

ARTICLE 4. REGULATIONS IN MEDIUM DENSITY RESIDENTIAL (R-2) DISTRICTS¹

SECTION:

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§9030 PURPOSE AND INTENT

The Medium Density Residential Zoning District is intended to provide land area and opportunities for a range of densities and a variety of housing types, including single-family and multiple-family residential development, and townhomes. The maximum density is one to fifteen (15) dwelling units per acre of land. The R-2 district is also intended to provide for a compatible mix of medium density residential, educational, religious, quasi-medical, and small professional office land uses. The R-2 zoning district is consistent with the MDR (medium density residential) general plan land use designation. (Ord. 1001, §1, adopted 1998; Ord. 1189, §1, adopted 2018; Ord. 1216, §2, adopted 2021)

§9031 ALLOWED USES

The following uses are allowed in Medium Density Residential (R-2) Districts:

Accessory buildings and accessory uses.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

Community care facility (maximum clients – six (6)).

Home occupations (as defined in section 9278 of this code).

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Single-family dwellings, including manufactured/modular homes, transitional housing, and supportive housing. Manufactured/modular homes shall comply with the additional development standards set forth in section 9037 of this Code.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, condominiums, apartment houses, transitional housing, supportive housing, single-room occupancies (SROs), and rooming or boarding houses). Multiple-family dwellings that comply with the design and development standards in Chapter 2, Article 5.2 of this division are permitted by right.

Small and large family child daycare homes. (Ord. 1001, §1, adopted 1998; Ord. 1047, §1, adopted 2003; Ord. 1205, §6, adopted 2020; Ord. 1216, §2, adopted 2021)

§9032 PERMITTED USES

The following uses may be permitted in Medium Density Residential (R-2) Zoning Districts subject to first securing a use permit:

Accredited public or private schools.

Bed and breakfast establishments.

Churches, chapels, and other places of religious assembly.

Community care facility for more than six (6) persons, but not more than twelve (12) persons.

Dwelling groups.

Multiple-family dwellings that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this division.

Outdoor sales establishment.

Parks, community gardens, and playgrounds.

Professional office converted from a single-family residence.

Rest homes, convalescent services, and other residential medical facilities.

Single-family dwelling on a three thousand (3,000) square foot lot (one side zero lot line and one side five-foot (5') setback; provided, that zero lot lines are contiguous).

Social halls, lodges, public buildings, and places of temporary public assembly.

Temporary uses meeting the purpose and intent of the R-2 zoning district. The temporary use shall be for a maximum period of six (6) months, and shall be subject to permit renewal/time extension at the discretion of the Planning Director. (Ord. 1001, §1, adopted 1998; Ord. 1216, §2, adopted 2021)

§9033 BUILDING HEIGHT LIMITS

The following shall be the maximum limits for height of buildings in Medium Density Residential (R-2) Districts:

- A. For main buildings a maximum height of thirty-five feet (35').
- B. For accessory buildings, a maximum height of twenty feet (20') or the maximum height of the main building, whichever is less.
- C. The height limits for main buildings and accessory structures may be exceeded with the securing of a use permit. (Ord. 1001, §1, adopted 1998; Ord. 1216, §2, adopted 2021)

§9034 REQUIRED SITE AREA

In Medium Density Residential (R-2) Districts there is no required building site area. (Ord. 1001, §1, adopted 1998; Ord. 1216, §2, adopted 2021)

§9035 REQUIRED YARD SETBACKS

In Medium Density Residential (R-2) Districts, yards shall be required in the following minimum widths, as measured from the street right-of-way:

- A. Front:

1. Single-Family Dwellings: Fifteen feet (15') for primary and accessory structures, and twenty-five feet (25') for garages.

2. Multiple-Family Dwellings: Ten feet (10') for multiple-family primary and accessory structures, and twenty-five feet (25') for garages.

B. Sides:

1. Single-Family Dwellings: Ten feet (10'), except as provided in section 9032 of this code.

2. Multiple-Family Dwellings: Five feet (5') for multiple-family dwellings except for those multiple-family projects that comply with all the design and development standards set forth in Chapter 2, Article 5.2 of this division.

