City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

Department of Community Development
Planning Division
300 Seminary Avenue
Ukiah, CA 95482
planning@cityofukiah.com
(707) 463-6219

Date: August 6, 2026

To: Kerri Vau, Property Owner; Jim Dayton, Adjacent Property Owner

CC: 814/816 Jackson Avenue- Community Development Director Determinations File

From: Craig Schlatter, AICP, Community Development Director / Zoning Administrator

Subject: Determination of Appropriate Use for installation of (4) "ship cargo containers" at 814/816 Jackson Avenue, Ukiah, CA 95482

Background

In March 2025, Ms. Kerri Vau applied for a building permit through the Building Division of the City of Ukiah Community Development Department to "install (4) ship cargo containers for storage only, 8' x 20' feet each." The Building Division approved issuance of the permit on April 14, 2025, through permit #R25-000077 (File No. 25-000365). According to Ms. Vau's application, the four containers would be placed five (5) feet from the property line of the adjacent property owner, Mr. Jim Dayton. No information was contained within the application suggesting the containers were temporary in nature, so they were assumed to be permanent. See Attachment 1 for a copy of the building permit application from Ms. Vau, as well as the approved permit and an illustration of where the four shipping containers would be placed on the 814/816 Jackson Avenue property.

Mr. Dayton submitted an email to me on May 11, 2026, with concerns about the placement of the first of the four shipping containers, which he stated was installed directly in front of his kitchen window in a manner that substantially interfered with the comfortable enjoyment and use of his property. I conducted a site visit on May 13, 2026, observing the container and confirming its placement from the deck of Mr. Dayton's property. On August 5, 2026, I received a phone call that a second shipping container was being installed north of the existing container.

Analysis

In my review of the building permit-associated plan check review completed by Planning Manager Katherine Schaefers on April 10, 2025, I found that Ms. Schaefers had not completed an analysis of the use – "ship cargo containers" – within her review, nor had direction been provided by Ms. Schaefers to Ms. Vau that a Determination of Appropriate Use must first be secured. Ms. Schaefers notes within her plan check comments that: "accessory buildings incidental to residential use (i.e. storage) are allowed in the R-1 Zone. However, for non-residential accessory buildings, height is limited to 20' or maximum height of the main building, whichever is less."

The property located at 814/816 Jackson Avenue (APN 001-06-002) is zoned Low Density Residential (R-1). Per Chapter 2, Article 3, Sections 9016 and 9017 of Ukiah City Code ("UCC"), shipping containers are not listed as an allowed or permitted use in the City's R-1 Zoning District. Because Planning Manager Schaefers commented within the building permit review plan check that the shipping containers were "accessory buildings," the building permit was thus issued by the Building Division of the Community Development Department, as accessory buildings are allowed by-right in the R-1 zoning district.

As presented in the following analysis and determinations, I disagree that shipping containers are accessory buildings and believe this assertion erroneous. *Accessory uses and structures are subject to the same regulations as apply to principal uses in each zoning district, except as may be otherwise provided* (UCC § 9278). See Attachment 2 for regulations of the R-1 Zoning District.

Per UCC § 9023, Determination of Appropriate Use (italics added to cite code language):

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 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 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 Director shall find that the proposed use is similar in nature and intensity to the uses listed as permitted uses.*

Invitation for Comments

On July 22, 2026, I sent written correspondence through U.S. Mail and email (Attachment 3) to Ms. Kerri Vau and Mr. Jim Dayton regarding my undertaking of a Director Determination and inviting the two property owners to provide comments. Comments were received from Mr. Jim Dayton on July 24, 2026. Mr. Chuck Vau, spouse of Ms. Kerri Vau, provided comments via phone on July 27, 2026, and I prepared a memo to document this conversation. See Attachment 4 for copies of the received comments.

Community Development Director Determination

The permanent placement and/or installation of ship cargo ("shipping") containers in the low-density residential (R-1) zoning district has been determined to not be appropriate as an allowed or permitted use because the proposed use is not similar in nature and intensity to the uses listed as permitted uses, and accordingly, the three findings required in UCC § 9023 cannot be made. This determination is based upon the following:

1. **Shipping containers proposed within Building Permit #25-000077 are not compatible with other existing or allowed uses in the R-1 zoning district.**

   Allowed uses in the R-1 zoning district are listed in UCC § 9016 and include: *accessory uses normally incidental to single-family residences*, *community gardens*, *home occupations, and single-family residential dwellings, including manufactured/modular homes.* Existing uses surrounding the subject property at 814/816 Jackson Avenue are

comprised of single-family homes to the south, east, and west; and the Ukiah Municipal Golf Course to the north.

