



CITY OF NOVATO
COMMUNITY DEVELOPMENT

DATE: November 18, 2021

TO: City Council
City Manager
Planning Manager

FROM: Vicki Parker, Deputy Zoning Administrator

SUBJECT: Zoning Administrator's Special Hearing of November 18, 2021

NEW ITEM:

**1301 GRANT AVE MIXED-USE; HENHOUSE BREWING COMPANY
P2021-030; DESIGN REVIEW, VARIANCE, USE PERMIT, AND
NONRESIDENTIAL PARKING WAIVER
APN 141-281-03; 1301 GRANT AVE**

Grant Ave Properties, LLC ("Applicant") is requesting entitlement approvals of design review, variance, use permit, and a nonresidential parking waiver ("Project"), further described as:

1. Design Review addressing the conversion and expansion of the existing 4,424 square-foot two-story office building into a 6,250 square-foot mixed-use building with 3,250 square feet of ground-floor commercial space and 3,000 square feet of second-story residential space, and associated site improvements including a 1,000 square-foot carport and dedicated trash enclosure;
2. A variance to obtain relief from specific parking lot layout and landscaping standards, including waiving the requirement to provide a vehicle queuing space at the entry to the parking lot, accepting smaller dimensioned planter widths at the side property lines along the parking lot, waiving the installation of a landscape planter along the parking lot's frontage with Industrial Way, and accepting a reduced number of trees in the proposed parking lot planters;
3. A use permit addressing the proposed mixed-use building and the ground-floor tenant use as a brewery taproom with on-site and off-site alcohol sales; and
4. A request to waive required on-site parking for the ground-floor commercial space.

PRESENT

Tony Garza, Architect
Dan Macdonald, Architect
Vicki Parker, Deputy Zoning Administrator
Brett Walker, Senior Planner

PUBLIC HEARING

Deputy Zoning Administrator Parker opened the public hearing, introduced the 1301 Grant Avenue item, and requested a staff presentation of the proposed project.

Senior Planner Brett Walker described the requested entitlements, project location, project description, identified one typographical error in the conditions of approval regarding Condition No. 68, and stated that one public comment letter, submitted by Brent Ainsworth, was received after publication of the agenda and staff report.

Deputy Zoning Administrator Parker acknowledged the condition of approval typo and asked Senior Planner Walker to describe the comment letter. Senior Planner Walker shared the contents of the comment letter.

Deputy Zoning Administrator Parker asked the applicant's architects if they had any comments or questions regarding the staff report or recommended conditions of approval. Dan Macdonald and Tony Garza, representing the project applicant, stated they had no questions and are in agreement with the staff report analysis.

Deputy Zoning Administrator Parker opened the public comment period.

No attendee desired to address the Deputy Zoning Administrator.

Deputy Zoning Administrator Parker closed the public comment period.

Deputy Zoning Administrator Parker stated that she reviewed the staff report, comment letters, and proposed business operations. Deputy Zoning Administrator Parker asked the applicant's representatives if they have any questions regarding the conditions of approval. Dan Macdonald stated that they have no questions and will be able to comply with the conditions of approval.

Deputy Zoning Administrator Parker approved the variance request, use permit, design review, and nonresidential parking waiver based on the findings in the staff report and applying the recommended conditions of approval.

The Zoning Administrator meeting was adjourned at 2:13 PM.

FINDINGS

1. CEQA Finding

In accordance with the California Environmental Quality Act, the Zoning Administrator hereby determines the Project to be exempt from further environmental review pursuant to CEQA Guidelines Section 15301, based on the finding detailed in the staff report.

2. Design Review Findings

In accordance with Section 19.42.030.F of the Novato Municipal Code, the Novato Zoning Administrator made the following findings as supported by the facts discussed in the staff report.

