhibit A: General Plan Exhibit Map

APN 002-080-39 to  
be reclassified from  
LDR to CC



**CASE:**  
**OWNER:** Eversole Mortuary  
**APN:** 002-080-39  
**APLCT:** Eversole Mortuary  
**AGENT:**  
**ADDRESS:** 195 Low Gap Rd., Ukiah

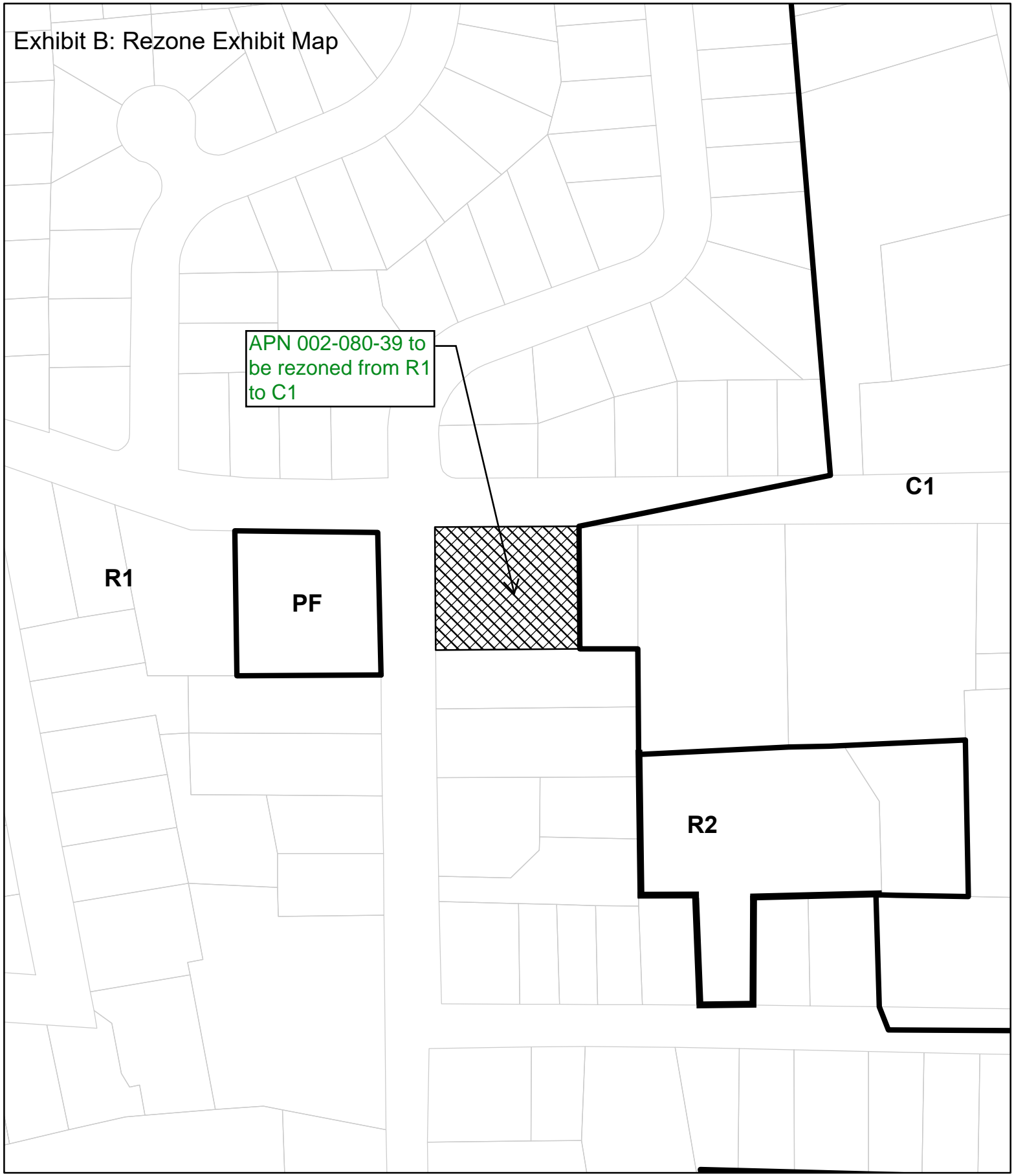


1:1,500  
General Plan


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DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**

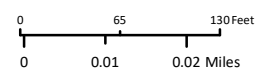
# Exhibit B: Rezone Exhibit Map

APN 002-080-39 to  
be rezoned from R1  
to C1



**CASE:**  
**OWNER:** Eversole Mortuary  
**APN:** 002-080-39  
**APLCT:** Eversole Mortuary  
**AGENT:**  
**ADDRESS:** 195 Low Gap Rd., Ukiah

 Assessors Parcels



1:1,500

Zoning

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