Zoning Administrator

Regular Meeting

AGENDA

To participate in the virtual Zoom meeting click on the following link:

https://us06web.zoom.us/j/82322544835

Meeting ID: 823 2254 4835

+17207072699,,82322544835# US (Denver)
+12532158782,,82322544835# US (Tacoma)

June 30, 2022 - 1:00 PM

1. CALL TO ORDER

2. VERIFICATION OF NOTICE

3. APPEAL PROCESS

All determinations of the Zoning Administrator regarding minor discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by July 11, 2022 at 5:00 PM

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

The Zoning Administrator welcomes input from the audience. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments.

5. APPROVAL OF MINUTES

5.a. Approval of the minutes for the Zoning Administrator Hearing held on May 24, 2022

Recommended Action: Approve the minutes drafted for the hearing of May 24, 2022

Attachments:

1. ZAM_20220524 Draft

6. SITE VISIT VERIFICATION

7. PUBLIC HEARING

7.a. Request to Review and Consider a Minor Use Permit to Place a Single Beehive in the Rear-Yard of a Residential Property. Located at 323 Jones Street; APN (001-294-06); File No. 22-7116.

Recommended Action: Staff recommends the Zoning Administrator approve the requested Minor Use Permit, based on the Findings in Attachment 1 and subject to the Conditions of Approval in Attachment 2.

Attachments:

1. 1. Draft Findings
2. 2. Draft Conditions of Approval
3. 3. 323 Jones Application Materials
4. 4. Agency Comments
5. 5. Ordinance No. 807 – Animals in the City
6. 6. Overview of Apiary Policies - Municipalities

8. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 24 hours prior to the meeting set forth on this agenda.

Jesse Davis, Planning Manager
June 30, 2022

CITY OF UKIAH
ZONING ADMINISTRATOR MINUTES
Meeting Held Remotely through Teleconference
May 24, 2022
10:00 a.m.

STAFF PRESENT	**OTHERS PRESENT**
Craig Schlatter, Zoning Administrator	Gidion Sauceda
Mireya Turner, Planning Manager	Dorcy Saucedo

1. CALL TO ORDER

The Zoning Administrator called the meeting to order at 10:01 a.m. via teleconference.

Zoning Administrator Craig Schlatter presiding.

2. VERIFICATION OF NOTICE

Staff confirmed timely noticing of all public hearings items posted on the agenda.

3. APPEAL PROCESS

Note: For matters heard at this meeting the final date to appeal is June 3, 2022 at 5:00 p.m.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

None.

5. APPROVAL OF May 9, 2022 - MINUTES OF ZONING ADMINISTRATOR

Zoning Administrator Craig Schlatter approved the Minutes of May 9, 2022, as presented.

6. SITE VISIT VERIFICATION

Zoning Administrator Craig Schlatter stated he performed a site visit for items listed on the agenda.

7. PUBLIC HEARING

a) Request to Review and Consider a Minor Use Permit for a Cannabis Related Business Use Permit to Include Distribution and Manufacturing within an Existing Building at 1061 Cunningham Street; APN 003-081-27; File No. 19-4986

Planning Manager Mireya Turner presented the staff report.

Zoning Administrator Schlatter opened the public hearing at 10:08 a.m. No one was present wishing to speak and the public hearing was closed at 10:09 a.m.

Zoning Administrator Schlatter approved the Minor Use Permit for a cannabis-related business including distribution and manufacturing within an existing building at 1061 Cunningham Street; APN 003-081-27; based on the Findings and subject to the Conditions included in the staff report.

8. ADJOURNMENT

There being no further business, the meeting adjourned at 10:11 a.m

AGENDA ITEM NO. 7a
Department of Community Development
Planning Division
300 Seminary Ave.
Ukiah, CA 95482

DATE: June 20, 2022

TO: Zoning Administrator

FROM: Jesse Davis, Planning Manager

SUBJECT**:** Request to review and consider a Minor Use Permit to legalize an existing residential beehive in the rear-yard of a residential property located at 323 Jones Street; APN (001-294-06); File Number: 22-7116

SUMMARY

OWNERS:	Bruce Foster
APPLICANT:	Bruce Foster
AGENT:	N/A
LOCATION:	323 Jones Street; APN (001-294-06)
TOTAL ACREAGE:	±11,00 square feet (sq ft)
GENERAL PLAN:	Low Density Residential (LDR)
ZONING DISTRICT:	Low Density Residential (R-1)
AIRPORT COMPATIBILITY:	Zone 6
ENVIRONMENTAL DETERMINATION:	Categorical Exemption, pursuant to CEQA Guidelines Article 19, Class 3, Section 15303, New Construction (e) – Minor accessory improvements
RECOMMENDATION:	Approve with Conditions (see Draft Findings in **Attachment 1** and Draft Conditions of Approval in **Attachment 2**).

PROJECT DESCRIPTION AND BACKGROUND

The application for this Minor Use Permit was submitted on May 19, 2022 by Bruce Foster (Project Applicant). It requests legalization of a single beehive in the rear yard of the Project Site (323 Jones Street), which is approximately ±11,00 square feet (ft) in total size. The entrance for this beehive would face towards the Applicant's single-family residence and offer a direct flight path to on-site gardens. The production of honey is not a component of this request. Application materials and project description to support this request are included as **Attachment 3**.

Presently, the City allows for Apiaries (beekeeping) by-right, including larger-scale commercial operations, but only for parcels within its Agricultural Exclusive (A-E) Zone. The Ukiah City Code, however, does not define "Apiary", nor are there any lands zoned A-E within the City of Ukiah.

