

ARTICLE 3. REGULATIONS IN LOW DENSITY RESIDENTIAL (R-1) DISTRICTS¹

SECTION:

- §9015 Purpose ~~And~~ & Intent
- §9016 Allowed Uses
- §9017 Permitted Uses
- §9018 Building Height Limits
- §9019 Required Site Area
- §9020 Required Yard Setbacks
- §9021 Required Parking
- §9022 Additional Requirements
- §9023 Determination ~~Of~~ of Appropriate Use

§9015 PURPOSE AND INTENT

The purpose of the regulations in the Low Density Residential (R-1) District is to preserve, enhance, and protect the ~~low density~~ residential ~~qualities of Ukiah's various neighborhoods~~ neighborhoods in the community. The R-1 zoning district is intended for residential areas characterized predominantly by single-family uses, duplexes, and with typical single-family residential subdivision lots ranging in size from ~~six-four~~ thousand five hundred (~~64,500~~) to ten thousand (10,000) square feet in size. This district is consistent with the LDR (low density residential) and RR (rural residential) land use designation of the City general plan. (Ord. 1001, §1, adopted 1998; Ord. 1216, §1, adopted 2021)

§9016 ALLOWED USES

The following uses are allowed in Low Density Residential (R-1) Districts:

Accessory buildings.

Accessory Dwelling Units (ADUs), as regulated by Article 5.3 of this Chapter.

Accessory uses ~~normally incidental to single family residences~~.

Community care facility, which provides service for six (6) ~~or fewer persons, with the residents and operators of the facility being considered a family~~.

Duplex

Fences:

A. Fences shall be limited to a maximum height of seven feet (7'). Fences exceeding seven feet (7') in height may be erected subject to the securing of a variance or associated use permit.

B. No fence shall be constructed and no hedge or other screen planting shall be grown or permitted to grow, to a height exceeding three feet (3') within ten feet (10') from any property line abutting a street.

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

Junior Accessory Dwelling Units (JADUs), as regulated by Article 5.4 of this Chapter.

Low Barrier Navigation Center

~~Manufactured homes certified under the national manufactured home construction and safety standards act of 1974 (42 USC section 5401 et seq.) are allowed on individual residential parcels subject to the following regulations:~~

~~A. — 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 state Health and Safety Code.~~

~~B.—Utilities: All utilities to the manufactured home shall be installed pursuant to city standard practices and policies.~~

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

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplex, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling-groups, and single-room occupancies (SRO) etc.) that comply with the design and development standards in Chapter 2, Article 5.2 of this division are permitted by right.

~~Multiple family residential dwellings in the form of duplexes, transitional housing, and supportive housing on corner lots. Multiple family dwellings in the form of triplexes, fourplexes, single room occupancies (SROs), and rooming and boarding houses are prohibited. Multiple family dwellings that comply with the design and development standards in Chapter 2, Article 5.2 of this division are permitted by right.~~

~~Single-family residential dwellings, including manufactured/modular homes, transitional housing, and supportive housing. Manufactured/modular homes shall comply with the additional development standards in Section 9022 of this code.~~

Small and large family daycare homes.

Supportive housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type.

Transitional housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type. (Ord. 1001, §1, adopted 1998; Ord. 1047, §1, adopted 2003; Ord. 1168, §1, adopted 2016; Ord. 1181, §5, adopted 2017; Ord. 1205, §5, adopted 2020; Ord. 1216, §1, adopted 2021)

§9017 PERMITTED USES

The following uses may be permitted with the securing of a use permit:

Accredited public or private schools.

Bed and breakfast establishments.

Churches, chapels, and other places of religious assembly and instruction.

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

Condominiums.

Cottage Dwelling Group, as regulated by Article 5.5 of this Chapter.

Mom and Pop Grocery Store.

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplex, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling-groups, single-room occupancies (SRO), etc.) in the form of duplexes, transitional housing, and supportive housing that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this division, and require a Site Development Permit per Article 20 of this Chapter.

Outdoor sales establishments.

Parks, community gardens, and playgrounds.

