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**Minutes
Zoning Administrator Meeting
March 9, 2017**

Staff Present

Kevin Thompson, Zoning Administrator
Cathy Elawadly, Planning/Building Technician/Recording Secretary

Others Present

Lindsay Erickson
Brian Erickson

1. CALL TO ORDER

Zoning Administrator Thompson called the meeting to order at 10:00 a.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

2. SITE VISIT VERIFICATION - Confirmed the site visit.

3. APPROVAL OF MINUTES – The minutes from the February 17, 2017 meeting are included for review and approval.

Zoning Administrator Thompson approved the February 17, 2017 minutes, as submitted.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

5. APPEAL PROCESS

Zoning Administrator Thompson read the appeal process. For matters heard at this meeting the last day to appeal with the City Clerk is March 20, 2017 at 5:00 p.m.

6. VERIFICATION OF NOTICE – Confirmed by Staff.

7. PUBLIC HEARINGS

7A. Lindsay Erickson request for a Minor Use Permit at 517 Canyon View Court. An application has been received from Lindsay Erickson for a Minor Use Permit to allow six (6) chicken hens at 517 Canyon View Court. The zoning is Single-family Residential (R1). APN 003-490-50. City File No.: Munis 2512-UP-ZA.

Interim Planning Director Thompson dispensed with a staff report presentation of the proposed project.

PUBLIC HEARING OPENED: 10:03 a.m.

Lindsay Erickson, Applicant:

- Had no questions and/or comments regarding the staff report.
- Is fine with the draft Findings in attachment 1 of the staff report and draft conditions of approval in attachment 2 of the staff report.

PUBLIC HEARING CLOSED: 10:04 a.m.

Zoning Administrator Thompson:

- Has visited the site.
- Is familiar with the proposed project.
- Supports approval of the proposed project.

Zoning Administrator Thompson approved Minor Use Permit to allow six (6) chicken hens at 517 Canyon View Court. File No.: Munis 2512-UP-ZA based on the draft Findings in attachment 1 and subject to the draft Conditions of Approval in attachment 2 of the staff report.

1 **8. ADJOURNMENT**

2 There being no further business, the meeting was adjourned at 10:05 a.m.

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6 Cathy Elawadly, Recording Secretary

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10 **ATTACHMENT 1**

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12 **FINAL USE PERMIT FINDINGS**
13 **TO ALLOW SIX (6) CHICKEN HENS WITHIN THE SINGLE-FAMILY RESIDENTIAL (R1)**
14 **ZONING DISTRICT**
15 **517 CANYON VIEW COURT, APN 003-490-50**
16 **FILE NO. MUNIS 2512-UP-ZA**
17

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

- 20
- 21 1. The proposed project, as conditioned, is consistent with the goals and policies of the
- 22 General Plan as described in Table 1 of the staff report.
- 23
- 24 2. The proposed project, as conditioned, is consistent with the Zoning Ordinance as
- 25 described in Table 2 of the staff report.
- 26
- 27 3. The proposed project, as conditioned, is consistent with the purpose and applicable
- 28 requirements of the (R1) Single-Family Residential zoning district based on the following:
- 29
- 30 A. With an approved use permit the proposed project allows for six (6) chicken hens
- 31 within the R1 Single-Family Residential zoning district.
- 32
- 33 4. The proposed project, as conditioned, is compatible with surrounding land uses and shall
- 34 not be detrimental to the public's health, safety and general welfare based on the
- 35 following:
- 36
- 37 A. Surrounding uses to the project site are residential uses. The proposed project would
- 38 not change, intensify, or negatively impact the existing residential neighborhood in
- 39 that it compliant the Z.O. Section 9182 (Animals within the City) and Z.O. 748
- 40 (Noise).
- 41
- 42 5. The proposed project is exempt from the provisions of the California Environmental
- 43 Quality Act (CEQA) pursuant to Section 15303 Class 3 (c), New Construction and
- 44 Conversion of Small Structures, which allows structures up to 10,000 square feet to be
- 45 converted from one use to another in urbanized areas when the use does not involve
- 46 significant amounts of hazardous materials, where all necessary public services and
- 47 facilities are available, and the surrounding area is not environmentally sensitive.
- 48

49 Notice of the proposed project was provided in the following manner as required by the Zoning
50 Ordinance:

- 51 A. posted in three places on the project site on February 28, 2017;
- 52 B. mailed to property owners within 300 feet of the project site on February 28,
- 53 2017; and
- 54 C. published in the Ukiah Daily Journal on February 26, 2017.

**FINAL USE PERMIT CONDITIONS OF APPROVAL
TO ALLOW SIX (6) CHICKEN HENS WITHIN THE SINGLE-FAMILY RESIDENTIAL (R1)
ZONING DISTRICT
517 CANYON VIEW COURT, APN 003-490-50
FILE NO. MUNIS 2512-UP-ZA**

- 1. Approval is granted to allow six (6) chicken hens at 517 Canyon View Court based on the project description submitted to the Planning and Community Development Department and as shown on the Site Plan date stamped February 21, 2017 except as modified by the following conditions of approval.
- 2. This Use Permit is granted subject to the following operating characteristic per City Code Section 9182 Animals within the City and Zoning Noise Ordinance 748:
 - a) No more than six (6) of any one or combination of such animals on the lot.
 - b) The minimum lot size shall be six thousand (6,000) square feet developed with no more than a single dwelling unit.
 - c) Maintained in coops or pens located at a distance of forty feet (40') or more from the window or door of any adjacent residence or other building used for human habitation.
 - d) Coops or pens shall be located only on the rear one-third (1/3) of the lot.
 - e) Coops or pens shall be located no closer than five feet (5') from the side or rear property line.

The UMC section 6052 Animals and Fowl requires that no person shall keep or maintain, or permit the keeping of, upon any premises owned, occupied, or controlled by such person any animal or fowl otherwise permitted to be kept which, any a sound or cry, shall cause annoyance or discomfort to a reasonable person of normal sensitiveness in any residential neighborhood. Z.O. 748, Article 1, adopted 1980.

Standard City Conditions of Approval

- 3. Business operations shall not commence until all permits required for the approved use, including but not limited to business license, tenant improvement building permit, have been applied for and issued/finished.
- 4. 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.
- 5. 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.
- 6. A copy of all conditions of this Use Permit shall be provided to and be binding upon any future purchaser, tenant, or other party of interest.
- 7. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.
- 8. This Use Permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the

1 effective date of this approval; or if the established use for which the permit was granted
2 has ceased or has been suspended for 24 consecutive months.
3

- 4 9. This approval is contingent upon agreement of the applicant and property owner and their
5 agents, successors and heirs to defend, indemnify, release and hold harmless the City,
6 its agents, officers, attorneys, employees, boards and commissions from any claim,
7 action or proceeding brought against any of the foregoing individuals or entities, the
8 purpose of which is to attack, set aside, void or annul the approval of this application.
9 This indemnification shall include, but not be limited to, damages, costs, expenses,
10 attorney fees or expert witness fees that may be asserted by any person or entity,
11 including the applicant, arising out of or in connection with the City's action on this
12 application, whether or not there is concurrent passive or active negligence on the part of
13 the City. If, for any reason any portion of this indemnification agreement is held to be void
14 or unenforceable by a court of competent jurisdiction, the remainder of the agreement
15 shall remain in full force and effect.
16

17 From Building Official

- 18 1. If the chicken coop exceeds 120 sq. ft., a building permit is required.
19