C. Rear:

1. Single-Family Dwellings: Ten feet (10').

2. Multiple-Family Dwellings, Single-story: Ten feet (10').

3. Multiple-Family Dwellings, Multi-Story: Fifteen feet (15').

Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply.

D. Corner Lots: On corner lots, there shall be a front setback line of ten feet (10') on each street side of a corner lot.

E. Special Yards And Distances Between Buildings: Minimum widths shall be as follows:

1. The distance between any structures in any dwelling group shall be a minimum of ten feet (10') for single-story and multi-story structures.

2. Any side yard providing vehicular access to single-row dwelling groups shall have a minimum width of twenty feet (20') for one-way access and twenty-five feet (25') for dual access.

3. Any inner court providing vehicular access to double-row dwelling groups shall have a minimum width of twenty feet (20'), and a minimum width of twenty-four feet (24') if bordered by parking stalls. (Ord. 1001, §1, adopted 1998; Ord. 1216, §2, adopted 2021)

§9036 REQUIRED PARKING

A. The minimum parking area required in Medium Density Residential (R-2) Districts is as follows:

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.
2. Duplex: One and one-half (1.5) on-site parking spaces per unit.
3. Multiple-Family Dwelling: One on-site parking space per unit.
4. Other Uses: The parking requirements for all other allowed or permitted uses shall be subject to the provisions of section 9198 of this code.

B. Each required off-street parking space or garage space for multiple-family residential uses shall be a minimum of nine feet (9') in width and nineteen feet (19') in depth. Thirty percent (30%) of the parking stalls in a parking lot with ten (10) or more stalls shall be compact sized (eight feet (8') in width and sixteen feet (16') in length).

C. Each required off-street parking space or garage space for multiple-family residential uses shall open directly onto a driveway or aisle and be designed to provide safe and efficient ingress and egress for vehicles accessing such parking space. The maximum width for such driveways shall be twelve feet (12') for single-wide driveways, and twenty feet (20') for double-wide driveways and access lanes to parcels with no street frontage.

D. All driveways on corner lots shall be located a minimum distance of twenty feet (20') from the curb return.

E. Relief from the parking requirements in the R-2 zoning district may be approved through the discretionary review process, provided a finding is made that a reduced number of spaces would not adversely impact the health, safety, or general welfare of the public. (Ord. 1001, §1, adopted 1998; Ord. 1216, §2, adopted 2021)

§9037 ADDITIONAL REQUIREMENTS

A. A site development permit is required for development of more than a single duplex. However, multiple-family residential projects described in section 9031 of this code that are in compliance with the design and development standards set forth in Chapter 2, Article 5.2 of this division are exempt from this requirement.

B. Manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC section 5401 et seq.) are allowed on individual residential parcels subject to the following regulations:

1. Foundation System: The manufactured home shall be attached to a permanent foundation system approved by the City Building Official and designed and constructed pursuant to section 18551 of the California Health and Safety Code.

2. Utilities: All utilities to the manufactured home shall be installed pursuant to City standard practices and policies.

3. Permits: All applicable building, site development, and encroachment permits associated with development of residential property shall be secured prior to any on-site construction.

C. All development projects that are not multiple-family residential projects, or that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this division, and that require discretionary review, shall include a proposed landscaping plan commensurate with the size and scale of the proposed development project. Landscaping plans shall be submitted as a required component of all site development and use permits at the time of application filing.

1. All proposed landscaping plans shall comply with the following standards:

a. Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Native species are strongly encouraged.

b. Deciduous trees shall constitute the majority of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

c. Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

d. Parking lots shall have a perimeter planting strip with both trees and shrubs.

e. Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities within landscaped areas

and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

f. Street trees may be placed on the property proposed for development instead of within the public right-of-way if the location is approved by the City Engineer, based upon safety and maintenance factors.

g. All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel unless, based upon the small size of a parcel, it would be unreasonable and illogical. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

h. Landscaping plans shall include an automatic irrigation system and lighting plan.

i. All required landscaping for residential development projects shall be adequately maintained.

j. All healthy existing mature trees on development project sites shall be preserved and incorporated into the proposed landscaping plan, if feasible.