Within residential zones, one beehive can be permitted per parcel upon obtaining a Minor Use Permit via the Zoning Administrator. Per Ukiah City Code §9182(C), "*One (1) beehive per lot is allowed in any districts subject to use permit approval by the Zoning Administrator."*

While infrequent, the City of Ukiah Zoning Administrator reviewed and approved a similar residential beehive request at 633 Live Oak Avenue on July 20, 2018. Additionally, on April 29, 2022, the Zoning Administrator approved a request for an apiary at 504 Nokomis Drive.

To date, there have been no complaints received by Code Enforcement or Community Development Staff regarding this or similar residential beehives within the City of Ukiah.

SETTING & SURROUNDING LAND USES

The Project Site is located at 323 Jones Street. It maintains a General Plan land use designation of Low Density Residential (LDR) with a corresponding zoning designation of Low Density Residential (R-1). The parcel is considered developed, and features a single-family residence, carport, garage structure, and a gazebo. The Project Site is slightly larger than the surrounding residential parcels. It is adjoined on all sides by similar residential uses and structures. Upon review, it was determined that the Project Site features no combining districts or other zoning restrictions, and is not subject to any mapped flood or seismic hazards. Additionally, there are no water courses, wildlife-habitat, or designated floodways on or within close proximity to the Project Site. Finally, neither the property or its structures, are included on the City of Ukiah's Historic and Architectural Inventory Table. A summary of zoning designations and nearby uses is provided below in **Table 1**. A Zoning Designation Map is depicted in **Figure 1**, a General Plan Designation Map is depicted in **Figure 2**, and an aerial image of the site and are is included in **Figure 3**.

Table 1: Surrounding Zoning and Land Uses

	ZONING	USE
NORTH	Low Density Residential (R-1)	Single Family Residence
EAST	Low Density Residential (R-1)	Single Family Residence
SOUTH	Low Density Residential (R-1)	Single Family Residence
WEST	Low Density Residential (R-1)	Single Family Residence

Figure 1. Zoning Designation

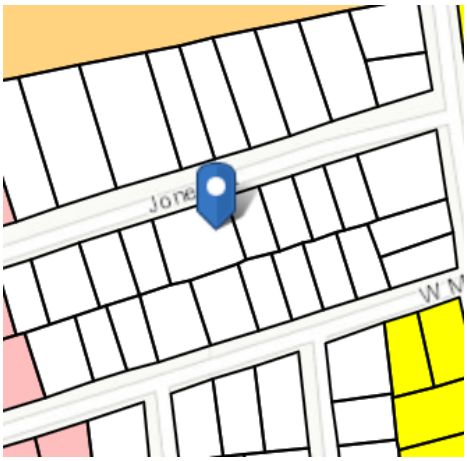


Figure 2. General Plan Designation

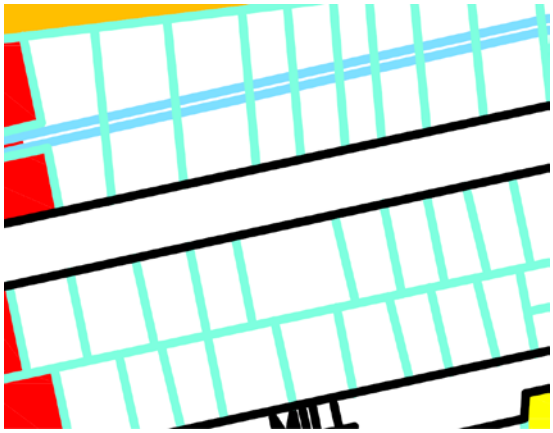


Figure 3. Aerial View

AGENCY COMMENTS

The project was circulated to and reviewed by the following responsible or trustee agencies with jurisdiction over the project: Ukiah Valley Fire Authority, City of Ukiah Building Division, City of Ukiah Police Department, as well as the County of Mendocino Department of Agriculture/Agricultural Commissioner. The Agricultural Commissioner responded that the beehive shall be registered with the County of Mendocino Department of Agriculture.

The other departments/agencies submitted no comments or did not reply to the request. The provided comments are included in **Attachment 4** and recommended Conditions of Approval are contained in **Attachment 2.**

STAFF ANALYSIS

GENERAL PLAN AND ZONING CONSISTENCY

General Plan: The General Plan land use designation for the Project Site is Low Density Residential (LDR), which is intended to provide lands for detached or attached single family residences within the City of Ukiah. As previously described, the subject parcel is developed with a single-family residence, as well as accessory structures. The proposed bee hive would be similar to allowed accessory activities, and would not be contrary to the intent of this General Plan designation that envisions residential areas occupied primarily by single-family structures.

Additionally, residential beekeeping meets numerous City's objectives, including goals and policies relating to the enhancement of natural resources identified in the Open Space and Conservation Element of the City's 1995 General Plan, particularly those that encourage and support native plants and landscaping.

Zoning Ordinance: The project is located within the Low-Density Residential (R1) zoning district and as described in Ukiah City Code (UCC) §9182, *Animals Within the City,* one beehive per lot is allowed within all zoning districts with approval of a Use Permit by the Zoning Administrator (**Attachment 5**).

Presently, the Ukiah City Code does not provide any particular restriction or setbacks for beekeeping or apiaries, but does require a Minor Use Permit. To review and understand this

request, Staff examined past approvals within the City of Ukiah, as well as model backyard beekeeping regulations and guidelines from other municipalities across the United States (**Attachment 6**).

