

**Minutes  
Zoning Administrator Meeting  
October 13, 2011**

**Staff Present**

Charley Stump, Zoning Administrator  
Jennifer Faso, Associate Planner  
Cathy Elawadly, Recording Secretary

**Others Present**

Kathy Smith  
Korla Buschbacher  
Jared Chaney

**1. CALL TO ORDER**

Zoning Administrator Stump called the meeting to order at 11:08 a.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

**2. SITE VISIT VERIFICATION**

Zoning Administrator Stump confirmed the site visit.

**3. APPROVAL OF MINUTES: September 29, 2011**

Zoning Administrator Stump approved the September 29, 2011 meeting minutes, as submitted.

**4. APPEAL PROCESS**

Zoning Administrator Stump read the appeal process. For matters heard at this meeting the last day to appeal is October 24, 2011.

**5. VERIFICATION OF NOTICE**

**Associate Planner Faso:**

- Verified Minor Site Development Permit 11-14 SDP-ZA was publicly noticed in accordance with the provisions of the UMC.
- Noted corrections to the 'Public Notice' section with regard to dates on page 4 of the staff report for the project.

**6. PUBLIC HEARINGS**

- A. Minor Site Development Permit 11-14 SDP-ZA**, 415 Hospital Drive, APN 002-370-28. Request for approval of Site Development Permit to allow a 240 square foot detached portable liquid container yard, constructed of a six foot fence along the front and 7'4" concrete wall on the building side.

Zoning Administrator Stump noted the only persons in attendance were the applicant and corresponding representatives and dispensed with a presentation of the staff report.

**PUBLIC HEARING OPENED: 11:10 a.m.**

Staff advised no objections to the project have been made.

Kathy Smith, UVMC representative, agrees with staff's Findings and Conditions of Approval and had no comments or concerns in this regard.

Korba Buschbacher, contractor representative for UVMC reviewed the staff report and had no questions and/or concerns.

**PUBLIC HEARING CLOSED: 11:13 a.m.**

Zoning Administrator Stump inquired whether or not the City Fire Marshal has reviewed the project.

Staff confirmed the project has been reviewed and approved by the Fire Marshal.

1 **Zoning Administrator Stump** added Finding No. 13 that reads, 'The project has been reviewed  
2 and approved by the Fire Marshal at the proposed location.'

3  
4 **Zoning Administrator Stump** stated the project is consistent with the Ukiah General Plan and  
5 zoning ordinance requirements, is very beneficial to the hospital and public, agrees with staff's  
6 findings and project conditions and approved Minor SDP 11-14 with Findings 1-12 with the  
7 addition of Finding No. 13 and Conditions of Approval 1-10.  
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9  
10 **FINDINGS – SITE DEVELOPMENT PERMIT FINDINGS**

11  
12 **SITE DEVELOPMENT PERMIT FINDINGS TO ALLOW THE CONSTRUCTION OF A 240**  
13 **SQUARE FOOT ACCESSORY STRUCTURE TO HOUSE PORTABLE LIQUID CONTAINERS**  
14 **AT 415 HOPITAL DRIVE, APN 002-370-28**  
15 **FILE NO. 11-14-SDP-ZA**  
16

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

- 19  
20 1. The proposed project, as conditioned, is consistent with the goals and policies of the  
21 General Plan as described in the staff report.  
22  
23 2. The proposed project, as conditioned, is consistent with the uses allowed in the C-2  
24 zoning district standards. The C-2 zoning district allows accessory uses to any allowed or  
25 permitted use. The existing medical offices received a use permit in 1988 ( File No. 88-  
26 98).  
27  
28 3. The proposed project, as conditioned, is consistent with the development standards for  
29 the C-2 zoning district as shown in Table 1 of the Staff Report. Construction of the  
30 accessory structure will require a building permit.  
31  
32 4. The location, size and intensity of the proposed project will not create a hazardous or  
33 inconvenient vehicular or pedestrian traffic pattern based on the following:  
34  
35 A. The proposed project site is currently developed and has a sidewalk and an  
36 existing driveway, that will not change as a result of the proposed project.  
37 B. The proposed accessory structure will be located towards the rear of the existing  
38 site and will not change the current pedestrian or vehicular traffic pattern.  
39  
40 5. The accessibility of the existing off-street parking and driveway will not change as a result  
41 of the proposed accessory structure therefore no hazardous or inconvenient conditions  
42 will be created on adjacent streets.  
43  
44 6. The site contains landscaping which was required with the original use permit when the  
45 building was constructed. It is not anticipated that the proposed project will disturb any  
46 existing landscaping. Condition of Approval 2 requires that if any landscaping must be  
47 removed it shall be replaced elsewhere on the site.  
48  
49 7. The proposed development will not restrict or cut out light and air on the property, or on  
50 the property in the neighborhood; nor will it hinder the development or use of buildings in  
51 the neighborhood, or impair the value thereof based on the following:  
52