k. The Planning Director, Zoning Administrator, Planning Commission, or City Council shall have the authority to modify the required elements of a landscaping plan depending upon the size, scale, intensity, and location of the development project. (Ord. 1001, §1, adopted 1998; Ord. 1168, §3, adopted 2016; Ord. 1216, §2, adopted 2021)

§9038 DETERMINATION OF APPROPRIATE USE

Whenever a use is not listed in this Article as a use permitted by right or a use subject to a use permit in the R-2 Zoning District, the Planning Director shall determine whether the use is appropriate for the Zoning District, either as of right or subject to a use permit. In making this determination, the Planning Director shall find as follows:

A. That the use would not be incompatible with other existing or allowed uses in the R-2 Zoning District;

B. That the use would not be detrimental to the continuing residential development of the area in which the use would be located; and

C. That the use would be in harmony and consistent with the purpose of the R-2 Zoning District.

D. In the case of determining that a use not articulated as an allowed or permitted use could be established with the securing of a use permit, the Planning Director shall find that the proposed use is similar in nature and intensity to the uses listed as allowed uses. (Ord. 1001, §1, adopted 1998)

¹Ord. 793, §2, adopted 1982; rep. by Ord. 1001, §1, adopted 1998.

ARTICLE 14. REGULATIONS IN PLANNED DEVELOPMENT (PD) COMBINING ZONE/DISTRICTS

SECTION:

- §9165: Purpose And Intent**
- §9166: Application Of Combining Zone/District**
- §9167: Procedures And Process**
- §9168: Action On Planned Development Zoning Projects**
- §9169: Expiration Of Planned Development Combining Zone/District**

§9165 PURPOSE AND INTENT

The purpose of the planned development combining zone is to allow flexibility in design and development in order to promote economical and efficient use of land; to increase the level of urban amenities; to preserve the natural environment; and to provide for phased completion of development projects. It generally provides a method for deviating from standardized zoning requirements to foster well planned, creative, and quality development. (Ord. 1005, §1, adopted 1998)

§9166 APPLICATION OF COMBINING ZONE/DISTRICT

- A. The planned development combining zone may be combined with any zoning district.
- B. A use permit for permitted land uses within the underlying zone shall not be required when a planned development zoning district and a precise planned

development project are proposed. (Ord. 1005, §1, adopted 1998)

§9167 PROCEDURES AND PROCESS

A. Preapplication Review: Prior to application, the prospective applicant should consult with the planning department to obtain information and guidance before entering into bidding commitments or incurring substantial expense in the preparation of plans, surveys, and other data.

B. Minimum Area: A planned development combining zone shall include a minimum area of one-half (1/2) acre, under single ownership or otherwise subject to unified planning, construction, and management, unless the subject property has all of the following characteristics, in which case there is no minimum site area requirement:

1. The property is located in the downtown master plan area as depicted in figure VI.2-KK of the Ukiah general plan.
2. The property is within easy walking distance to routine destinations such as a grocery store, medical offices, retail shopping, restaurants, etc.
3. The property is situated along a transit route or within easy walking distance to a transit stop.
4. All public services and infrastructure are available to adequately serve the project.
5. There is adequate outdoor recreation areas/yard space within the project and/or the site is in close proximity to a public park or recreation area.
6. The project includes an actual development plan and the buildings are architecturally compatible or superior in design to the surrounding existing development.

C. Application For Rezoning: Application for a planned development combining zone shall be made pursuant to article 20 of this chapter. The applicant shall include on the application or the plot plan as applicable the following information:

1. Existing topography and the approximate location of buildings, improvements, and natural or environmental features for the property and adjacent land within one hundred feet (100').
2. The current general plan land use designation, the current zoning, and the current land uses in the proposed district and adjacent land within one hundred feet

(100’).

3. A general land use plan showing proposed uses to be developed on the site, supported by projected acreage, population, housing units, building floor area, employment, or related planning and development data, as determined by the planning director.

4. A general facility plan showing the approximate location of existing and proposed streets, pedestrianways, and circulation features; proposed public utility services and facilities; and proposed public or community facilities and uses.