The proposed Project will have minimal aesthetic environmental effects, based on review of the submitted application materials and project description. Analysis by the Design Review Board (DRB) is not required, as the request would merely permit beekeeping as an accessory use in a single-family zoned neighborhood and include requirements for distancing, barrier(s), water source, and hive positioning.

Accessory Use: Accessory uses are typically associated with and subordinate to the permitted or conditional permitted principal use. While not particularly defined, typical accessory structures and uses within the City of Ukiah include children's playhouses, storage sheds, patios, porches, gazebos, and residential gardens.

To minimize encounters between bees and humans, as well as to identify standards ensuring that the permitted beekeeping is a compatible accessory use in the context of a low-density residential neighborhood, Staff suggests the following Conditions of Approval to the Zoning Administrator:

1) That the request be conditioned to provide an on-site water source for use of the hive to discourage bee visitation to nearby residential swimming pools, hose bibs and other water sources on surrounding properties.

    a. An on-site water source, discourages bees from seeking out water sources in the surrounding area and properties. By maintaining on-site water, potential interactions between bees and individuals in the surrounding area is limited, which is important during prolonged stretches of limited rain;

2) That the request be conditioned to maintain a six-foot wall, fence, or hedge between the hive and adjacent lot.

    a. The purpose of this solid or vegetated barrier is to help minimize interactions between bees and individuals in the nearby vicinity. Fence or hedge barriers, serve to generally direct bees in their flight initial pattern when exiting the hive;

3) That the request be conditioned so that the hive is to located a minimum of five feet from the side and rear lot lines, and maintain an appropriate front-yard setback of 25 feet consistent with Ukiah City Code §9020 (Required Yard Setbacks).

    a. A side/rear yard setback of 5 feet would mirror requirements for accessory structures/improvements on R-1 zoned parcels and align this use with similar accessory activities otherwise allowed. This setback from adjacent properties to the side and rear, as well as a front-yard setback, ensure further separation between the hive and individuals or residences within the surrounding area. The proposed minimum distance/setbacks from lot lines are based on the standards of other cities with residential beekeeping ordinances that have been in place for several years **(Attachment 6).**

4) That the request be conditioned so that the hive entrance face away from, or parallel to, the nearest lot line.

    a. Similar to a wall, fence or hedge, placement of the hive in this manner will help to direct the flight-path of bees when leaving the hive.

ENVIRONMENTAL DOCUMENTATION

Approval of this Minor Use Permit would allow for beekeeping as an accessory use in a single-family zone. The Project would be conditioned to provide a barrier between the hive and the adjacent lots, which could be considered an accessory structure pursuant to CEQA guidelines. The Project includes conditions of approval that would ensure the health of bees, safety of individuals within the vicinity of the hive and enhancement for local gardens to ensure alignment with similar accessory uses and improvements already allowed. Therefore, a Categorical Exemption determination, pursuant to CEQA Guidelines Article 19, Class 3, Section 15303, New Construction (e) – Minor accessory improvements is considered appropriate.

NOTICE

Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9262(C):

- Published in the Ukiah Daily Journal on June 20, 2022;
- Posted on the Project site on June 20, 2022;
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing;
- Provided to property owners within 300 feet of the project parcels, as well as Public Agencies on June 20, 2022.

RECOMMENDATION

Staff recommends the Zoning Administrator approve the requested Minor Use Permit, based on the Findings in **Attachment 1** and subject to the Conditions of Approval in **Attachment 2.**

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Application Materials
4. Agency Comments
5. Ordinance No. 807 – Animals in the City
6. Overview of Apiary Policies – Municipalities

ATTACHMENT 1

DRAFT FINDINGS FOR A MINOR USE PERMIT TO PLACE A SINGLE BEEHIVE IN THE REAR-YARD OF A RESIDENTIAL PROPERTY AT 323 JONES STREET; APN (001-294-06); FILE NO. 22-7116

The following findings are supported by and based on information contained in this staff report, the application materials and documentation, and the public record, in accordance with UCC §9262(E).

The proposed project is consistent with the Zoning Ordinance. The project is in the R-1 zoning district and as described in Ukiah City Code (UCC) §9182, Animals Within the City, one beehive per lot is allowed within all zoning districts with approval of a Use Permit by the Zoning Administrator.

Minor Use Permit Findings

1. **The proposed land use is consistent with the provisions of the Ukiah City Code as well as the goals and policies of the City General Plan.**

   The General Plan land use designation for the subject parcel is Low Density Residential (LDR), which is intended to provide lands for detached or attached single family residences within the City of Ukiah. As described within the Staff Report, the subject parcel is developed with a single family residence. The proposed bee hive is considered similar to other allowed accessory uses within the City of Ukiah, and is conditioned accordingly. Additionally, the request is consistent with provisions of the City's General Plan, as the benefits of backyard beekeeping include the pollination of native plants, trees, and gardens (increasing opportunities for available healthy foods). With the inclusion of operational and standard conditions that address related project components, this finding can be made.

