



SUMMARY

DATE: September 25, 2024

REQUEST: Ordinance Amendment to Ukiah City Code to more effectively regulate 'Missing Middle Housing' consistent with the Ukiah 2040 General Plan

LOCATION: Within the low, medium and high density residential areas of the City of Ukiah

ENVIRONMENTAL DETERMINATION: Statutory Exemption pursuant to Section 15183

RECOMMENDATION: Adopt a resolution making the Planning Commission's report and recommendation to the City Council on a proposed amendment to Ukiah City Code.

STAFF: Jesse Davis, Chief Planning Manager
Katherine Schaefers, Planning Manager

INTRODUCTION

Community Development staff present a request to amend existing provisions of Ukiah City Code to more effectively regulate 'Missing Middle Housing' consistent with the Ukiah 2040 General Plan. As part of the 2040 General Plan, a goal, policies, and implementation programs were included to support the development of Missing Middle Housing within existing Ukiah neighborhoods. This housing, which lies between the higher density thresholds for the R-1 zoning district and the lower density thresholds for the R-3 zoning district, can include a mix of housing types and tenure, including duplexes, triplexes, fourplexes, cottage courts/clusters, and townhomes.

If approved, modifications would be made to Ukiah City Code Division 9, Chapter 2, Article 3, Low Density Residential (R-1) District, Article 4, Medium Density Residential (R-2) District and Article 5, High Density Residential (R-3) 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. Additionally, the City proposes a stand-alone article that will allow a greater variety of housing types, including 'Dwelling Groups'. Furthermore, the City proposes to allow 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. Furthermore, this Ordinance would amend Ukiah City Code to establish updated definitions in Division 9, Chapter 2, Article 21, Definitions.

PROPOSED ORDINANCE AMENDMENT & HISTORY

While housing and residential neighborhoods form the fabric that makes the City of Ukiah a cohesive community, finding adequate housing can be challenging. The City is not affordable for some prospective residents, and the range of housing types and sizes to accommodate varied households is limited. The domination of single-family neighborhoods and the trend towards building single-family homes geared toward higher-income earners has further contributed to the housing issues in the City. If approved, these modifications would further the City's efforts to support communities with a heterogeneous mix of housing types and infill capacity.

As described below, Staff proposes the following amendments to incorporate these general plan objectives, clarify existing regulations, and allow for development flexibility, as necessitated by site or building constraints:

- *Duplexes*: Clarifies that 'Duplexes' are not subject to Article 5.2 by inserting an explicit exclusion, like the one already provided for single-family residential units. While SB 9 would allow for the application of "objective design review standards" on this type of residential unit, it is suggested that this form of housing be further streamlined within Ukiah City Code to address 'Missing Middle' considerations and further housing stock diversity across the R1, R2 and R3 zoning districts. It is understood that numerous neighborhoods within Ukiah already feature 'Duplexes' interspersed among single-family residences, and that while it is still considered a form of multifamily housing, is an increasingly appropriate way to facilitate infill development.
- *Low Barrier Navigation Centers*: Low Barrier Navigation Center in Government Code sections 65660-65668 was added in 2019 by AB 101. Low Barrier Navigation Center means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. Pursuant to Government Code section 65662 a Low Barrier Navigation Center development is a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses. As currently written, the provisions of Government Code sections 65660-65668 are repealed as of January 1, 2027, unless extended.
- *Supportive Housing and Transitional Housing*: These use types were previously listed in Ukiah City Code but require clean-up. Pursuant to Government Code sections 65650-65656, supportive housing is a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. Transitional housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone. Supportive and Transitional housing units are listed as principally permitted in all zoning districts that allow multifamily uses.