The shipping container that has been installed by Ms. Vau is located in the rear (north) of the single-family home, in a grassy, open area of the lot and five (5) feet directly east of the neighboring property line of Mr. Dayton. Proposed locations of the three remaining shipping containers would appear to be in a vertical line directly to the north of the installed shipping container, and would continue bordering Mr. Dayton's property, set back by 5 feet, along the eastern-northeastern boundary of Mr. Dayton's property.

Such a massing and row arrangement of shipping containers would create a nearly continuous façade, of 8 feet in height by at least 80 feet in length and approximately 7-8 feet in depth. The visual impact of such a configuration would be quite like a fence. Indeed, in performing a brief internet search, I found examples, as well as marketing pitches on shipping container websites, of containers being used for just this purpose (fencing).

Fences are allowed in the R-1 zoning district if meeting development standards in the Ukiah City Code and not exceeding 7 feet in height (UCC § 9016). Fences exceeding 7 feet in height and/or not meeting standards require a variance or use permit.

2. **The cargo ship containers may be detrimental to the continuing residential development of the area in which the use would be located**.

In researching the permitting by other California cities of shipping containers in residential zoning districts, I discovered a September 2025 study conducted by staff of the City of Jurupa Valley on the development of regulations for metal shipping containers for residential properties. The study cited the following potential impacts:

- Visual blight in the community due to containers that are not maintained and screened. Containers that are not maintained can have structural damage, dents, rust, corrosion, peeling paint, [or be] muddy or dirty
- Decrease in property values due to visual blight of containers
- Potential hazardous or flammable materials stored in containers
- Structural issues for older containers
- Pest or Rodent problems
- Health risks from potential toxic paint typically found on older containers

Within Building Permit #25-000077, Ms. Vau states the value of work as "$0 (we own)." This statement implies the shipping containers may not be new, and as such, could be more susceptible to dents, rust, corrosion, and peeling and/or toxic paint. Pictures of the proposed shipping containers (Attachment 1) appear to confirm this, as the shipping containers appear weathered, with visible dents, scratches, and discoloration.

Additionally, as previously noted in this analysis, placement of all four cargo ship containers in close proximity to one another along the eastern-northeastern property line of Mr. Dayton's property will produce the visual impact of an eight-foot high wall or fence.

If shipping containers were to be allowed at 814/816 Jackson Avenue, in the manner proposed and without adherence to formal development standards or other requirements such as

screening and appropriate lot placement, it is my opinion that the containers would create a visual blight for the surrounding neighborhood. It is also my opinion that allowing shipping containers on private properties throughout Ukiah in this unregulated manner would be detrimental to the continuing residential development of, and may decrease property values throughout, Ukiah.

Mr. Dayton's comments of 7/24/26 appear to reinforce this conclusion. See below excerpts.

"The shipping container already installed has a significant visual impact on my property. In my case, it occupies a prominent location directly outside my kitchen window (picture on page 3), substantially affecting the enjoyment of my home."

"Also, the shipping container already installed runs along the back of my home and is about 6 feet from my wooden deck. I have major concerns about the contents that can be stored in the shipping container if there is no oversight required by the city on a regular basis. Will there be gas cans, chemicals, toxic materials or other hazardous items which could cause unknown dangers if there was a fire."

3. Shipping containers are not in harmony or consistent with the purpose of the R-1 zoning district.

Section 9015 of the Ukiah City Code states that the purpose of the regulations in the Low Density Residential (R-1) District *is to preserve, enhance, and protect the residential qualities of Ukiah's various neighborhoods. 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 four thousand five hundred (4,500) to ten thousand (10,000) square feet in size.*

The district is consistent with the LDR (Low Density Residential) and RR (Rural Residential) land use designation of the City's General Plan.

The most similar definition to the type of "personal storage" described within the building permit for the shipping containers is within UCC § 9278, *Definitions*:

CONVENIENCE STORAGE: Storage facilities primarily for storing personal effects, household goods, and business materials, generally within enclosed or screened storage areas, but excluding uses such as workshops, hobby shops, manufacturing or other commercial activity. Typical uses include mini-storage and mini-warehousing.

Convenience Storage is a permitted use within the Community Commercial (C-1) Zoning District and an allowed use within the Heavy Commercial (C-2) Zoning District. Convenience storage is currently prohibited in all residential zoning districts.