2. **The proposed land use is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare.**

   The proposed project would not alter existing residential structures, and while it would add a new accessory use to the area; the impacts are limited. To minimize encounters between bees and humans, as well as to identify standards to ensure that the permitted beekeeping is a compatible accessory use in the context of a low-density residential neighborhood, Staff have included operational and standard conditions that address related project components. Furthermore, it was determined that the Project Site features no combining districts or other zoning restrictions, and is not subject to any mapped flood or seismic hazards. Additionally, there are no water courses, wildlife-habitat, or designated floodways on or within close proximity to the subject property. In addition, the project has been reviewed by the following agencies to ensure compliance with the Ukiah City Code and other regulations relating to health, general welfare, and safety: Ukiah Valley Fire Authority, City of Ukiah Building Division, City of Ukiah Police Department, County of Mendocino Department of Agriculture/Agricultural Commissioner. As requested, comments have been included as Conditions of Approval, as appropriate, thereby allowing this finding to be made.

The proposed project is subject to the California Environmental Quality Act (CEQA). The project qualifies for a categorical exemption pursuant to CEQA Guidelines Article 19, Class 3, Section 15303, New Construction (e) – Minor accessory improvements.

Approval of this Minor Use Permit would allow for beekeeping as an accessory use in a residential neighborhood. The beehive would be placed in the rear yard, and the project would be conditioned to

provide a barrier between the hive and the adjacent lots. The Project includes conditions of approval that would ensure the health of bees, as well as the safety of individuals within the vicinity of the hive.

Based on the aforementioned, Staff finds that the project would not result in a significant impact to the environment and may be categorically exempted pursuant to CEQA Guidelines Article 19, Class 3, Section 15303, New Construction (e) – Minor accessory improvements.

Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9262(C):

- Published in the Ukiah Daily Journal on June 20, 2022;
- Posted on the Project site on June 20, 2022;
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing;
- Provided to property owners within 300 feet of the project parcels, as well as Public Agencies on June 20 2022.

ATTACHMENT 2

DRAFT CONDITIONS OF APPROVAL FOR A MINOR USE PERMIT TO PLACE A SINGLE BEEHIVE IN THE REAR-YARD OF A RESIDENTIAL PROPERTY AT 323 JONES STREET; APN (001-294-06); FILE NO. 22-7116

The following Conditions of Approval shall be made a permanent part of the Minor Use Permit, shall remain in force regardless of property ownership, and shall be implemented in order for this entitlement to remain valid.

Approved Project Description: To review and consider a Minor Use Permit to place a single beehive in the rear-yard of a residential property located at 323 Jones Street; APN (001-294-06); File No. 22-7116

CITY OF UKIAH - SPECIAL CONDITIONS

1. Provide an on-site water source for use of the hive.

2. Maintain a six-foot wall, fence, or hedge located between hive and adjacent lot.

3. Locate the hive at a minimum of five feet from any side and rear lot lines, and maintain an appropriate front-yard setback of 25 feet consistent with Ukiah City Code §9020 (Required Yard Setbacks).

4. Position the hive so that the entrance faces away from, or parallel to, the nearest lot line.

CITY OF UKIAH - STANDARD CONDITIONS

5. This approval is not effective until the 10-day appeal period applicable to this Use Permit has expired without the filing of a timely appeal. If a timely appeal is filed, the project is subject to the outcome of the appeal and shall be revised as necessary to comply with any modifications, conditions, or requirements that were imposed as part of the appeal.

6. All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plot plans accompanying the application or submitted by applicant in support thereof.

7. Building permits shall be issued within two years after the effective date of the Use Permit or same shall be null and void.

8. 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.

9. 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.

10. 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.

COUNTY OF MENDOCINO – DEPARTMENT OF AGRICULTURE

11. The beehive shall be registered per the instruction of the County of Mendocino Department of Agriculture. A copy of the registration shall be provided to the City of Ukiah Community Development Department.

DRAFT

City of Ukiah

Community Development Department
Planning Division
300 Seminary Ave., Ukiah CA 95482
Email: planning@cityofukiah.com
Web: www.cityofukiah.com
Phone: (707) 463 -6268
Fax: (707) 463-6204

Planning Permit Application #22-7116

PROJECT NAME: Foster Residential Beehive			
PROJECT ADDRESS/CROSS STREETS: 323 Jones Street			AP NUMBER(S): 001-294-06
APPLICANT/AUTHORIZED AGENT: Bruce Foster	PHONE NO: 707-463-1482	FAX NO: N/A	E-MAIL ADDRESS: brucef954@pacific.net
APPLICANT/AUTHORIZED AGENT ADDRESS: 323 Jones Street	CITY: Ukiah		STATE/ZIP: CA, 95482
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: N/A	PHONE NO: N/A	FAX NO: N/A	E-MAIL ADDRESS: N/A
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT N/A	CITY: N/A		STATE/ZIP: N/A
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? ■ YES ☐ NO Reviewed by Planning Staff			

☐ AIRPORT LAND USE COMM. DETERMINATION REFERRAL 100.0800.611.003	$	☐ REZONING – PLANNED DISTRICT 100.0800.611.001	$	☐ USE PERMIT – AMENDMENT 100.0400.449.001	$
☐ ANNEXATION 100.0800.611.001	$	☐ SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	$	☐ USE PERMIT – MAJOR 100.0400.449.001	$
☐ APPEAL 100.0400.449.001	$	☐ SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	$	■ USE PERMIT – MINOR 100.0400.449.001	$ 500
☐ GENERAL PLAN AMENDMENT 100.0800.611.001	$	☐ SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	$	☐ VARIANCE – MAJOR 100.0400.449.001	$
☐ MURAL PERMIT 100.0400.449.001	$	☐ SPECIFIC/MASTER PLAN 100.0800.611.003	$	☐ VARIANCE – MINOR 100.0400.449.001	$
☐ PRE-DEVELOPMENT MEETING 100.0800.611.003	$	☐ MINOR SUBDIVISION/TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	$	☐ ZONING AMENDMENT MAP OR TEXT 100.0800.611.001	$
☐ STAFF RESEARCH (MORE THAN 1 HOUR) 10023100.41153	$	☐ MAJOR SUBDIVISION/TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	$	☐ REZONING 100.0800.611.001	$
☐ LOT LINE ADJUSTMENT OR MERGER 100.0800.610.001	$	☐ OTHER	$	☐ OTHER	$

COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	$ 50	MAJOR PERMIT DEPOSIT:	$ N/A	FILING DATE:
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	$ N/A	MINOR PERMIT FEE:	$ N/A	TOTAL AMOUNT PAID: $
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	$ N/A	TOTAL FEE:	$ 500	RECEIPT NUMBER:
APPLICATION NUMBER(S):				RECEIVED

Recommendation: Prior to submitting an application, discuss your project with Staff to discover what fees (sewer, water, in-lieu park fees, traffic impact fees, etc.) may be required for your project. Also, ask about street tree requirements, required sidewalk repairs, drainage issues, storm water mitigation requirements, frontage improvements, etc.

MAY 03 2022
CITY OF UKIAH
COMMUNITY DEVELOPMENT

Project Description

Please attach a written project description including summary of work (both interior and exterior for construction and operation) and/or business proposed. The purpose of the project description is to assist Staff in understanding the project. The project description will also be included in the Staff Report required to review (and ultimately approve or deny) the planning permit. Providing complete information will help expedite the project review process and in determining what additional information, if any, related to the project and required environmental review is required.

Environmental Review and Reports

Please be aware that projects are required to comply with the California Environmental Quality Act (CEQA). Projects will be reviewed by Staff for compliance with CEQA and Staff will determine the appropriate CEQA document to prepare for the project (exemption, negative declaration, etc.). In order to make this determination, specific reports (traffic, arborist, soils, etc.) and or additional information may be required.

Use Information

Please provide the following information related to the use of the site and building:

Description of Building & Site			
Parcel Size: .26 Acres	**Building Size:** N/A		**Number of Floors:** N/A
Use of Building (check all that apply)	**Description**	**Square Footage**	**Number of Units/Suites**
☐ **Office (business/professional)**			
☐ **Office (medical/dental)**			
☐ **Retail**			
☐ **Light Industrial**			
☑ **Residential**	Accessory - Residential Beehive	25 sq ft	N/A
☐ **Other:**			

Operating Characteristics			
Days and Hours of Operation: N/A			
Number of Shifts: N/A	**Days and Hours of Shifts:** N/A		
Number of Employees/Shift: N/A - Accessory Residential Beehive - Maintained by Property Owner			
Loading Facilities: ☐ Yes ■ No	**Type/Vehicle Size:** N/A		
Deliveries: ☐ Yes ■ No N/A	**Type:** N/A	**Number** (day/week/month): N/A	**Time(s) of Day:** N/A
Outdoor areas associated with use? (check all that apply) ☐ Yes ☐ No	**Sales area:** ☐ Yes ☐ No Square Footage:	**Unloading of deliveries:** ☐ Yes ☐ No Square Footage:	**Storage:** ☐ Yes ☐ No Square Footage:
Noise Generating Use? ☐ Yes ■ No		**Description:** N/A	