D. Concept Development Plan: If no specific development is proposed as part of the planned development combining zone application, the applicant shall submit a concept development plan which shall contain a descriptive written statement indicating the following:

1. The manner in which the proposed development will be in accord with the general plan.

2. The architectural and environmental design qualities to be attained.

3. A general description of proposed land use regulations, site development regulations, and performance standards sufficient to govern subsequent development, including, but not limited to, the following:

a. Allowable uses.

b. Maximum and/or minimum regulations governing density and intensity of use, building floor area, height, coverage, lot size and dimensions, setbacks and open spaces, landscaping, signs, architectural design, and other features of the development.

c. Conditions, covenants, and restrictions, and proposed means of management and continued maintenance and operation of common facilities.

4. A general phasing plan and schedule, indicating the anticipated time for beginning of construction and completion of each phase of development.

5. Evidence that the applicant has sufficient control over the land to effectuate the proposed plan.

E. Precise Development Plan: If a specific development project is proposed as part of the planned development combining zone application, a precise development plan shall

be submitted. If a concept development plan was approved as part of the planned development combining zone project, a precise development plan shall be required prior to the issuance of building permits. The precise development plan shall contain the following information:

1. All the information required for a concept development plan.
2. A detailed site plan sufficient to fully illustrate the proposed project and adjoining land uses. The site plan shall also indicate the existing topography and proposed grading.
3. Elevation drawings of all proposed structures.
4. Details of the location, dimensions, and design of all proposed signs.
5. Floor plans of all proposed structures.
6. An automobile and bicycle parking plan.
7. Residential and mixed use developments shall contain on site recreation facilities commensurate with the size, scale, and scope of the project. Such facilities may include, but not be limited to, picnic areas, tot lots, open turf areas, and sport courts.
8. The location and design of all required trash and recycling facilities.
9. A clear depiction of all easements on the property.
10. A proposed landscaping and lighting plan commensurate with the size and scale of the proposed development project. Landscaping plans shall be submitted as a required component of all precise development plans accompanying planned development zoning applications at the time of application filing. All proposed landscaping plans shall comply with the following standards:
 - a. Landscaping shall be proportional to the building elevations.
 - b. Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Native species are strongly encouraged.
 - c. All landscape plantings shall be of sufficient size, health and intensity so that a viable and mature appearance can be attained in a reasonably short amount of time.

d. Deciduous trees shall constitute the majority of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

e. Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip, rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) after ten (10) years of growth of all paved areas. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

f. Parking lots shall have a perimeter planting strip with both trees and shrubs.

g. Parking lots shall have defined pedestrian sidewalks or marked pedestrian facilities within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

h. Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the city engineer, based upon safety and maintenance factors.

i. All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel, it would be unreasonable and illogical. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

j. Landscaping plans shall include an automatic irrigation system and lighting plan for both the landscaping and exterior of buildings.

k. All required landscaping for precise development plan projects shall be adequately maintained.

l. The planning commission or city council shall have the authority to modify the required elements of a landscaping and lighting plan depending upon the size, scale, intensity, and location of the development project. If the city council significantly modifies the elements of landscaping and lighting plan with major changes that were not contemplated or discussed by the planning commission, the matter may be returned by the city council to the planning commission for its review.

m. The location, height, and design of all walls and fences shall be consistent with the scale and style of the proposed development, and shall be compatible with the surrounding built environment.

11. Any other project related information requested by the planning director.

F. Criteria For Precise Development Plan: The following criteria shall be used in determining a precise development plan's consistency with the purpose and intent of this article:

1. User Impact And Needs: The design of the project shall consider the impact and needs of the user in respect to circulation, parking, traffic, utilities, public services, noise and odor, privacy, private and common open spaces, trash collection, security and crime deterrence, energy consumption, and other design concerns.

2. Relationship To Physical Features: The location of the buildings and structures shall respect the natural terrain of the site and shall be functionally integrated with any natural features of the landscape to include the preservation of existing trees, where feasible.

3. Consistency Of Architectural Style: All buildings or structures shall be harmonious and consistent with the proposed architectural style regarding roofing, exterior materials, windows, doors, textures, colors, and other exterior treatments.

4. Balance And Integration With The Neighborhood: The overall design shall be integrated and compatible with the neighborhood and shall strive to be in harmony with the scale and bulk of the surrounding built environment.