Public buildings and places of temporary public assembly. (Ord. 1001, §1, adopted 1998; Ord. 1047, §1, adopted 2003; Ord. 1216, §1, adopted 2021)

§9018 BUILDING HEIGHT LIMITS

The following shall be the maximum limits for height of buildings in Low Density Residential (R-1) Districts:

- A. For single-family dwellings, ~~two (2) multi-~~family dwellings and attached accessory dwelling units, a maximum height of thirty feet (30').
- B. For non-residential 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 both dwelling units and accessory structures may exceed the primary residential dwelling unit. The heights of ADUs are subject to Article 5.3 of this Chapter.
- D. The height limits for both dwelling units and non-residential accessory structures may be exceeded with the securing of a variance. ~~be exceeded with the securing of a use permit. The height limit for accessory dwelling unit may be exceeded through the use permit process, provided a finding is made that the higher structure would not adversely impact the health, safety, and general welfare of the public.~~ (Ord. 1001, §1, adopted 1998; Ord. 1181, §5, adopted 2017; Ord. 1216, §1, adopted 2021)

§9019 REQUIRED SITE AREA

- A. Interior Lots: The required site area on interior lots in the R-1 zoning district is ~~six-four~~ thousand (~~46,500~~) net square feet, and the required lot width is ~~sixty-fourty~~ feet (~~460~~').
- B. Corner Lots: The required site area for corner lots in the R-1 zoning district is seven thousand (~~76,000~~) net square feet, and the required lot width is ~~seventy-sixty~~ feet (~~670~~').
- C. Existing Development/Density: In existing development/density there is no minimum site area.
- D. Nonconforming Lots: Development may occur on existing, nonconforming R-1 lots; a site development permit is required for existing lots four thousand five hundred (4,500) square feet and less that does not already feature residential improvements. ~~greater and a use permit is required on existing lots of less than four thousand five hundred (4,500) square feet. Minimum width in either case is forty feet (40').~~ (Ord. 1001, §1, adopted 1998)

§9020 REQUIRED YARD SETBACKS

The purpose of establishing yard areas in the R-1 zoning district is to maintain a balance between open spaces and the efficient use of land, ensure open spaces, and a low density appearance to single family residential neighborhoods. In Low Density Residential (R-1) Districts, yards shall be required in the following minimum widths, as measured from the street right-of-way:

- A. Front: ~~Fifteen-Ten~~ feet (~~150~~') for residences and accessory structures, ~~and twenty five feet (25')~~ for garages.
- B. Sides: ~~Ten-Five~~ feet (~~105~~') for residences and ~~five feet (5')~~ for accessory structures.
- C. Rear: ~~Fifteen-Ten~~ feet (~~150~~') for residences, and five feet (5') for accessory structures.
- D. Corner Lots: On corner lots, there shall be a front setback line of fifteen feet (15') on each street side of a corner lot.

Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply. ~~The fifty percent (50%) average setback exception does not apply to accessory structures.~~

E. Yard Setbacks For Unique Circumstances:

1. Architectural Features: Cornices, eaves, canopies, and other similar architectural features for residential structures and accessory structures exceeding one hundred twenty (120) square feet in area may extend up to two feet (2') into any required yardsetback.
2. Swimming Pools: Swimming pools shall not be located in front yards, and no closer than five feet (5') to any rear or side property line.

3. Open Porches; Landing Places; Outside Stairways: Open porches, landing places or outside stairways may extend into the required front yard setback provided a minimum of fifteen feet (15') is maintained between the stairway/landing place and the front property line. Open porches, landing places or outside stairways may extend up to two feet (2') into any required side yard, and six feet (6') into any required rear yard. Such porches, landing places, and outside stairways may be roofed, but shall not be enclosed with solid siding, glass, or screening materials, or otherwise made a part of the habitable portion of the structure.

4. Trellises: Trellises providing entry into property are allowed to be located within the front yard setback provided:

- a. The trellis does not exceed a maximum height of ten feet (10').
- b. The trellis is not more than ten feet (10') wide.
- c. The trellis is not located in the public right of way.
- d. The trellis does not obscure or block vehicular traffic lines of sight.
- e. The trellis does not impede or block pedestrian circulation.
- f. The trellis does not pose a threat to the public health and safety as determined by the city building inspector.
- g. The trellis does not hinder the ability of the fire department from accessing the property with emergency equipment and providing emergency services.
- h. A building permit is secured for the construction of the trellis, if required by the city building inspector. Depending upon the height, size, and scale of the trellis, engineering calculations may be required.