To Be Completed by Staff

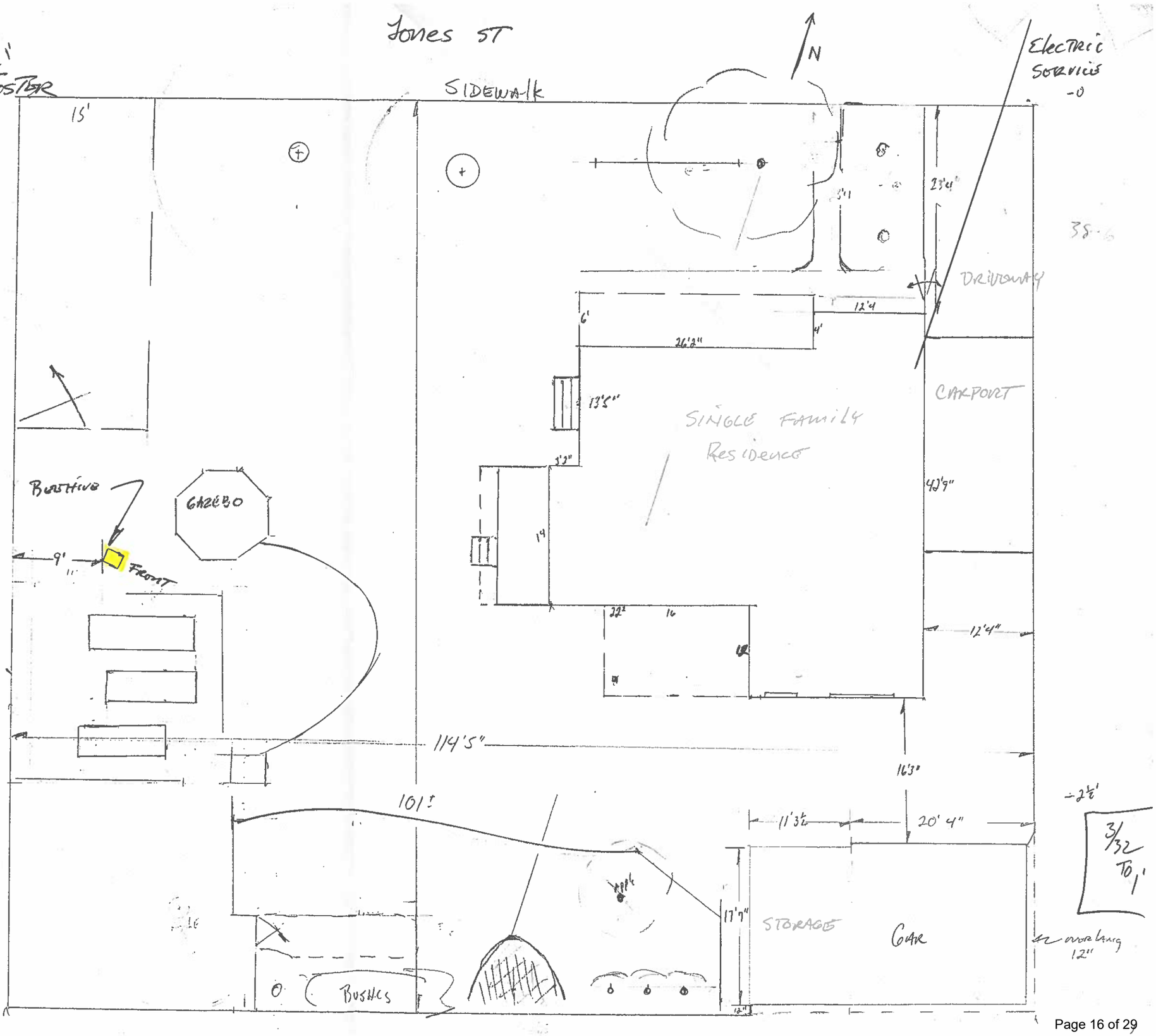
General Plan Designation: LDR	**Zoning District:** R-1	**Airport Land Use Designation:** Zone 6
City's Architectural & Historic Inventory: ☐ YES ■ NO	**Age of Building:** N/A	**Demolition Policy:** N/A
Hillside: ☐ YES ■ NO	**Flood Designation FIRM Map:** N/A	**Flood Designation Floodway Map:** N/A

Tree Policies	
General Plan Open Space Conservation ☐ NO ■ YES GOAL/POLICY #:	**Community Forest Management Plan** ■ NO ☐ YES GOAL/POLICY #:
Landscaping and Streetscape Design Guidelines ■ NO ☐ YES GUIDELINE #:	**Commercial Development Design Guidelines** ■ NO ☐ YES GUIDELINE #:
Tree Protection and Enhancement Policy ■ NO ☐ YES NOTES:	**Tree Planting and Maintenance Policy** ■ NO ☐ YES NOTES:
UCC: Street Tree Policy, Purpose and Intent ■ NO ☐ YES NOTES:	**Other:**

Notes

Jennifer Turner & Bruce Foster
323 Jones ST
Ukiah Ca 95482

Parcel # 001-294-0600



UKIAH CITY

Lot 1 to 2 Johnson & Rays Subdivision
Blks. 9, 10 Gobbis' Addition
Jones Addition

NOTE: This map was prepared for assessment purposes only. No liability is assumed for the data delineated hereon.

Assessor's Map
County of Mendocino, Calif.
August 23, 2012

ORDINANCE NO. 807

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH DELETING DIVISION 5, CHAPTER 1, ARTICLE 1 AND ADDING SECTION 9182 TO ARTICLE 16, CHAPTER 2, DIVISION 9 OF THE CITY OF UKIAH CODE (KEEPING OF FOWL AND OTHER ANIMALS IN THE CITY)

The City Council of the City of Ukiah does Ordain as follows:

SECTION 1.

Division 5, Chapter 1, Article 1 - "Keeping Fowls and Swine" is removed from the City of Ukiah Code.

SECTION 2.

Section 9182 is added to Division 9, Chapter 2, Article 16 to read as follows:

Section 9182 - Animals within the City:

1. Hen chickens and rabbits are allowed in any districts subject to: 1) Use permit approval by the Zoning Administrator; 2) the following conditions:
   a. No more than six of any one or combination of such animals on the lot.
   b. The minimum lot size shall be 6,000 square feet developed with no more than a single dwelling unit.
   c. Maintained in coops or pens located at a distance of 40 feet 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 of the lot.
   e. Coops or pens shall be located no closer than five feet from the side or rear property line.
2. Roosters, turkeys, ducks, geese, and swine are not allowed in any district other than Agricultural Exclusive (AE) and Combining Agricultural (-A).
3. One bee hive per lot is allowed in any districts subject to use permit approval by the Zoning Administrator.

SECTION 3.

This ordinance shall be published as required by law in a newspaper of general circulation published in the City of Ukiah.

SECTION 4.