- *Accessory Carports*: May be established two feet (2') into any required setback to facilitate shade coverage for vehicle storage and allow additional area for the construction of residential structures.
- *Manufactured/Modular Homes*: The City proposes to streamline and clarify language concerning manufactured and modular homes in the R1-R3 zoning districts by removing duplicative provisions. Essentially, existing zoning regulations would no longer repeat information already addressed by the California Building Code. No additional changes being made to the requirements beyond what is mandated by the state code, ensuring consistency with California's standards for construction, safety, and design of manufactured and modular homes.
- *Dwelling Group, Cottage*: Proposed amendments include the addition of a new zoning Article to more effectively regulate Dwelling Groups. In particular, the proposed Article will allow for 'Dwelling Group, Cottage' which is 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. As proposed, the minimum parcel size for the 'Dwelling Group, Cottage' shall be nine thousand (9,000) square feet and 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. More detailed information is contained within Article 5.5, as proposed.
- *Reducing setbacks, lot standards, and parking requirements*: Reduction of existing standards is crucial for facilitating the development of 'Missing Middle' housing in the City of Ukiah. These regulatory adjustments help to create more flexible and affordable housing options by allowing for previously approved densities in the 2040 General Plan to be applied on existing lots, reducing the barriers for property owners and developers to build diverse housing types like duplexes, triplexes, and townhomes. Staff has proposed reductions in these standards to align with existing allowances for accessory dwelling units (ADUs) and nonconforming structures as currently conveyed in various zoning articles, promoting infill development and increasing the availability of moderate-income housing. No setback is reduced by more than 5', although some requirements are consolidated to the least restrictive consideration. These changes aim to support the City's housing goals by creating more opportunities for sustainable, walkable, and diverse neighborhoods while still maintaining consistency with existing regulations.
- *SB 9*: A 2022 state law aimed at increasing housing supply by allowing property owners to subdivide single-family lots and build up to four units, has been

incorporated into the City of Ukiah's Missing Middle Housing Ordinance, particularly the R-1 zoning district. While already effective, this integration aligns local zoning regulations with state mandates, facilitating the development of duplexes and small-scale multi-family housing in traditionally single-family neighborhoods. By incorporating SB 9, the City is promoting greater housing diversity and affordability while streamlining the approval process for homeowners and developers. To date, only one SB 9 subdivision has been facilitated by City of Ukiah Community Development Staff.

- *Ukiah Municipal Airport Comprehensive Land Use Plan (UKIACLUP)*: Reference is provided to the UKIACLUP to ensure awareness that all development within the R-1, R-2, and R-3 zoning districts comply with the more restrictive standards identified by the UKIACLUP to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning.
- *Mom & Pop*: Allowing "Mom and Pop" grocery stores within the R-1 & R-2 districts as part of the Missing Middle Housing Ordinance is intended to reduce trip generation and create more walkable, neighborhood-friendly environments. These small-scale markets provide convenient access to daily essentials, decreasing the need for car travel and promoting sustainability. "Mom and Pop" grocery stores are already defined within Ukiah's City Code and would be permitted through a discretionary review process, ensuring compatibility with the surrounding neighborhood.
- *Landscaping (R2 & R3)*: Minor updates to the landscaping standards included within the R2 & R3 zoning districts were updated to reflect General Plan goals. Drought resistant and native plants shall constitute the majority of plantings selected for developments that do not comply with the City's Objective Design and Development Standards. Notably, any residential construction that utilizes the City's Objective Design and Development Standards must provide landscaping commiserate with the expectations of the 2040 General Plan.
- *Minor Corrections*: Throughout the proposed ordinance, minor corrections and edits are facilitated, such as updating 'Planning Director' to 'Community Development Director'; or specifying the appropriate permit (Variance) for requested deviations from height or setback requirements rather than a Use Permit, as currently iterated.

The proposed amendments to the Ukiah City Code are strategically aligned with the 2040 Ukiah General Plan, which emphasizes sustainable development, housing diversity, and community resilience. The clarification that duplexes are exempt from specific regulations, akin to single-family residences, facilitates the integration of this 'Missing Middle' housing into established neighborhoods, supporting the General Plan's

