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**MINUTES
CITY ENGINEER PUBLIC HEARING
January 5, 2011**

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STAFF PRESENT

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Tim Eriksen, City Engineer/Director of Public Works
Kim Jordan, Senior Planner
Sage Sangiacomo, Assistant City Manager
Cathy Elawadly, Recording Secretary

OTHERS PRESENT

Dave Hull
Ric Piffero
Ginny Richards

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The meeting was called to order by City Engineer Tim Eriksen at 2:01 p.m. in Conference Room 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

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2. SITE VISIT VERIFICATION – Confirmed.

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3. APPROVAL OF MINUTES – September 8, 2010

City Engineer Eriksen deferred approval of the September 8, 2010 minutes to the next meeting.

4. APPEAL PROCESS

City Engineer Eriksen read the appeal process, stating for matters heard at this meeting, the final date for appeal is January 18, 2011.

5. VERIFICATION OF NOTICE

Staff verified Boundary Line Adjustment No. 10-19-BLA-CE was properly noticed in accordance with the provisions of the Ukiah Municipal Code.

6. PUBLIC HEARING

6A. Boundary Line Adjustment No. 10-19 BLA-CE: Request for approval of a Boundary Line Adjustment to reconfigure four (4) existing adjoining parcels identified as 335 Janix Drive, APN 001-040-74 (Parcel 1); APN 001-040-77 (Parcel 2); 350 Janix Drive, APN 001-040-78 (Parcel 3); and APN 156-240-10 (Parcel 4). No new parcels would be created by and no development is proposed as part of this boundary line adjustment application.

Senior Planner Jordan gave a staff report and commented:

- The BLA involves the reconfiguration of four contiguous parcels.
- One of the parcels included in the proposed BLA was involved in a previous BLA last year.
- The City Attorney has determined subsequent boundary line adjustments of same parcel are not prohibited.
- All parcels as they currently exist and the reconfiguration of the parcels that will result from this BLA are consistent with the Ukiah General Plan and Zoning District regulations.
- The only issue is three of the four parcels are subject to the conditions of approval and mitigation measures for the original Hull-Piffero subdivision and two of these appear to apply to this proposed BLA as discussed on page 6 of the staff report.
- It has been determined one of the mitigations related to access as discussed on page 6 of the staff report is not an issue based on the purpose of this mitigation. The second mitigation that also relates to access has been addressed in draft Condition of Approval No. 2. in order to keep the boundary line adjustment consistent with the requirements for the original subdivision. Associated with this condition are draft conditions of approval nos. 3 and 4. While these conditions differ somewhat from what would normally occur for a BLA, they have been included in order to maintain consistency with the original subdivision mitigation measures and conditions of approval.

1 **PUBLIC HEARING OPENED: 2:06 p.m.**

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3 Applicants agreed with staff's findings and conditions of approval.

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5 **PUBLIC HEARING CLOSED: 2:07 p.m.**

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7 **City Engineer Eriksen** approved Boundary Line Adjustment No. 10-19-BLA-CE with Findings 1-6 and
8 Conditions of Approval 1-9.

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10 **7. ADJOURNMENT**

11 There being no further business, the meeting adjourned at 2:08 p.m.

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13 Findings
14 Hull-Piffero-Ceja Boundary Line Adjustment
15 **In the Western Hills**
16 335 Janix Drive, APN 001-040-74 (Parcel 1); APN 001-040-77 (Parcel 2); 350 Janix Drive, APN 001-040-78
17 (Parcel 3); and APN 156-240-10 (Parcel 4)
18 **File No: 10-19-BLA-CE**

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

- 22
23 1. The proposed boundary line adjustment conforms to the City of Ukiah General Plan as described in
24 Table 3 of the staff report and summarized:

- 25
26 A. **Land Use.** Parcels 1 and 4 are developed with one single-family residence each which is
27 consistent with the uses intended for the Rural Residential (RR) land use designation. A Use
28 Permit (File No: 05-03) to allow construction of a single-family residence and second unit has
29 been approved for Parcel 3 as required by Zoning Ordinance section 9139. Single-family
30 residences and second units are consistent with the uses intended for the Rural Residential
31 land use designation. Parcel 2 is undeveloped and no development has been approved for
32 this parcel.
33
34 B. **Density.** The density of all four parcels is within the range of one unit per one acre to one
35 unit per 80 acres allowed for parcels with a RR land use designation.
36
37 C. **Parcel Size.** Parcels with a density of one unit per 10 acres or less are intended to remain
38 large parcels unless infeasible for surrounding lands to be used for agriculture. There are no
39 agricultural uses on any of the subject parcels or in the surrounding area. Due to the slope of
40 and access to the area, it is unlikely that these parcels or surrounding parcels would be
41 suitable for agricultural uses. Parcels 1 and 4 are each developed with one single-family
42 residence each. A Use Permit has been approved that allows construction of one single-
43 family residence and one second unit on Parcel 3. Parcel 2 is undeveloped and no
44 development has been approved on this parcel to date.

