

RESOLUTION NUMBER PC 2024-01

CITY OF UKIAH  
SEPTEMBER 25, 2024  
“MISSING MIDDLE ORDINANCE”

RESOLUTION OF THE PLANNING COMMISSION, CITY OF  
UKIAH, STATE OF CALIFORNIA, PROVIDING A REPORT AND  
RECOMMENDATION TO THE UKIAH CITY COUNCIL  
REGARDING THE PROPOSED ADOPTION OF AMENDMENTS  
TO DIVISION 9, CHAPTER 3 OF UKIAH CITY CODE

**WHEREAS**, on December 7, 2022, the Ukiah City Council adopted Resolution No. 2022-79 certifying the Environmental Impact Report for the City of Ukiah 2040 General Plan (State Clearinghouse No. 2022050556) (the “General Plan EIR”), which analyzed the environmental impacts of the adoption of the City’s General Plan, and adopted a Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations; and

**WHEREAS**, the City may adopt ordinances that regulate the use of land pursuant to Government Code Section 65850; and

**WHEREAS**, in 2023, the City of Ukiah Community Development Department (the “Department”) initiated a process to revise and update the R1, R2, & R3 zoning districts of the of Ukiah City Code apprising the City of Ukiah Planning Commission and City Council during annual housing updates and informational sessions; and

**WHEREAS**, the Department is proposing a comprehensive update of its residential zoning district to incorporate changes consistent with Ukiah 2040 General Plan’s density-related analysis and housing goals, such as reduced setback, parking and lot-size requirements; allowing a greater variety of housing types, such as ‘Dwelling Groups’ for which a stand-alone Article will be drafted; allowing limited commercial uses on a discretionary basis, as well as minor consistency updates and procedural clarifications to address known consistency. Staff will also incorporate guidelines regarding California Senate Bill 9 (2021) enacted by Government Code Section §65852.21 and §66411.7 into Article 3; and

**WHEREAS**, the Articles of the Ukiah Code proposed for amendment or inclusion are attached to this resolution as Exhibit A and incorporated herein by this reference (the “Missing Middle Ordinance”), which show the changes to the various chapters in redline and strikethrough, or indicate that articles are new or being edited; and

**WHEREAS**, the City of Ukiah’s Land Use Element includes goals, policies, and implementation programs to support the development of ‘Missing Middle Housing’ within existing Ukiah neighborhoods. As conveyed, the City recognizes the growing need for diverse housing options that cater to a wide range of income levels, including housing types, such as duplexes, triplexes, and townhomes, to address the housing affordability crisis; and

**WHEREAS**, encouraging the development of missing middle housing and more proximate commercial development, supports the City's goal of increasing residential density in existing neighborhoods, promoting more efficient land use, and reducing the environmental impacts associated with sprawl; and

**WHEREAS**, the adoption of the Missing Middle Ordinance aligns with the City's commitment to inclusive growth and housing equity by providing opportunities for both homeownership and affordable rental units in walkable, transit-friendly areas; and

**WHEREAS**, the statutory exemption set forth in Section 15183 of the California Environmental Quality Act Guidelines (Title 14, Cal. Code Regs., section 15000 et seq; "CEQA Guidelines") applies to this action because, for the reasons set forth in the Staff Report accompanying this Resolution, the Missing Middle Ordinance does not have the potential to cause a significant effect on the environment and is therefore not subject to CEQA, as the project is consistent with the City of Ukiah 2040 General Plan.

**WHEREAS**, in accordance with applicable provisions of law, the Planning Commission held a public hearing on September 25, 2024, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Missing Middle Ordinance and all interested persons were given an opportunity to hear and be heard regarding the Missing Middle Ordinance; and

**WHEREAS**, the Planning Commission considered all of the information presented to it including the Staff Report, and public testimony presented in writing and at the public hearings; and

**WHEREAS**, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Missing Middle Ordinance.

**NOW, THEREFORE BE IT RESOLVED** that the City of Ukiah Planning Commission, based upon evidence in the record and oral and written testimony presented at public hearings, and all information contained in the record of proceedings related to the Missing Middle Ordinance, makes the following findings and recommendations:

1. The above recitals are true and correct, and incorporated herein by this reference.
2. The proposed changes of the Missing Middle Ordinance are consistent with the City of Ukiah 2040 General Plan. Pursuant to Government Code Section 65860, a zoning ordinance is consistent with a general plan if the City has adopted a plan and the various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses and programs specified in the plan. None of the zoning district articles being modified affect the conformity with the 2040 General Plan, and the addition of components related to SB 9, creates additional conformance with State Law.
3. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). As the proposed Missing Middle Ordinance is consistent with the Ukiah 2040 General Plan, the project relies upon the General Plan EIR and is consistent with CEQA Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).
4. That the City Council find that the adoption of an ordinance adopting the Missing Middle Code Update is consistent with the City of Ukiah 2040 General Plan.
5. That the City Council adopt an ordinance making the changes shown in the Missing Middle Code Update, as shown in the attached Exhibit A.

**BE IT FURTHER RESOLVED** that the Planning Commission designates the City Clerk as the custodian of the document and other materials that constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the City of Ukiah Department of Community Development, 300 Seminary Avenue, Ukiah, CA 95482.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

ATTEST:

---

Stephanie Abba  
Planning Commission Clerk

---

Craig Schlatter  
Director, Community Development

---

Rick Johnson  
Chair, Planning Commission