goals for varied housing options. The proposed updates for Low Barrier Navigation Centers and supportive housing reflect adherence to state legislation and the General Plan's commitment to addressing homelessness and providing transitional housing solutions. Streamlining provisions for manufactured/modular homes and accessory carports will reduce development constraints, consistent with the General Plan's aim to support residential growth and flexibility. Introducing 'Dwelling Group, Cottage' and reducing setbacks, lot standards, and parking requirements align with the General Plan's vision for compact, walkable neighborhoods and increased housing affordability. Incorporating SB 9 aligns local regulations with state mandates to facilitate multi-family developments within single-family zones, advancing the General Plan's objectives for diverse housing types. Reference to the Ukiah Municipal Airport Comprehensive Land Use Plan ensures that all development adheres to airport compatibility standards, reflecting the General Plan's emphasis on balanced growth. Additionally, permitting small-scale "Mom & Pop" grocery stores in residential zones supports the General Plan's goal of enhancing neighborhood sustainability and reducing car dependency. Minor corrections throughout the ordinance ensure regulatory clarity and alignment with the General Plan's overarching goals. Overall, these amendments are designed to operationalize the 2040 General Plan's vision, fostering a more sustainable, diverse, and resilient community.

GENERAL PLAN CONSISTENCY

The 'Missing Middle' Ordinance aligns directly with the Ukiah 2040 General Plan policies and goals, including the following:

Goal LU-9 To provide opportunities for housing that can accommodate the needs, preferences, and financial capabilities of current and future residents in terms of different housing types, tenures, density, sizes, and costs.

Policy LU-9.1 Mixed Residential Neighborhoods

The City shall encourage creation of mixed residential neighborhoods through new and innovative housing types that meet the changing needs of Ukiah households and expand housing choices in all neighborhoods. These housing types include, but are not limited to, single dwelling units, multi-family dwelling units, accessory dwelling units, small and micro units, use of pre-fabricated homes, and clustered housing/cottage housing

Policy LU-9.2 Housing Types and Designs

The City shall support housing types and designs that increase density while remaining consistent with the building scale and character present in existing neighborhoods. This includes multi-family units or clustered residential buildings that provide relatively smaller, less expensive units within existing neighborhoods.

Policy LU-9.3 Adaptation of Existing Residential Units

The City shall encourage the adaptation of existing residential units to support multi-family use.

Goal LU-11 To ensure high-quality site planning, landscaping, and architectural design for all new construction, renovation, or remodeling.

Policy LU-11.3 Neighborhood Character

The City shall ensure that Zoning Code standards and design guidelines are reflective of neighborhood character and land use intensity, complement views from US 101

Policy LU-11.10 Water Efficient Landscaping

The City shall ensure that Zoning Code landscape standards and design guidelines reflect the most current water efficient landscape standards that include native, adaptive, and drought resistant vegetation, as well as provisions for street canopies and streetscape enhancement

The following Housing Element Implementation Programs are also addressed through this Ordinance, including:

HE 1e Develop standards and design guidelines for residential development in the Medium Density Residential (R-2) and High Density Residential (R-3), Community Commercial (C-1) and Heavy Commercial (C-2) zoning districts.

Given the significant increase in the City’s RHNA over the next eight years, the City proposes to create development standards and design guidelines that would both facilitate development at the allowable densities and provide guidance and certainty in design standards to ensure quality housing is developed in the community.

HE 3a Research, review and amend the development standards in the zoning code for opportunities to maximize housing development. Specific areas of research and amendments may include the following:

- Increasing maximum allowable height for new residential buildings.
- Increasing density.
- Reducing yard setbacks.
- Reducing minimum site area

HE 3b Develop flexible parking policies for new residential development.

The intent of this policy is to reduce parking requirements, especially in zoning districts that allow for lower-income housing developments.

RECOMMENDATION

Provide input and recommendation to the City Council on a proposed amendment to the City's Municipal Code.

ATTACHMENTS

1. Draft Resolution
2. Ordinance Amendments (Redline)- Ukiah City Code Division 9, Chapter 2, Article 3, Low Density Residential (R-1) District; Article 4, Medium Density Residential (R-2) District; Article 5, High Density Residential (R-3) District; Article 5.5 (Dwelling Groups); Article 21, Definitions
3. CEQA Guidelines Section 15183 Findings of Significance
4. City of Ukiah – Land Use Element (Missing Middle Housing)