5. Building Design: The design of buildings and structures shall strive to provide innovation, variety, and creativity in the proposed design solutions. All architectural elevations shall be designed to eliminate the appearance of flat facades and box like construction.

6. Density: For residential projects, every effort shall be made to achieve the maximum density possible pursuant to the underlying zoning district. (Ord. 1005, §1, adopted 1998; Ord. 1112, §2, adopted 2008)

§9168 ACTION ON PLANNED DEVELOPMENT ZONING PROJECTS

A. Notice Of Public Hearings: Notice of planning commission and city council public hearings shall be given pursuant to subsection 9265C of this chapter.

B. Action By The Planning Commission:

1. The planning commission shall review and formulate a recommendation on the application to the city council.
2. The planning commission may request additional information from the applicant when, in its opinion, there are substantial issues or significant public concerns requiring such information in order to act on the application. In such cases, the planning commission shall continue the public hearing for such time as is reasonable for preparation of the requested information.
3. The planning commission may recommend changes in the concept development plan or precise development plan, and forward such recommended changes to the city council with its recommendation regarding establishment of the planned development combining zone.
4. In formulating their recommendation to the city council, the planning commission shall find that the proposed project is consistent with the Ukiah general plan and the purposes of this article.

C. Action By The City Council:

1. The city council may adopt an ordinance establishing a planned development combining zone if it finds that:
 - a. The proposed planned development combining zone/district, concept development plan and/or precise development plan as recommended by the planning commission, or as modified by the city council, is consistent with the general plan and with the purposes of this article. Any substantial modification to the concept development plan or precise development plan by the city council which has not been reviewed by the planning commission shall be returned by the city council to the planning commission for its review.
 - b. The proposed planned development combining zone/district and all uses therein shall be compatible and complementary to existing and potential development in the general vicinity of the project site.
2. The city council shall consider the planned development combining zone application and concept development plan or precise development plan, together with the recommendation of the planning commission.
3. An ordinance establishing a planned development combining zone, if enacted by the city council shall incorporate the concept development plan or precise

development plan for the district as approved by the city council.

4. Each planned development combining zone shall be shown on the zoning map by the letters "PD", and identified sequentially by order of enactment and reference to the enacting ordinance.

5. A precise development plan proposed subsequent to the adoption of a planned development combining zone and concept development plan shall be processed in the same manner as a site development permit, shall contain all the information required in subsection 9167E of this article, and may, in the event of approval, be conditioned by the city in the same manner as a site development permit.

In taking action on a precise development plan that has been submitted subsequent to the adoption of a planned development combining zone and concept development plan, the planning commission shall find that it is consistent with the Ukiah general plan, concept development plan, and with the criteria in subsection 9167F of this article.

A decision made by the planning commission on a precise development plan that has been submitted subsequent to the adoption of a planned development combining zone and concept development plan is final unless appealed to the city council. All appeals shall be made pursuant to section 9266 of this chapter.

6. Changes to adopted planned development combining zones/districts:

a. Concept development plans and precise development plans may be amended under the same procedures applicable to initial approval. An amendment may be initiated by staff, the planning commission, the city council, or by the original applicant or a successor thereto having a continuing controlling interest in development or management of uses within the planned development combining zone/district.

b. A precise development plan may be amended by applying for rezoning as provided in article 20 of this chapter.

c. Minor revisions or modifications not increasing the density or intensity of the project and which would not adversely affect off site property, may be approved by the planning director if it is determined that the circumstances or conditions applicable at the time of original approval remain valid and that changes would not affect any required findings. (Ord. 1005, §1, adopted 1998)

§9169 EXPIRATION OF PLANNED DEVELOPMENT COMBINING ZONE/DISTRICT

A. Any planned development combining zone/district created after the effective date of this article shall expire after three (3) years from its approval date by the city council if actual construction has not occurred. A one year extension of the three (3) year time period may be granted by the planning director if substantial progress has been made towards securing a building permit. All requests for an extension must be made in writing, and shall detail the progress made towards implementing the project and securing a building permit. If any PD combining zone/district expires, the zoning (or its current equivalent) which existed prior to the adoption of the PD district shall be in full force and effect. (Ord. 1005, §1, adopted 1998)