1. The design, layout, size, architectural features and general appearance of the proposed project is consistent with the general plan, and any applicable specific plan and with the development standards, design guidelines and all applicable provisions of this code, including this title and any approved master plan and precise development plan.
2. The proposed project would maintain and enhance the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public.
3. The proposed development would not be detrimental to the public health, safety, or welfare; is not materially injurious to the properties or improvements in the vicinity; does not interfere with the use and enjoyment of neighboring existing or future developments and does not create potential traffic, pedestrian or bicycle hazards.

3. Variance Findings

In accordance with Section 19.42.070.F of the Novato Municipal Code, the Novato Zoning Administrator made the following findings as supported by the facts discussed in the staff report.

- a. Granting the Variance is consistent with the General Plan and any applicable specific plan;
- b. Granting the Variance would not constitute a grant of special privileges inconsistent with the limitations on other properties in the vicinity and in the same zoning district;
- c. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this Zoning Ordinance denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts or creates an unnecessary and non-self imposed, hardship or unreasonable regulation which make it obviously impractical to require compliance with the development standards;
- d. Granting the Variance is necessary for the preservation and enjoyment of substantial property rights possessed by other property owners in the same vicinity and zoning district and denied to the property owner for which the Variance is sought; and
- e. Granting the Variance would not be materially detrimental to the public interest, health, safety, convenience, or welfare of the City, or injurious to the property or improvements in the vicinity and zoning district in which the property is located.

4. Use Permit Findings

In accordance with Section 19.42.050.E of the Novato Municipal Code, the Novato Zoning Administrator made the following findings as supported by the facts discussed in the staff report.

- a. The proposed use is consistent with the General Plan and any applicable specific plan;
- b. The proposed use is allowed with a use permit within the applicable zoning district and complies with all applicable provisions of this Zoning Ordinance and any relevant Master Plan and/or Precise Development Plan;
- c. The establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use;
- d. The use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and
- e. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

5. Alcoholic Beverages Establishments Findings

In accordance with Section 19.34.050.D of the Novato Municipal Code, the Novato Zoning Administrator made the following findings as supported by the facts discussed in the staff report.

1. The proposed use will not adversely affect the welfare of the area residents or result in an undue concentration of establishments dispensing alcoholic beverages in the area, as determined by the Review Authority.
2. The proposed use is located at an appropriate distance from:
 - a. Residential uses;
 - b. Religious facilities, schools, public parks and playgrounds, and other similar uses; and
 - c. Other establishments dispensing alcoholic beverages.
3. The size and proposed activity level (i.e., music, entertainment activities, food service, arcade games, or other amusement activities, etc.) will be compatible with the uses in and/or character of, the surrounding area.
4. The signs and other advertising on the exterior of the premises will be compatible with the character of the area.

5. The applicant has committed to voluntarily provide a beverage service training program, should one be made available locally on a no-charge basis for employees who sell or dispense alcoholic beverages, and would provide them with the knowledge and skills needed to comply with their responsibilities under State law, including the following topics:
 - a. State laws relating to alcoholic beverages, particularly ABC regulations and penal provisions concerning sales to minors and intoxicated persons, driving under the influence, hours of legal operation, and penalties for violations of these laws;
 - b. The potential legal liabilities of owners and employees of businesses dispensing alcoholic beverages to patrons who may subsequently injure, kill, or harm themselves or innocent victims as a result of the excessive consumption of alcoholic beverages;
 - c. Alcohol as a drug and its effects on the body and behavior, including the operation of motor vehicles;
 - d. Methods of dealing with intoxicated customers and recognizing underage customers;
 - e. Methods to appropriately pace customer drinking to reduce the risk that the customer will leave the premises in an intoxicated manner; and
 - f. Knowledge of mixology, including marketable alternatives to alcoholic beverages.

ACTION TAKEN

The Deputy Zoning Administrator approves the project entitlements as proposed, described in the staff report, and per the conditions of approval below.

CONDITIONS OF APPROVAL

The following conditions shall be met to the satisfaction of the Planning Division of the Novato Community Development Department:

General Conditions

1. The approvals granted herein shall expire two (2) years from the date of approval unless within that time a building permit for the Project has been issued and remains valid.
2. The approvals granted herein shall not become effective until all appropriate fees billed by the City of Novato to the application account are paid in full in accordance with the City's cost Base Fee System. Failure to pay said fees may result in the City withholding issuance of related building permit, certificate of occupancy, recordation of final maps or other entitlements.