I conducted a review of a sample of cities within California that regulate shipping containers as a permanent accessory allowed and/or permitted use in residential zoning districts. Below is a summary of reviewed regulations:

- Zero (0) instances of cities permitting permanent cargo ship containers accessory to the primary use as-of-right (allowed) in residential zoning districts.

- Four (4) instances of cities permitting permanent cargo ship containers subject to first securing a minor zoning permit. In all of these circumstances, applicants were required to meet development standards for zoning permit approval- City of Turlock, City of Manteca, City of Escondido, City of Jurupa Valley.
- One (1) instance of a city expressly prohibiting permanent cargo ship containers in all residential zoning districts- Town of Yucca Valley.

In his comments of July 27, 2026, Mr. Vau claimed the City had permitted a shipping container in a residential zoning district at the corner of Ford Street and Myron Place. On August 3, 2026, I performed a site visit of this property (700/702/704/706 Myron Place, APN 002-101-15), observing the container. In following up with building division staff, however, I found there was no building permit on file for the container and that the shipping container located at APN 002-101-15 was not legally permitted. I reported the container to code enforcement staff, who have assigned a case number for the code violation: #26-001677.

The building permit approved for shipping containers at 814/816 Jackson Avenue is the first known building permit for a shipping container in a residential zoning district issued by the Community Development Department Building Division. It is my determination, based on the research and analysis contained herein, that this permit was issued in error.

Conclusions

Based on the research and documentation supporting this Determination, the Community Development Director / Zoning Administrator concludes the following for the subject property:

1. **The installation of four (4) shipping containers in the manner described within Building Permit #25-00007 will produce the visual impact of a fence. Given the height of the shipping containers at eight (8) feet, this height would exceed the height limitations for fences and require a use permit or variance.**

2. **Shipping containers are not accessory buildings in areas zoned low-density residential (R-1). There exist no regulations for the permitting of permanent cargo ship containers, either as an accessory or as a principal use, in R-1 zoning districts. Because cargo ship containers are not an allowed or permitted use in the R-1 zoning district, Building Permit #25-00007 should not have been issued.**

3. **Therefore, I direct that Building Permit #25-00007 be rescinded. The property owner, Ms. Vau, is directed to remove the existing shipping container already installed.**

4. **The City of Ukiah Community Development Department Building Division is directed to refund the cost of the building permit to Ms. Vau, since this permit was issued by the Department in error.**

Appeal

This determination is issued by the Community Development Director / Zoning Administrator in accordance with Ukiah City Code, and as such, is subject to appeal per UCC § 9266. The procedure for appealing this determination is listed below.

An appeal of the decision of the Zoning Administrator shall go to the City Council for a final decision. Such an appeal must be made in writing stating the reasons for the appeal, must include the appeal fee, if any, established from time to time by City Council resolution, and must be filed with the City Clerk within ten (10) days of the date the decision was made. The City Council shall conduct a duly noticed public hearing on the appeal in accordance to the applicable procedures as set forth in this Article. At the close of the public hearing, the City Council may affirm, reverse or modify the appealed decision of the Zoning Administrator. All City Council decisions on appeal of the Zoning Administrator's action are final for the City.

The deadline for appeal of this determination is August 17, 2026 by 5:00 p.m.

Attachments:

1. File, including application and associated materials, for Building Permit #R25-000077
2. Regulations of the R-1 Zoning District
3. Community Development Director Correspondence Inviting Comments
4. Received Comments from Jim Dayton and Chuck Vau

Determination Issuance Date: August 6, 2026



Craig Schlatter, AICP
Director of Community Development

City of Ukiah

COMMUNITY DEVELOPMENT DEPARTMENT

300 SEMINARY AVENUE
UKIAH, CA 95482

BUILDING DIVISION

Email: buildingdivision@cityofukiah.com
Web: cityofukiah.com
Phone: 707-467-5786
Fax: 707-463-6204
Inspections: 707-463-6739

BUILDING PERMIT APPLICATION

Value of Work ($):	Assessor Parcel Number:	Use of Building:
0 We own	001-060-02	Storage

Building Address:
814/816 Jackson Avenue

Description of Work:
Install (4) Ship Cargo Containers for Storage only 8'x20' each

Building Owner Name:	Building Owner Email:	Building Owner Phone #:
Charles & Kerri Van	KerriVan@gmail.com	707-489-3669

