

ORDINANCE NO. 1249

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING AND AMENDING VARIOUS SECTIONS OF THE UKIAH CITY CODE REGULATING 'MISSING MIDDLE HOUSING'

The City Council of the City of Ukiah hereby ordains as follows.

SECTION 1

Findings and Declarations. The City Council finds and declares as follows:

- A. The proposed amendments to Division 9, Chapter 2 of the Ukiah City Code are consistent with the 2040 Ukiah General Plan's density-related analysis and housing goals.
- B. 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).
- C. Recognizing 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 is a necessary action to address the housing affordability crisis.
- D. 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.
- E. Providing opportunities for both homeownership and affordable rental units in walkable, transit-friendly areas, aligns with the City's commitment to inclusive growth and housing equity.
- F. The State legislature declared that "Housing is a statewide concern", that California faces a housing crisis, that missing middle housing is a valuable form of housing, and that local jurisdictions are mandated to comply with applicable State housing laws, including SB 9.

SECTION 2

Division 9, Chapter 2, Article 3, Low Density Residential (R-1) of the Ukiah City Code is amended to read as follows (unchanged text is omitted and is shown by "****"):

SECTION:

§9015 Purpose And Intent

§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's general plan.

§9016 ALLOWED USES

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.

~~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, multiplexes, 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.~~

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.

§9017 PERMITTED USES

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

Mom and Pop Grocery Store.

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, 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.

§9018 BUILDING HEIGHT LIMITS

- 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 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 height limits for ADUs are set forth in 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

§9019 REQUIRED SITE AREA

- A. Interior Lots: The required site area on interior lots in the R-1 zoning district is ~~six~~ four thousand five hundred (6,004,500) net square feet, and the required lot width is ~~sixty~~ forty feet (640').
- B. Corner Lots: The required site area for corner lots in the R-1 zoning district is ~~seven~~ six thousand (76,000) net square feet, and the required lot width is ~~seventy~~ sixty feet (760').

- 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').

§9020 REQUIRED YARD SETBACKS

The purpose of establishing yard areas in the R-1 zoning district is to maintain a balance between retaining 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~~ Ten feet (150') 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 yard setback.

- 5. Accessory Carports: May be established two feet (2') into any required setback.

§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 (12) on-site parking space per unit.
 - 2. Duplex: ~~One and one-half~~ (1.5) on-site parking space per unit.
 - 3. Multiple-Family Dwelling(s): 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.

§9022 ADDITIONAL REQUIREMENTS AND ALLOWANCES

- 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)
 - a. 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 (UKIACLUP): As applicable, all development within the R-1 district must comply with the more restrictive standards identified by UKIACLUP to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning.

§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:

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.

SECTION 3

Division 9, Chapter 2, Article 4, Medium Density Residential (R-2) regulations of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by "**"):**

SECTION:

§9030 Purpose And Intent

§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.

§9031 ALLOWED USES

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

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

Duplex.

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, multiplexes, 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.

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.

§9032 PERMITTED USES

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

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, multiplexes, 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.~~

~~Professional Office converted from a single-family residence.~~

~~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).~~

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.

§9033 BUILDING HEIGHT LIMITS

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

- 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.

§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.~~
 - 1. 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.~~
 - 1. 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.~~

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.~~

§9036 REQUIRED PARKING

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

1. Single-Family Dwelling: One (21) on-site parking space per unit.
2. Duplex: One and one-half (1.5) on-site parking space per unit.
3. Multiple-Family Dwelling(s): One (1) on-site parking space per unit.

§9037 ADDITIONAL REQUIREMENTS

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.

- d. Parking lots shall have a perimeter planting strip with both featuring drought resistant trees and shrubs.

- 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 (UKIACLUP): As applicable, all development within the R-2 district must adhere to the more restrictive criteria identified by UKIACLUP to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning

§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:

- 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.

SECTION 4

Division 9, Chapter 2, Article 5, High Density Residential (R-3) regulations of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by "**"):**

SECTION:

§9045 Purpose And Intent

§9049 Required Site Area ~~For Mobile Home Parks~~

§9053 Determination ~~Of~~ of Appropriate Use

§9046 ALLOWED USES

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.

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.~~

~~Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, 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.~~

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

§9047 PERMITTED USES

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

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

"Mom and pPop" convenience grocery stores, delicatessens, bakeries, and coffee shops.

~~Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, 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.~~

Public or private parking lots for automobiles

§9049 REQUIRED SITE AREA FOR MOBILE HOME PARKS

B. ~~The required building site area for each mobile home park shall be a minimum of two (2) acres.~~

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

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. 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. 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;~~

§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 (12) on-site parking space per unit.~~
- ~~2. Duplex: One and one-half (1.5) on-site parking space per unit.~~
- ~~3. Multiple-Family Dwelling(s): One (1) on-site parking space per unit.~~

§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.~~

~~B. A. 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:~~

~~C. B. 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.

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

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 (UKIACLUP): As applicable, all development within the R-3 district must adhere to the more restrictive criteria identified by UKIACLUP to ensure compliance with the procedures and criteria applicable to airport land use compatibility planning.

§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:

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.

SECTION 5

A New Article 5.5, entitled "REGULATIONS FOR DWELLING GROUPS" shall be added to Division 9, Chapter 2 of the Ukiah City Code and shall read as follows:

§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.

- A. 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).
- B. Dwelling Groups must meet the development criteria of the base zone.
- C. 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.
 - 1. 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.
 - 2. Occupancy. Dwelling Groups may not be rented on a transient basis (periods less than thirty (30) days).
 - 3. Siting Requirements.
 - a. 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).
 - b. Minimum parcel size. The minimum parcel size shall be nine thousand (9,000) square feet.
 - c. 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 of this Division.

SECTION 6

Division 9, Chapter 2, Article 21, Definitions, of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by "**"):**

- 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 Community Development 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.

MULTIPLEX: A detached (2 to 2.5-story) structure that consists of 5 to 12 dwelling units arranged side-by-side and/or stacked, typically with a shared 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 facades have entrances and avoid garages.

SECTION 7

1. **SEVERABILITY:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Ukiah hereby declares that it would have adopted each section, subsection, subdivision, paragraph,

sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

2. EFFECTIVE DATE: This Ordinance shall be published as required by law in a newspaper of general circulation in the City of Ukiah and shall become effective thirty (30) days after its adoption Introduced by title only on October 2, 2024, by the following roll call vote:


AYES: Councilmembers Rodin, Orozco, Sher, Crane, and Mayor Duenas.
NOES: None
ABSTAIN: None
ABSENT: None

Adopted on October 16, 2024, by the following roll call vote:

AYES: Councilmembers Orozco, Sher, and Vice Mayor Crane.
NOES: None
ABSTAIN: None
ABSENT: Councilmember Rodin and Mayor Duenas


Douglas P. Crane, Vice Mayor

ATTEST:


Araceli Sandoval, Acting Clerk