- 1 A. The proposed addition will be located at the rear of the site, within the required
- 2 setbacks and will only be 7'4" at its highest point; therefore the project will not restrict
- 3 or cut out light and air on the property or on adjacent properties.
- 4 B. The proposed accessory structure is ancillary to an existing permitted use and as
- 5 such will not hinder the development or future use of commercial/medical buildings in
- 6 the neighborhood
- 7
- 8 8. The site is not located in or adjacent to a residential zoning district.
- 9
- 10 9. The site is located in a commercial area developed with an existing office building and
- 11 parking area, no water courses, wildlife, wildlife habitat, floodway or flood plain or other
- 12 environmentally sensitive areas are present.
- 13
- 14 10. The proposed accessory structure will be located at the rear of the site and will not be
- 15 easily visible from the street. Furthermore the structure will be painted to match the
- 16 existing building.
- 17
- 18 11. The proposed project is exempt from the provisions of the California Environmental
- 19 Quality Act (CEQA) pursuant to Article 19 Section 15311, Class 11, construction or
- 20 replacement of minor structures accessory to existing commercial facilities based on the
- 21 following:
- 22
- 23 A. The proposed project is a 240 accessory structure ancillary to any existing permitted
- 24 use.
- 25 B. The project is not located within an environmentally sensitive area in that the site is
- 26 located in an urban area that includes a variety of commercial uses.
- 27 C. The project site is located in an area where all public services and facilities are
- 28 available.
- 29
- 30 12. Notice of the proposed project was provided in the following manner as required by the
- 31 Zoning Ordinance:
- 32
- 33 A. Posted in three places on the project site on October 6, 2011;
- 34 B. Mailed to property owners within 300 feet of the project site on October 6, 2011;
- 35 and
- 36 C. Published in the Ukiah Daily Journal on October 9, 2011.
- 37
- 38 13. The project has been reviewed and approved by the Fire Marshal at the proposed
- 39 location.
- 40

**CONDITIONS OF APPROVAL – SITE DEVELOPMENT PERMIT**

**SITE DEVELOPMENT PERMIT CONDITIONS OF APPROVAL TO ALLOW THE  
CONSTRUCTION OF A 240 SQUARE FOOT ACCESSORY STRUCTURE TO HOUSE  
PORTABLE LIQUID CONTAINER AT 415 HOPITAL DRIVE, APN 002-370-28  
FILE NO. 11-14-SDP-ZA**

- 48 1. Approval is granted for the construction of a 240 square foot detached liquid container
- 49 yard. Approval is granted based on the project description submitted to the Planning and
- 50 Community Development Department and as shown on the site plan date stamped
- 51 August 25, 2011, except as modified by the following conditions of approval.
- 52
- 53 2. Landscaping shall not be removed as a result of this project however if during
- 54 construction any of the landscaping is disturbed it shall be replaced.
- 55

- 1 3. A building permit is required prior to construction of the container yard.
- 2
- 3 4. On plans submitted for building permit these conditions of approval shall be included as
- 4 notes on the first sheet.
- 5

6 Standard City Conditions of Approval

- 7
- 8 3. Construction hours are limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through
- 9 Saturday.
- 10
- 11 4. The property owner shall obtain and maintain any permit or approval required by law,
- 12 regulation, specification or ordinance of the City of Ukiah and other Local, State, or
- 13 Federal agencies as applicable. All construction shall comply with all fire, building,
- 14 electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect
- 15 at the time the Building Permit is approved and issued.
- 16
- 17 5. All conditions of approval that do not contain specific completion periods shall be
- 18 completed prior to building permit final.
- 19
- 20 6. Building, Grading or other required Permits shall be issued within two years after the
- 21 effective date of the Site Development Permit, or the discretionary actions granted by the
- 22 permit shall expire. In the event the required Permits cannot be issued within the
- 23 stipulated period from the project approval date, a one year extension may be granted by
- 24 the Director of Planning if no new circumstances affect the project which otherwise would
- 25 render the original approval inappropriate or illegal. It is the applicant's responsibility in
- 26 such cases to propose the one-year extension to the Planning Department prior to the
- 27 two-year expiration date.
- 28
- 29 7. Except as otherwise specifically noted, the Site Development Permit shall be granted
- 30 only for the specific purposes stated in the action approving the Site Development Permit
- 31 and shall not be construed as eliminating or modifying any building, use, or zone
- 32 requirements except to such specific purposes.
- 33
- 34 8. The approved Site Development Permit may be revoked through the City's revocation
- 35 process if the approved project related to the Site Development Permit is not being
- 36 conducted in compliance with the stipulations and conditions of approval; or if the project
- 37 is not established within two years of the effective date of approval; or if the established
- 38 land use for which the permit was granted has ceased or has been suspended for twenty
- 39 four (24) consecutive months.
- 40
- 41 9. No permit or entitlement shall be deemed effective unless and until all fees and charges
- 42 applicable to this application and these conditions of approval have been paid in full.
- 43
- 44 10. This approval is contingent upon agreement of the applicant and property owner and
- 45 their agents, successors and heirs to defend, indemnify, release and hold harmless the
- 46 City, its agents, officers, attorneys, employees, boards and commissions from any claim,
- 47 action or proceeding brought against any of the foregoing individuals or entities, the
- 48 purpose of which is to attack, set aside, void or annul the approval of this application.
- 49 This indemnification shall include, but not be limited to, damages, costs, expenses,
- 50 attorney fees or expert witness fees that may be asserted by any person or entity,
- 51 including the applicant, arising out of or in connection with the City's action on this
- 52 application, whether or not there is concurrent passive or active negligence on the part of
- 53 the City. If, for any reason any portion of this indemnification agreement is held to be void
- 54 or unenforceable by a court of competent jurisdiction, the remainder of the agreement
- 55 shall remain in full force and effect.
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**7. ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:14 p.m.

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Charley Stump, Zoning Administrator

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Cathy Elawadly, Recording Secretary