This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED this 18th day of May, 1983 by the following roll call vote:

AYES: Councilmembers Kelley, Dickens, Hickey, Myers, Feibusch

NOES: None

ABSENT: None

THEODOR FEIBUSCH, MAYOR

ATTEST:

CITY CLERK

SUMMARY OF BEEKEEPING REGULATIONS IN OTHER CITIES

City	Number of Hives	Distancing From:			Barriers	Hive Position
		ROW	Lot Lines	Buildings		
Santa Monica	2 hives maximum per lot	n/a	At least 5' from all property lines	n/a	6' tall barrier, unless hive is located 8' above grade.	Face away from or parallel to nearest property lines.
San Diego	See Distancing	1 or 2 hives: outside all setbacks or 20' from ROW (and distance from property lines); 3 or more hives: 100' from ROW. Distancing from residential buildings on lot other than where hives are located.	1 or 2 hives: outside of all setbacks or 15' from all property lines only (and distance from ROW).	1 or 2 hives: No distancing, only outside of all setbacks or 15' from all property lines and ROW. 3 or more hives: 600' + from residential buildings not on same lot as beehive(s).	6' tall barrier (may be vegetative) unless hive is 8' above adjacent groundlevel.	Faces most distant property line, away from entrances and walkways on premises to the extent possible while ensuring entrance faces most distant property line.
Aurora, CO	2 hives if lot one quarter acre or less; 4 hives if more than one-quarter acre but less than one-half acre ; six hives if more than one-half acre but less than one acre; regardless of lot size, no limit if all hives are located at least 200 feet in any direction from all property lines.	n/a	5' from any property line	n/a	Barrier at least 6' in height of a solid wall or fence parallel to property line, extending 10 feet beyond colony in each direction.	n/a
Salt Lake City, UT	5 hives on any residential lot; 10 hives if residential lot is larger than one half acre.	n/a	5' from any property line	n/a	A flyway barrier at least 6' in height if hives are located within 15' of property lines.	Placed so general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals.
Denver, CO	2 hives per lot	n/a	5' from rear and side lines	n/a	6' barrier, which may be vegetative.	n/a
Redondo Beach	1 colony per 3,370 square feet of lot are; no more than 2 colonies on any lot	15' from any public ROW	10' from any property line	15' from any public building and any residential building not belonging to the permitee	6' barrier extending at least 10 feet beyond the hives	Face away from or parallel to nearest property lines.
Seattle	No more than 4 hives on lots less than 10,000 square feet	n/a	25' from any property line, unless 8 feet above grade of adjacent lot or separated by 6' barrier	n/a	Optional	n/a
Chicago	5 hives per lot	n/a	n/a	n/a	n/a	n/a
New York City	Regulated by the Department of Health and Mental Hygiene, not the Department of City Planning					
Boston	2 hives per lot	10' from any public sidewalk; prohibited in front yard or side yard that abuts a street	No setback if barrier is present; 6' setback if no barrier is present	n/a	Optional	Face away from doors or windows if barrier is not present between hive and building
Vancouver	2 hives on lots less than 10,000 square feet; 4 hives on lots more than 10,000 square feet	n/a	25' from any property line, unless barrier is present, or beehive is placed 8' above ground level	n/a	6' barrier, unless beehive is placed 25' from any property line, or placed 8' above ground level	Face away from neighboring property, unless placed 8' above ground level, or 25' from any property line

Jesse Davis

From: Cedric Crook
Sent: Wednesday, June 1, 2022 9:05 AM
To: Jesse Davis
Subject: Re: City of Ukiah Project Referral Request - Residential Apiary'; #22-7116

Hi,

In regards to bee hives, I have never heard of that type of call at all, nor had I ever heard of these before the other application in the City. I actually researched them this am on the internet.

We obviously do deal w/ other animal control issues.

Hope this helps.

Thanks,

Cedric Crook
Captain
Ukiah Police Department
300 Seminary Avenue
Ukiah, CA 95482
desk / 707-463-6771
fax / 707-462-6068
ccrook@cityofukiah.com
www.ukiahpolice.com

Safety Professionalism and Community Service

From: Jesse Davis <jdavis@cityofukiah.com>
Sent: Wednesday, June 1, 2022 9:02 AM
To: Cedric Crook <ccrook@cityofukiah.com>
Subject: RE: City of Ukiah Project Referral Request - Residential Apiary'; #22-7116

Hi Cedric,

This is most helpful. Thank you for this response.

If I may ask, in recent years has UPD responded to any bee/animal control related calls to the best of your knowledge or records?

Thank you in advance for your consideration of this question. Hope all is well.

Best Regards,
Jesse Davis

From: Cedric Crook
Sent: Wednesday, June 1, 2022 9:00 AM
To: Jesse Davis <jdavis@cityofukiah.com>
Subject: Re: City of Ukiah Project Referral Request - Residential Apiary'; #22-7116

Hi Jesse,

Please see the attached.

Thanks,

Cedric Crook
Captain
Ukiah Police Department
300 Seminary Avenue
Ukiah, CA 95482
desk / 707-463-6771
fax / 707-462-6068
ccrook@cityofukiah.com
www.ukiahpolice.com

Safety Professionalism and Community Service

From: Jesse Davis <jdavis@cityofukiah.com>
Sent: Wednesday, May 25, 2022 10:31 AM
Subject: City of Ukiah Project Referral Request - Residential Apiary'; #22-7116

Good Morning,

The City of Ukiah is seeking comment for a requested Minor Use Permit at 323 Jones Street (APN 001-294-06) from departments and agencies with interest or jurisdiction over the project.

On an ±11,00 square foot residential lot, the Applicant proposes to legalize an existing beehive in the rear yard of the subject property. Per Ukiah City Code §9182(C), *"One (1) bee hive per lot is allowed in any districts subject to use permit approval by the Zoning Administrator*." As required by AB 2468 (Apiary Protection Act), the Applicant will register the apiary with the Mendocino County Agricultural Commissioner. Please see attached for a referral sheet and associated project/applicaon materials for your review.