Building Owner Mailing Address (Street Number and Name, City, State, Zip Code):	Customer ID:
551 Pomo Lane, Ukiah CA 95482	

Designer Name:	Designer Email:	Designer Phone #:

Designer Mailing Address (Street Number and Name, City, State, Zip Code):	Customer ID:

Contractor Name:	Contractor Email:	Contractor Phone #:
Self		

Contractor Mailing Address (Street Number and Name, City, State, Zip Code):	Customer ID:

LICENSED CONTRACTOR'S DECLARATION: I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (Commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class: **License Number:**

Contractor Signature:	**Date:**

OWNER-BUILDER DECLARATION: I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the checkmark(s) I have placed next to the applicable item(s) (section 7031.5, Business and Professions Code: Any City or County that requires a permit to construct, alter, improve, demolish, or repair any structure prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (Commencing with section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500).):

☐ I, as owner of the property or my employees with wages as their sole compensation, will do ☐ all of or ☐ portions of the work, and the structure is not intended or offered for sale (section 7044, Business and Professions Code: The Contractor's State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the Owner-Builder will have the burden of proving that it was not built or improved for the purpose of sale.).

☐ I, as the owner of the property, am exclusively contracting with licensed Contractors to construct the project (section 7044 Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon and who contracts for such projects with a licensed Contractor pursuant to the Contractors' State License Law).

☒ I am exempt from licensure under the Contractors' State License Law for the following reason:

By my signature below I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner-builder if it has not be constructed in its entirety by licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code, is available upon request when this application is submitted or at the following Web site: http://www.leginfo.ca.gov/calaw.html.

Signature of Property Owner or Authorized Agent:	**Date:** 3/ 125

WORKERS' COMPENSATION DECLARATION WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES: I hereby affirm under penalty of perjury one of the following declarations:

☒ I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

Policy No:._____

☒ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier:	Policy Number:	Expiration Date:
Rochdale Insurance Co.	JWC07-000730-01	1/1/26

Name of Agent:	Phone #:	Verified By (City Staff):
Nick Muzhev | Paramount Exclusive	818-660-1866	

CERTIFICATE OF EXEMPTION FROM WORKMAN'S COMPENSATION INSURANCE

☐ I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, an agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Signature of applicant:	**Date:**

DECLARATION REGARDING CONSTRUCTION LENDING AGENCY

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civil Code).

Lender's Name: Ø

Lender's Address:

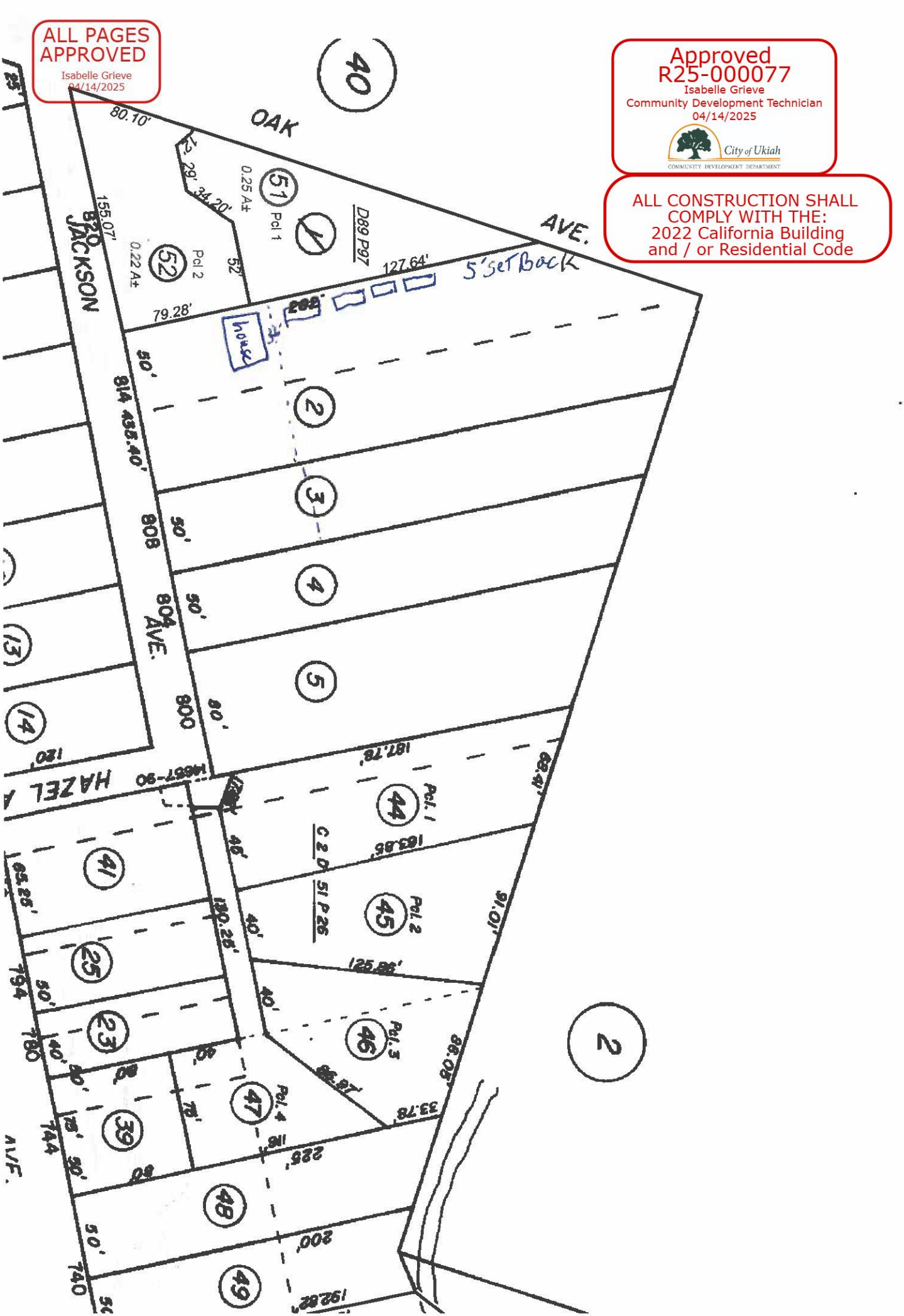
By my signature below, I certify to each of the following:

- I am the property owner or authorized to act on the property owner's behalf.
- I have read this application and the information I have provided is correct.
- I agree to comply with all applicable city and county ordinances and state laws relating to building construction.

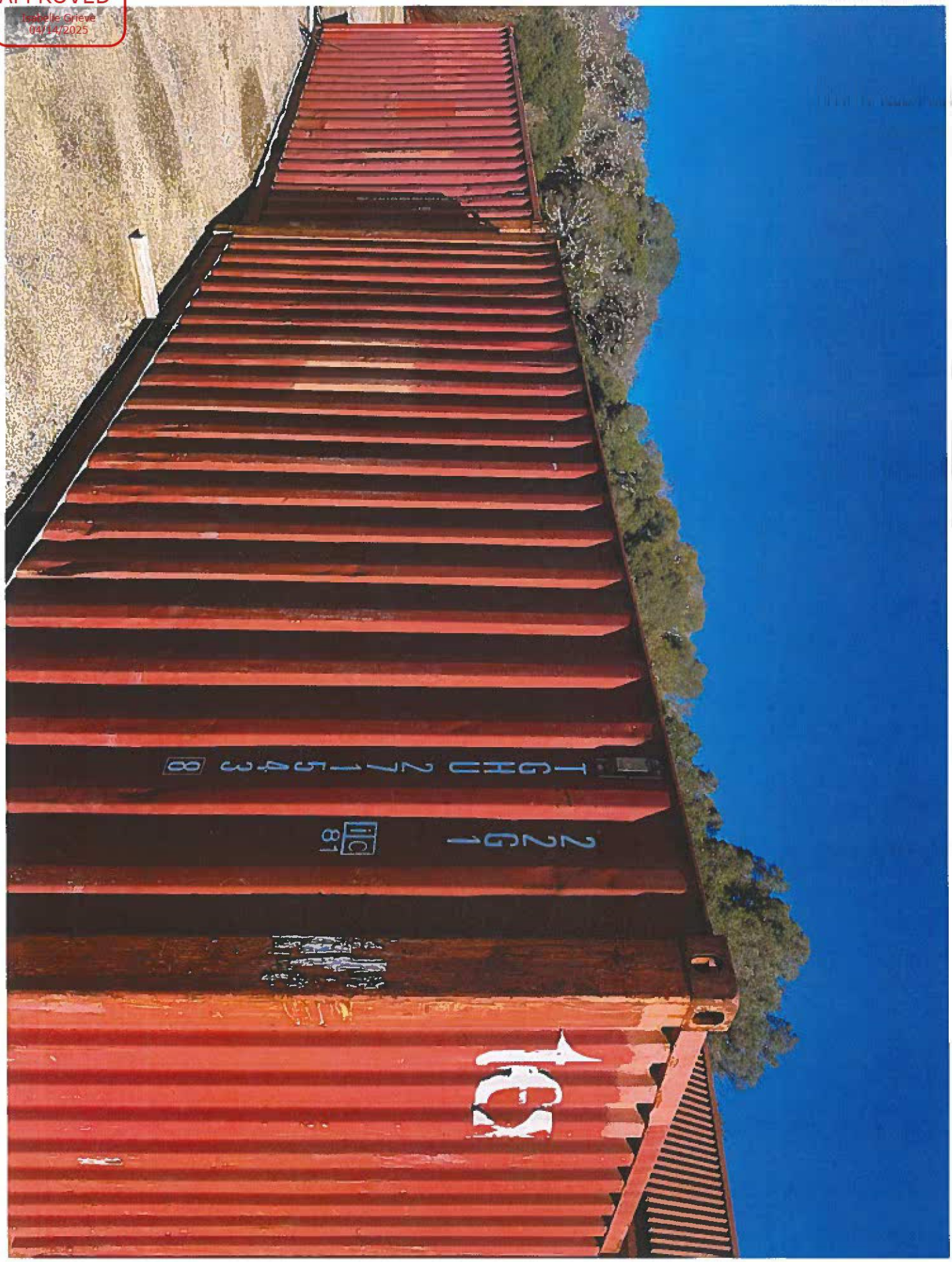
Signature of Property Owner or Authorized Agent:	**Date:** 3/ 125