5. Accessory Carports: May be established two feet (2') into any required setback. (Ord. 1001, §1, adopted 1998; Ord. 1082, §1, adopted 2006; Ord. 1216, §1, adopted 2021)

§9021 REQUIRED PARKING

A. The minimum parking area required in Low Density Residential (R-1) Districts is as follows:

1. Single-Family Dwelling: ~~Two~~One (1) on-site parking spaces per unit.
2. Duplex: One ~~and one half~~ (1.5) on-site parking spaces per unit.
3. 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 on-site parking space or garage space for single-family residential uses shall be a minimum of nine feet (9') in width and nineteen feet (19') in depth.

C. Each required on-site parking space or garage space for single-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. (Ord. 1001, §1, adopted 1998; Ord. 1181, §5, adopted 2017; Ord. 1205, §5, adopted 2020; Ord. 1216, §1, adopted 2021)

§9022 ADDITIONAL REQUIREMENTS & ALLOWANCES

A. Manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC section 5401 et seq.) are allowed uses 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 standards set forth in Division 4 of this code and additional 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.

B. Effective January 1, 2022, Government Code § 65852.21 and § 66411.7 (enacted by Senate Bill 9, Statutes 2021) require local agencies to provide ministerial review, without discretion or hearing, of proposed two-unit housing developments and urban lot splits if the housing development or subdivision is within a single-family residential zone and a U.S. Census designated urbanized area or urban cluster and meets certain requirements. The purpose of this sub-section is to establish the applicability of Government Code § 65852.21 and § 66411.7.

1. Maximum Number of Units on a Parcel Created by an SB 9 Urban Lot Split (Government Code § 66411.7)

- a) No more than two dwelling units may be permitted on any lot created through an urban lot split.
- b) If a proposed SB 9 Urban Lot Split does not include a housing development at the time of the lot split, a note shall be recorded on the Parcel Map limiting future residential development to two dwelling units in accordance with this policy.
- c) If a proposed SB 9 Urban Lot Split requests to subdivide a vacant parcel, the owner occupancy period begins once a unit is finished and livable.

2. Maximum Number of Units on a Lot Not Created by an SB 9 Urban Lot Split (Government Code § 66411.7)

1. Up to two primary dwelling units, including existing dwelling units on a parcel and units created pursuant to Government Code § 65852.21 may be permitted.

C, Ukiah Municipal Airport Comprehensive Land Use Plan: As applicable, all development within the R-1 district must comply with the more restrictive standards identified by Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP) to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning. (Ord. 1216, §1, adopted 2021)

§9023 DETERMINATION OF APPROPRIATE USE

A. 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-1 zoning district, the Community Development Planning-Director shall determine whether the use is appropriate for the zoning district, either as a right or subject to a use permit. In making this determination, the Community Development Planning-Director shall find as follows:

1. The use would not be incompatible with other existing or allowed uses in the R-1 zoning district;
2. The use would not be detrimental to the continuing residential development of the area in which the use would be located; and
3. The use would be in harmony and consistent with the purpose of the R-1 zoning district.
4. 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 Community Development Planning-Director shall find that the proposed use is similar in nature and intensity to the uses listed as permitted uses. (Ord. 1001, §1, adopted 1998; Ord. 1216, §1, adopted 2021. Formerly 9022)

¹ Ord. 793, §2, adopted 1982; Ord. 803-A, §1, adopted 1983; Ord. 813, §1, adopted 1983; Ord. 813, §2, adopted 1983; rep. by Ord. 1001, §1, adopted 1998.

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

SECTION:

- §9030 Purpose ~~And &~~ Intent
- §9031 Allowed Uses
- §9032 Permitted Uses
- §9033 Building Height Limits
- §9034 Required Site Area
- §9035 Required Yard Setbacks
- §9036 Required Parking
- §9037 Additional Requirements
- §9038 Determination ~~Of of~~ Appropriate Use

§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 (ADUs), as regulated by Article 5.3 of this Chapter.

Community care facility, which provides service for six (6) or fewer persons. ~~(maximum clients—six (6)).~~

Duplex

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

Junior Accessory Dwelling Units (JADUs), as regulated by Article 5.4 of this Chapter.

Low Barrier Navigation Center.

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. triplexes, fourplexes, multiplex, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling groups, and single-room occupancies (SRO), etc.) ~~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.

Supportive housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type.

Transitional housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type (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 that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this division, and require a Site Development Permit per Article 20 of this Chapter.