- 45
46 2. The proposed boundary line adjustment conforms to the requirements of the City of Ukiah Zoning
47 Ordinance as described in Table 4 of the staff report and summarized below:

- 48
49 A. **Use.** The use of the parcel is determined by uses allowed and permitted for the Single-Family
50 Residential (R1) zoning district. Parcels 1 and 4 are developed with one single-family
51 residence each which is an allowed use. A Use Permit has been approved for the
52 construction of one single-family residence and one second unit on Parcel 3; both the single-
53 family residence and second unit are allowed uses. Parcel 2 is vacant and any future use is
54 required to be consistent with the uses allowed in the R1 zoning district.
55

- 1 B. **Development Standards.** Parcels 1 and 4 are developed with one single-family residence
2 each along with associated site improvements such as parking, driveways, and circulation.
3 Consistency with the zoning requirements was determined as part of the Use Permit for each
4 residence. This BLA will not modify the existing development. The BLA will result in a
5 reduction in setbacks in two locations; however, the new setbacks exceed the minimum 30
6 foot setback required by the Hillside Ordinance.
7
8 C. **Minimum Parcel Size.** Based on the slope of Parcel 2, 3 and 4, a minimum parcel size of 5
9 acres is required and these parcels exceed the 5 acre minimum. Based on the slope of
10 Parcel 1, the minimum parcel size is 10,000 square feet and this parcel exceeds this
11 minimum.
12
13 D. **Natural State.** Based on the slope of Parcel 2, 3, and 4, the minimum amount of land that is
14 required to be retained in natural state is 85%. Based on the slope of Parcel 1, the minimum
15 amount of land to be retained in natural state is 40%. The project engineer has submitted
16 natural state calculations and all of the parcels exceed the minimum.
17
18 3. The proposed boundary line adjustment has been reviewed by the Building Official and a condition of
19 approval has been included to ensure that the BLA is consistent with building code requirements.
20
21 4. The proposed boundary line adjustment is exempt from the provisions of the California Environmental
22 Quality Act (CEQA) pursuant to Section 15061(b)(3), the General Rule, that *CEQA applies only to*
23 *projects which have the potential for causing a significant effect on the environment* based on the
24 following:
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26 ▪ All of the reconfigured parcels comply with the applicable Hillside Combining District
27 development standards, including minimum lot size and minimum amount of the parcel retained
28 in natural state;
29
30 ▪ No development is proposed as part of this BLA;
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32 ▪ The access to the parcels will not change as a result of this BLA and no additional dwelling
33 units or parcels will be provided access via Janix Drive;
34
35 ▪ Any future development of the parcels located in the City of Ukiah is subject to application for
36 and approval of a Use Permit;
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38 ▪ Any future subdivision of the parcels is subject to application for and approval of a
39 Subdivision Map or Parcel Map; and
40
41 ▪ Any future development is subject to the requirements of the General Plan and Zoning,
42 including but not limited to density, minimum lot size, minimum percentage of the parcel
43 retained in natural state, siting, and access.
44
45 5. The approval of this boundary line adjustment, as conditioned, would not be detrimental to the owners
46 or occupants of surrounding properties or other nearby properties since the resulting parcels comply
47 with the Zoning Ordinance, General Plan, previous entitlement approvals as applicable, and City of
48 Ukiah standards for access and utilities.
49
50 6. The proposed boundary line adjustment, as conditioned, is consistent with the mitigation measures
51 and conditions of approval for the Hull-Piffero subdivision which are applicable to the proposed
52 parcels. The conditions of approval for the BLA address limitations on the use of the access road
53 (Janix Drive) that serves the subdivision that were required as mitigation measures and conditions of
54 approval for the Hull-Piffero subdivision.
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Conditions of Approval
Hull-Piffero-Ceja Boundary Line Adjustment
In the Western Hills

335 Janix Drive, APN 001-040-74 (Parcel 1); APN 001-040-77 (Parcel 2); 350 Janix Drive, APN 001-040-78 (Parcel 3); and APN 156-240-10 (Parcel 4)

File No: 10-19-BLA-CE

Conditions of Approval: The following Conditions of Approval shall be made a permanent part of Application No: 10-19-BLA-CE and shall remain in full force and effect regardless of property ownership, and shall be implemented in order for this entitlement to remain valid:

From the Planning Department:

1. Approval is granted for the proposed boundary line adjustment as shown on the boundary line exhibit map submitted to the Planning Department and date stamped November 2, 2010 and subject to the following conditions of approval.
2. The deeds for Parcel 1 and Parcel 4 shall contain the following provisions 1) restriction of the use of these parcels to one single-family dwelling and 2) prohibition of second units. The purpose of this restriction is to limit the use of the existing access road and driveways to the residences on those lots so that this BLA remains consistent with the conditions of approval and mitigation measures for the Hull-Piffero Subdivision (File No: 98-37) and the Hull Use Permit (File No: 00-37). This restriction does not preclude other development of Parcels 1 and 4 that is typically associated with a single-family use, consistent with the zoning ordinance and previous approvals for these parcels, subject to all necessary permits. The language for the deed restriction is subject to staff review and approval prior to recordation.
3. The deed restrictions required by condition #2 above shall be recorded simultaneously with this Boundary Line Adjustment.
4. All previous approvals for the property included as part of this BLA remain in full force and effect.

From the Building Official

5. Maintain a minimum of 10 feet from property lines to structures.

From the Public Works Department

6. All fees related to the Boundary Line Adjustment application, must be paid prior to the final approval and the recordation of the Boundary Line Adjustment.
7. The Boundary Line Adjustment shall be reflected in deeds meeting the approval of the City Engineer and shall be recorded with the Mendocino County Recorder. The recorded deed shall include a legal description and plat map, and shall be prepared by a Licensed Land Surveyor or a Registered Civil Engineer.
8. If required, any existing easement, utility or other infrastructure affected by the Boundary Line Adjustment shall be adjusted or relocated, as determined by the City Engineer.
9. The project must comply with the requirements of the City of Ukiah Public Works Department Boundary Line Adjustment Procedures.

Tim Eriksen, City Engineer

Cathy Elawadly, Recording Secretary