3. The Applicant, property owner, or any successor in interest to the Project, shall be subject to paying all applicable development impact fees as specified in City Council Resolutions No. 67-02 and 69-02, as subsequently amended from time to time.
4. Prior to final occupancy, payment of an art in-lieu fee for the commercial land use portion of the project shall be submitted to the City pursuant to NMC Section 19.21.070.
5. Prior to issuance of a building permit, payment of an affordable housing in-lieu fee shall be paid pursuant to NMC Division 19.24 and resolutions 97-01 and 120-03.
6. Construction associated with this approval shall conform to NMC Section 19.22.070 – Noise and Construction Hours.
7. The property owner shall execute and record an agreement with the City to participate in a parking assessment district and waive the right to protest the formation of the district consistent with the conditions required to grant a commercial parking waiver pursuant to NMC Section 19.30.050.F. Said agreement shall be recorded prior to the issuance of a building permit.

Design Conditions

8. Significant design alterations shall be brought to the attention of the Planning Division for consideration. No deviation from approved plans, including color changes or substitution of materials shall be made without City approval.
9. The building remodel shall be designed so that the maximum interior noise level of the onsite residences does not exceed 45 dBA Ldn. The Applicant, property owner, or any successor in interest to the Project shall submit documentation with the building permit application to demonstrate compliance with this standard, subject to review and acceptance by the chief building official.
10. The Applicant, property owner, or any successor in interest to the Project shall submit construction detail plans with the building permit application to demonstrate compliance with mechanical screening requirements of NMC 19.20.090.B. Such documentation may include sight line sections based on the location of roof mounted equipment and factoring for views taken from surrounding public rights-of-way and adjoining residential areas. If mechanical equipment will be visible from the noted locations, the equipment shall be screened from view in a manner compatible with the architectural design of the Project, subject to review by the community development director or designee.
11. The Applicant, property owner, or any successor in interest to the Project shall be submitted a construction detail landscape plan for review and approval by the community development director or designee prior to the issuance of a building permit. The landscape plan shall be consistent with NMC Division 19.28 and Section 19.30.070.H as applicable to the site, except

for reductions to landscaping development standards associated with the approved variance request.

12. Design and construction of this project shall be in accordance with all City ordinances, including the Development Standards Chapter of the Municipal Code. Unless exceptions have been granted heretofore in writing, then none will be allowed by reason of this approval.

Mixed-Use - Use Permit Conditions

13. Businesses located in the commercial space at the project site shall be limited to operating between the hours of 6 AM and 10 PM so as to not unnecessarily disturb residents of the residential units within the Project. Any proposed changes to business hours shall be submitted to the Zoning Administrator for review and approval. Approval of an amendment to this use permit may be required prior to a change in business hours.
14. Businesses located in the commercial space at the project site shall train employees to exercise care when conducting activities (e.g., emptying trash) at the rear of the mixed-use building between the hours of 10 PM and 6 AM so as to not unnecessarily disturb residents of the residential units within the Project.
15. Businesses located in the commercial space at the project site shall prevent patrons from gathering or loitering in the Project's parking lot so as to not unnecessarily disturb residents of the residential units within the Project.
16. This use permit is subject to the post-approval procedures codified in NMC Section 19.42.050.G and Division 19.44 regarding changes to use permit conditions of approval or revocation should business activities in the project commercial space result in an unforeseen public nuisance(s).

HenHouse Brewing Taproom – Use Permit Conditions

17. HenHouse Brewing's taproom shall be subject to conditions of approval nos. 14, 15, 16, and 17.
18. HenHouse Brewing or any successor in interest shall secure an alcohol license from the California Department of Alcoholic Beverage Control (ABC). A copy of the use permit approved by the Zoning Administrator shall be provided to ABC when securing the alcohol license.
19. HenHouse Brewing is encouraged to have its employees attend periodic alcohol service trainings offered by the Novato Police Department.
20. Alcoholic beverages shall not be sold to patrons who are obviously intoxicated or under the influence.