Permit Expiration: This permit expires by limitation is work authorized is not commenced within 180 days or is abandoned for 180 days or more. An inspection is required to verify this, otherwise the Permit will expire. Permits may be extended for 180 days by written request prior to expiration.

Revised 2/10/2014
Revised 10/17/2014 (email and CID)
Revised 2/7/18 MK


ALL PAGES APPROVED
Isabelle Grieve
04/14/2025
Approved
R25-000077
Isabelle Grieve
Community Development Technician
04/14/2025
City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT
ALL CONSTRUCTION SHALL COMPLY WITH THE:
2022 California Building and / or Residential Code
OAK
AVE.
JACKSON
HAZEL
AVE.
5' SetBack
80.10'
155.07'
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ALL PAGES
APPROVED
Isabelle Grieve
04/14/2025



CHAPTER 2
ZONING

ARTICLE 3. REGULATIONS IN LOW DENSITY RESIDENTIAL (R-1) DISTRICTS[1]

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 And Allowances
§9023: Determination 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 residential qualities of Ukiah's various neighborhoods. 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 four thousand five hundred (4,500) 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. (Ord. 1001, §1, adopted 1998; Ord. 1216, §1, adopted 2021; Ord. 1249, §2, adopted 2024)

§9016 ALLOWED USES

The following uses are allowed in the Low Density Residential (R-1) District, pursuant to the development and operational standards of Article 20 if applicable:

Accessory buildings.

Accessory dwelling units (ADU), as regulated by Chapter 2, Article 5.3 of this division.

Accessory uses normally incidental to single-family residences.

Animal raising – Personal.

Beekeeping and apiaries.

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

Community gardens.

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 Chapter 2, Article 5.4 of this division.

Multiple-family dwellings (i.e., triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard buildings, cottage courts, dwelling groups, and single-room occupancies (SROs), etc.) 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.

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; Ord. 1244, §2, adopted 2024; Ord. 1249, §2, adopted 2024; Ord. 1257, §3, adopted 2025)

§9017 PERMITTED USES

The following uses may be permitted with the securing of an appropriate use permit pursuant to the provisions contained in Article 20 of this Chapter:

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 Chapter 2, Article 5.5 of this division.

Mom and pop grocery store.

Multiple-family dwellings (i.e. triplexes, fourplexes, multiplexes, condominiums, apartments, townhomes, courtyard buildings, cottage courts, 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 Chapter 1, Article 20 of this division.

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; Ord. 1249, §2, adopted 2024; Ord. 1257, §3, adopted 2025)

§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, multifamily dwellings and attached accessory dwelling units, a maximum height of thirty feet (30').