The requested comments and any suggested conditions of approval are appreciated by June 1, 2022. Thank you in advance.

Best Regards,
Jesse Davis

Jesse Davis, AICP
Planning Manager
Department of Community Development
300 Seminary Avenue, Ukiah, CA 95482

P: 707.463.6207
www.cityofukiah.com/community-development

Jesse Davis

From: Matthew Keizer
Sent: Thursday, May 26, 2022 9:56 AM
To: Jesse Davis
Subject: RE: City of Ukiah Project Referral Request - Residential Apiary'; #22-7116

Follow Up Flag: Follow up
Flag Status: Completed

No comments from Fire or Building.

Regards,

Matt Keizer, CBO, MCP, CFM
Building Official
UVFA Fire Marshal
Email: mkeizer@cityofukiah.com
300 Seminary Ave
Ukiah, CA 95482
Office 707-467-5786
Desk 707-467-5718
Fax 707-463-6204
Inspection 707-463-6739
http://www.cityofukiah.com/community-development/
http://www.cityofukiah.com/uvfa-who-we-are/

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From: Jesse Davis <jdavis@cityofukiah.com>
Sent: Wednesday, May 25, 2022 10:32 AM
Subject: City of Ukiah Project Referral Request - Residential Apiary'; #22-7116

Good Morning,

The City of Ukiah is seeking comment for a requested Minor Use Permit at 323 Jones Street (APN 001-294-06) from departments and agencies with interest or jurisdiction over the project.

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Best Regards,
Jesse Davis

Jesse Davis, AICP
Planning Manager
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www.cityofukiah.com/community-development

City of Ukiah

COMMUNITY DEVELOPMENT DEPARTMENT

RECEIVED

APR 06 2022

CITY OF UKIAH
COMMUNITY DEVELOPMENT

The applicant can register the single beehive by going to the following link https://beewherecalifornia.com/register-here/. The $10 annual registration fee is waived for any individual in possession of nine or fewer colonies.

ORDINANCE NO. 807

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH DELETING DIVISION 5, CHAPTER 1, ARTICLE 1 AND ADDING SECTION 9182 TO ARTICLE 16, CHAPTER 2, DIVISION 9 OF THE CITY OF UKIAH CODE (KEEPING OF FOWL AND OTHER ANIMALS IN THE CITY)

The City Council of the City of Ukiah does Ordain as follows:

SECTION 1.

Division 5, Chapter 1, Article 1 - "Keeping Fowls and Swine" is removed from the City of Ukiah Code.

SECTION 2.

Section 9182 is added to Division 9, Chapter 2, Article 16 to read as follows:

Section 9182 - Animals within the City:

1. Hen chickens and rabbits are allowed in any districts subject to: 1) Use permit approval by the Zoning Administrator; 2) the following conditions:
   a. No more than six of any one or combination of such animals on the lot.
   b. The minimum lot size shall be 6,000 square feet developed with no more than a single dwelling unit.
   c. Maintained in coops or pens located at a distance of 40 feet 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 of the lot.
   e. Coops or pens shall be located no closer than five feet from the side or rear property line.
2. Roosters, turkeys, ducks, geese, and swine are not allowed in any district other than Agricultural Exclusive (AE) and Combining Agricultural (-A).
3. One bee hive per lot is allowed in any districts subject to use permit approval by the Zoning Administrator.

SECTION 3.

This ordinance shall be published as required by law in a newspaper of general circulation published in the City of Ukiah.

SECTION 4.

This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED this 18th day of May, 1983 by the following roll call vote:

AYES: Councilmembers Kelley, Dickens, Hickey, Myers, Feibusch

NOES: None

ABSENT: None

THEODOR FEIBUSCH, MAYOR

ATTEST:

CITY CLERK

SUMMARY OF BEEKEEPING REGULATIONS IN OTHER CITIES

City	Number of Hives	Distancing From:			Barriers	Hive Position
		ROW	Lot Lines	Buildings		
Santa Monica	2 hives maximum per lot	n/a	At least 5' from all property lines	n/a	6' tall barrier, unless hive is located 8' above grade.	Face away from or parallel to nearest property lines.
San Diego	See Distancing	1 or 2 hives: outside all setbacks or 20' from ROW (and distance from property lines); 3 or more hives: 100' from ROW. Distancing from residential buildings on lot other than where hives are located.	1 or 2 hives: outside of all setbacks or 15' from all property lines only (and distance from ROW).	1 or 2 hives: No distancing, only outside of all setbacks or 15' from all property lines and ROW. 3 or more hives: 600' + from residential buildings not on same lot as beehive(s).	6' tall barrier (may be vegetative) unless hive is 8' above adjacent groundlevel.	Faces most distant property line, away from entrances and walkways on premises to the extent possible while ensuring entrance faces most distant property line.
Aurora, CO	2 hives if lot one quarter acre or less; 4 hives if more than one-quarter acre but less than one-half acre ; six hives if more than one-half acre but less than one acre; regardless of lot size, no limit if all hives are located at least 200 feet in any direction from all property lines.	n/a	5' from any property line	n/a	Barrier at least 6' in height of a solid wall or fence parallel to property line, extending 10 feet beyond colony in each direction.	n/a
Salt Lake City, UT	5 hives on any residential lot; 10 hives if residential lot is larger than one half acre.	n/a	5' from any property line	n/a	A flyway barrier at least 6' in height if hives are located within 15' of property lines.	Placed so general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals.
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