21. HenHouse Brewing shall post signs prohibiting: the consumption of alcoholic beverages beyond the confines of the tap room; patron and/or employee loitering and smoking in the rear parking lot area. The signs shall cite the appropriate codes for enforcement.
22. The following conditions shall be met to the satisfaction of the Novato Public Works Department, as detailed in a memo dated October 26, 2021:

General Conditions of Approval:

23. Applicant shall design and construct all necessary and required improvements and facilities in accordance with Chapter V – Development Standards of the Novato Municipal Code (NMC) and the Uniform Construction Standards All Cities and County of Marin unless specific design exceptions have been approved. Approval of a site plan depicting improvements that do not conform to the NMC does not constitute approval of a design exception, unless explicitly stated herein or in another approved City resolution.
24. Applicant shall be responsible for all City plan check and inspection costs. The Applicant shall enter into a Cost Recovery Agreement and deposit funds with the City upon the initiation of plan check services. The amount of the initial deposit shall be determined by the City Engineer. Additional funds may be required based upon actual plan check and inspection costs.
25. Applicant shall submit for review and approval Improvement Plans prepared by a California Registered Civil Engineer for all necessary and required on-site and off-site public and private improvements. The Improvement Plans shall show all existing and proposed utilities, above and below ground, including water, sanitary sewer, storm sewer, communication lines, electricity, natural gas, transformers, vaults and meters. Improvement Plans must be approved by the City Engineer prior to any on-site or off-site construction. An Encroachment Permit is required for any work within City right of way. An Encroachment Permit will not be issued prior to the approval of the Improvement Plans.
26. All existing and proposed electrical and communications lines, both on the site and along its frontages, shall be placed underground at the Applicant's expense. All pull boxes, junction structures, service cabinets, vaults, valves and similar devices shall be installed within the City right-of-way or within a public utility easement, at locations approved by the City Engineer. If any utility appurtenances are permitted to be above ground, such as vaults and boxes, they shall be painted a color approved by the City. New improvements within existing and proposed utility easements shall be subject to the approval of the appropriate utility company.
27. The Applicant shall obtain written confirmation and approval from Novato Fire Protection District (NFPD) for requirements for emergency vehicular access and appropriate posted signage. Applicant shall locate signs required by NFPD to the satisfaction of the City Engineer.

28. Prior to City approval of the Improvement Plans, Applicant shall obtain signatures from representatives of the Novato Fire Protection District and the Novato Sanitary District on the final Improvement Plans acknowledging their review.
29. The Applicant shall design and construct all new pedestrian walkways, ramps and accessible parking spaces to meet current Americans with Disabilities Act Accessibility Guidelines, California Title 24 requirements, and City maximum cross-slopes and grades.
30. All outside garbage facilities shall be designed to be fully covered with a roof meeting Marin County's storm water pollution prevention best management practices.
31. Stenciling shall be provided on curb inlets to prohibit dumping of pollutants. The stencil detail shall be included in the improvement plans.

Special Conditions of Approval:

32. The Applicant shall submit Improvement Plans for the entire development, including both onsite and offsite improvements, prepared by a registered Civil Engineer.
33. Applicant shall:
 - a. Remove the existing driveway ramp on the Grant Avenue frontage and replace it with an asphalt concrete parking stall.
 - b. Construct a new accessible curb ramp.
 - c. Construct new curb and gutter matching the existing.
 - d. Re-mark the existing accessible parking stall.

Construction Conditions of Approval:

34. Construction activities shall be limited to the days and hours stipulated in Novato Municipal Code 19.22.070B. City established inspection hours are Monday through Thursdays, and alternating Fridays from 7 a.m. until 4 p.m. except on City recognized holidays. Applicant shall be responsible for the City's additional cost to provide inspection during times not established as regular City inspection hours.
35. A City of Novato Encroachment Permit shall be obtained prior to any grading, trenching, pavement, construction of improvements or any other work in the public right-of-way.
36. If any hazardous materials are encountered during the construction of this project, all work shall be immediately stopped and the Marin County Environmental Health Service Department, the Novato Fire Protection District, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
37. The Applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer. The

Applicant's contractor shall provide dust control seven (7) days a week, twenty-four (24) hours a day and this provision shall be noted on the plans.