B. For nonresidential 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 Chapter 2, Article 5.3 of this division.

The height limits for both dwelling units and nonresidential accessory structures may be exceeded with the securing of a variance. (Ord. 1001, §1, adopted 1998; Ord. 1181, §5, adopted 2017; Ord. 1216, §1, adopted 2021; Ord. 1249, §2, adopted 2024)

§9019 REQUIRED SITE AREA

A. Interior Lots: The required site area on interior lots in the R-1 zoning district is four thousand five hundred (4,500) net square feet, and the required lot width is forty feet (40').

B. Corner Lots: The required site area for corner lots in the R-1 zoning district is six thousand (6,000) net square feet, and the required lot width is sixty feet (60').

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 do not already feature residential improvements. (Ord. 1001, §1, adopted 1998; Ord. 1249, §2, adopted 2024)

§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. 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: Ten feet (10') for residences and accessory structures.

B. Sides: Five feet (5') for residences and accessory structures.

C. Rear: Ten feet (10') for residences, and five feet (5') for accessory structures.

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.

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. 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 setback.

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; Ord. 1249, §2, adopted 2024)

§9021 REQUIRED PARKING

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

1. Single-Family Dwelling: One on-site parking space per unit.

2. Duplex: One on-site parking space per unit.

3. Multiple-Family Dwelling(s): One on-site parking space per unit.

4. Other Uses: The parking requirements for all other allowed or permitted uses shall be subject to the provisions of section 9198 of this code.

B. Each required 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; Ord. 1249, §2, adopted 2024)

§9022 ADDITIONAL REQUIREMENTS AND 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 sections 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 (2) 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 subsection is to establish the applicability of Government Code sections 65852.21 and 66411.7.

1. Maximum Number Of Units On A Parcel Created By An SB 9 Urban Lot Split (Government Code Section 66411.7):

a. No more than two (2) 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 (2) 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 Section 66411.7):

a. Up to two (2) primary dwelling units, including existing dwelling units on a parcel and units created pursuant to Government Code section 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. (Ord. 1216, §1, adopted 2021; Ord. 1249, §2, adopted 2024)

§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 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 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 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; Ord. 1249, §2, adopted 2024. Formerly 9022)

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[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.

Disclaimer: The City Clerk's office has the official version of the Ukiah City Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: https://www.cityofukiah.com/
City Telephone: (707) 463-6217

Codification services provided by General Code

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

July 22, 2026

Kerri Vau
551 Pomo Lane
Ukiah, CA 95482

Re: 814/816 Jackson Avenue – Permit Issuance Review

Dear Ms. Vau:

I am reaching out to you regarding the building permit issued for “install (4) cargo ship containers 8’x20’ each,” permit #25-000077, at 814/816 Jackson Ave. In receiving a complaint regarding installation of one of these shipping containers, I reviewed the permit file including the plan check review completed by Planning Manager Katherine Schaefers. Because shipping containers are not listed within the zoning code as an allowed or permitted use, Ms. Schaefers should have advised you that a Director’s Determination would first be needed.

The building permit should not have been issued until a Director’s Determination was completed that made appropriate findings that shipping containers in a residential zoning district are allowed by right or through approval of a discretionary permit.

Accordingly, I am completing this Director’s Determination now and would invite your comments. Please submit any comments regarding the installation of shipping containers in a residential zoning district no later than **August 3, 2026**.

You may send your comments to me by mail at the below address, or by email at: cschlatter@cityofukiah.com.

City of Ukiah
Community Development Department
Attn: Craig Schlatter
300 Seminary Ave.
Ukiah, CA 95482

Sincerely,

Craig Schlatter, AICP
Community Development Director

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

July 22, 2026

Jim Dayton
921 Live Oak Ave.
Ukiah, CA 95482

Re: 814/816 Jackson Avenue – Permit Issuance Review

Dear Mr. Dayton:

This letter is in regards to your complaint related to the building permit issued for “install (4) cargo ship containers 8’x20’ each,” permit #25-000077, at 814/816 Jackson Ave. In receiving your complaint regarding installation of one of these shipping containers, I reviewed the permit file including the plan check review completed by Planning Manager Katherine Schaefers. Because shipping containers are not listed within the zoning code as an allowed or permitted use, Ms. Schaefers should have advised the property owner, Ms. Kerri Vau, that a Director’s Determination would first be needed.

The building permit should not have been issued until a Director’s Determination was completed that made appropriate findings that shipping containers in a residential zoning district are allowed by right or through approval of a discretionary permit.