Mom and Pop Grocery Store

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplex, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling groups, single-room occupancies (SRO), etc.) that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this division, and require a Site Development Permit per Article 20 of this Chapter. 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 Community Development 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 non-residential 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~~ Variance.

D. The heights of ADUs are subject to Article 5.3 of this Chapter.-(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. Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply. 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~~One (21) 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 (1) 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. Drought resistant and native plants shall constitute the majority of the plantings selected. Native species are strongly encouraged.

b. Deciduous trees shall constitute the majority of the trees proposed along the south and west building exposures; non-deciduous 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 featuring drought resistant 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 [Community Development 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.

[D. Ukiah Municipal Airport Comprehensive Land Use Plan: As applicable, all development within the R-2 district must adhere to the more restrictive criteria identified by Ukiah Municipal Airport Land Use Compatibility Plan \(UKIALUCP\) to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning](#) (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 [Community Development 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 [Community Development 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 [Community Development 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)

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

ARTICLE 5. REGULATIONS IN HIGH DENSITY RESIDENTIAL (R-3) DISTRICT¹

SECTION:

- §9045 Purpose ~~And &~~ Intent
- §9046 Allowed Uses
- §9047 Permitted Uses
- §9048 Building Height Limits
- §9049 Required Site Area ~~For Mobile Home Parks~~
- §9050 Required Yard Setbacks
- §9051 Required Parking
- §9052 Additional Requirements
- §9053 Determination ~~Of of~~ Appropriate Use

§9045 PURPOSE AND INTENT

The purpose of the R-3 zoning district is to implement the general plan policies for high density residential areas as a transition zone between low and medium density residential and commercial land uses with the emphasis upon residential uses. It is intended to provide opportunities for a mix of multiple-family residential development and low intensity commercial land uses. The R-3 zoning district is consistent with the HDR (high density residential) general plan land use designation. (Ord. 1001, §1, adopted 1998; Ord. 1216, §3, adopted 2021)

§9046 ALLOWED USES

The following uses are allowed in High Density Residential (R-3) Districts:

Accessory buildings and accessory uses. This shall not be construed as permitting any business use or occupation other than those specifically listed herein.

Accessory Dwelling Units (ADUs), as regulated by Article 5.3 of this Chapter.

Community care facility, which provides service for six (6) or fewer persons, ~~with the residents and operators of the facility being considered a family.~~

Duplex

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

Junior Accessory Dwelling Units (JADUs), as regulated by Article 5.4 of this Chapter.

Low Barrier Navigation Center.

~~Public or private parking lots for automobiles, when the property is adjacent to any C N, C 1, or C 2 district, or if required to accompany any new land use.~~

Single-family dwellings, including manufactured/modular homes, transitional housing, and supportive housing. Manufactured/modular homes shall comply with the additional development standards in section 9052 of this code.

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplex, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling-groups, and single-room occupancies (SRO), etc.s) ~~Multiple family dwellings (i.e., duplexes, triplexes, fourplexes, condominiums, apartments, 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 daycare homes.

Supportive housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type.

Transitional housing, subject to the same density limitations and to the same regulations applicable to other residential dwellings of the same type (Ord. 1001, §1, adopted 1998; Ord. 1047, §1, adopted 2003; Ord. 1205, §7, adopted 2020; Ord. 1216, §3, adopted 2021)

§9047 PERMITTED USES

The following uses may be permitted in High Density Residential (R-3) Districts subject to first securing a use permit:

Barbershops, beauty shops.

Churches, chapels, and other places of religious assembly.

Coin-operated laundromat.

Dwelling groups, as regulated by Article 5.5 of this Chapter.

Florist.

Hotels, motels, and bed and breakfast establishments.

Mobile home parks.

"Mom and ~~p~~Pop" ~~convenience~~ grocery stores, delicatessens, bakeries, and coffee shops.

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplex, condominiums, apartments, townhomes, courtyard building, cottage court, dwelling-groups, single-room occupancies (SRO), etc.) that do not comply with the design and development standards set forth in Chapter 2, Article 5.2 of this division, and require a Site Development Permit per Article 20 of this Chapter.
~~Multiple-family dwellings that do not comply with the design and development standards in Chapter 2, Article 5.2 of this division.~~

Nursery schools.

Parks, community gardens, and playgrounds.

Professional offices.

Public buildings.

Public or private parking lots for automobiles

Rest homes, hospitals, pharmacies, and community care facilities serving more than six (6) persons, but not more than twelve (12) persons.