38. After all of the new underground utilities within existing public streets have been installed, the entire affected areas shall be milled and repaved to present a neat, finished pavement area. Multiple trench patches are not acceptable.
39. Upon completion of the building and site improvements, the Applicant shall clean, repair, or reconstruct the curb, gutter, and sidewalk along the entire frontage of the developed property as may be required by the City Engineer to conform to the City standards prior to receiving an occupancy permit for the building.

Occupancy Conditions of Approval:

40. Prior to occupancy of any building, the applicant shall provide a mylar and digital copy of the Improvement Plans that include all as-built or field changes.

The following conditions shall be met to the satisfaction of the Novato Fire Protection District:

41. An automatic fire sprinkler system is required to be installed conforming to NFPA Std. 13. Plans and hydraulic calculations shall be submitted to the Fire Marshal for review prior to installation. Contact the North Marin Water District to apply for fire service connection. Additional sizing may be required due to available pressures and fire flow.
42. An automatic fire sprinkler system shall be installed throughout in accordance with NFPA Std. 13 and wet 2-1/2-inch hose outlets shall be installed in all stairwells at each floor. Plans and hydraulic calculations shall be submitted to the Fire Marshal for review prior to installation. Contact the North Marin Water District to apply for fire service connection. Additional sizing may be required due to available pressures and fire flow. Standpipes are required on each floor in the stairwells and in the second-floor hallways based on length of hose TBD by the Fire Marshal and fire protection engineer.
43. All automatic fire sprinkler and fire alarm systems, flow switches, and control valves shall be monitored by an approved UL Central Station company, zoned and enunciated as required by the Novato Fire District and Fire Protection Standard #400.
44. Fire hydrants capable of supplying 3,500 gallons per minute minimum will be required to be installed so that spacing between hydrants does not exceed 300 feet. The fire hydrant(s) shall be spotted by the Fire Marshal and contain at least one 4- and one-half inch and one 2- and one-half inch outlets. Installation shall conform to the specifications of the North Marin Water District.
45. The existing fire hydrant nearest the structure and located by the Fire Marshal shall have the body upgraded to have at least one 4- and one-half inch and one 2- and one-half inch outlet. Installation shall conform to the specifications of the North Marin Water District.

46. Fire hydrants shall be installed in accordance with the applicable standard, tested and operational prior to framing.
47. Fire Hydrants shall be painted Rustoleum high gloss yellow or equal. Hydrants shall have a blue reflective roadway marker installed per NFD Standards.
48. Proposed roads and driveways shall not exceed 18% grade. Roadways shall be not less than 20 feet wide capable of accommodating a 60,000 GVW and driveways not less than 16 feet wide capable of accommodating a 40,000 GVW, all weather surface (AC Paving or concrete), unobstructed, and shall be installed prior to lumber delivery or framing.
49. 'No parking fire lane' curbs and signs shall be installed in accordance with NFD Standard #204, as required by the Fire Marshal.
50. 'Knox' key access shall be installed at the premises conforming to Novato Fire Protection Standard #202.
51. A business shall create and maintain a pre-plan per Fire Protection District ordinance.
52. Permit application and associated fees shall be submitted with plan submittal package.
53. Ladder pads or level ladder staging area provided at all emergency egress windows.
54. Stairway markings and identification shall be installed and maintained on the interior stairwell landing doors conforming to Novato Fire District Standard #116.
55. The address shall be posted clearly visible from the street with numerals illuminated and contrasting color to their background conforming to Novato Fire Protection Standard #205.
56. A building and 'Floor Plan Directory' shall be installed in all locations required by the Fire Marshal and conforming to Novato Fire Protection standard #205A.
57. A 'No Hazardous Materials Storage' agreement shall be incorporated into the rental agreements for the premises.
58. The facility and improvements shall comply with California Building Code and State Fire Marshal building standards and regulations.
59. Maximum Occupant Capacity signs shall be installed as required by the Fire Marshal conforming to Fire District Standard #115.
60. A business shall create and maintain a pre-plan per Fire Protection District ordinance.
61. Portable fire extinguishers shall be installed and maintained in accordance with California Fire Code Chapter 9.