Accordingly, I am completing this Director’s Determination now and would invite your comments. Please submit any comments regarding the installation of shipping containers in a residential zoning district no later than **August 3, 2026**.

You may send your comments to me by mail at the below address, or by email at cschlatter@cityofukiah.com.

City of Ukiah
Community Development Department
Attn: Craig Schlatter
300 Seminary Ave.
Ukiah, CA 95482

Sincerely,

Craig Schlatter, AICP
Community Development Director

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM TO FILE

To: 814/816 Jackson Ave. Director Determination File

From: Craig Schlatter, AICP, Community Development Director

Date: July 27, 2026 at approximately 11:00 am

Re: Comments from Charles “Chuck” Vau related to pending Director’s Determination

I was out of the office on Friday, July 24, 2026, and received a voicemail from Chuck Vau requesting a call back. I contacted Mr. Vau via phone- (707) 489-0669- on Monday, July 27, 2026, at approximately 10:30 am. Mr. Vau stated as follows:

- Kerri Vau is traveling out of the country and requested Mr. Vau notify me that she and Mr. Vau had received the email requesting comments on the pending Director’s Determination.
- They felt they did everything correctly and in accordance with the City’s processes.
- They felt shipping containers were allowed because the City had approved of another shipping container at the corner of Ford and Myron.
- They had no other comments and will decide on next steps after receiving the Director’s Determination.

Comments Regarding Director's Determination
Building Permit #25-000077
814/816 Jackson Avenue

Dear Craig Schlatter,

Thank you for the opportunity to comment regarding the Director's Determination for Building Permit #25-000077.

I appreciate the city's acknowledgment that a Director's Determination should have been completed before the building permit was issued. Because that determination was not made, I respectfully request that the city carefully evaluate whether shipping containers are an appropriate use within a residential zoning district.

My concerns extend beyond my individual property and relate to the broader compatibility of cargo shipping containers within established residential neighborhoods.

1. Residential Character

Standard cargo shipping containers are industrial storage structures designed for shipping yards, ports, and commercial or industrial uses. Their appearance, scale, and construction are fundamentally inconsistent with the character and intent of a residential neighborhood.

Allowing multiple shipping containers on residential parcels risks introducing an industrial appearance that is incompatible with surrounding homes and will lower property values.

2. Visual Impacts

The shipping container already installed has a significant visual impact on my property. In my case, it occupies a prominent location directly outside my kitchen window (picture on page 3), substantially affecting the enjoyment of my home. I believe the container is empty and was set there just for purposes of harassment.

3. Fire Safety

Also, the shipping container already installed runs along the back of my home and is about 6 feet from my wooden deck. I have major concerns about the contents that can be stored in the shipping container if there is no oversight required by the city on a regular basis. Will there be gas cans, chemicals, toxic materials or other hazardous items which could cause unknown dangers if there was a fire.

4. Neighborhood Precedent

This determination will likely establish precedent for future requests throughout the city. If shipping containers are determined to be an allowed residential use without meaningful limitations, other property owners may reasonably expect similar approval.

The city should carefully consider whether widespread placement of cargo containers is consistent with the goals of residential zoning and neighborhood preservation.

5. Compatibility with Residential Zoning

Residential zoning exists to promote neighborhoods that are compatible in appearance, scale, and use. Cargo shipping containers are fundamentally different from traditional residential accessory structures such as garages, sheds, or workshops.

If the City concludes that shipping containers may be allowed under certain circumstances, I respectfully request that strict standards be adopted regarding:

- Number of containers permitted.
- Maximum size and distance from neighboring residences.
- Placement and yard setbacks on the property.
- Screening, landscaping and visual compatibility.
- Notification to neighbors that a request has been requested before it is approved.
- Defined temporary placement for construction or remodeling.
- Protection of neighboring property owners from unreasonable impacts.

6. This Property

Even if shipping containers could be appropriate under limited circumstances, I do not believe placing up to four industrial cargo containers on a little more than one-half acre is compatible with the surrounding residential neighborhood.

The City's review should evaluate not only whether shipping containers may generally be permitted, but whether the number, location, and cumulative impact proposed for this property are appropriate.

Conclusion

I respectfully request that the Director determine that cargo shipping containers are not an allowed use by right within residential zoning districts.

Alternatively, if the City determines they may be permitted, I ask that the determination require a discretionary review process with findings addressing neighborhood compatibility and that appropriate conditions be imposed to protect adjacent property owners.

Thank you for considering these comments.

Thank you, Jim Dayton


CHU 27154