Video rentals/sales. (Ord. 1001, §1, adopted 1998; Ord. 1216, §3, adopted 2021)

§9048 BUILDING HEIGHT LIMITS

The following shall be the maximum limits for height of buildings in High Density Residential (R-3) Districts:

A. For main buildings a maximum height of fifty feet (50'), unless abutting an R-1 or R-2 lot in which case a maximum height of thirty-five feet (35').

B. For accessory buildings, a maximum height of thirty feet (30') or the maximum height of the main building whichever is less. (Ord. 1001, §1, adopted 1998; Ord. 1216, §3, adopted 2021)

§9049 REQUIRED SITE AREA FOR MOBILE HOME PARKS

A. In High Density Residential (R-3) Districts there is no required building site area. _

~~B. The required building site area for each mobile home park shall be a minimum of two (2) acres. (Ord. 1001, §1, adopted 1998; Ord. 1216, §3, adopted 2021)~~

§9050 REQUIRED YARD SETBACKS

In High Density Residential (R-3) Districts, yards shall be required in the following minimum widths, except as provided in section 9032 of this code:

A. Front:

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

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

B. Sides: Five feet (5'), except for those multiple-family dwelling projects that comply with all the design and development standards 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').~~

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

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

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').~~

~~2. Except in cases where fifty percent (50%) of the same side of the block is already built out, then the average setback shall apply. 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, §3, adopted 2021)~~

§9051 REQUIRED PARKING

A. The minimum parking area required in High Density Residential (R-3) Districts is as follows:

1. Single-Family Dwelling: ~~Two~~ One (1) 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 (1) 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-3 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, and general welfare of the public. (Ord. 1001, §1, adopted 1998; Ord. 1216, §3, adopted 2021)

§9052 ADDITIONAL REQUIREMENTS

~~A. All new construction, exterior modifications to existing buildings or on-site work shall require a site-development permit pursuant to subsection 9261B of this code, excluding multiple-family residential projects, as described in section 9046 of this code, that comply with the design and development standards in Chapter 2, Article 5.2 of this division.~~

BA. 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.

~~CB~~ All development projects that are not multiple-family residential projects, or do not comply with the design and development standards 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. Drought resistant and native plants shall constitute the majority of the plantings selected. Native species are strongly encouraged.
- b. Deciduous trees shall constitute fifty-one percent (51%) of the trees proposed along the south and west building exposures; non-deciduous 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~~ featuring drought resistant trees and shrubs.
- e. Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than three feet (3') in width 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 as determined by the Planning Director. 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 commercial development projects shall be 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 ~~Community Development 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.

C. Ukiah Municipal Airport Comprehensive Land Use Plan: As applicable, all development within the R-3 district must adhere to the more restrictive criteria identified by Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP) to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning (Ord. 1001, §1, adopted 1998; Ord. 1168, §3, adopted 2016; Ord. 1216, §3, adopted 2021)

§9053 DETERMINATION OF APPROPRIATE USE

Whenever a use is not listed in this Article as a use permitted as of right or a use subject to a use permit in the R-3 Zoning District, the ~~Community Development 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 ~~Community Development Planning~~ Director shall find as follows:

- A. That the use would not be incompatible with other existing or allowed uses in the R-3 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-3 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 ~~Community Development 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)

¹ Ord. 793, §2, adopted 1982; Ord. 817, §1, adopted 1983; Ord. 827, §1, adopted 1984; rep. by Ord. 1001, §1, adopted 1998.

PROPOSED - ARTICLE 5.5 REGULATIONS FOR DWELLING GROUPS

SECTION:

§9058 Purpose

§9058.1 Applicability

§9058.2 Permit Requirements

§9058 PURPOSE

This Article implements the provisions of the General Plan Housing Element that encourage new types of housing that meet a wide variety of needs and encourage infill projects on underutilized urban land. As defined, ‘Dwelling Groups’ is a group of three or more single-family residences or two or more detached duplex buildings, apartments, condominiums, and occupying a parcel of land in the same ownership and having any yard or court in common.

Cottage dwelling groups are a type of infill development intended to provide small-scale, clustered housing units that are comparable in scale and intensity to single-family residential use, thereby minimizing the impact on adjacent low-density residential uses.

§9058.1 APPLICABILITY

This section applies to dwelling groups where allowed or permitted.

