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

   *Zoning Administrator Craig Schlatter presiding.*

2. **SITE VISIT VERIFICATION**
   Staff confirmed.

3. **APPROVAL OF MINUTES**
   Zoning Administrator Craig Schlatter approved the Minutes of April 27, 2017, as submitted.

4. **COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**
   No public comment was received.

5. **APPEAL PROCESS**
   Note: For matters heard at this meeting the final date to appeal is July 21, 2017 at 5:00 p.m.

6. **VERIFICATION OF NOTICE**
   Staff confirmed.

7. **PUBLIC HEARING**
   a. **File No.: Munis 2809-UP-ZA** Request for Minor Use Permit to allow four chickens (hens) within the Single-Family Residential (R1) Zoning District at 53 Betty Street; APN 003-572-03.

   *Presenter: Adele Phillips, Associate Planner.*

   *PUBLIC HEARING OPENED: 10:04 A.M.*

   *Public Comment: Reverend A. Inward and Gabriel Macias.*

   *PUBLIC HEARING CLOSED: 10:05 A.M.*

   *Zoning Administrator Schlatter approved Minor Use Permit to allow four chickens (hens) within the Single-Family Residential (R1) Zoning District at 53 Betty Street pursuant to the*
Minutes of the Zoning Administrator, July 11, 2017, Continued:

final Findings in attachment 1 and subject to the Conditions of Approval attachment 2 in the approval of approval agreement letter.

8. **ADJOURNMENT**
   There being no further business, the meeting adjourned at 10:06 a.m.

__________________________
Cathy Elawadly, Recording Secretary
The following findings are supported by and based on information contained in the staff report, the application materials and documentation, and the public record.

1. The proposed project, as conditioned, is consistent with the goals and policies of the General Plan as described in the staff report.

2. The proposed project, as conditioned, is consistent with the Zoning Ordinance as described in the staff report.

3. The proposed project, as conditioned, is consistent with the purpose and applicable requirements of the (R1) Single-Family Residential zoning district based on the following:
   A. With an approved use permit the proposed project allows no more than six (6) chicken hens within the R1 Single-Family Residential zoning district.

4. The proposed project, as conditioned, is compatible with surrounding land uses and shall not be detrimental to the public’s health, safety and general welfare based on the following:
   A. Surrounding uses to the project site are residential uses. The proposed project would not change, intensify, or negatively impact the existing residential neighborhood in that it is compliant the Ukiah Municipal Code (UMC) Section 9182 Animals within the City, and UMC §6058 General Noise Regulations.

5. The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15303(e) Class 3, New Construction and Conversion of Small Structures, which allows, “Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.”

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 June 26, 2017;
   B. mailed to property owners within 300 feet of the project site on June 26, 2017; and
ATTACHMENT 2

FINAL USE PERMIT CONDITIONS OF APPROVAL
TO ALLOW ANIMALS (HENS) WITHIN THE CITY WITHIN THE SINGLE-FAMILY
RESIDENTIAL (R1) ZONING DISTRICT
53 BETTY STREET, APN 003-572-03
FILE NO. MUNIS 2809

Approval is granted to allow no more than six (6) chicken hens at 53 Betty Street based on the project description submitted to the Planning and Community Development Department, and as shown on the Plot Plan contained therein, except as modified by the following conditions of approval:

1. This Use Permit is granted subject to the following operating characteristic per UMC §9182 Animals Within the City, and UMC §6052 Animals and Fowl:
   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.

2. Per UMC §6052 Animals and Fowl, 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.

3. A building permit shall be required if the chicken coop exceeds 120 square feet in area.

Standard City Conditions of Approval

4. 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, issued, and finalized.

5. 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.

6. 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.
7. 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.

8. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.

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

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