62. Commercial occupancies will require separate conditions and review based on occupancy type and use and will require a separate NFD permit.
63. A minimum of 3 sets of plans, cut sheets, hydraulic calculations and a copy of the 'Pressure Data Request Form' provided by the North Marin Water District, shall be submitted for review prior to installation.
64. Fire sprinkler riser may not be piped under the building foundation.

The following conditions shall be met to the satisfaction of the North Marin Water District:

65. Improvement plans shall be submitted to the District and future water use estimates prior to issuance of permits.
66. The project must conform to the NMWD's Regulation 15 – Mandatory Water Conservation Measures. Final occupancy approval shall not be granted until compliance with water conservation measures, as applicable, and can be verified.
67. Installation of an above ground, reduced pressure principle (RPP) backflow prevention device at the meter is required in accordance with the NMWD Regulation 6 and California Department of Health Regulations (Title 17). Upon installation, an inspection report (device testing) must be completed and returned to the NMWD prior to the commencement of business activities.

The following conditions shall be met to the satisfaction of the Novato Sanitary District:

68. If food is prepared and served on-site, a grease removal system shall be installed to District standards.

Indemnity and Time Limitations

69. The Applicant and the Property Owner, and any successor in interest, whether in whole or in part, to either of them, shall defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees from any claim, action, or proceeding (including, without limitation, any and all costs associated therewith) brought against the City or its agents, officers, attorneys, or employees to attack, set aside, void, or annul the Design Review Commission's recommendation to the Zoning Administrator at issue herein. This indemnification shall include damages or fees awarded against the City and/or its agents, officers, attorneys, or employees, if any, costs of suit, attorney's fees, and any other costs and expenses incurred in connection with such action whether incurred by the developer, the City, and/or parties initiating or bringing such claim, action, or proceeding.
70. Applicant and the Property Owner, and any successor in interest, whether in whole or in part, to either of them, shall defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees for all costs incurred in additional investigation (such as the

environmental determination at issue herein or any subsequently required Environmental Document) of or study of, or for supplementing, preparing, redrafting, revising, or amending any document, if made necessary or advisable by said claim, action, or proceeding and the Applicant and/or the Property Owner desires to pursue securing such approvals, after initiation of such, which are conditioned on the approval of such documents in a form and under conditions approved by the City Attorney.

71. In the event that a claim, action, or proceeding described in subparagraphs a. or b. above is brought, the City shall promptly notify the Applicant and the Property Owner, and/or their successor(s) in interest, of the existence of the claim, action, or proceeding, and the City will cooperate fully in the defense of such claim, action, or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action, or proceeding; the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with the Applicant and/or the Property Owner, and/or their successor(s) in interest, in the defense of said claim, action, or proceeding. If the City chooses to have counsel of its own defend any claim, action, or proceeding where the Applicant and/or the Property Owner, and/or their successor(s) in interest, has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the Applicant or the Property Owner, and/or their successor(s) in interest, as appropriate.
72. The Applicant and the Property Owner, and any successor in interest, whether in whole or in part, to either of them, indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
73. Unless a shorter limitation period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
74. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to California Government Code Section 66020(d)(1), the conditions constitute written notice of a statement of the amount of such fees and a description of dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions pursuant to California Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of California Government Code Section 66020, you will be legally barred from later challenging such exactions.

FURTHER ACTION

The decision of the Zoning Administrator is final unless a written appeal along with the appeal fee are submitted to the Community Development Department within 10-days of the date of the action.