1. Dwelling groups are considered a form of multi-family housing. Within the R2 (Medium Density Residential) and R3 (High Density Residential) Zoning Districts, Dwelling Groups are an allowed use if adhering to Article 5.2 (Objective Design and Development Standards for New Residential Construction).
2. Dwelling groups must meet the development criteria of the base zone.
3. Cottage dwelling groups are permitted in the R1 (Low Density Residential) Zoning District. Cottage dwelling groups must meet the development criteria of the base zone, as well as the additional standards and exceptions outlined below.
 - a. Cottage dwelling groups may not be located on any parcel already containing an accessory dwelling unit, junior accessory dwelling unit, or developed with a duplex, triplex, apartment, or condominium. A parcel containing a single-family residence may be developed as a cottage dwelling group only if the single-family residence is included in the total floor area allowance below.
 - b. Occupancy. Dwelling groups may not be rented on a transient basis (periods less than thirty (30) days).
 - c. Siting Requirements.
 - i. Airport Compatibility. The proposed site shall not be located on any parcel that features airport compatibility Zones 1 (Runway Protection Zone), 2 (Inner Approach/Departure Zone), 3 (Inner Turning Zone) or 5 (Sideline Zone).
 - ii. Minimum parcel size. The minimum parcel size shall be nine thousand (9,000) square feet.
 - iii. Setbacks. Cottage housing developments shall meet the required front and side yard setbacks of the base zone. Rear yard setbacks shall be a minimum of ten feet (10’).
 - d. Parking. One (1) reserved space per unit, and (1) guest parking space for every 3 units or portion thereof.
 - e. Accessory structures that serve on-site users and are subordinate in use and scale to the cottages (e.g. accessory storage, garages, etc.) are allowed subject to setback requirements for accessory structures.

- f. Design and Development Standards. Cottage housing developments shall be subject to design review and site plan approval and meet the following additional standards and exceptions:
 - i. Density. On parcels that meet the minimum parcel size, the maximum density shall be one (1) cottage per every two thousand five hundred (2,500) square feet of lot area. When calculating the number of units allowed, fractional units shall be rounded down to the nearest whole number.
 - ii. Size. The total building square footage shall not exceed two thousand seven hundred (2,700) square feet, unless other sizes are allowed by approval of a use permit.

- g. Site Layout.
 - i. Common Open Space. Common open space shall be one (1) or more areas that are designed and maintained for recreation, gardening, and similar activities open to all residents. Common open space shall total at least two hundred (200) square feet per unit, of which up to sixty (60) square feet may be private.
 - 1. Cottages should generally be no more than twenty-five feet (25') from the common open area, measured from the facade of the cottage to the nearest delineation of the common open area.
 - 2. Orientation. Dwelling units shall be clustered around common open space that is not separated with fencing. Each unit shall have a primary entry and covered porch, generally oriented towards the common open space. Front porches are encouraged.

§9058.2 PERMIT REQUIREMENTS

All cottage housing developments are subject to a Use Permit within the R1 zoning district. A Site Development Permit is required for any 'Dwelling Group' in the R2 and R3 zoning districts that does not comply with the design and development standards as required by Chapter 2, Article 5.2.

ARTICLE 21: DEFINITIONS

SECTION:

- §9275 Purpose
- §9276 Application
- §9277 Terminology
- §9278 Definitions

§9278 DEFINITIONS

A. Any words or phrases not defined within this article shall be defined as set forth in current dictionaries. If no dictionary defines a particular term, the City Planning Director shall have the authority to define the term or equate it to a defined term that is similar in nature.

B. For purposes of this article, the words and phrases set out herein shall have the following meanings

Dwelling Group, Cottage: A form of 'Dwelling Group' that features smaller units with shared parking and common open areas within existing low- and medium-density urban residential neighborhoods.

Duplex - Stacked: A small (2 to 2.5-story), detached structure that consists of two dwelling units arranged one above the other, each with an entry from the street. This type has the appearance of a small-to-medium single-unit house

Duplex – Side-by-Side: A small (1 to 2-story), detached structure that consists of two dwelling units arranged side-by-side, each with an entry from the street.

Townhouse: A small-to medium-sized attached structure that consists of 2 to 16 multi-story dwelling units placed side-by-side. Entries are on the narrow side of the unit and typically face a street or courtyard. The street façades have entrances and avoid garages.